

AUGUST 17, 2021

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

Kevin Ruane, Chairman
 Cecil Pendergrass, Vice-Chairman
 Ray Sandelli
 Brian Hamman
 Franklin B. Mann

The Chairman called the meeting to order at 9:32 a.m. Before the Invocation, Commissioner Ruane asked for a moment of silence for Deputy Sheriff Steven Mazzotta and Shannon Yates, Chef and Owner of Nevermind Restaurant in Cape Coral. The Invocation was given by Pastor Anna Ruth Burgos, Iglesia Pentecostal Peniel, followed by the Pledge of Allegiance.

CEREMONIAL PRESENTATIONS

1. Janet Bartos' Retirement – Commissioner Pendergrass

Commissioner Pendergrass read the [Ceremonial Resolution](#) and stated that the Board of County Commissioners of Lee County, Florida, does hereby recognize Mrs. Janet Bartos for her hard work, dedication, and vision and offer our grateful appreciation for her outstanding commitment to the people of Lee County and Southwest Florida. Mrs. Janet Bartos from the Homeless Coalition came forward to accept the Ceremonial Resolution and told the Board how honored and humbled she was for the recognition.

RECAP/ANNOUNCEMENTS

Referring to the [Recap](#) Agenda of August 17, 2021, the Chairman announced that:

Commissioners Items: Commissioner Ruane – LOSOM Update and Discussion
 Commissioner Hamman – COVID-19 Update

PUBLIC COMMENT ON AGENDA ITEMS

There were no items pulled for discussion by the individual Commissioners.

The Chairman requested a motion to approve the Consent Agenda items and Commissioner Pendergrass so moved, seconded by Commissioner Hamman, called and carried.

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

CONSENT AGENDA

CLERK OF COURTS

1. Approve and Record County [Disbursements](#) per Florida Law

Item Summary: Chapter 136.06(1), Florida Statute requires that all County disbursements be recorded in the Minutes of the Board. This is for the check and wire registers viewable on the Clerk's website.

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

2. Present Report on [Monthly Financial Summary](#) for the Month of June 2021

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 Pendergrass moved approval, seconded by Commissioner Hamman, called and carried.

3. Present Report on [Driver Education Safety Trust Fund](#) for the Month of June 2021

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 Pendergrass moved approval, seconded by Commissioner Hamman, called and carried.

COMMUNITY DEVELOPMENT

4. Authorize Amendment to Lee Plan for Consistency with Florida Statutes

Item Summary: Directs staff to prepare amendments to the Lee Plan required by Florida Law. A property rights element and an update to the Wellfield Protection Zones will be routed for appropriate committee reviews before ultimate consideration by the Board. The property rights element is a new requirement of SB 59 (Fla. Stat. § 163.3177(6)(i)), passed during the 2021 Florida Legislative Session. The purpose of Wellfield Protection Zone amendment is to update Map 8 to reflect installed & reconfigured several wells and update wellfield iso-travel time contours.

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

COUNTY ATTORNEY

5. Direct to Public Hearing an Amendment to Land Development Code Chapter 33

Item Summary: The proposed Chapter 33 revisions would require furniture and equipment be removed from the beach overnight at all times of year; add outdoor lighting standards for developments within the community plan area; specify the types of trees and landscaping allowed adjacent to Captiva Drive; expand the type and size of signs not requiring a permit; and make other minor amendments for clarification. The Public Hearing will be held on September 21, 2021 at 9:30 a.m.

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

COUNTY LANDS

6. Approve Purchase of Land for North Lee County Wellfield Expansion

Item Summary: Acquires a +/- 5.7-acre parcel in the amount of \$150,000, plus costs to close, for the [North Lee County Water Treatment Plant Wellfield Project](#). The parcel is located at 14500 North River Road, Alva and provides the necessary land for a raw water well.

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

7. Approve Slope [Easement Purchase](#) for Estero Boulevard Project (606)

Item Summary: Acquires +/- 1,032 square foot [slope easement](#), in the amount of \$2,500 plus closing costs, for the Estero Boulevard Corridor Project. The easement will provide for the installation of fill material that will stabilize the back of sidewalk for this segment of Estero Boulevard, Fort Myers Beach. The easement is located at [6666 Estero Boulevard](#).

