

[JULY 30, 2013](#)

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

Cecil L Pendergrass, Chairman  
 Larry Kiker, Vice Chairman  
 John E. Manning Absent  
 Tammy Hall  
 Frank Mann

COMMISSIONER MANNING WAS ABSENT FOR THE ENTIRE MEETING.

The Chairman called the meeting to order at 9:31 a.m. Commissioner Pendergrass acknowledged Betty Bowen-Evans, a former Commissioner from 1974 through 1978 who recently passed away and called for a moment of silence in her honor. The Invocation was given by Pastor A. J. Neugebauer, Beautiful Savior Lutheran Church, followed by the Pledge of Allegiance to the Flag. Commissioner Pendergrass also recognized Patrick Martin, troop leader, and the children of Boy Scout Troop 330.

### PRESENTATIONS

Commissioner Hall read and presented a Ceremonial Resolution commending the Southwest Florida Symphony for providing Lee County with one of its most invaluable cultural resources. Christine La Croix, President of the Southwest Florida Symphony Orchestra, and Staff accepted the Resolution and expressed their appreciation and desire for continued partnerships with the schools and the community as a whole. ([#20130646](#)-Commissioner Hall)

Reverend Suarez of Nations Association thanked the Commissioners for their support allowing non-profit organizations to guide and teach our children. Susan Perez presented the Commissioners with a crystal pearl representing all of the people who have benefited from Nations Association. Rosie Luz Boza, Stacey Tello and Rodrigo Montano shared their experiences with Nations Association, followed by a group of children who performed a song. Commissioner Hall thanked Parks and Recreation and Staff for their work to get Chandler Hall up to par. ([#20130647](#)-County Commissioners)

### ANNOUNCEMENTS

Referring to the [Agenda Recap Sheet](#) dated July 30, 2013, the Chairman announced that:

- C13J** The requested increase in annual expenditures should be revised from \$190,000 to \$145,000. The original amount of \$190,000 was submitted in error.

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

- A1D** The following PROPOSED millage rates on Exhibit A should be changed to read as follows:
- |                                 |  |
|---------------------------------|--|
| Lee County General Fund         | 4.4897 (includes Conservation 20/20 of 0.5000) |
| Lee County Library Fund         | 0.5956   |
| Lehigh Acres Light – MSTU       | 0.4588   |
| Town & River Improvement – MSTU | 0.3717   |
- All proposed millages are at the Majority Vote (three commissioners) level **EXCEPT**:
- Burnt Store Fire
  - Hendry Creek Light
  - Lehigh Acres Light
  - Town & River Improvement
  - Villa Pines Light
- These are at the 2/3 Vote requirement (four commissioners).

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

- A8A** The following language should be added to the **ACTION REQUESTED/PURPOSE**:  
 Direct purchase of equipment will be approximately \$550,000.00, of which Covanta Lee, Inc. will reimburse the County 50% of the cost.

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

**9:30 A.M. AGENDA ITEM** - Public Comment on Agenda Items  
Consent (C) and Administrative (A)

The Chairman called for public comment, and the following citizens came forward:

Public Hearing – [Joyce Cilbori](#), North Fort Myers resident  
A8a – [Tom Mueller](#) representing Covanta Energy  
A1c – [Brad Cornell](#), Naples resident  
A1d – [John Sibley](#) representing Lee County Extension  
A1d – [Marisa Carrozzo](#) representing Conservancy of SW FL  
Budget, County Extension Office – [Donna Cressman](#) representing Riverland Nursery  
[Leah Lewis](#) representing S.W. Fl. Council of the blind, Passport Bus Services  
[Mike Ulrich](#) President of S.W. Fl. Council of the blind  
A1d – [Pat Rooney](#) representing Lee County Extension  
[Don Werth](#) representing Bus & Passport Transportation  
[Dorion King](#), North Fort Myers resident  
A1d – [Anne Liebermann](#) representing UF IFAS Extension Office  
A1d – [Marlene Rodak](#) representing UF IFAS Extension Office  
A1d – [Francine Schwartz](#) representing UF IFAS Extension Office  
A1d – [Vanessa Hazelton](#) representing Lee County Extension  
C1d – [Stephanie Keyes](#) representing Realtor Association of Fort Myers

AT THIS TIME: Acting County Attorney Andrea Fraser asked the Board to hear Administrative Agenda Item 14a before the Consent Agenda, out of respect for Mr. Humphrey. Commissioner Mann moved to hear the item immediately, seconded by Commissioner Hall, called and carried with Commissioner Manning absent. SEE THE ADMINISTRATIVE AGENDA PORTION OF THE MEETING FOR ACTION TAKEN.

The following are the Consent Agenda items that each Board member wished to have discussed:

Commissioner Pendergrass - None  
Commissioner Kiker – 2a, 7a, 16f  
Commissioner Manning - None  
Commissioner Hall - None  
Commissioner Mann - None

**CONSENT AGENDA**

**1. COUNTY ADMINISTRATION**

**A) ACTION REQUESTED/PURPOSE:**

Authorize Chairman to sign a resolution that will allow for the execution of loan documents with Fifth/Third Bank for long term financing up to \$335,000 for the Port Carlos Cove Channel Dredge Municipal Service Benefit Unit (MSBU) project and authorize Budget Amendment Resolutions and [Transfer](#) to reflect this transaction. (#20130626-COUNTY MANAGER)

**FUNDING SOURCE:**

Fund – Loan Proceeds through the Term Loan Assessment Program #4; Program – Loan Proceeds for the Port Carlos Cove Channel Dredge Municipal Service Benefit Unit (MSBU).

