

May 15, 2018

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

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

The Chairman called the meeting to order at 9:30 a.m. Mr. Paul Lodato of WRXY TV CTN10 Christian Television gave the Invocation, followed by the Pledge of Allegiance to the flag.

CEREMONIAL PRESENTATIONS

1. [Presentation Recognizing Fort Myers High School Girls Basketball Team State Champions.](#) (Commissioner Pendergrass)

Commissioner Pendergrass read and presented a Ceremonial Resolution congratulating the 2017/2018 Fort Myers High School Girls Basketball Team and the Fort Myers Green Wave from the Board of County Commissioners for their commitment to sports, education and their pride in the community. Furthermore, The Board would also like to recognize the school administrators, faculty and staff of the Fort Myers High School for helping to bring this Florida High School State Championship to Lee County. (Please see the lists of the names of the Girls Basketball Team Members and the Coaches in the Presentation Form) They accepted the Resolution and thanked the Board.

2. **Presentation of the 1st Quarter 2018 Length of Service Awards (Human Resources)**

Human Resources Generalist Lee Elkins, County Manager Roger Desjarlais, and Human Resources Supervisor Shawn Fournier, presented the 1st Quarter 2018 Employee Length of Service Awards. (Please refer to the Agenda listing of all employees recognized)

RECAP

Referring to the [Recap Agenda](#) dated May 15, 2018, the Chairman announced that on Consent Agenda 9, additional backup for the item includes May 1 agenda.

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

PUBLIC COMMENT ON AGENDA ITEMS

The Chairman called for public comments on Consent Agenda items and the following citizen came forward:

Estero resident [Louis Grammas](#) – concerned about Corkscrew Road

NO CONSENT AGENDA ITEMS WERE PULLED FOR DISCUSSION BY THE INDIVIDUAL COMMISSIONER.

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

CONSENT AGENDA

BUDGET SERVICES

1. **Make Final Fund Balance Adjustments and Budget Carryovers for FY17-18**

Item Summary: Approve fund balance adjustments and budget carryovers for major maintenance and capital projects, grants, and operating funds for FY17-18

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

[RESOLUTION NO. 18-05-18](#)

CLERK OF COURTS

2. **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 Kiker moved approval, seconded by Commissioner Mann, called and carried.

3. **Present Report on Driver Education Safety Trust Fund for the Month of March 2018**

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

4. Present Report on Monthly Financial Summary for the Month of March 2018

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

5. Approve the Minutes for Meetings of the Board of County Commissioners

Item Summary: Approves the Minutes for meetings of the Board of County Commissioners.

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

COUNTY ATTORNEY

6. Approve mediated Settlement in the Personal Injury Case of Carolyn DeFreitas

Item Summary: Approval of the proposed settlement resolves the case in its entirety against Lee County.

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

7. Adopt First Amended [Interlocal Agreement with Lehigh Acres Fire Control and Rescue District](#)

Item Summary: Lee County and the Fire District have agreed to cooperate whereby the District will donate to County certain real property interests for the Project's design and construction activities, and Lee County will install and maintain signalization improvements to facilitate ingress and egress of emergency vehicles entering or exiting Replacement Fire Station #102 at Homestead Road South.

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

COUNTY LANDS

8. Approve Conveyance of a [Utility Easement](#) to FP&L for the Bonita Springs Library

Item Summary: Conveys a ± 474 square foot utility easement to Florida Power & Light Company to accommodate the installation of a transformer pad and utility poles to service the Bonita Springs Library.

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

COUNTY MANAGER

9. Authorize Florida Community Bank to Provide Financing for Municipal Services Benefit Units

Item Summary: Allows the Municipal Services Taxing Benefit Office to continue providing short term and long term funding of the capitalized improvements program through Florida Community Bank.

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

[RESOLUTION NOS. 18-05-19](#) AND [18-05-20](#)

10. Quarterly Reporting of Expenditures for County-Sponsored Functions

Item Summary: Combination of County Administration, County Commissioners, Economic Development, Human Resources, Libraries, Parks and Recreation, Procurement, Talent Development, and Transit.

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

11. Approve FY18-19 Capital Improvement Plan Policies from the May 1, 2018 Workshop

Item Summary: At its May 1, 2018 FY18-19 Draft Capital Improvement Plan Workshop, the Board discussed a number of policies for developing the 5-Year Plan. This agenda item is to approve those policies.

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

FACILITIES CONSTRUCTION AND MANAGEMENT

12. Approve Architectural Improvements to the Lakes Regional Public Library

Item Summary: Approves a Supplemental Task Authorization (STA) for Parker/Mudgett/Smith Architects, Inc. to provide architectural services for improvements to the [Lakes Regional Park Library](#) in the total amount of \$111,950. This project was planned and budgeted in Fiscal Year 2018-2019.

