

AUGUST 25, 2020

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

Brian Hamman, Chairman
 Franklin B. Mann, Vice-Chairman
 Cecil Pendergrass
 John Manning
 Ray Sandelli

The Chairman called the meeting to order at 9:31 a.m. The Invocation was given by Commissioner Brian Hamman, followed by the Pledge of Allegiance.

RECAP/ANNOUNCEMENTS

Referring to the [Recap](#) Agenda of August 25, 2020, the Chairman announced that:

Revisions & Corrections:

Item C-15: Approve 3 year Renewal of Designated Receiving System and Transportation Plan for Individuals in Crisis: *Add Renewal Transportation Plan.*

Item A-2: Approve Conservation 20/20 Purchase of Four Mile Cove Parcel:

- *Include unanimous CLASAC vote to move forward with the purchase (see attached Recap).*
- *Include Interlocal Agreement with City of Cape Coral for the restoration of a portion of Four Mile Cove.*

County Manager Item: (1)

County Attorney Item: (1)

Vote: Commissioner Manning moved approval of the Recap Agenda, seconded by Commissioner Sandelli, called and carried.

PUBLIC COMMENT ON AGENDA ITEMS

The Chairman called for public comment on any Consent Agenda items and there were no speakers.

The Chairman requested a motion to approve the balance of the Consent Agenda items and Commissioner Manning so moved, seconded by Commissioner Mann, 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 Manning moved approval, seconded by Commissioner Mann, called and carried.

2. Present Report on Monthly Financial Summary for the Month of June 2020

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

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

3. Present Report on Driver Education Safety Trust Fund for the Month of June 2020

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

4. Present Report on Monthly Financial Summary for the Month of July 2020

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

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

5. Present Report on Driver Education Safety Trust Fund for the Month of July 2020

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

COUNTY ATTORNEY**6. Approve and Execute [Conflict Waiver](#) Request Dated July 23, 2020**

Item Summary: Henderson, Franklin, Starnes & Holt, P.A. (HFSH) is requesting a waiver of conflict of interest for representation of an insurance defense case. (1) HFSH represents Auto-Owners Insurance Co. who insures a contractor named Ronald Beecroft Inc. / RA Beecroft Construction. The County recently sent a Demand for Indemnity and Defense to Beecroft for an accident that occurred at JetBlue Park. Auto-Owners referred the case to Monica Schmucker of HFSH to defend Beecroft and the County. (2) HFSH represented Lee County in the 1980's and early 1990's in unrelated matters. Although an actual legal conflict of interest is doubtful, this action is being taken in an abundance of caution to resolve any concerns.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

COUNTY LANDS**7. Approve [Purchase](#) of [Land](#) for Corkscrew Road Widening Project**

Item Summary: Acquires +/-30,356 square feet of land, in the amount of \$119,600 plus closing costs, for the Corkscrew Road Widening Project. The acquisition of the subject property will provide land necessary for the management of stormwater drainage flows for this project and future widening of the roadway corridor. Project construction is tentatively scheduled to commence in spring of 2021.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

8. Adopt Resolution Declaring Escheated Vacant Lots as Surplus Lands for Affordable Housing

Item Summary: Declares thirty (30) vacant County-owned lots as surplus land and makes them available to qualified nonprofits for affordable housing purposes. All of these lots were escheated to Lee County due to non-payment of real estate taxes. Twenty-nine (29) of these lots are located in Lehigh Acres, and one (1) is located in North Fort Myers. An [Affidavit of Publication](#) was filed for the Notice of Intent to adopt a Resolution.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

[RESOLUTION 20-08-17](#)

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

Item Summary: Acquires a +/- 19.09-acre parcel in the amount of \$319,000, plus costs to close, for the North Lee County Water Treatment Plant Wellfield Project. This purchase avoids the need for condemnation and its excessive fees, costs and time to process. The parcel provides the necessary land for two raw water wells located at 7601 Nalle Grade Road, North Fort Myers.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

COUNTY MANAGER**10. Submit CDBG-MIT General Infrastructure Program Grant Applications**