**WHAT ACTION ACCOMPLISHES:**

Allow the implementation of Long Term Debt Financing for the Port Carlos Cove Channel Dredge Municipal Service Benefit Unit (MSBU) project without pledging the Non-Ad Valorem Debt Capacity of the County.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

[RESOLUTION NO's: 13-07-01 THROUGH 13-07-04](#)

## 2. COMMUNITY DEVELOPMENT

### A) **ACTION REQUESTED/PURPOSE:**

Approve Resolution finding no objection to proposed amendments to the Lee County Sports Complex Florida Quality Development (FQD) [Development Order](#) issued by the State of Florida. This action is needed to authorize Phase 2 expansion of the Lee County Sports Complex for the Minnesota Twins. ([#20130594](#)-COMMUNITY DEVELOPMENT)

### **FUNDING SOURCE:**

Funds are available in the FY 12/13 Capital Improvement Program.

### **WHAT ACTION ACCOMPLISHES:**

Notifies the Department of Economic Opportunity that the County does not object to the proposed amendments to the FQD Development Order.

### **MANAGEMENT RECOMMENDATION:**

Approve.

### PULLED FOR DISCUSSION:

County Manager Roger Desjarlais explained the process and satisfied Commissioner Kiker's concerns. Commissioner Kiker moved approval, seconded by Commissioner Mann, called and carried with Commissioner Manning absent.

[RESOLUTION NO. 13-07-21](#)

## 3. CONSTRUCTION AND DESIGN

No requests received.

## 4. COUNTY COMMISSIONERS

No requests received.

## 5. COUNTY LANDS

### A) **ACTION REQUESTED/PURPOSE:**

A) Approve and execute a [utility easement](#) to FP&L, located on County property identified as STRAP No. 22-46-26-00-00001.0020, the Corkscrew Water Treatment Plant Facility, 16101 Alico Rd.; B) authorize the Division of County Lands to handle and accept all documentation to complete this transaction.

([#20130592](#)-COUNTY LANDS)

### **FUNDING SOURCE:**

No funds are required for this transaction.

### **WHAT ACTION ACCOMPLISHES:**

Provides a utility easement providing electric service to the Corkscrew Water Treatment Plant Facility.

### **MANAGEMENT RECOMMENDATION:**

Approve.

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

### B) **ACTION REQUESTED/PURPOSE:**

A) Approve the Traffic Signalization and Temporary Construction Easement Agreement and the Grant of Perpetual Traffic Signal Easement for Del Prado Boulevard and NE 3rd Terrace traffic signal;

B) Accept donation of perpetual easement from: Racetrac Petroleum, Inc., identified as Parcel A-1 consisting of 392 square feet (SF); Gulf Coast Land & Investment Group, LLC, identified as Parcel A-2 consisting of 180 SF; One Price Optical, Inc., identified as Parcel A-3 consisting of 291 SF; and Vincent and Dorrie Recca, identified as Parcel A-4 consisting of 575 SF, for the Racetrac at Del Prado Project;

C) Authorize the Chairman on behalf of the Board to execute the [Traffic Signalization and Temporary Construction Easement Agreement](#) and the [Grant of Perpetual Traffic Signal Easement](#), upon receipt of necessary release of mortgage documents;

D) Authorize the payment of necessary costs and fees to close;

E) Authorize County Lands Staff to execute and accept all documentation necessary to complete this transaction. ([#20130606](#)-COUNTY LANDS)

### **FUNDING SOURCE:**

Donation Fund: Transportation Trust Program: DOT Planning Project: Recording Fees.

**WHAT ACTION ACCOMPLISHES:**

Conveys easement interests for intersection signalization and improvements.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

C) **ACTION REQUESTED/PURPOSE:**

A) Authorize the Division of County Lands to make a binding offer to property owner in the amount of \$26,900 for Parcels 173 ( $\pm$ 39,999 sq. ft.), 173-WPE (42,832 sq. ft.), 173-WPE/AE/UE (19,964 sq. ft.), and 173-AE/UE ( $\pm$ 7,545 sq. ft.), for the North Lee County Water Treatment Plant Well Field Expansion Project No. 7602, pursuant to the Purchase Agreement;

B) Authorize the Chairman on behalf of the Board to execute the Purchase Agreement;

C) Authorize the payment of necessary costs and fees to close;

D) Authorize County Lands Staff to execute and accept all documentation necessary to complete transaction. ([#20130611](#)-COUNTY LANDS)

**FUNDING SOURCE:**

Fund: LCU Conservation Surcharge; Program: Capital Project; Project: North Lee County Water Treatment Plant Well Field Expansion 7602, and is included in the FY 12/13 CIP budget.

**WHAT ACTION ACCOMPLISHES:**

Authorizes binding offer to property owner.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

**6. HUMAN SERVICES**

A) **ACTION REQUESTED/PURPOSE:**

(1) Approve submission to the U.S. Department of Housing and Urban Development (HUD) Lee County's 2013-2017 Consolidated Plan and Annual Action Plan for HUD Fiscal Year 2013;

(2) Authorize Board to sign HUD Consolidated [Plan Letter](#) of Submission, [Certifications](#), and [SF-424](#);

(3) Authorize Board to sign [Community Development Block Grant](#) (CDBG), [HOME Investment Partnership Program](#) (HOME), and [Emergency Solutions Grant](#) (ESG) entitlement agreements upon receipt from HUD;

(4) Authorize Board to sign associated forms, including (a) CDBG, HOME, and/or ESG [subrecipient agreements](#) once prepared, (b) HUD [environmental assessments](#), and (c) amendments to the Lee County Five- Year Consolidated Plan and Annual Action Plans once prepared in accordance with Administrative Code 15-2. ([Amend.to Consolidated Plan- HUD-02-19-18](#)) ([#20130564](#)-HUMAN SERVICES)