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

8. Approve [Slope Easement Purchase](#) for Estero Boulevard Project (614-615)

Item Summary: Acquires +/- 730 square foot [slope easement](#), in the amount of \$2,000 plus closing costs, for the Estero Boulevard Corridor Project. The easement will provide for the installation of fill material that will stabilize the back of sidewalk for this segment of Estero Boulevard, Fort Myers Beach. The easement is located at [7144 Estero Boulevard](#).

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

9. Authorize Binding Offer for Littleton Road Widening – Corbett Road to US 41

Item Summary: Approves an offer of \$85,000 to [purchase](#) fee simple interest in Parcel 230 (+/- 8,740 square feet) for the Littleton Road Widening – Corbett Road to US 41, Project No. 5028. This offer is necessary to accommodate the construction schedule, should condemnation actions be required. The estimated cost to close this acquisition is \$2,500. The appraised value is \$81,000 (land and improvements). The recommended increase of \$4,000 is to avoid condemnation and its costs and expenses.

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

10. Authorize Binding Offer for Gateway Boulevard & Griffin Drive Roundabout

Item Summary: Approves an offer of \$180,000 to purchase a portion of Tract A, Gateway Phase 5, Plat Book 45, Page 84, further identified as a portion of Fairway Lakes Drive (+/-14,432 square feet), for the Gateway Boulevard and Griffin Drive Roundabout, Project No. 0671. This offer is necessary to accommodate the construction schedule, should condemnation actions be required. The estimated cost to close this acquisition is \$3,000. The appraised value is \$175,100 (land and improvements). The recommended increase of \$4,900 is to avoid condemnation and its costs and expenses.

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

11. Approve Permissive Use License Agreement with Town of Ft. Myers Beach & Ajax Paving

Item Summary: Approves a [Permissive Use License Agreement](#) between Lee County and the Town of Fort Myers Beach together with their contractor Ajax Paving Industries of Florida, LLC to use part of County owned property located at 1113 Estero Blvd., Fort Myers Beach, commonly known as Seafarers parcel. The use is for temporary storage of materials and equipment on a northwesterly portion of the site. The term of this Permissive Use License Agreement is from August 17, 2021 to November 30, 2021 (approximately 105 days). The monthly license rate is zero.

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

12. Accept the Donation of a Temporary LeeTran Parking Area on Fort Myers Beach

Item Summary: Accept the donation of a temporary parking area from [Fort Myers Beach Fire Control District](#) for overnight parking of three LeeTran trams, located at 2545 and 2555 Estero Boulevard, Fort Myers Beach. The term of the parking agreement runs from October 15, 2021 through May 1, 2022.

There is no consideration required to utilize the space. Lee County is responsible for installing fencing along all sides of the site area. Upon expiration of the License Agreement, Lee County is responsible for removing the fencing and restoring the site area to as good or better condition than that which existed prior to its use.

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

COUNTY MANAGER

13. Quarterly Reporting of Expenditures for County-Sponsored Functions

Item Summary: Lee County Ordinance #90-18 requires quarterly reporting of expenditures on county-sponsored functions. Some of these expenditures are funded through grants and donations. These include workshops, training, seminars, receptions, ribbon cuttings, and meals related to county sponsored events and meetings. Expenditures for the quarter were \$7,816.88.

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

FACILITIES CONSTRUCTION AND MANAGEMENT

14. Award Design Services Contract for Lehigh Acres Park & Ride Facility

Item Summary: Awards Competitive Negotiation Request for Lehigh Acres Park and Ride Facility to [Johnson Engineering, Inc.](#) to provide professional design, engineering, and architectural services for a new bus park and ride facility located at Village Lake Boulevard in Lehigh Acres, in the amount of \$360,354.57. Johnson Engineering, Inc. received the highest ranking out of nine (9) submitted proposals. The new LeeTran facility will provide residents the opportunity to commute efficiently to and from Lehigh Acres. The new facility will replace the transfer point located on private property and will include up to four (4) new bus bays, shelters with benches, and restrooms and parking spaces compliant with current ADA standards. The facility will also have paved bus circulation with loading and unloading ramps, custodial facilities, a technology room, and Mobility on Demand drop-off service. It will take approximately 11 months to design the Park and Ride facility. This budgeted and planned project is fully funded through a Federal Transit Administration (FTA) grant.