Item Summary: Authorizes submission of applications to the Florida Department of Economic Opportunity for Community Development Block Grant-Mitigation-General Infrastructure Program funds for projects that would enhance resiliency in the wake of natural disasters. These grants may fund 100% of design and construction costs associated with shelter improvements, road and traffic operations improvements, flood control projects, improvements to the waste-to-energy plant and Lee County utilities operations that particularly minimize risks to low-moderate income populations in Lee County.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

FACILITIES CONSTRUCTION AND MANAGEMENT**11. Approve Piggyback Purchase for Flooring at CenturyLink Sports Complex Players Academy**

Item Summary: Authorizes the purchase and installation of new flooring products for the Century Link Sports Complex Players Academy from Milliken & Company in the amount of \$286,480.90. Large sections of the flooring on the first floor of the Players Academy has peeled up due to moisture seeping through the concrete slab. The existing flooring is obsolete and out of production, which makes it impossible to fix it without complete replacement. Flooring will be replaced throughout the first floor of the building including the kitchen, dining area, laundry room, class room, restrooms and the computer and study rooms. Potential areas that may allow water intrusion will be sealed prior to the replacement of the flooring. A market analysis was completed identifying a total cost savings of approximately \$75,865.04 utilizing the piggyback contract.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

12. Award Contract to Replace Switchgear at Melvin Morgan Constitutional Complex

Item Summary: Approves contract with [Cheslosky Electric, Inc.](#) for the [purchase](#) and replacement of the switchgear in the Melvin Morgan Constitutional Complex in the amount of \$423,000.00. The existing switchgear is the original equipment when the building was constructed in 1992 and is at the

end of its useful life. The switchgear, which powers electricity to the building, is the original equipment and is now 28 years old. The parts and equipment are obsolete and not readily available to purchase if the need arises to fix components of the system. The software is also outdated and is no longer supported by the manufacturer. The total estimated cost to replace the switchgear is \$441,625 which includes \$423,000 for the cost of the equipment, \$13,625 for engineering services and \$5,000 for permits, security and fire watch during the replacement of the equipment.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

FLEET MANAGEMENT

13. Approve Piggyback Purchase of Fleet Management Software Licenses & Maintenance

Item Summary: Approves the purchase of additional licenses and maintenance services for fleet management software from CCG Systems, Inc. dba FASTER Asset Solutions in the amount of \$50,000.00. The Fleet Management and Solid Waste Departments currently utilize FASTER Fleet Management software. FASTER is the predominant software solution for local government fleet departments (Collier County, Charlotte County, Cape Coral, and Fort Myers) and private fleet operations. The software and maintenance is proprietary and may only be purchased from FASTER. This piggyback purchase utilizes pricing from the General Services Administration (GSA) Contract for the term through February 13, 2023, and any renewals or extensions approved by the GSA. Expenditures during Fiscal Year 2018-2019 were \$31,746.35. The planned expenditure increase is attributed to the need for additional software licenses and the associated maintenance.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

HUMAN SERVICES

14. Accept Grant Funding for HOPWA Case Management & Rental Assistance

Item Summary: Approve acceptance of grant funds from the Health Planning Council of Southwest Florida which provides funding for case management and rental assistance to persons with HIV/AIDS. Approximately 120 households with income at or below 80% of the Area Median Income will be assisted through the Housing for Persons with Aids Program (HOPWA). This [renewal](#) increases the entire amount of this contract to \$653,020; funds must be spent by June 30, 2021.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

[RESOLUTION No. 20-08-18](#)

15. Approve 3-Year Renewal of Designated Receiving System and Transportation Plan for Individuals in Crisis

Item Summary: Approves plan as required by Florida Statute, which serves a vital component of the comprehensive plan in Lee County to meet the behavioral health needs of individuals in crisis. Provides pertinent information to Law Enforcement personnel for transporting and admitting Baker Act and Marchman Act individuals into designated receiving facilities.