**FUNDING SOURCE:**

Fund – Federal Grant through CDBG Entitlement Grant Fund; Program – HUD; Project – CDBG Year 24

Fund – Federal Grant through CDBG Construction Grant Fund; Program - HUD; Project - CDBG Year 24

Fund - Federal Grant through HOME; Program – HUD; Project – HOME Year 22

Fund – Federal Grant through ESG; Program – HUD; Project – ESG Year 11

**WHAT ACTION ACCOMPLISHES:**

Allows Lee County to continue to receive HUD planning, homeless service, community development and affordable housing project funds.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

**7. INDEPENDENT**

A) **ACTION REQUESTED/PURPOSE:**

- A) Approve Project # PB130494, the utilization of the FDOT TRIPS Program Contract #TRIPS-11-CA-TP, which was competitively bid, for the purchase of five 23' ADA Paratransit Cutaway Vans, at a price of \$86,871.15 per unit;  
 B) The five paratransit vans will be purchased from Creative Bus, Inc. for a total amount of \$434,355.75;  
 C) Lee Tran will be reimbursed at 100% of the cost for the vehicles by the Federal Transit Administration;  
 D) Approve of a Budget Amendment Resolution in the amount of \$434,356. ([#20130585-TRANSIT](#))

**FUNDING SOURCE:**

Fund - Federal Grant from the Federal Transit Administration through the Lee Tran Capital Grant Fund; Program - Transit Fixed Route Capital; Project - Purchase ADA Paratransit vehicles. This grant and related expenditure were not included in the originally adopted FY 12-13 budget.

**WHAT ACTION ACCOMPLISHES:**

Allows Lee Tran to replace five Paratransit vehicles that are beyond their useful life.

**MANAGEMENT RECOMMENDATION:**

Approve the purchase of five Paratransit vehicles from the FDOT TRIPS-11-CA-TP for a total expenditure of \$434,355.75.

PULLED FOR DISCUSSION:

County Manager Roger Desjarlais noted that these vehicles are replacements due to the average life of 200,000 miles, and added there will be no additional personnel associated with this purchase. Commissioner Kiker moved approval, seconded by Commissioner Mann, called and carried with Commissioner Manning absent.

[RESOLUTION NO. 13-07-05](#)

**8. NATURAL RESOURCES/SOLID WASTE**

A) **ACTION REQUESTED/PURPOSE:**

Approve Resolution requesting Use Agreements for portions of Gasparilla Island State Park and Lovers Key State Park in order to implement beach nourishment projects. ([#20130591-NATURAL RESOURCES](#))

**FUNDING SOURCE:**

No funds are required for this request. Construction funds are included in the FY12/13 Major Maintenance budget for both projects.

**WHAT ACTION ACCOMPLISHES:**

This is an administrative action that satisfies the state requirement that application for use of state uplands by a local government be accompanied by a formal request from the governing body.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

[RESOLUTION NO. 13-07-06](#)

**9. PARKS AND RECREATION**

No requests received.

**10. PUBLIC SAFETY**

A) **ACTION REQUESTED/PURPOSE:**

Approve the [Fourth Amendment](#) to the Lee County, Florida Gulf Coast University Tower Antenna Site License Agreement between New Cingular Wireless, LLC (Successor to AT&T Wireless Services of Florida, Inc.) (Licensee) and Lee County to correct an inadvertent error in the Third Amendment regarding the paragraph numbering.

([#20130590-PUBLIC SAFETY](#))

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

This Amendment to the Agreement provides the Licensee with the opportunity to move

forward with equipment upgrades and ensures the provisions of the License Agreement will be clearly understood in the future.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

**B) ACTION REQUESTED/PURPOSE:**

Approve [Interlocal](#) with Florida Gulf Coast University (FGCU) revising the terms of the original Interlocal Agreement with Lee County approved by the Board on November 16, 1999 to reallocate costs and duties in operating the radio communication tower located on FGCU campus for the benefit of the County's communication program and FGCU's broadcast services. ([#20130615](#)-PUBLIC SAFETY)

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

FGCU has requested changes to the original Interlocal Agreement to reallocate costs and duties in operating the tower; to provide for a coordinated review of requests from cellular telephone companies and others to license space on the tower or at the Tower Site; to establish security protocols for access to the tower and Tower Site by the Parties and licensees operating antennas affixed to the tower or facilities located at the Tower Site; to set a new term for the agreement; and to address other issues that have arisen since the execution of the Original Interlocal Agreement.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

**11. PUBLIC WORKS ADMINISTRATION**

No requests received.

**12. TRANSPORTATION**

**A) ACTION REQUESTED/PURPOSE:**

Accept the [Landscape Installation and Maintenance Agreement](#) for landscape improvements within a Lee County Maintained Median Area located on Imperial Parkway adjacent to parcel (Strap # 14-47-25-B300001.0010), LDO 2010-00301, Bonita Lakes in south Lee County. The roadway is maintained by Lee County and the Bonita Lakes development is within the City of Bonita Springs.

([#20130589](#)-TRANSPORTATION)

**FUNDING SOURCE:**

No Funds Required.

