

MAY 10, 2011

The Regular Meeting of the Board of Lee County Commissioners was held on this date with the following Commissioners present:

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

COMMISSIONER BIGELOW WAS SUMMONED FOR JURY DUTY AND WAS ABSENT FOR THE ENTIRE MEETING.

The Chairman called the meeting to order at 9:31 a.m. The Invocation was given by Pastor Clint Cottrell, Cypress Lake Presbyterian Church, followed by the Pledge of Allegiance.

**PRESENTATIONS**

THE PRESENTATIONS WERE NOT HEARD IN AGENDA ORDER

Commissioner Mann, on behalf of Commissioner Bigelow, read and presented a Ceremonial Resolution proclaiming May 14, 2011 as Letter Carriers National Food Drive Day in Lee County, and urging citizens to participate in this worthy cause. Letter Carrier George Sciascia, together with Harry Chapin Food Bank Associate Director Joyce Jacobs and a representative from the National Rural Letter Carriers Association accepted the Resolution, urged continued support, and thanked the United Way Volunteers and the Board. ([#20110357](#)-Commissioner Bigelow)

Commissioner Manning read and presented a Ceremonial Resolution proclaiming May 9-15, 2011 as Salvation Army Week in Lee County, and urging all citizens to join in honoring the dedicated men and women who work or volunteer for this fine organization and touch the lives of so many. Director of the Bob Janes Triage Center Tim McCormick and Salvation Army Ministry representative Jay Deaton on behalf of General Manager Meg Geltner accepted the Resolution, and thanked the Board. ([#20110358](#)-Commissioner Manning)

Commissioner Hall read and presented a Ceremonial Resolution proclaiming Thursday, May 12, 2011 as Cape Coral Construction Industry Association Day (CCCIA) in Lee County, and commending CCCIA on their 40<sup>th</sup> anniversary and dedication to Cape Coral, and for helping to build *PARADISE*. 2011 CCCIA President Jeremy Johnson, Executive Director Heather Mazurkiewiez, Board Member Joseph Francioni, Horizon Council Board Member Bob Ryan, together with CCCIA past presidents accepted the Resolution and Mr. Johnson expressed thanks to the Board for this recognition. ([#20110359](#)-Commissioner Hall)

**ANNOUNCEMENTS**

Referring to the Agenda Recap Sheet dated May 10, 2011, the Chairman announced that:

One Walk-On and one Carry-Over item would be taken up at the appropriate time.

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

There were no Consent Agenda items identified by individual Board members for discussion. :

**CONSENT AGENDA**

**1. COUNTY ADMINISTRATION**

No requests received.

**2. COMMUNITY DEVELOPMENT**

No requests received.

**3. CONSTRUCTION AND DESIGN**

**A) ACTION REQUESTED/PURPOSE:**

Approve [Supplemental Task Authorization \(STA\) No. 1](#), for Lee County Fisherman's Coop Site Remediation Project under CN-10-04 County-wide Environmental Contract (Water quality & hydrological impacts, site assessments, site remediation), to American Environmental Engineering of Florida (a local consultant), Contract No. 5172, in the amount of \$140,000.00. Also, authorize Chair to execute Supplemental Task Authorization (STA) on behalf of Board upon receipt.

(#20110275-CONSTRUCTION AND DESIGN)

**FUNDING SOURCE:**

Fund: General Fund; Program: General Government Facilities Major Maintenance; Project: County Wide Fuel Facilities.

**WHAT ACTION ACCOMPLISHES:**

To perform the necessary remedial actions and post remediation groundwater monitoring to result in site closure and achieve No Further Action (NFA) status.

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**B) ACTION REQUESTED/PURPOSE:**

Approve, and authorize the Chair to execute, [Change Order No. 6](#) to Contract #4837, under CN-09-05 Design of the New Boston Red Sox Spring Training Facility to Populous, in the amount of \$18,000.00. (#20110347-CONSTRUCTION AND DESIGN)

**FUNDING SOURCE:**

Fund - Tourist Development Rev Bond 2010B Constr; Program - Capital Project; Project - Red Sox Stadium.