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

13. Approve Professional Services for Remodeling of Lee County Administration Building

Item Summary: Approves award of a Supplemental Task Authorization (STA) to Burt Hill/Pollock Krieg Architects, Inc. to provide engineering and architectural services for the remodel and addition of security measures to the Lee County Administration Building in the total amount of \$148,100.00.

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

14. Award Contract for [Removal and Replacement of the CD/Public Works Building Chiller](#)

Item Summary: Award a [contract to Waterside Mechanical, Inc.](#) for the purchase, delivery, and all-inclusive removal of existing and installation of replacement circulation pumps located at the Community Development and Public Works Building in the total amount of \$173,776.00. The pumps have reached the end of their useful life. This project was planned and budgeted.

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

HUMAN SERVICES

15. Amend Annual Action Plan for U.S. Department of Housing and Urban Development

Item Summary: [Amending Lee County's 2017 Annual Action Plan](#) ensures compliance with requirements for grant funding, and for funds to be expended in a timely manner to serve community needs for planning, community development and affordable housing projects.

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

[RESOLUTION NOS. 18-05-21](#) AND [18-05-22](#)

NATURAL RESOURCES

16. Approve [amendment to Grant](#) for Nalle Grade Storm Water Park Project

Item Summary: Approves an amendment to the Florida Department of Environmental Protection (FDEP) grant agreement to extend the deadline from July 20, 2018 to July 19, 2022 and accept a \$500,000 increase in the grant amount. Construction has not yet begun as there were permitting delays and reallocation of staff resources due to Hurricane Irma. The extension will allow the time necessary to complete the project. The grant amount is currently \$500,000. Through this amendment, the State is offering an additional \$500,000 approved by the US EPA bringing the total grant amount to \$1 million. The project is budgeted in the current fiscal year.

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

[RESOLUTION NO. 18-05-23](#)

17. Approve Consent to Easement for Alva Boat Ramp Renovations

Item Summary: Approves required [consent to easement](#) to allow for Army Corps permitting of renovations to Alva boat ramp and dock. Natural Resources Division is collaborating with Lee County Parks and Recreation on project to rebuild the ramp and improve the dock and parking facilities. The Consent to Easement is required because the project area overlaps the Okeechobee Waterway federal right-of-way.

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

PROCUREMENT MANAGEMENT

18. Award Contract for Countywide Live Auction Services

Item Summary: Award contract for countywide live auction services used in the disposition of County assets to [Manheim Remarketing, Inc. dba Manheim Ft. Myers](#), for a period of one year with up to three additional one-year renewals. The Board previously awarded contracts to five other vendors on April 17, 2018; due to a change in corporate leadership, Manheim Remarketing, Inc. dba Manheim Ft. Myers' contract documents were not ready at that time. Total expenditures for these services in FY 2016-2017 were \$8,308.67

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

19. Approve Purchase of Locksmith Hardware, Parts and Equipment Countywide

Item Summary: Awards a contract to [Independent Hardware Inc.](#) for use on an as-needed basis is for the purchase of lock hardware, supplies, and equipment for an initial period of one-year. Total expenditures for these products during Fiscal Year 2016-2017 were approximately \$38,330.48.

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

20. Approve Renewal of Merchant Services - Countywide

Item Summary: Authorizes continued use of State of Florida Department of Financial Services Division of Treasury Contract No. TR175 for use on an as-needed basis for acceptance of credit cards and other electronic payments through its extended expiration date of June 11, 2021 and any renewals or extensions approved by the State. The County pays a transactional fee for this service; total fees for this service during the 2016-2017 Fiscal Year were approximately \$200,000.

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

21. Renew Annual Contracts for Miscellaneous Planning Services Countywide

Item Summary: Approves renewals of the annual contracts with six firms for an additional one-year period through June 18, 2019, for use on an as-needed basis for miscellaneous planning services, as

approved in the departments' annual adopted budgets. Although there were no expenditures for this contract in the previous fiscal year, there are requests to use it in the next fiscal year.

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

22. Award Contracts for Water, Sewer, and Irrigation Materials - Countywide

Item Summary: Awards contracts to [Core & Main LP](#) and [Ferguson Enterprises, Inc.](#) dba Ferguson Waterworks, for the purchase of water, sewer, and irrigation materials, on an as-needed basis, as approved in the departments' annual adopted budgets. The initial contract period is one year with the option of three additional one-year renewals. Expenditures for these goods for Fiscal Year 2016-2017 were approximately \$1,249,267.47.

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

PUBLIC SAFETY

23. Approve [Boca Grande Fire Control District Certificate of Public Convenience and Necessity](#)

Item Summary: The Boca Grande Fire Control District submitted an application for a Certificate of Convenience and Necessity to provide advance life support (ALS) non-transport services within its boundaries. Granting the request would allow the District to provide initial basic and/or advance life support services prior to the arrival of local EMS transport providers, in preparation for transport to a medical facility.