**WHAT ACTION ACCOMPLISHES:**

The Agreement with the County allows the Developer to install and provide for the maintenance of the landscape improvements located within a County-Maintained area.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

**13. UTILITIES**

**A) ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - Creekside Preserve (BS 20130596/26915, THO/SDG): Approve construction of water distribution and gravity collection systems serving 'CREEKSIDE PRESERVE', to provide potable water service, fire protection, and sanitary sewer service to this proposed multi-family residential community. This is a Developer contributed assets project located along the west side of S. Tamiami Trail approximately ½ mile south of Harborage Drive. ([#20130596](#)-UTILITIES)

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

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

**B) ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset – Billy Creek Commerce Center (Ph 5), Lots 159 & 160 (aka Polygard, Ph 2) - (BS 2013/, MMM/SDG): Approve final acceptance, by Resolution, as a donation of one 6” diameter fire line, to provide fire protection to ‘BILLY CREEK COMMERCE CENTER (PH 5), LOTS 159 & 160 (AKA POLYGARD, PH 2)’, an existing commercial building. This is a Developer contributed asset project located along the west side of Zip Drive approximately 500’ south of Sutton Ridge Drive.

[\(#20130597-UTILITIES\)](#)

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support redevelopment of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

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

[RESOLUTION NO. 13-07-07](#)

**C) ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - North Fort Myers Fire Department Addition (BS 20130598/26917, THO/SDG): Approve final acceptance, by Resolution and recording of [one \(1\) utility easement](#), as a donation of one 4" diameter fire line and one force main connection, to provide fire protection and sanitary sewer service to the recently renovated 'NORTH FORT MYERS FIRE DEPARTMENT ADDITION'. This is a Developer contributed asset project located on the east side of Barrett Road approximately ½ mile north of Pondella Road. [\(#20130598-UTILITIES\)](#)

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support redevelopment of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

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

[RESOLUTION NO. 13-07-08](#)

**D) ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - Palmetto Retail Store (BS 20130599/26918, MMM/SDG): Approve final acceptance, by Resolution and recording of [one \(1\) utility easement](#), as a donation of one potable water service, one fire hydrant and one 6" diameter fire line, to provide potable water service and fire protection to 'PALMETTO RETAIL STORE', a recently constructed commercial building. This is a Developer contributed asset project located along the west side of N. Tamiami Trail approximately ¼ mile south of Lake Fairway Boulevard. [\(#20130599-UTILITIES\)](#)

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

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

[RESOLUTION NO. 13-07-09](#)

E) **ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - Royal Palm at Verandah (BS 20130600/26919, THO/SDG): Approve construction of water and gravity main extensions serving 'ROYAL PALM AT VERANDAH, PHASE 1', to provide potable water service, fire protection, and sanitary sewer service to this phase of the proposed single-family residential development. This is a Developer Contributed asset project located on the south side of SR 80 approximately 1-1/2 miles west of Buckingham Road. ([#20130600-UTILITIES](#))

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

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

F) **ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - Seven Lakes - Tee Room (BS 20130601/26920, MMM/SDG): Approve final acceptance, by Resolution and recording of [one \(1\) utility easement](#), as a donation of one potable water service, one sewer service, one fire hydrant and one 6" diameter fire line, to provide potable water service, fire protection and sanitary sewer service to 'SEVEN LAKES - TEE ROOM', a redeveloped commercial building. This is a Developer contributed asset project located along the north side of Augusta Drive approximately ¼ mile west of Pebble Beach Drive within the Seven Lakes Development. ([#20130601-UTILITIES](#))

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support redevelopment of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

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

[RESOLUTION NO. 13-07-10](#)

G) **ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - VFW Post #10097 (BS 20130604/26923, MMM/SDG): Approve final acceptance, by Resolution and recording of one (1) [utility easement](#), as a donation of one force main connection to provide sanitary sewer service to the existing 'VFW POST #10097'. This is a Developer contributed asset project located along the north side of Pine Ridge Road approximately ¼ mile east of San Carlos Boulevard. ([#20130604-UTILITIES](#))

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support redevelopment of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

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

[RESOLUTION NO. 13-07-11](#)



H) **ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - Villa Palmeras, Phase A (BS 20130607/26926, MMM/SDG): Approve final acceptance, by Resolution, as a donation of water distribution and gravity collection systems, to provide potable water service, fire protection and sanitary sewer service to 'VILLA PALMERAS, PHASE A', a phased residential community. This is a Developer contributed asset project located along the east side of Three Oaks Parkway approximately ½ mile south of Corkscrew Road. ([#20130607-UTILITIES](#))

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support development of this phase of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

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

[RESOLUTION NO. 13-07-12](#)

I) **ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - Watrous Plantation, Phase 1 (BS 20130609/26928, THO/SDG): Approve final acceptance, by Resolution and recording of one (1) utility [easement](#), as a donation of water distribution and gravity collection systems, to provide potable water service, fire protection and sanitary sewer service to 'WATROUS PLANTATION, PHASE 1', a phased residential community. This is a Developer contributed asset project located on the south side of Iona Road, approximately one mile west of McGregor Boulevard. ([#20130609-UTILITIES](#))

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support development of this phase of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

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

[RESOLUTION NO. 13-07-13](#)

J) **ACTION REQUESTED/PURPOSE:**

- (A) Approve an increase in annual expenditures from \$118,000 to ~~\$190,000~~ **\$145,000** under Project No. PB090318 regarding the Annual Purchase of Bill Printing, Processing and Mailing Services for Lee County Utilities (LCU) from the awarded (local) vendor SouthwestDirect, Inc. for the unit prices as listed on the awarded vendor's quote. (This is a piggyback of The City of Cape Coral's RFP #FIN020107-41.);
- (B) Allow the use of this bid through its current expiration date of 6/13/14; and grant permission to continue to utilize this piggyback for any additional renewal periods between the City and the awarded vendor;
- (C) Approve an increase in the annual expenditure by an amount not-to-exceed 10% per year for the term of the quote to allow for possible cost increases;
- (D) Approve an estimated annual expenditure for these services of \$190,000;
- (E) Retroactively approve the expenditure of \$26,997.40 via Purchase Order # 13336821 issued to SouthwestDirect, Inc. on July 1, 2013 under Emergency No.EE130523. ([#20130614-UTILITIES](#))

**FUNDING SOURCE:**

Fund: Utilities Operating Fund; Program: Utilities-Customer Service, Billings & Collections (Other Contracted Services) and Utilities-Customer Services, Billing & Collections-(Freight and Postage) Funds for these vendor services are included in the Utilities operating budget annually.