**WHAT ACTION ACCOMPLISHES:**

To provide energy modeling as required for LEED study.

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**4. COUNTY COMMISSIONERS**

No requests received.

**5. COUNTY LANDS****A) ACTION REQUESTED/PURPOSE:**

Approve [Easement Purchase Agreement](#) for acquisition of a Public Waterline Utility, part of STRAP No. 09-46-25-10-0000B.00CE, from Caloosa Trace Homeowner's Association, Inc., in the amount of \$1,000.00; located in Tract B of the Caloosa Trace Unit 1 Subdivision, for the Alico Loop Water Main Extension (Capri Drive to Caloosa Trace Circle) Project 7094. Also, authorize the payment of costs to close in the approximate amount of \$500.00; and the Division of County Lands to handle all documentation necessary to complete transaction. (#20110332-COUNTY LANDS)

**FUNDING SOURCE:**

Fund: Utilities Capital Improvements; Program: Capital Projects; Project: Water System Improvements.

**WHAT ACTION ACCOMPLISHES:**

Acquires a permanent waterline utility easement for construction of the Water Main Extension (Capri Drive to Caloosa Trace Circle) Project.

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**6. HUMAN SERVICES****A) ACTION REQUESTED/PURPOSE:**

- 1) Approve revised criteria for the FY 2011-2012 Partnering for Results (PFR) process as detailed in the backup material to this item;
- 2) Approve set aside of Partnering for Results funding to meet the State child care match requirement for income eligible/working poor;
- 3) Authorize 7.5% of allocated funds be set aside for the implementation of the 10 Year Plan to End Homelessness. ([#20110333](#)-HUMAN SERVICES)

**FUNDING SOURCE:**

FY 2011-2012 General Fund dollars to be allocated for Partnering For Results to be determined during the budget process and subject to availability of County general funds.

**WHAT ACTION ACCOMPLISHES:**

Provides policy for the Partnering for Results Proposal process.

**MANAGEMENT RECOMMENDATION:**

Authorize staff to revise criteria and move forward with the Request for Proposals (RFP) process with the caveat that funds may not be available or may be significantly decreased based on the availability of County general funds.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**7. INDEPENDENT****A) ACTION REQUESTED/PURPOSE:**

A) Approve [Addendum to the Construction Manager \(CM\) Agreement](#) under RFQ 09-06 Annual Contract for Construction Management, for CIP Project #208872 Edison Mall Transfer Center, to Brooks & Freund, LLC (a local contractor), Contract #4801, for a Guaranteed Maximum Price of \$962,850.00 (which includes the CM Fee of \$59,294.00 or 7.12%) with a total completion time of 180 days, utilizing approximately 90% of local vendors.

B) Approve waiving of the formal process (if needed) and authorize the use of Direct Material Purchase Orders as provided by the CM Agreement with Lee County, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure.

C) Authorize the Chair to execute the CM agreement upon receipt.

D) Approve funds in the amount of \$211,676.00 for project related services and equipment not included in the design of the Construction Manager's contract. Total Project cost is \$1,174,526.00.

E) Approve a CIP Budget Amendment Resolution for the grant funds from FDOT in the amount of \$587,263.00.

F) Approve a [budget transfer](#) from Capital Improvement Reserves in the amount of \$587,263.00. Also amend the FY11-12 CIP Budget accordingly. ([#20110329](#)-TRANSIT)

**FUNDING SOURCE:**

Fund: Transit Capital (FDOT Grant); Program: CIP -Edison Mall.

Fund: Capital Improvement; Program: CIP – Edison Mall.

**WHAT ACTION ACCOMPLISHES:**

Provides Lee County with a Construction Manager for the construction of the Edison Mall Transfer Center, Project #208872 and compensates Contractor for miscellaneous costs associated with the project and provides appropriate funding.

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

[RESOLUTION NO. 11-05-03](#)**8. NATURAL RESOURCES/ SOLID WASTE**

No requests received.

**9. PARKS AND RECREATION**

No requests received.

**10. PUBLIC SAFETY**

No requests received.