DURING THE ANNOUNCEMENTS PORTION OF THE MEETING THE CHAIRMAN ANNOUNCED: Item C-15: *Add Renewal Transportation Plan.*

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

PARKS AND RECREATION

16. Award Contract for Berm & Slope Mowing Services

Item Summary: Awards bid for berm and slope mowing services to [Backwoods Clearing and Services, Inc.](#) The contract for berm and slope mowing services is for Six Mile North Preserve and Briarcliff Conservation Areas and will be completed on an as needed basis, and monthly from May through October for compliance with State of Florida permits. These services will be provided in an amount not to exceed \$56,000 annually.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

PROCUREMENT MANAGEMENT

17. Award Contract for Rock, Aggregate, Screenings, Sand & Related Material - Countywide

Item Summary: Awards a contract to [Green Dream International LLC](#), [Grippe Pavement Maintenance, Inc.](#), and [Stan Weeks & Associates, Inc.](#), to provide rock, aggregate, base material, sand, rip rap, and other related materials to the County, on an as needed basis for an initial one year period in the amount of \$412,413.94 annually. The contract can be renewed up to three additional one year periods, upon the agreement of both parties. Total expenditures for these services for Fiscal Year 2019 were \$412,413.94.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

18. Approve Piggyback for Purchase of Furniture - Countywide

Item Summary: Approves the use of the State of Florida Contract No. 56120000-19-ACS for Furniture, All Types to provide purchase of furniture, except hospital room and patient handling from only the vendors made part of the contract, on an as needed basis, through the contract expiration date of December 1, 2023, and any renewals or extensions approved by the State of Florida. Expenditures during Fiscal Year 2018 were \$779,139.69. Individual purchases in excess of \$100,000.00 will have a market analysis completed and will be brought to the Board for approval.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

19. Award Contract for Automotive & Equipment Batteries - Countywide

Item Summary: Awards contracts to [J & K Auto Parts, Inc. dba Napa Auto Parts](#), [IEH Auto Parts, LLC dba Auto Plus Auto Parts](#), and [Interstate Batteries of SW FL dba DTC Distributors, LLC](#) to provide the supply and delivery of automotive & equipment batteries to County departments, on an as-needed basis for an initial three-year period in an amount not to exceed \$130,000.00 per year. The contracts can be renewed for up to three years, upon the agreement of all parties. Total expenditures for these services for Fiscal Year 2018-2019 were \$129,100.00.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

20. Award Contract for Concrete Ready Mix - Countywide

Item Summary: Awards a contract to [Smyrna Ready Mix Concrete, LLC \(SRM\)](#) to provide concrete ready mix, on an as-needed basis for an initial three-year period in the amount of \$100,000.00 annually, as approved in the department's annual adopted budgets. The contract can be renewed up to three additional years, upon the agreement of both parties. Total expenditures to date for Fiscal Year 2019-2020 are \$96,915.09. Expenditures for future years are anticipated not to exceed \$100,000.00 annually.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

PUBLIC SAFETY

21. Accept Annual [Grant](#) Funds from FDEM to Support Preparedness Efforts & Operations

Item Summary: Approval will provide \$162,123 in grant funding from the State of Florida Division of Emergency Management (FDEM) to Lee County's Emergency Management program to support preparedness efforts and operations. The Department of Homeland Security/Federal Emergency Management Agency has allocated the funds to supplement and augment emergency management and preparedness activities.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

[RESOLUTION No. 20-08-19](#)

22. Accept Annual [Grant](#) Funds from FDEM to Fund Two Emergency Management Positions

Item Summary: Approval will provide \$105,806 in grant funding from the State of Florida Division of Emergency Management (FDEM) to enhance the County's Emergency Management program. Approval and execution of this grant agreement will continue to provide funding to two positions which improve the County's Emergency Management program in a manner consistent with the State Emergency Management Plan and supporting programs.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

[RESOLUTION No. 20-08-20](#)

23. Approve EMS [Field Internship Experience Agreement](#) with Hodges University

Item Summary: The Division of Emergency Medical Services provides opportunities for students in EMS programs at local colleges and technical schools to do field internships on ambulances. The completion of a field internship is a requirement for certification by the Florida Department of Health under F.S. 401.2701. This agreement extends this opportunity to students at Hodges University, and outlines certain aspects of paramedic training for employees of Public Safety. An existing agreement between the parties expired earlier this year.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