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

15. Award Contract to Replace Downtown Jail Fire Alarm System

Item Summary: Awards contract to [Commercial Electrical Systems Co.](#) for the replacement of the existing Fire Alarm System in the Lee County Jail, in the amount of \$436,480.00. Commercial Electrical Systems Co. was determined to be the responsible bidder with the lowest responsive bid of four (4) sealed bids received. Commercial Electrical Systems Co. will remove and replace an obsolete proprietary fire alarm system with a new non-proprietary system. The new fire alarm system will include components required by the current National Fire Alarm and Signaling Code. The replacement will be scheduled in phases, ensuring that not more than one of the smoke evacuating zones of the system is disabled at any time. This planned and budgeted project will be fully funded through the General Fund.

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

16. Approve Contract Change Order for Caloosahatchee Regional Park Shoreline Stabilization

Item Summary: Approves Change Order to the contract with TSI Disaster Recovery, LLC to provide additional construction services for the stabilization of the oxbow island adjacent to the Caloosahatchee Regional Park, in the amount of \$147,435, bringing the new project contract total to \$1,024,825. The installation of rip-rap, filter fabric and wetland vegetation will replace what eroded away and protect approximately 410 linear feet of oxbow shoreline from continuous erosion. The total estimated cost is \$170,935, which includes \$147,435 for construction, and \$23,500 for design and miscellaneous costs.

This planned and budgeted project will be funded through the Tourist Development Beach Project Fund.

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

HUMAN SERVICES

17. Accept CSBG Funds from the Florida Department of Economic Opportunity

Item Summary: Approval allows the acceptance of Community Services Block Grant (CSBG) funding from the Florida Department of Economic Opportunity. Funds will be used for households at risk of homelessness and households with temporary housing and expenses while Rebuild Florida is repairing their housing damaged by Hurricane Irma. Funds will be administered by Human and Veteran Services

and will provide financial assistance to approximately 97 households. The total allocation of \$557,662 must be expended by September 30, 2023.

Vote: Commissioner Pendergrass moved approval, seconded by Commissioner Hamman, called and carried. [RESOLUTION No. 21-08-09](#) and [RESOLUTION No. 21-08-10](#)

INNOVATION AND TECHNOLOGY

18. Approve Piggyback for Telephone Systems Data Communications Maintenance Support

Item Summary: Approves the yearly renewal of the support contract for the Legacy Nortel/Avaya telephone systems maintenance and monitoring with [AGC Networks, Inc.](#), in the amount of \$242,047.68 using pricing on the State of Florida Participating Agreement available through NASPO ValuePoint. A reduction of \$65,921.86 from last year's spend as the legacy systems are being replaced.

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

19. Approve Piggyback Purchases of Enterprise Backup Hardware & Software

Item Summary: Approves the use of [3 piggyback contracts](#) for the purchase of equipment, components, and services to update the County's data backup systems for a total project amount of \$1,391,679.20 across a 5-year lease. A market analysis was completed and using the piggyback sources provides the County a savings of 30%-56% off contract or separate vendor contracts. This hardware will update the existing infrastructure and will be paid for using budgeted operating funds.

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

NATURAL RESOURCES

20. Approve STA for Design of the Palm Creek Lower Filter Marsh

Item Summary: Approve contract with Tetra Tech, Inc. for design of the Palm Creek Filter Marsh project in the amount of [\\$305,660](#). The proposed project consists of professional engineering and related services for development of a pond and wetland network to assist in treatment of surface water for nutrient removal and related water quality improvements. The project will be constructed on Conservation 20/20 property which is just off of Palm Creek Drive in North Fort Myers. Palm Creek flows into the Caloosahatchee which has a Total Maximum Daily Load (TMDL) for total nitrogen and is currently subject to a State of Florida Basin Management Action Plan. The cost for design will come from the Caloosahatchee TMDL project (208588).