## 11. PUBLIC WORKS ADMINISTRATION

No requests received.

## 12. TRANSPORTATION

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

1) Approve, and authorize the Chair to execute, [Change Order No. 13 to Contract No. 2039](#), to project CN-01-17 Koreshan Boulevard Extension, to PBS&J, , in the not-to-exceed amount of \$11,250.00. ([#20110300](#)-TRANSPORTATION)

### **FUNDING SOURCE:**

Fund – Road Impact Fees – Southwest District; Program – Capital Projects; Project – Estero Parkway Extension.

### **WHAT ACTION ACCOMPLISHES:**

Compensates Consultant for the update of the Estero Parkway landscaping plans in order for the project to be bid and provides post design support during construction.

### **MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

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

Approve a [budget transfer](#) in the Transportation Capital Improvement Fund # 30700 from the Estero Parkway Extension Project #205021 to the County Road 951 Extension Project #204078 in the amount of \$42,000.00. Also, amend the FY 2010/2011-2014/2015 CIP accordingly. ([#20110339](#)-TRANSPORTATION)

### **FUNDING SOURCE:**

Fund – Transportation Capital Improvement; Program – Capital Projects; Project – County Road 951 Extension.

### **WHAT ACTION ACCOMPLISHES:**

Provides budget to pay the final invoice on the CR 951 Extension Project.

### **MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

## 13. UTILITIES

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

Refund (BS 20110327/19777, CBA/SDG): Authorize the refund of \$1,872,016.80 to the City of Cape Coral for the corresponding portion of the Connection Fees collected by the City and paid to the County during the period of time the County provided wholesale potable water services for an area within the vicinity of State Road 41 and Del Prado Boulevard, January 2004-October 2010.

Also, approve a \$242,775.00 [transfer](#) from reserves for a portion of this refund.

([#20110327](#)-UTILITIES)

### **FUNDING SOURCE:**

Fund Name: LCU – Water Connection Fees.

Program Name: Due to City of Cape Coral.

### **WHAT ACTION ACCOMPLISHES:**

The Agreement for the Wholesale Sale of Potable Water between Lee County and the City of Cape Coral (approved by the BoCC on its regular meeting on January 27, 2004), Paragraph 3.6, provides for Lee County to return collected connection fees less the surrendered funds and less any interest earned on the funds to the City of Cape Coral upon termination of the agreement. The water connection was closed October 1, 2010 when the City began providing water service to the area. In the future, the water connection will be used as an emergency interconnect.

### **MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**B) ACTION REQUESTED/PURPOSE:**

A) Approve, and authorize the Chair to execute, [Supplemental Task Authorization No. 2](#) to Contract #5500, under CN-10-13 Miscellaneous Utility Engineering Design and/or Inspection Services to Hazen and Sawyer, PC, for the project known as Three Oaks Reuse System Augmentation, in the amount of \$14,000.00. ([#20110344-UTILITIES](#))

**FUNDING SOURCE:**

Fund: Utilities Sewer Connection Fees; Program: Capital Projects; Project: Three Oaks Reuse System Augmentation.

**WHAT ACTION ACCOMPLISHES:**

Provides for additional design services to accommodate a change in project scope.

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**14. COUNTY ATTORNEY**

**A) ACTION REQUESTED/PURPOSE:**

Approve and authorize the execution and recording of an [Agreement between the Copper Oaks Homeowners' Association, Inc.](#), the Lee County Sheriff, and the County for the exercise of County jurisdiction over certain roads within the Copper Oaks Homeowners' Association for traffic control purposes. ([#20110331-COUNTY ATTORNEY](#))

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

An Agreement for the County's exercise of jurisdictional control over private roadways must be approved and executed by the Board pursuant to Florida Statutes.

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**B) ACTION REQUESTED/PURPOSE:**

Request permission to advertise and conduct a public hearing to direct an amendment to the Lee County Parks and Recreation Ordinance No. 06-26, pertaining to the use and sale of alcoholic beverages on County park property on May 24, 2011 at 9:30 a.m. or as soon thereafter as it may be heard. ([#20110350-COUNTY ATTORNEY](#))

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Satisfies the statutory requirement to hold one public hearing to amend an Ordinance that does not affect the use of land. If adopted, the amendment will clarify the regulatory permitting requirements applicable to the sale, service and consumption of alcoholic beverages on County park property.