24. Approve Amendment to I.A.F.F. Local 1826 Collective Bargaining Agreement

Item Summary: This item approves an amendment to the Collective Bargaining Agreement between the County and Southwest Florida Professional Firefighters and Paramedics, Local 1826, I.A.F.F. (Local 1826). The County and Local 1826 agreed to change the schedule for schedule and sector bidding under the agreement to align with the calendar year, starting January 1, 2021. Local 1826 notified the County of the ratification of the language on July 22, 2020. There is no fiscal impact to the change.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

SOLID WASTE

25. [Amend Interlocal Agreement](#) between Lee County Solid Waste & City of Naples

Item Summary: The proposed Board action will amend the term of the existing Interlocal Agreement between Lee County and the City of Naples for the Solid Waste Department to process recycling

material until March 31, 2021. Lee County charges the City of Naples the negotiated processing rate of Thirty-eight Dollars and Twelve Cents per inbound ton (\$38.12/ton) unless the loads received are deemed as Contaminated Loads; then the Municipal Solid Waste disposal rate of Fifty Dollars and Twenty Cents per ton (\$50.20/ton) applies. The Naples City Council approved this Amended Interlocal Agreement on June 17, 2020.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

26. Approve Purchase & Installation of Conveyor Equipment

Item Summary: Approves the single-source procurement for the purchase and installation of conveyor equipment from [Machinex Technologies, Inc.](#) in the amount of \$311,132.00. Single source purchase method was the best purchase option for Lee County as the existing conveyors were custom manufactured by Machinex Technologies to a specific performance specification, and utilizing another vendor would require additional time for design and engineering costs. The conveyor equipment will replace existing equipment at the Solid Waste Construction and Demolition Debris Recycling Facility. Vendor will design, fabricate, ship and install replacement conveyors C-3, C-6, C-8, and C-13. Existing conveyors are in need of replacement after 10 years of service due to corrosion. The Board of County Commissioners originally approved the project as part of the FY18/19 Solid Waste Capital Improvement Program. The total estimated project expenditure including dedicated equipment is \$693,522.00.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

27. Approve Annual Expenditures for Litter Prevention & Recycling Education

Item Summary: Approves the sole source procurement of litter prevention and recycling education provided by [Keep Lee County Beautiful, Inc. \(KLCB\)](#), as approved in the departments' annual adopted budgets in the amount of \$85,000.00. Expenditures during Fiscal Year 2020 were \$85,000. KLCB has a long, 30-year presence in Lee County. They represent the primary source of litter prevention and recycling education in the County. 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.

Public Comment: There was [one \(1\) person](#) that came forward to speak: Ron Kitlas - [Handout](#)

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

SPORTS DEVELOPMENT

28. Accept Florida Sports Foundation Grant for Perfect Game Baseball Championship Series

Item Summary: Provides \$25,000 from the Florida Sports Foundation for Perfect Game's Baseball Championship Series conducted in July of 2020. Lee County has received a grant for this tournament every year since 2011. In 2019, the Championship Series generated 24,696 hotel room nights and \$11.3 million in direct visitor expenditures.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

[RESOLUTION No. 20-08-21](#)

TAX COLLECTOR

29. Authorize Tax Collector to Mail 2020 Tax Notices Prior to Value Adjustment Board Hearings

Item Summary: Allows the Tax Collector to mail 2020 tax notices on or before November 1, 2020; to collect and distribute tax revenue to taxing authorities before completion of the Value Adjustment Board hearings.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

TRANSIT

30. Approve Contract with Florida Department of Transportation for Emergency Assistance

Item Summary: Approve a contract between LeeTran and the Florida Department of Transportation (FDOT) for the provision of emergency transportation and evacuation assistance. LeeTran would transport stranded motorists along specified evacuation route roadways to maintain clear passage for evacuees. Activities under this agreement include emergency transportation of people in the area affected by a pending natural disaster. This contract would be executed after the Governor declares a state of emergency due to an impending natural disaster when impacted areas will be outside of Lee County. Potential service areas include areas north of Manatee County and east of Glades and Hendry Counties. FDOT will reimburse LeeTran for all expenses for services provided under this contract.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