**WHAT ACTION ACCOMPLISHES:**

Allows Utilities to outsource the printing and mailing of monthly customer bill statements and reminder notice statements with return envelopes mailed at economical U.S. Postage automation rates; and, maintain compliance with the U.S. Postal Service Move Update and

Intelligent Mail Barcoding postal requirements. Allows reimbursement to SouthwestDirect, Inc. for postage for mail not meeting presort postage requirements. Presort postage is paid by LCU directly to the US Postal Service.

**MANAGEMENT RECOMMENDATION:**

Approve.

DURING THE ANNOUNCEMENTS PORTION OF THE MEETING, THE CHAIRMAN ANNOUNCED THAT: The requested increase in annual expenditures should be revised from \$190,000 to \$145,000. The original amount of \$190,000 was submitted in error.

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

Commissioner Hall moved to approve the item as amended, seconded by Commissioner Mann, called and carried with Commissioner Manning absent.

**14. COUNTY ATTORNEY**

No requests received.

**15. HEARING EXAMINER**

No requests received.

**16. CONSTITUTIONAL OFFICERS**

**A) ACTION REQUESTED/PURPOSE:**

Approve disbursement of excess funds resulting from the sale of tax deed certificates to a claimant verified and certified under Florida Statutes 197.582. ([#20130638-DELINQUENT TAX](#))

**FUNDING SOURCE:**

Proceeds from a tax deed sale in excess of the taxes and/or liens owed are being held by the Board for disbursements in accord with Florida Statutes, Chapter 197.

**WHAT ACTION ACCOMPLISHES:**

Provides for disbursement of excess tax deed proceeds to an appropriate claimant in compliance with statutory rules and requirements.

**MANAGEMENT RECOMMENDATION:**

Approve disbursement to identified claimant.

<b>Tax Deed Number</b>	<b>Payee</b>	<b>Amount</b>
2010002994	Kimberly Rocha, Trustee of the Kimberly A Rocha Revocable Trust	\$3,252.75
2010001994	CKR Properties, LLC	\$371.60

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

**B) ACTION REQUESTED/PURPOSE:**

Approve the Minutes for the following meetings of the Board of County Commissioners held during the week of June 24 thru June 28, 2013: June 24, 2013 (Budget), June 25, 2013 (Regular).

([#20130639-MINUTES](#))

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Approval of the Board Minutes, pursuant to Florida Statute 286.011.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

**C) ACTION REQUESTED/PURPOSE:**

Request Board approves [disbursements](#). The check and wire registers can now be viewed on the Clerk's website, [www.leeclerk.org](http://www.leeclerk.org) by accessing the BoCC Minutes and Documents link. ([#20130640-FINANCE](#))

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Florida Statute Chapter 136.06(1) requires that all County disbursements be recorded in the Minutes of the Board.

**MANAGEMENT RECOMMENDATION:**

Compliance with the requirements of FS 136.06(1).

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

**D) ACTION REQUESTED/PURPOSE:**

Approve the Minutes for the following meetings of the Board of County Commissioners held during the week of June 17 thru June 21, 2013: June 17, 2013 (Zoning), June 17, 2013 (Budget Workshop), June 18, 2013 (Regular). ([#20130641-MINUTES](#))

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Approval of the Board Minutes, pursuant to Florida Statute 286.011.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

**E) ACTION REQUESTED/PURPOSE:**

Approve disbursement of excess funds resulting from the sale of tax deed certificates to a claimant verified and certified under Florida Statutes 197.582. ([#20130642-DELINQUENT TAX](#))

**FUNDING SOURCE:**

Proceeds from a tax deed sale in excess of the taxes and/or liens owed are being held by the Board for disbursements in accord with Florida Statutes, Chapter 197.

**WHAT ACTION ACCOMPLISHES:**

Provides for disbursement of excess tax deed proceeds to an appropriate claimant in compliance with statutory rules and requirements.

**MANAGEMENT RECOMMENDATION:**

Approve disbursement to identified claimant.

<b>Tax Deed Number</b>	<b>Payee</b>	<b>Amount</b>
2005000945	MTW Asset Management Corp	\$30,420.11

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

**F) ACTION REQUESTED/PURPOSE:**

Present for information purposes interim reporting on selected financial activity. ([#20130643-FINANCE](#))

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

To provide interim reporting on selected funds, revenues, and expenditures of the Lee County Board of County Commissioners. Included in this report in compliance with Chapter 218.415, Florida Statutes, Local Investment Policies, is the stated and fair market value of the investments managed by the Clerk's Office. To include the Lee County Ordinance 02-28 activity for the Driver's Education Safety Trust Fund.

**MANAGEMENT RECOMMENDATION:**

The purpose of this report is to convey to you the financial status of selected significant funds of the Lee County Board of County Commissioners, the status of specific revenues and expenditures as of the stated dates, and the market value of investments managed by

the Clerk's Office on behalf of the Board.

**PULLED FOR DISCUSSION:**

Commissioner Kiker requested further discussion regarding this report at a Budget meeting. Assistant County Manager Pete Winton and County Manager Roger Desjarlais confirmed it would be appropriate at that time. Commissioner Kiker moved approval, seconded by Commissioner Mann, called and carried with Commissioner Manning absent.