**MANAGEMENT RECOMMENDATION:**

County staff recommends approval of the amendment.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**15. HEARING EXAMINER**

No requests received.

**16. CONSTITUTIONAL OFFICERS**

**A) ACTION REQUESTED/PURPOSE:**

Approve the Minutes for the following meetings of the Board of County Commissioners

held during the week of April 25 through April 29, 2011:

April 26, 2011 (Regular)

(#20110352-MINUTES)

**FUNDING SOURCE:**

Not Applicable.

**WHAT ACTION ACCOMPLISHES:**

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

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**B) ACTION REQUESTED/PURPOSE:**

Approve [disbursements](#). The check and wire registers may be viewed on the Clerk's website at WWW.LEECLERK.ORG by accessing the BoCC Minutes and Documents link.

(#20110353-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 Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

**C) ACTION REQUESTED/PURPOSE:**

Approve disbursement of excess funds resulting from the sale of tax deed certificates to the following claimants verified and certified under Florida Statutes 197.582.

<b>Tax Deed No.</b>	<b>Payee</b>	<b>Amount</b>
2007-000491	Estate of John Zona c/o Lawrence W Borns, PA	\$3,570.26
2007-000564	Estate of Anna Mary Elizabeth III f/k/a Anna M. Born c/o Lawrence W. Borns, P.A.	\$4,248.00
2010-001526	BNV Investments, Inc.	\$29.10
2010-001571	Lot Guys Inc.	\$466.53

(#20110354-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 claimants.

Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent.

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

No requests received.

**ADMINISTRATIVE AGENDA**

**1. COUNTY ADMINISTRATION**

No requests received.

**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**

No requests received.

**8. NATURAL RESOURCES/ SOLID WASTE**

No requests received.

**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**

No requests received.

**15. HEARING EXAMINER**

No requests received.

**16. CONSTITUTIONAL OFFICERS****A) ACTION REQUESTED/PURPOSE:**

Appoint two members of the Board of County Commissioners and one citizen representative to serve on the 2011 Value Adjustment Board (VAB). The organizational meeting of the VAB will be held on a date yet to be determined. ([#20110356-MINUTES](#))

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Provides a citizen representative for the 2011 Value Adjustment Board (VAB), and identifies the two Board of County Commissioners representatives for the VAB as required by Florida Statute §194.015.

**MANAGEMENT RECOMMENDATION:**

Approve.

Commissioner Judah moved to appoint Commissioners Bigelow and Manning as Board representatives on the 2011 VAB, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent. Commissioner Judah moved to appoint Alan Garges as the citizen representative to the VAB, seconded by Commissioner Manning, called and carried.

**CONVENE AS LEE COUNTY GOVERNMENTAL LEASING CORPORATION****B) ACTION REQUESTED/PURPOSE:**

Request that the Lee County Governmental Leasing Corporation authorize the President to execute (sign) tax returns for the year ended September 30, 2010. No funds are required. (#20110355-FINANCE)

**FUNDING SOURCE:**

N/A

**WHAT ACTION ACCOMPLISHES:**

Federal and state laws require that corporations file income tax returns. Signing the tax returns and filing them with the respective authorities will serve as compliance with federal and state laws.

**MANAGEMENT RECOMMENDATION:**

Compliance with federal and state laws.

SEE THE GOVERNMENTAL LEASING CORPORATION MINUTES FOR ACTION TAKEN.

**RECONVENE AS LEE COUNTY BOARD OF COUNTY COMMISSIONERS****17. PORT AUTHORITY AND OTHER GOVERNING BOARDS**

No requests received.