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

SOLID WASTE

24. Approve Purchase of Mill Power Parts for Construction & Demolition Debris Facility

Item Summary: Approve Sole Source No. SS 180241MKP which allows the Solid Waste Division to continue purchasing Original Equipment Manufacturer (OEM) Finger Screen and Air Density Separator parts from Mill Power, Inc., the only authorized dealership for Lee County, to assist in the maintenance of the Solid Waste equipment. This is an annual purchase authorization for FY18/19 with an anticipated total expenditure of \$100,000.

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

25. Approve Award for Demolition of Solid Waste Biosolids Composting Facility Canopy Structures

Item Summary: Awards a contract to [DEC Contracting Group, Inc.](#) for the demolition, removal, and disposal of canopy structures damaged by Hurricane Irma at the Biosolids Composting Facility, in the total amount of \$245,000.00.

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

SUPERVISOR OF ELECTIONS

26. Approve \$9,884 Matching Funds for Federal Elections Activities Grant

Item Summary: Approve matching funds of [\\$9,884](#) for the Lee County Supervisor of Elections to secure a \$65,892 Federal Elections Activities Grant through the State of Florida to be used towards sample ballots for the 2018 Primary and General Elections.

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

TRANSPORTATION

27. Award a Contract for a Traffic Signal at Ben Hill Griffin Pkwy & Everblades Pkwy

Item Summary: Awards a contract to [Traffic Control Devices, Inc.](#), in the amount of \$427,633.75 to perform the installation of a traffic signal at the intersection of Ben Hill Griffin Parkway and Everblades Parkway/Grande Oakes Boulevard. Work includes the installation of four single mast arm poles supported on drilled shaft foundations, installation of signals and controller equipment. The project also includes signing, pavement marking, maintenance of traffic, minor concrete flatwork, and installation/removal of erosion control measures.

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

28. Lease of an Elgin Whirlwind Sweeper

Item Summary: Authorizes the Department of Transportation (DOT) to utilize pricing on the Florida Sheriffs Association Contract for a five-year [lease with option to purchase](#) of an Elgin Whirlwind Street Sweeper from Environmental Products of Florida in the total amount of \$323,761.20. Approves financing of the sweeper lease through Leasing 2, Inc. for a period of five years at the rate of 3.29%. Approves an onsite maintenance agreement through [Environmental Products of Florida](#) for a period of five years at a rate of \$13,500 per year.

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

UTILITIES**29. Award Contract for the Supply of Schneider SCADA Pack Panels for Utilities**

Item Summary: Award a contract to [Consolidated electrical Distributors, Inc.](#)(CED) to provide Schneider Supervisory Control and Data Acquisition (SCADA) Pack Panels for Lee County Utilities. SCADA Pack Panels are part of the communication system that allows staff to monitor and control remote facilities, such as Lift Stations, well sites, and water tanks. Anticipated annual spend rate for this equipment is \$500,000 and within the department's annual adopted budget.

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

30. Approve Purchase of Sodium Chloride for Utilities

Item Summary: Award a contract to [Morton Salt, Inc.](#) for use on an as-needed basis to purchase sodium chloride. This product is used to regenerate the ion exchange resin at the new Green Meadows Water Treatment Plant (WTP), which is scheduled to begin operations in May 2018. The anticipated estimated annual cost for this product is \$457,000.

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

VISITOR AND CONVENTION BUREAU**31. Approve [Transfer of \\$200,000](#) from Beach & Shoreline Project #401928 to #401918**

Item Summary: Approve the reallocation of \$200,000 of Lee County Beach & Shoreline funds from project #401928 (Bowman's Beach Park & Bayou Boardwalk Lookout) to project #401918 (Tarpon Bay Beach Restroom): and authorize Chairman to execute [amended interlocal agreement](#). The City of Sanibel has determined that The Bowman's Beach Park & Bayou Boardwalk Lookout project is not feasible and additional funds are needed to appropriately carry out construction based on current cost estimates for the Tarpon Bay Beach Restroom project. This action requires no additional Tourist Development Taxes.

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

ADMINISTRATIVE AGENDA**TRANSPORTATION****1. Approve Burnt Store Road Widening – Middle Segment**

Item Summary: Approve award of a [contract to Wright Construction Group, Inc.](#) to provide services to complete widening of the middle segment of Burnt Store Road in the total amount of \$6,742,595.11. ([Transfer of Funds](#))

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

[RESOLUTION NO. 18-05-24](#)

PUBLIC HEARING – 9:30 AM**1. Approve Petition to Vacate at 807 Sheldon Avenue, Lehigh Acres, FL**

Item Summary: Extinguishes the public interest in the unimproved public utility easement between platted lots at 807 Sheldon Avenue in Lehigh Acres to create a unified building site for a proposed single family residence. There were no objection from the public utility providers and no other affected property owners.