TRANSPORTATION

31. Approve Agreement with FDOT for Summerlin Road Multi-Use Path

Item Summary: Execution of this [Post Project Agreement](#) assigns Lee County Department of Transportation (DOT) maintenance responsibility of a multi-use path and sidewalk on the east side of Summerlin Road from the shared use path entrance at Lakes Park and Lakewood Blvd to Cypress Lake Drive. The Florida Department of Transportation (FDOT) is responsible for constructing the project. Construction is expected to begin in October. Funding for maintenance will be included in the DOT FY 2020/21 Operating budget and is estimated to be less than \$10,000 per year for the first several years.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

[RESOLUTION No. 20-08-22](#)

32. Approve Big Carlos Bridge Deck Repairs Project

Item Summary: Approve a County Project Authorization (CPA) to the contract with Villa-Fuerte Construction, LLC to repair several identified concrete spalling areas of the Big Carlos Bridge deck and epoxy overlay the affected areas in the amount of \$240,045.90. Funding is available in the current year Major Maintenance budget.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

33. Approve Amended Agreement with Gasparilla Inn for Stormwater Operation & Maintenance

Item Summary: Approves an [amended agreement](#) due to a pipe relocation caused by conflicting utilities. The initial agreement outlined the responsibilities Gasparilla Inn, Inc. has for maintenance and operation of a new stormwater facility within County right-of-way. The stormwater facility will be built on Gasparilla Inn's property, except where they need to cross County right-of-way. This agreement covers Gasparilla Inn's responsibility for those crossings at revised locations. No funding is required for this action.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

34. Approve Saint James City Sidewalk Repair Project

Item Summary: Approve a County Project Authorization (CPA) to the contract with Villa-Fuerte Construction, LLC for removal and replacement of 3800 SY of 6" damaged concrete sidewalk along Stringfellow Road from the four way stop south to St James City Bridge in the amount of \$328,460.00. Repair of this section of sidewalk has been identified by Lee County Department of Transportation as a top safety priority and funding has been dedicated in FY 2019/2020.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

UTILITIES

35. Authorize Construction of Palm Avenue Force Main Replacement

Item Summary: Approves a County Project Authorization (CPA) to the annual contract with BC Underground LLC., for Underground Utility, Water, and Wastewater Plant Contractors to construct the force main crossing of Ten Mile Canal at the intersection of Meadow Lane and Palm Avenue, in the amount of \$148,238.01. BC Underground was the lowest of three quotes submitted by awarded contractors. The project includes the installation of approximately 100 linear feet force main, removal and disposal of the existing canal crossing, and coordination with CSX/Seminole Gulf Railway. The existing pipe is approximately 46 years old and has reached the end of its life cycle. The purpose of this project is to replace a failing force main crossing to minimize environmental impacts. The total estimated cost of this project is \$148,238.01 and construction is anticipated to begin by the end of September, 2020.

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

ADMINISTRATIVE AGENDA

ENVIRONMENTAL ITEMS

1. Approve Conservation 20/20 [Purchase](#) of Land in Hickey Creek Swamp

Item Summary: Acquires +/- 426.98 acres for the Conservation 20/20 Land Acquisition Program, located at 2200 Carter Lane, Alva, Florida. The property is located within Hickey Creek Swamp, on the south side of S.R. 80 and approximately one-quarter mile west of Hickey Creek Road. This parcel consists of a diverse mix of upland and wetland native plant communities including cypress forest, cabbage palms, pine flatwoods, and mesic hardwood hammock. With great access from S.R. 80, the property has potential for marked hiking trails. The [purchase price is \\$4,400,000](#), plus costs to close. The Conservation 20/20 Land Acquisition and Stewardship Advisory Committee (CLASAC) voted unanimously to forward this purchase agreement for Board consideration to approve. An [Affidavit of Publication](#) was filed for this land purchase.

Board Discussion: Parks and Recreation Director Jesse Lavender presented the item.

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

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

2. Approve Conservation 20/20 [Purchase](#) of Four Mile Cove Parcel

Item Summary: Acquires +/- 193.82 acres, Nomination 605, for the Conservation 20/20 Land Acquisition Program, located on Four Mile Cove Parkway, Cape Coral. The property is located adjacent to Four Mile Cove Ecological Park to the south and the Caloosahatchee River and creek frontage along the easterly boundary. The [purchase price is \\$6,050,000](#), plus costs to close. Closing of Nomination 605 is subject to the County and City of Cape Coral entering into an [Interlocal Agreement](#) memorializing the terms and conditions of the City's restoration of a portion of the property, whereby the County is not responsible for restoration costs. An [Affidavit of Publication](#) was filed for this land purchase.