**WALK-ON ITEM NO. 1****12. TRANSPORTATION****1. ACTION REQUESTED/PURPOSE:**

Approve BW-11-04 TransCore for an annual expenditure of up to \$400,000.00 to cover dedicated maintenance plan for ARCS hardware/software support for the Lee County Toll System, and enter into a [Service Provider Agreement](#), for a contract period of 5 years, with an escalation not to exceed 2.75% annually (subject to funds being available through each fiscal year). Authorize Chair to execute the Agreement upon receipt.

(#20110343-TRANSPORTATION)

**REASON FOR WALK ON:**

The contract is at the end of its duration so it is necessary that it be approved as soon as possible to avoid service interruption at our toll facilities.

Commissioner Judah moved approval, seconded by Commissioner Manning. Following a review of the expenditure by Deputy DOT Director Paul Wingard as requested by Commissioner Mann, the motion was called and carried with Commissioner Bigelow absent.

**CARRY-OVER ITEM NO. 1****1. ACTION REQUESTED/PURPOSE:**

Approve the [Right of Entry and Use Agreement](#) between FPL FiberNet and Lee County Board of County Commissioners.

(#20110324-INFORMATION TECHNOLOGY GROUP)

**REASON FOR CARRY OVER:**

This item was deferred for one week at the May 3, 2011 Board meeting.

Commissioner Judah moved approval of staff's request to defer this item for not more than two weeks, seconded by Commissioner Manning, called and carried with Commissioner Bigelow absent.

### COMMISSIONER ITEMS

US ARMY CORPS OF ENGINEERS (USACE) – Commissioner Hall indicated she and Commissioner Judah would be meeting with the USACE next week on Lee County interests, and thanked Chairman Mann for sending a letter to Colonel Alfred Pantano, Commander of the Jacksonville District, and for Colonel Pantano's personal response. She expressed appreciation to staff on their efforts, and Chairman Mann confirmed that staff should continue to follow up on Colonel Pantano's suggestion to meet with the South Florida Water Management Department (SFWMD). Commissioner Judah also expressed appreciation of Col. Pantano and his scientific approach, while suggesting that the SFWMD Governing Board be strongly urged to discontinue support of special interests like the sugar industry, and support minimum flows to protect Lee County's ecological interests. Commissioner Judah received Board consensus to work with staff on a draft response to Colonel Pantano insisting that the USACE immediately re-evaluate the 2008 Lake Okeechobee Rate Schedule.

ANGEL OF THE ARTS AWARD – Commissioner Hall reported that she and Commissioner Judah were recent presenters at this awards ceremony and Terry Tincher with Studio 39 in downtown Fort Myers was named benefactor of the year. She expressed thanks to those who support the arts, and reminded of an upcoming exhibit by our local school children at the Southwest Florida International Airport.

SALVATION ARMY STORE OPENING – Commissioner Hall advised of the opening of a new store by the Salvation Army at the intersection of U.S. 41 and Boy Scout, and urged community support.

NATIONAL SWIM CENTER PROPOSAL – Commissioner Judah referenced the latest proposal from the National Swim Center – Phase 1 construction: several outdoor pools at their cost of \$18.2 million; \$100,000.00 in annual lease payments; and posting of a performance bond insuring that the facility would be converted back to a stadium configuration if the swim program did not work. He urged continuing discussions toward a resolution before the summer Board recess. County Manager Karen Hawes advised that Economic Development Director Jim Moore and City of Fort Myers staff have met with Swim Center representatives, and that a letter requesting further information is intended to be sent this week with a copy disbursed to the Board. Commissioner Judah also requested community meetings be scheduled, and was assured that staff is moving diligently forward.

GLADES COUNTY LETTER OF THANKS – Commissioner Mann advised that the Glades County Commission Chairman, Russell Echols, sent a letter of appreciation for Lee County's assistance with fire fighting resources during a recent fire in Muse.

LETTER TO COLLIER COUNTY COMMISSION – Commissioner Mann referenced a proposed [letter to the Collier County Board of County Commissioners](#) regarding the adjacent mining operation. Commissioner Judah moved approval to send the letter, seconded by Commissioner Manning, called and carried with Commissioner Bigelow absent.