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

PROCUREMENT MANAGEMENT

21. Approve Piggyback for Purchase and Repair of Communication Equipment - Countywide

Item Summary: Approves a piggyback of the State of Florida/NASPO ValuePoint Alternative Contract. This contract will be used countywide through the contract expiration date of December 31, 2021. The largest users of this contract will be Public Safety, Department of Transportation and LeeTran. Total expenditures in Fiscal Year 2019-2020 were \$272,724.01. Individual purchases in excess of \$100,000.00 will be brought to the Board for approval.

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

22. Approve Sole Source Purchase for Vac-Con Replacement Parts, Repairs & Service

Item Summary: Approves the sole source procurement of Vac-Con replacement parts for preventative maintenance, original equipment manufacturer parts for repairs and service from Southern Sewer Equipment Sales, Inc., as approved in the departments' annual adopted budgets, in the amount of \$145,000.00 for Fiscal Year 2021- 2022. Departments that have purchased parts and maintenance in previous years include Fleet Management, Solid Waste, Transportation and Utilities.

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

PUBLIC SAFETY

23. Direct to Public Hearing a COPCN Application for MediCab Transportation

Item Summary: MediCab Transportation, LLC, has applied for a Certificate of Public Convenience and Necessity. In accordance with Lee County Ordinance 08-16, new applications for a Certificate of Public Convenience and Necessity (COPCN) may only be granted based on competent evidence and after a public hearing. The Public Hearing will be scheduled for September 21, 2021.

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

SHERIFF

24. Approve Expenditure of Fees Collected by Lee County Sheriff's Office

Item Summary: Approve FY20-21 expenditure of \$681,085.04 of revenues collected from various fees and services by the Sheriff's Office during the period of 04/16/2021 through 7/16/2021. Also, approve transfers within budget line items within the Sheriff's Office allocation. The proceeds are used to offset expenses for false alarms and overtime associated with background checks and fingerprinting services, vehicle repairs, equipment purchases and fuel.

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

SOLID WASTE

25. Approve Contract Award for Ash Monofill Leachate Force Main Modifications

Item Summary: Awards a competitively bid construction contract to the lowest bidder, [Carlson Environmental Consultants, PC](#), in the amount of \$563,640 to repair the landfill's leachate force main. The original force main was damaged as a result of Hurricane Irma, and this project replaces a temporary force main as required by Florida Department of Environmental Protection. The Board of County Commissioners approved the project funding as part of the FY21 Solid Waste Capital Improvement Program in the total amount of \$1,064,283. Construction is anticipated to begin October, 2021.

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

TAX COLLECTOR

26. Authorize Tax Collector to Mail 2021 Tax Notices Prior to Value Adjustment Board Hearings

Item Summary: Allows the Tax Collector to mail 2021 tax notices on or before November 1, 2021; to collect and distribute tax revenue to taxing authorities before completion of the Value Adjustment Board hearings.

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

TRANSIT

27. Award Contract for Professional Planning Services for LeeTran

Item Summary: Award competitively solicited contracts to a selection of responsive and responsible vendors to provide professional transit planning services on an as-needed basis for an initial term of three years, as approved in the department's annual adopted budget. The awarded firms are as follows: [Vanasse Hangen Brustlin Inc.](#), [Kimley-Horn and Associates, Inc.](#), and [Tindale Oliver](#). The contracts can be renewed for an additional three years at the agreement of all parties. The expenditures for these services in Fiscal Year 2019/2020 were \$510,928.16. Purchases in excess of \$100,000.00 will be presented to the Board for approval.

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

TRANSPORTATION

28. Award Contract for Resurfacing of Local Roads in Lee County

Item Summary: Awards a low bid contract to [Community Asphalt Corp.](#) to provide resurfacing for local roadways in Lee County, in the amount of \$1,198,000.00. This contract is part of a total resurfacing budget of \$10 million per year: \$5 million for Lehigh Acres, \$4 million countywide, and \$1 million for selected arterials. Work is expected to begin in September 2021. Funding is available in the current fiscal year budget.