Board Discussion: Parks and Recreation Director Jesse Lavender presented the item. County Manager Roger Desjarlais stated that about a year ago this piece of property had some mangroves destroyed. The closing is contingent upon the City of Cape Coral finishing the rehabilitation project. The Interlocal Agreement has already been entered into. However, The City of Cape Coral is obligated to monitor the site. The period for monitoring is 5 years. Commissioner Mann inquired if the closing was going to be held up for the 5 years and Mr. Lavender stated that the closing will be very soon.

Public Comment: The Chairman called for public comment and there were [three \(3\) speakers](#) and [twenty \(20\) eComments](#).

DURING THE ANNOUNCEMENTS PORTION OF THE MEETING THE CHAIRMAN ANNOUNCED: Item A-2: *Include unanimous CLASAC vote to move forward with the purchase and Include Interlocal Agreement with City of Cape Coral for the restoration of a portion of Four Mile Cove.*

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

PUBLIC SAFETY

3. Accept [Grant](#) Funds from FDEM to Support Activities Related to COVID-19

Item Summary: Approval will provide grant funding from the State of Florida Division of Emergency Management (FDEM) to Lee County's Emergency Management program to support the prevention of, preparation for, and response to the ongoing Coronavirus Disease 2019 (COVID-19) public health emergency. This funding may address Mitigation activities (related to slowing the spread of COVID-19), integration of emergency management and public health operations, Personal Protective Equipment (PPE) inventories and planning for alternate care sites and other costs related to COVID-19 preparedness.

Board Discussion: Department of Public Safety Director Lee Mayfield presented the item.

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

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

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

PUBLIC HEARING - 9:30 AM

1. Approve Petition to Vacate at 405 Norman Avenue, Lehigh Acres, Florida

Item Summary: Extinguishes the public interest in the unimproved public utility easement centered along the common lot line between Lots 7 and 8 of the platted lot at 405 Norman Avenue in Lehigh Acres. This action will remove encumbrances in order to create a unified building site for a residential addition. There were no objections from the public utility providers and there are no other affected property owners.

County Attorney: County Attorney Richard Wm Wesch approved the [Affidavit of Publication](#) for entry into the record and briefly summarized the request.

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

Vote: Commissioner Mann moved approval, seconded by Commissioner Manning, called and carried.

[RESOLUTION No. 20-08-24](#)

2. Approve Petition to Vacate at 705 Dubarry Avenue South, Lehigh Acres, Florida

Item Summary: Extinguishes the public interest in the unimproved public utility and drainage easement centered along the common lot line between Lots 2 and 3 of the platted lot at 705 Dubarry Avenue South in Lehigh Acres. This action will remove encumbrances in order to create a unified building site for a residence. There were no objections from the public utility providers and there are no other affected property owners.

County Attorney: County Attorney Richard Wm Wesch approved the [Affidavit of Publication](#) for entry into the record and briefly summarized the request.

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

Vote: Commissioner Mann moved approval, seconded by Commissioner Manning, called and carried.

[RESOLUTION No. 20-08-25](#)

COMMISSIONERS APPOINTMENTS

Commissioner Manning:

Requested a motion to:

- Reappoint Walter Barletta to the Housing Finance Authority ([Certificate of Appointment](#))

Vote: The motion was seconded by Commissioner Mann, called and carried.

Commissioner Hamman:

Chairman Hamman requested a motion of approval for:

- New Appointment of Chris Lopez to the Disaster Advisory Council

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

Commissioner Sandelli:

Requested a motion to:

- Rescind the prior appointment of Joseph Wallace to the NE Hurricane Bay MSTU Committee

Vote: The motion was seconded by Commissioner Mann, called and carried.