HISTORIC OAK SAPLINGS – Commissioner Mann presented pictures and an update of baby oak trees growing from acorns gathered from the historic oak tree in front of the old Courthouse. He advised they are available to interested schools and citizens for planting. He further noted that the selected artist would begin his work on the trunk in early June.

SEPTIC TANK LEGISLATION UPDATE – Commissioner Judah received an update by Assistant County Manager Holly Schwartz after clarification by Lee County's lobbyist that none of the Septic Tank Legislation passed and the Department of Health was not to spend any monies on this program unless approved by the Legislative Budget Commission. After discussion, there was Board consensus to continue the septic inventory and go in with a pilot program notwithstanding lack of direction by the Legislature.

ART DISPLAY – Commissioner Hall invited all to view the artwork of Material Girls, Nancy Cunningham and Jeannie Workman, currently on display outside her office this entire month.

### COMMITTEE APPOINTMENTS

Commissioner Hall moved to re-appoint Michael Myers to the **EAGLE TECHNICAL COMMITTEE**, and Karl L. Johnson to the **LOCHMOOR STREETLIGHTING UNIT**, seconded by Commissioner Manning, called and carried with Commissioner Bigelow absent

Commissioner Manning moved to appoint Paul C. Eddy to the **BOCA GRANDE HISTORIC PRESERVATION BOARD**, and re-appoint Alfred Perez to the **DEWBERRY LANE SPECIAL IMPROVEMENT OPERATION &**

**MAINTENANCE UNIT**, seconded by Commissioner Hall, called and carried with Commissioner Bigelow absent. Chairman Mann requested a motion to re-appoint Catherine A. Backos to the **CORKSCREW ROAD SPECIAL IMPROVEMENT UNIT**, Laura L. Greeno to the **EAGLE TECHNICAL COMMITTEE**, and Michael P. Ryan and Tony Price to the **PALM BEACH BOULEVARD SPECIAL IMPROVEMENT UNIT**. Commissioner Manning moved approval, seconded by Commissioner Judah, called and carried with Commissioner Bigelow absent.

**COUNTY MANAGER ITEMS**

County Manager Karen Hawes introduced the County’s new Utilities Director Pam Keyes, and advised that County Lands Director Karen Maguire would update the Board on the Mound Key acquisition. Ms. Maguire advised the Board of the end of negotiations between Florida Department of Environmental Protection (FDEP) and the owners of Mound Key over the appraisal amount of \$650,000.00 and the \$2,780,000.00 asking price. There was consensus that this unique property was ecologically valuable and should be under public ownership and dialogue should remain open.

**COUNTY ATTORNEY ITEMS**

Deputy County Attorney Andrea Fraser had no items for discussion.

Following Board discussion on the scheduling of the 5:00 p.m. and 5:05 p.m. Public Hearings, Commissioner Judah moved to continue the hearings, due to lack of a quorum, until the next available date, seconded by Commissioner Hall, called and carried with Commissioner Bigelow and Commissioner Manning absent.

**5:00 P.M. AGENDA ITEM** - Public Hearing

**1. ACTION REQUESTED/PURPOSE:**

Conduct a Public Hearing to consider the adoption of an ordinance relating to the establishment of a temporary moratorium on the issuance of business tax receipts for the operation of "Pain Clinics" or "Pain Management Clinics". (#[20110312](#)-COUNTY ATTORNEY)

**FUNDING SOURCE:**

N/A

**WHAT ACTION ACCOMPLISHES:**

The Board must formally adopt an Ordinance at a scheduled, advertised Public Hearing.

**MANAGEMENT RECOMMENDATION:**

Adopt Ordinance.

**5:05 P.M. AGENDA ITEM**

Public Presentation of Matters by Citizens.

Following Board discussion on the scheduling of the 5:00 p.m. and 5:05 p.m. Public Hearings, Commissioner Judah moved to continue the hearings, due to lack of a quorum, until the next available date, seconded by Commissioner Hall, called and carried with Commissioner Bigelow and Commissioner Manning absent.

The Chairman adjourned the meeting at 10:31 a.m.

ATTEST:

CHARLIE GREEN, CLERK

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Deputy Clerk

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[Chairman, Lee County Commission](#)