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

29. Approve ILA with Town of Fort Myers Beach for Traffic Signal Maintenance

Item Summary: This [Interlocal Agreement \(ILA\)](#) defines the terms and conditions under which the County will maintain and receive compensation for certain traffic signals and devices within the jurisdictional boundaries of the Town of Fort Myers Beach. The Town will also be responsible for any repairs and/or damaged traffic signals as outlined in the Agreement. The Town agrees to pay Lee County an annual compensation amount based on a standardized formula used with all other municipalities. The share for FY 2021/2022 will be \$5,255.00 and covers the cost to maintain the signal at Estero Boulevard and Fifth Street. The cost will be increased each year by the Consumer Price Index (CPI) as outlined in the Agreement.

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

30. Adopt Resolution to Modify Administrative Code AC 11-1, Functional Classification of Roadways

Item Summary: AC 11-1 lists the roadway classification for County maintained arterial and collector streets. As permitted in Section VI of the current document titled Revisions, AC 11-1 has been updated administratively over the past several years as needed, and certain roadways for various reasons have

required a change to their classification. This action is to codify those changes as well as update the document to reflect current standards and terminology. An item to modify Administrative Code 11-1 was approved at the 6/1/21 BoCC meeting but a resolution was not attached to that item. Approval of this item will satisfy the requirements to modify the Administrative Code.

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

[RESOLUTION No. 21-08-11](#)

31. Adopt Resolution to Modify Administrative Code AC 11-4, Turn Lane Policy

Item Summary: AC 11-4, Turn Lane Policy, defines where left turn lanes and right turn lanes are to be built as a result of development related traffic impacts. The Turn Lane Policy also addresses the design features of the required turn lane improvements. The Turn Lane Policy was last updated in 1998. These proposed revisions replace outdated nomenclature and updates the warrant criteria and design standards to reflect the urbanizing nature of the County. An item to modify Administrative Code 11-4 was approved at the 6/1/21 BoCC meeting but a resolution was not attached to that item. Approval of this item will satisfy the requirements to modify the Administrative Code.

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

[RESOLUTION No. 21-08-12](#)

UTILITIES

32. Approve Contract Change Order for Pine Ridge Force Main Replacement

Item Summary: Approves a change order to the construction contract with Andrew Site Work, LLC for Pine Ridge Force Main Replacement for installation of a line stop on the existing 24" force main. This change order increases the contractors' compensation in an amount of \$39,077.14, bringing the new contract total to \$2,165,706.56. This modification was recommended by staff after it was determined that the system shut down required to abandoned the old existing line was a risk of failure due to lack of existing operational valves. This caused the potential risk of an excessive unauthorized sewage spill. The installation of the line-stop valve allowed the flow to be diverted to another pipeline therefore, eliminating any risk of an unauthorized spill. No additional change orders are anticipated and substantial completion was achieved on May 11, 2021.

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

33. Approve Contract Amendment for Chemical Required for Water Treatment Process

Item Summary: Approves a contract amendment with C & S Chemicals, Inc. under the solicitation for Liquid Aluminum Sulfate – Annual, increasing the unit price by 11%. C & S Chemicals submitted the required documentation to Procurement Management for review and to substantiate the price increase. The total previous twelve- month spend for Aluminum Sulfate was \$207,214.29. Liquid Aluminum Sulfate is used for color removal in the water treatment process at the Olga Water Treatment Plant and to remove phosphorus from the wastewater treatment process at the Fiesta Village Water Reclamation Facility.

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

34. Award Contract for Airport Haul Reservoir Program Logic Controller Upgrade

Item Summary: Awards a contract to [HPI Energy Services, LLC](#) as a result of a competitive bid solicitation for the upgrade to the Program Logic Controller to the Airport Haul Reservoir. The County received two bids and selected the low bidder, HPI Energy Services, LLC, in the amount of \$169,500.00. The Board of County Commissioners approved the project funding as part of the FY21 Utilities Capital Improvement Program. This project will replace Program Logic Controllers that control the operation of the Airport Haul Reservoir.

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

35. Award Construction Contract for Crystal Drive Water Main Improvements

Item Summary: Awards a competitively bid construction contract to [Southwest Utility Systems, Inc.](#), the lowest bidder for the Crystal Drive Water Main Improvements in the amount of \$3,881,850.00. The County received a total of nine bid submittals for this solicitation. The project includes water main improvements to meet increased demands, improve fire flow capacity, and looping the system to provide reliability and improved water quality. The Board of County Commissioners approved the project funding as part of the FY21 Utilities Capital Improvement Program. This total project estimated cost is \$4,261,719.00. Construction is anticipated to begin in September of 2021.