**17. PORT AUTHORITY AND OTHER GOVERNING BOARDS**

No requests received.

**ADMINISTRATIVE AGENDA**

**1. COUNTY ADMINISTRATION**

**A) ACTION REQUESTED/PURPOSE:**

Approve pre-suit settlement agreement in the general liability case of Grigsby Land v. Lee County, in the total amount of \$95,762.00. Grigsby Land's property, located at 14420 S. Tamiami Trail, Fort Myers, Florida, was damaged when the raw sewage pump station that services the property failed and backed up one to two inches of raw sewage into the commercial building. ([#20130617](#)-COUNTY MANAGER)

**FUNDING SOURCE:**

Self-Insurance Loss Fund

FY 12-13: Budget - \$3,749,000 Balance as of 07/09/2013 - \$1,371,017.

**WHAT ACTION ACCOMPLISHES:**

Resolves this case prior to Grigsby Land filing a lawsuit and limits the County's exposure.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

**B) ACTION REQUESTED/PURPOSE:**

Approve a mediated settlement agreement in the Workers' Compensation case of David Duncan Jr. v. Lee County, Case No. 10-021351EDS in the amount of \$350,000.00, inclusive of attorney's fees and costs. As a result of the helicopter crash off Captiva Island, Mr. Duncan was injured in the course and scope of his employment. ([#20130618](#)-

COUNTY MANAGER)

**FUNDING SOURCE:**

Self-Insurance Loss Fund – Settlement to be reimbursed by Insurance Carrier – STAR Insurance Company

FY 12-13: Budget - \$3,749,000 Balance as of 07/09/2013 - \$1,371,017.

**WHAT ACTION ACCOMPLISHES:**

Resolves the case prior to a final hearing (trial) on permanent and total disability thus limiting the County's exposure.

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Hall moved approval, seconded by Commissioner Mann. Assistant County Attorney Ashley Roberts confirmed that Workers Compensation cases are all "No Fault" cases as stated in Florida Statute Chapter 440. The motion was called and carried with Commissioner Manning absent.

**C) ACTION REQUESTED/PURPOSE:**

Authorize Budget Amendment Resolutions for the receipt of \$103,232,890.65 of bond proceeds from the Water & Sewer Refunding Revenue Bonds, Series 2013A and 2013B and approve various budget resolutions. ([#20130631](#)-COUNTY MANAGER)

**FUNDING SOURCE:**

Fund – Bond Proceeds through the Water & Sewer Refunding Revenue Bonds, Series 2013 A and Series 2013B. Program – Bond Proceeds.

**WHAT ACTION ACCOMPLISHES:**

Budget Amendment Resolutions must be approved to receive bond proceeds. Establishes the accounts necessary to receive bond proceeds.

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Hall moved approval, seconded by Commissioner Mann. Following brief discussion with Assistant County Manager Pete Winton regarding the history of the bonds, the motion was called and carried with Commissioner Manning absent.

[RESOLUTION NO's: 13-07-14 THRU 13-07-17](#)

**D) ACTION REQUESTED/PURPOSE:**

Approve resolution to:

- 1) adopt proposed FY 13-14 ad valorem maximum millage and rolled-back rates for the Truth In Millage (TRIM) notice and
- 2) schedule the first and second public hearing on the FY 13-14 proposed budget and proposed millage rates for September 4 and September 18, 2013, at 5:05 p.m. in the Old Lee County Courthouse Commission Chambers Meeting Room. ([#20130633](#)-COUNTY MANAGER)

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

State law requires that the Board advise the Property Appraiser within 35 days of the certification of value of the millage rates, rolled-back rates, and the date, time and place of the public hearing to consider the proposed millage rates and the tentative budget.

**MANAGEMENT RECOMMENDATION:**

Approve.

**DURING THE ANNOUNCEMENTS PORTION OF THE MEETING, THE CHAIRMAN ANNOUNCED THAT:**  
The following PROPOSED millage rates on Exhibit A should be changed to read as follows:

Lee County General Fund	4.4897 (includes Conservation 20/20 of 0.5000)
Lee County Library Fund	0.5956
Lehigh Acres Light – MSTU	0.4588
Town & River Improvement – MSTU	0.3717

All proposed millages are at the Majority Vote (three commissioners) level **EXCEPT:**

Burnt Store Fire  
Hendry Creek Light  
Lehigh Acres Light  
Town & River Improvement  
Villa Pines Light

These are at the 2/3 Vote requirement (four commissioners).

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

Commissioner Hall moved approval of the item as amended, seconded by Commissioner Pendergrass for discussion. Commissioner Hall thanked the County Manager's office and Staff for their approach to this issue. County Manager Roger Desjarlais presented his recommendations and advised the Board as to how they these decisions were made in order to balance the budget and build general fund reserves. Following comments, and brief discussion from the Board, Mr. Desjarlais and Assistant County Manager Pete Winton, answered questions from the Board. Commissioner Kiker disagreed with raising taxes and opined that many other options to balance the budget and build general fund reserves should be explored. The motion was called and carried with Commissioner Kiker voting nay and Commissioner Manning absent.

[RESOLUTION NO. 13-07-18](#)

Mr. Winton asked the Commissioners for a vote on the MSTU's which require at least a (4) four Commissioner Approval vote. Mr. Winton read the list of MSTU's and proposed Millage Rates. Commissioner Mann moved approval, seconded by Commissioner Hall, called and carried with Commissioner Manning absent.

**2. COMMUNITY DEVELOPMENT**

No requests received.

**3. CONSTRUCTION AND DESIGN**

No requests received.

4. **COUNTY COMMISSIONERS**

No requests received.

5. **COUNTY LANDS**

No requests received.