County Attorney: Senior Assistant County Attorney John Fredyma, approved as to legal form and sufficiency, the [Affidavit of Publication](#), and briefly reviewed the request.

Board Discussion: The Chairman called for public comment; however, no one came forward.

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

[RESOLUTION NO. 18-05-25](#)

2. Adopt Resolution to Declare Vacant Lots Surplus Land Available for Affordable Housing

Item Summary: Declares 52 vacant County owned lots as surplus land and makes them available to qualified nonprofits for affordable housing purposes. All of these lots escheated to Lee County due to non-payment of real estate taxes.

County Attorney: Senior Assistant County Attorney John Fredyma, approved as to legal form and sufficiency, the [Affidavit of Publication](#), and briefly reviewed the request.

Board Discussion: Commissioner Mann asked Attorney Fredyma whether the 52 vacant lots owned by Lee County will be available only for affordable housing? Responding, Attorney Fredyma stated that the County has a process, and the lots are available to qualified nonprofits for affordable housing. County Lands Director Robert Clemens explained briefly to Commissioner Mann on the 52 vacant County lots; and further stating that they are working with Human Resources, and are also looking for donations, and will be having workshops. Commissioner Kiker stated that the County has an Affordable Housing Committee, and asked what they think and also asked for recommendations.

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

[RESOLUTION NO. 18-05-26](#)

WALK-ON ITEMS

1. Approve 2019 Hobie 16 World Championships Sponsorship Agreement

Item Summary: Lee County would sponsor and host the 2019 Hobie 16 World Championships from November 1-16, 2019. The Sponsorship fee is \$250,000 and would be funded by the Tourist Development Tax revenue.

Sports Development: Sports Development Director Jeff Mielke requested the Board to approve \$250,000 to fund the 2019 Hobie 16 World Championships from November 1-16, 2019. He noted that with this sponsorship, the economic impact will bring back for Lee County \$2.5 Million.

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

COMMISSIONERS' ITEMS

THERE WERE NO COMMISSIONER ITEMS OFFERED FOR CONSIDERATION.

COMMISSIONERS' APPOINTMENTS

Chairman Pendergrass requested a motion to reappoint Nora Demers to the **SAN CARLOS PARK IMPROVEMENT DISTRICT COMMITTEE**, to reappoint David Ceilley to the **TANGLEWOOD IMPROVEMENT UNIT COMMITTEE**. Commissioner Manning moved approval, seconded by Commissioner Hamman, called and carried.

Commissioner Manning moved to appoint William Gilbert to the **DISASTER ADVISORY COUNCIL COMMITTEE**, to reappoint Edward Elms to the **EAGLE TECHNICAL COMMITTEE**, to reappoint Frances Rose to the **HUMAN SERVICES COUNCIL COMMITTEE**, seconded by Commissioner Hamman, called and carried.

Commissioner Kiker moved to reappoint Michaela McNier to the **SHELTERING PINES MOBILE HOME VILLAGE IMPROVEMENT COMMITTEE**, seconded by Commissioner Hamman, called and carried.

Commissioner Hamman moved to reappoint Robert Wells to the **TOURIST DEVELOPMENT COUNCIL COMMITTEE**, (RESOLUTION NO. 18-05-27) seconded by Commissioner Kiker, called and carried.

COUNTY MANAGER ITEMS

County Manager Roger Desjarlais had no items to be discussed.

COUNTY ATTORNEY ITEMS

1. Thirty-Sixth (36th) Extension to the SOLE Countywide Resolution

County Attorney: County Attorney Richard Wm. Wesch requested Board approval of the Thirty-Sixth (36th) extension to the State of Local Emergency (SOLE) Resolution.

Vote: Commissioner Kiker moved approval, seconded by Commissioner Manning, called and carried. RESOLUTION NO. 18-05-03

PUBLIC PRESENTATION OF MATTERS BY CITIZENS

The Chairman called for public presentation of matters by citizens and the following thirty (30) citizens came forward:

Work Session for 1:30 P.M. Today: The following two (2) speakers asked to speak this morning on Conservancy of SW Florida and Audubon W. Everglades:

Marisa Carrozzo – Conservancy of SW Florida
Brad Cornell – Audubon W. Everglades

COMMISSIONERS' WORKSHOP UPDATE

Assistant County Manager: Assistant County Manager Christine Brady noted that she did not have any comment.

The Chairman adjourned the meeting at 11:43 a.m.

ATTEST:
LINDA DOGGETT, CLERK

Deputy Clerk

Chairman, Lee County Commission