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

36. Approve STA for Softener Tank Rehabilitation Design

Item Summary: Approves a Supplemental Task Authorization (STA) to the contract with Cardno, Inc. for the Corkscrew Water Treatment Plant (WTP) Softener Tank Number 2 Rehabilitation Design for an amount of \$167,778.00. The STA scope of services includes; condition assessment, design, and

construction observation to restore the operational integrity of the structure. The Board of County Commissioners approved the project funding as part of the FY21 Utilities Capital Improvement Program. The total estimated cost for design and construction is \$1,000,000. Construction is anticipated to begin in Fiscal Year 2022.

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

37. Approve STA for Design & Permitting of Facilities Demolition

Item Summary: Approves a Supplemental Task Authorization (STA) to the contract with GHD Services, Inc. for providing design, permitting and limited construction engineering and inspection (CEI) services for facility demolitions at the original Green Meadows water treatment plant, Birkdale reuse site, College Parkway Ground Storage Tank (GST) Facility and Alico GST Facility in an amount not to exceed \$198,063. This project is needed because each of these facilities are no longer in use and have been decommissioned. Removal of the equipment and structures will allow for other uses within the cleared areas. The Board of County Commissioners approved the project funding as part of the FY20 Utilities Capital Improvement Program. The total estimated cost of this project is \$3,789,040.00. Construction is anticipated to start in Fiscal Year 2021.

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

38. Approve Sole Source Purchase for Ethernet Connection Services

Item Summary: Approves sole source procurement of Ethernet connection services to water and wastewater facilities on an as-needed basis for a one-year period with Lumen Technologies. Lumen Technologies is the only company that currently has the infrastructure in place to all Utilities Facilities with the ability to provide fiber Ethernet service. This service will provide a private fiber optic network linking all Utilities Facilities, separating the business and controls networks. Ensures compliance with Homeland Security directives and recommendations concerning the cyber-security of drinking water and treatment facilities. Total expenditures for the prior twelvemonth period was \$313,771.90

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

39. Approve Sole Source Purchase of Data Logging Equipment for Treatment Facilities

Item Summary: Approves sole source procurement of equipment, parts, and service for water and wastewater treatment facilities on an as-needed basis for a one-year period with In-Situ, Inc. This vendor is the only authorized distributor in Florida that provides submersible data logging instruments, equipment, and associated specific accessories used in production wells and water monitoring stations throughout Lee County Water and Wastewater treatment facilities. Total expenditures for the prior twelve-month period was \$102,553.29

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

ADMINISTRATIVE AGENDA

COMMUNITY DEVELOPMENT

1. Authorize Commitment of Local Government Opportunity Funding for Affordable Housing

Item Summary: Provides a funding commitment in the form of a \$500,000 zero interest loan with a five year term from the Affordable Housing Trust Fund to Hermosa North Fort Myers, LLC (Hermosa). Hermosa's project was selected through a competitive solicitation process. The funding will be used for construction of 80 multi-family units at 16301 North Cleveland Avenue, in North Fort Myers if the project is awarded Florida Housing Finance Corporation tax credits. All 80 units would be for rental by elderly households with extremely-low (at or below 33% of the area median income) or low (at or below 60% of the area median income) incomes for a compliance period of 99 years. If Hermosa's project is not awarded funding by Florida Housing for RFA2021-201, Lee County's commitment to provide Local Government Areas of Opportunity Funding will become void.

Board Discussion: Dave Loveland, AICP, Director of Community Development introduced the item to the Board.

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

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

COUNTY LANDS

2. Approve Donation of Former Bonita Springs [Library Property](#) to City of Bonita Springs

Item Summary: Declares the former Bonita Springs Library property and improvements as surplus property and donates the property and improvements to the [City of Bonita Springs](#). The property is located at 26876 Pine Avenue, Bonita Springs. The subject property lies between two City of Bonita Springs operations, City Community Pool and City Park. Donation of the subject property will provide a contiguous land ownership for the City.