6. **HUMAN SERVICES**

No requests received.

7. **INDEPENDENT**

A) **ACTION REQUESTED/PURPOSE:**

Adopt the revisions to the following Lee County policies: 201 Equal Employment Opportunity, 202 Harassment Policy and 214 Age Discrimination.

This action complies with the agreement Lee County entered into with the Department of Justice to settle the EEOC discrimination case against Lee County originating in Facilities Services.

[\(#20130635-HUMAN RESOURCES\)](#)

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Updates policies in accordance with the standards outlined by the Department of Justice per the settlement agreement.

**MANAGEMENT RECOMMENDATION:**

Approve the revisions.

Commissioner Hall moved approval, seconded by Commissioner Pendergrass, called and carried with Commissioner Manning absent.

[RESOLUTION NO. 13-07-19](#)

8. **NATURAL RESOURCES/SOLID WASTE**

A) **ACTION REQUESTED/PURPOSE:**

Approve the facility improvement project proposed by Covanta Lee, Inc. to replace the existing ferrous and nonferrous handling and separation equipment with new, more effective separation equipment with County funding of up to \$475,000.00 of the \$1,100,000.00 project, all in accordance with Section 8.03 (e) of the County/Covanta WTE operations and maintenance agreement. Authorize the use of the direct material purchase process to reduce the cost of sales tax as appropriate. **Direct purchase of equipment will be approximately \$550,000.00, of which Covanta Lee, Inc. will reimburse the County 50% of the cost.** [\(#20130586-SOLID WASTE\)](#)

**FUNDING SOURCE:**

Funds are available and budgeted in; Solid Waste Enterprise Fund, Solid Waste CIP Fund - CIP Program - Solid Waste Processing Equip.

**WHAT ACTION ACCOMPLISHES:**

Replaces existing 15 to 19 year-old equipment with new, more effective equipment, in order to increase the recovery rate of ferrous and nonferrous metals at the WTE facility.

**MANAGEMENT RECOMMENDATION:**

Approve.

DURING THE ANNOUNCEMENTS PORTION OF THE MEETING, THE CHAIRMAN ANNOUNCED THAT: The following language should be added to the **ACTION REQUESTED/PURPOSE:**

Direct purchase of equipment will be approximately \$550,000.00, of which Covanta Lee, Inc. will reimburse the County 50% of the cost.

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

Commissioner Hall moved approval of the item as amended, seconded by Commissioner Mann, called and carried with Commissioner Manning absent.

**9. PARKS AND RECREATION**

No requests received.

**10. PUBLIC SAFETY**

No requests received.

**11. PUBLIC WORKS ADMINISTRATION**

No requests received.

**12. TRANSPORTATION**

No requests received.

**13. UTILITIES**

No requests received.

**14. COUNTY ATTORNEY**

**A) ACTION REQUESTED/PURPOSE:**

Adopt a Resolution approving the issuance of Lee County Industrial Development Authority Utility System Refunding Revenue Bonds, Series 2013, in a principal amount not to exceed \$7,400,000 to be issued for the benefit of Bonita Springs Utilities, Inc. (the "Borrower"). The Borrower is using the proceeds to refinance certain outstanding debt and thus lower its annual debt service costs. ([#20130593](#)-COUNTY ATTORNEY)

**FUNDING SOURCE:**

None. No County financial liability.

**WHAT ACTION ACCOMPLISHES:**

Provides Board consideration of proposed Industrial Development Authority Bonds as required by Internal Revenue Code and Florida Statutes. Board approval will authorize and adopt the approving Bond Issuance Resolution.

**MANAGEMENT RECOMMENDATION:**

Approve the adoption of the Resolution with all stated terms and conditions.

**IMMEDIATELY FOLLOWING PUBLIC COMMENT.**

Acting County Attorney Andrea Fraser asked the Board hear Administrative Agenda Item 14a before the Consent Agenda, out of respect for Mr. Humphrey.

Commissioner Mann moved to hear the item immediately, seconded by Commissioner Hall, called and carried with Commissioner Manning absent.

Commissioner Hall moved approval of the item, seconded by Commissioner Mann, called and carried with Commissioner Manning absent.

**[RESOLUTION NO. 13-07-20](#)**

**B) ACTION REQUESTED/PURPOSE:**

Authorize the County Attorney's Office to intervene as a party in the pending cases against the Department of Juvenile Justice (DJJ) disputing the amount of Lee County's portion of the detention cost share for the fiscal year (FY) 2010-2011 and FY 2011-2012 and seek a corrected reconciliation and repayment of overcharged amounts. For FY 2009-2010 Lee County challenged the reconciliation by DJJ that modified the responsibility for costs of secure detention between Counties and the State. The Administrative Law Judge found the rules invalid and thus, Lee County's portion of the cost share was calculated incorrectly.

([#20130627](#)-COUNTY ATTORNEY)

**FUNDING SOURCE:**

Not Applicable.

**WHAT ACTION ACCOMPLISHES:**

Allows Lee County to seek new reconciliation amounts from the Department of Juvenile Justice and repayment for overcharging Lee County their portion of the detention cost share for the FY 2010-2011 and FY 2011-2012.

**MANAGEMENT RECOMMENDATION:**

Approve.

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

**15. HEARING EXAMINER**

No requests received.

**16. CONSTITUTIONAL OFFICERS**

No requests received.

**17. PORT AUTHORITY AND OTHER GOVERNING BOARDS**

No requests received.

**WALK-ON ITEMS**

No requests received.

**CARRYOVER ITEMS**

No requests received.