COUNTY MANAGER ITEMS

Risk Map Update

Assistant County Manager Glenn Salyer presented the Board with an update on the County process for Coastal Risk Maps that updates some of the Counties flood insurance rate map panels that FEMA has been working on since 2013. FEMA shared the preliminary maps with the public at a series of meetings/open houses in 2019. Now the process has moved on to the local appeals phase. The County is required to collect the appeals and submit them by November 10, 2020. Staff is asking the public to submit any appeals by October 9, 2020 in order to have them ready in advance for the final submission date. It does appear that the intense Federal lobbying efforts to get FEMA to share preliminary data with Staff has paid off. Staff will be posting a video later this week for the public that outlines risk assessment measures, flood mitigation steps they can take, as well as recovery resources.

COUNTY ATTORNEY ITEMS

COVID-19

County Attorney Richard Wm. Wesch requested a motion for the Twenty-Third (23rd) Extension of the Covid-19 State of Local Emergency (SOLE) Declaration.

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

Vote: Commissioner Manning so moved, seconded by Commissioner Pendergrass, called and carried.

[RESOLUTION NO. 20-08-16](#)

COMMISSIONERS' WORKSHOP UPDATE

County Manager Roger Desjarlais announced that the Workshop meeting this afternoon at 1:30 p.m. will be to present the Board with the Final Draft of the General Fund Budget for FY 2020-2021.

PUBLIC PRESENTATION OF MATTERS BY CITIZENS

The Chairman called for presentation of matters by citizens and [one \(1\) citizen](#) came forward:

The Chairman recessed the meeting at 9:57 a.m.

The Chairman reconvened the meeting at 5:01 p.m. with all of the Commissioners present.

PUBLIC HEARING - 5:00 PM

1. 1st Public Hearing: Ordinance Amending LDC Chapter 2, Article IV - Wetlands

Item Summary: Hold first public hearing for requested amendments that will provide new and revised definitions, computation of Wetland Transferable Development Units (TDUs), density equivalents of Wetland TDUs, and clarifications and revisions for internal consistency. The updated Wetlands Transferable Development Rights program incentivizes property owners to preserve wetlands.

County Attorney: County Attorney Richard Wm Wesch approved the [Affidavit of Publication](#) for entry into the record and briefly summarized the request and then turned the item over to Community Development Director Dave Loveland for introduction and presentation of the item. Mr. Loveland gave a brief Board presentation saying that the Planning Agency found the amendment to be consistent with the Comprehensive Plan. There was a brief Board discussion.

Public Comment: The Chairman called for public comment and there were no speakers and [one \(1\) eComment](#).

Vote: Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

2. 1st Public Hearing: Designate Burnt Store Road as Controlled Access Road

Item Summary: In accordance with Land Development Code, Section 10-298, a controlled access road is a roadway that is the subject of a Board of County Commissioners Resolution specifically designating the road as a controlled access facility and specifying the access points along the roadway corridor. The Board of County Commissioners may designate a roadway as a controlled access facility by adopting a resolution through the same public hearing process applicable to adopting an ordinance affecting the use of land. Adoption of the resolution must be by a super majority vote (four affirmative votes) of the Board. The purpose of the controlled access resolution is to preserve safety and roadway traffic capacity. The intent of the resolution is to set access points at specific locations and restrict access along the designated road corridor to these locations. Two public hearings are required to designate a Controlled Access Road. Lee County Department of Transportation staff is requesting Burnt Store Road (CR 765) be designated a Controlled Access Road from its intersection with Pine Island Road (SR 78) to the Charlotte County Line.

County Attorney: County Attorney Richard Wm Wesch approved the [Affidavit of Publication](#) for entry into the record and briefly summarized the request. Mr. Wesch stated that both of today’s public hearings are the first of two. The next public hearing for these two items will be on Tuesday, September 15, 2020 at 9:30 a.m. Mr. Wesch then turned the item over to Director of Transportation Randy Cerche for introduction and presentation. Mr. Cerche gave a brief Board presentation and addressed questions.

Public Comment: The Chairman called for public comment and there were [three \(3\) speakers \(handout\)](#) and [one \(1\) eComment](#).

Vote: Commissioner Manning moved approval of the next public hearing on September 15, 2020 at 9:30 a.m. and revisions by Staff, seconded by Commissioner Sandelli, called and carried.

[RESOLUTION No. 20-08-26](#)

The Chairman adjourned the meeting at 5:21 p.m.

ATTEST:
LINDA DOGGETT, CLERK

By: _____
Deputy Clerk

Chairman, Lee County Commission