**COMMISSIONER ITEMS**

**ENTERPRISE FLORIDA**– Commissioner Hall welcomed everyone back and noted that Enterprise Florida contacted her about hosting and working with them on an international work shop for the SW Florida area. She added that she has been working with County Manager Roger Desjarlais and Assistant County Manager Glen Salyer to bring it forward, hopefully in December.

**IMPACT FEE REDUCTION** – Commissioner Mann addressed the Impact Fee reduction that was adopted several months ago, stating it was for (2) two years with a (1) one year review. He added that he has been in touch with Community Development Director Mary Gibbs and they are keeping track of permits and so on. He also mentioned that there was an article written within the past five days about residential home sales being down this month compared to last year at this time. He added that the medium cost for a house is \$185,000.00 compared to \$145,000.00 last year, and he stressed that economic rebound is still very strong and active here.

**RELEASES FROM LAKE OKEECHOBEE** – Commissioner Pendergrass urged the citizens of Lee County to contact the local Legislative Delegation with a request to at least slow down the water flow from Lake Okeechobee because it is devastating to the economy and habitat in Lee County. He added that Congressman Radel has been very adamant about getting the water Bill passed in Congress that will help with funding for C43. Commissioner Hall added she met with Congressman Radel a couple weeks ago and he had concerns about some of the language. She also stated that there is overwhelming support from the Florida Legislative Delegation to have this heard in September.

**LEE COUNTY LITIGATION EXPOSURE LAWSUITS**– Commissioner Pendergrass asked Acting County Attorney Andrea Fraser which lawsuit is coming up next. She stated it would be for LPH Buckingham case and provided salient points of the case.

**ECONOMIC DEVELOPMENT**– Commissioner Pendergrass thanked County Manager Roger Desjarlais for temporarily placing Glen Salyer in the office of Economic Development because of the departure of the Executive Director, Jim Moore. Mr. Desjarlais said he has met with Horizon Council and IDA and will be looking into the department as a whole and it will go into a bidding process. Commissioner Hall opined on the bidding process and stated she would like the County Manager’s Office and County Attorney’s Office to make sure that the competitive bidding process and policy are being followed. Mr. Desjarlais stated they would do some research, and bring it back to the Board.

**COMMITTEE APPOINTMENTS**

Commissioner Hall moved to re-appoint Karl Johnson to the **LOCHMOOR STREET LIGHTING UNIT COMMITTEE**, Theresa Schober to the **LEE COUNTY HISTORIC PRESERVATION BOARD**, and Winston Church to the **ROADWAY LANDSCAP ADVISORY COMMITTEE**, seconded by Commissioner Mann, called and carried with Commissioner Manning absent.



Commissioner Mann moved to re-appoint Barbara Niland to the **ROADWAY LANDSCAP ADVISORY COMMITTEE**, and Mattie Stevenson to the **HEIMAN/APOLLO STREETLIGHTING UNIT COMMITTEE**, seconded by Commissioner Hall, called and carried with Commissioner Manning absent.

Commissioner Kiker moved to re-appoint V. Anthony Luna to the **HARLEM HEIGHTS STREETLIGHTING UNIT COMMITTEE**, and appoint Walter Marion and Oretha Marion to the **HARLEM HEIGHTS STREETLIGHTING UNIT COMMITTEE**, re-appoint Melodee Nevers and Herbert Buboltz to the **SHELTERING PINES MOBILE HOME VILLAGE IMPROVEMENT UNIT COMMITTEE**, re-appoint Councilman Steven Slachta to the **HUMAN RESOURCES COUNCIL COMMITTEE**, re-appoint Al O'Donnell to the **ROADWAY LANDSCAPE ADVISORY COMMITTEE**, and appoint Michael Johnson to the **OLD PELICAN BAY CHANNEL/CANAL O & M MSBU**, seconded by Commissioner Hall, called and carried with Commissioner Manning absent.

Commissioner Pendergrass requested a motion to appoint Antranette Forbes to the **PARTNERING FOR RESULTS COMMITTEE**, Lisa Benton to the **WATERWAYS ADVISORY COMMITTEE**, re-appoint Phil Martin to the **SAN CARLOS PARK SPECIAL IMPROVEMENT DISTRICT**, appoint Robert Sharkey to the **COASTAL ADVISORY COMMITTEE**, and appoint Bob Beville to the **PARKS AND RECREATION ADVISORY COMMITTEE**, so moved by Commissioner Hall, seconded by Commissioner Mann called and carried with Commissioner Manning absent.

### **COUNTY MANAGER ITEMS**

County Manager Roger Desjarlais stated that he and Assistant County Manager Doug Meurer are going to meet with Cape Coral's City Manager and Public Works Director this afternoon for a conversation about the excess toll fees.

Mr. Desjarlais added that on August 5<sup>th</sup> there is an M & P meeting scheduled and there were (2) two items for discussion. He stated that he postponed the sustainability conversation until he can research and better understand it and Mr. Meurer said the utilities incentive plan can be put on hold also so the meeting for August 5<sup>th</sup> is cancelled. The Board concurred.

Mr. Desjarlais also wanted to postpone the Ordinance change for Animal Control on August 13<sup>th</sup> to get a better handle on the proposed changes. The Board concurred.

Mr. Desjarlais asked Human Resources Director Christine Brady to bring the Board up to date on the hiring and search for the County Attorney and Hearing Examiner recruitments.

Commissioner Kiker asked Mr. Desjarlais for an update on Bonita Springs and Estero projects at the next meeting.

### **COUNTY ATTORNEY ITEMS**

Acting County Attorney Andrea Fraser had no items for discussion.

The Chairman adjourned the meeting at 11:38 a.m.

ATTEST:  
LINDA DOGGETT, CLERK

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
[Chairman, Lee County Commission](#)