Board Discussion: Director of County Lands Robert Clemens presented the item to the Board. Commissioner Pendergrass stated there had been issues with the roof leaking in the past and maintenance issues and wondered if the building was still able to be used. Deputy Assistant County Manager Dave Harner stated that some of the issues had been fixed and the building is able to be used at this time.

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

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

[RESOLUTION No. 21-08-13](#)

FACILITIES CONSTRUCTION AND MANAGEMENT

3. Award Contract for Engineering Services for Sanibel Shoreline Stabilization Islands A & B

Item Summary: Awards contract to [Johnson, Mirmiran & Thompson, Inc.](#) (JMT, Inc.) for Construction Engineering and Inspection (CEI) services for the Sanibel Shoreline Stabilization and upland improvements of Islands A and B. This phase of CEI services is for Island B Shoreline Stabilization only, in the amount of \$216,235.88. JMT, Inc. received the highest ranking of the 3 submitted proposals. JMT, Inc. will provide construction engineering and inspection services, including contract administration, inspection/observation, materials sampling and testing for the Sanibel Shoreline Stabilization and upland improvements of Islands A and B. These services ensure construction of erosion and upland improvements are executed in accordance with contract documents and permit requirements. This planned and budgeted project will be funded through a Florida Department of Transportation Grant.

Board Discussion: Facilities Construction Management Director Ehab Guirguis presented the item in detail. Commissioner Hamman stated that there needs to be communication with the public about the changes being made so they know what they expect. Commissioner Pendergrass raised concerns about patrons being charged for parking, having a paved surface on basically a sandbar and disruption of water flow. Deputy Assistant County Manager Dave Harner addressed the concerns by saying as far as parking, this is right in line with other high profile parks and is consistent with this type of park. When Staff took a look at this park, they looked at a number of things. Shoreline stabilization, runoff of the water, washouts from a storm, rain events etc. Staff has looked at designing something that will ensure the integrity of the hardening of the surface as well as some of the retention that will be put in place. Commissioner Pendergrass inquired about the parking fees, asking how much they will be. Mr. Harner stated the fees will be either \$1 per hour or \$5 per day and high profile parks are \$2 per hour or \$10 per day. Commissioner Hamman requested that the Board be given the opportunity to make a final decision on the parking fees before anything is done. Mr. Harner agreed he would have Staff bring back a plan to get direction and input from the Board at a future Work Session.

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

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

4. Award Construction Contract for Sanibel Causeway Shoreline Stabilization

Item Summary: Awards contract to [Spectrum Contracting, Inc.](#) to provide construction services for the stabilization of the Sanibel Causeway Shoreline Island B in the amount of \$2,127,465. Spectrum Contracting, Inc. was determined to be the responsible bidder with the lowest responsive bid of five (5) proposals received. The total estimated project cost is \$2,661,825, which includes \$2,127,465 for construction and \$534,360 for design, construction engineering & inspection services, and other miscellaneous costs. The Sanibel Causeway Shoreline Stabilization Project will address erosion concerns of the San Carlos Bay and Pine Island Sound shorelines of the Sanibel Causeway Island B along with the initiative to protect upland habitat and meet recreational needs of the public. This phase of the planned and budgeted project will be funded through a Florida Department of Transportation (FDOT) Grant.

Board Discussion: Facilities Construction Management Director Ehab Guirguis presented the item in detail.

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

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

TRANSPORTATION

5. Approve Sole Source Purchase of Upgraded Camera Software & Hardware for Tolls

Item Summary: Approves the sole source procurement from TransCore, LLP for the purchase and installation of a Vehicle Capture and Recognition System (VCARS) in the amount of \$531,350. This purchase will upgrade the current camera software and hardware in 12 toll lanes at Lee County toll facilities. The purpose of the system is to determine whether each trip across the toll bridges is a transponder customer or a Toll-by-Plate customer.

Board Discussion: Director of Transportation Randy Cerchie presented the item to the Board. Mr. Cerchie stated that the Board had asked Staff to set up a way for patrons to set up their new accounts online and as of this morning there have been 4,201 that have signed up so far. Deputy Assistant County Manager Dave Harner stated there will be a robust communication program that will start before the program is switched over. Assistant County Manager Christine Brady gave additional input stating information is going to be posted on social media and there is a video being worked on in order to get the information out to the public. The communication program is set to start on September 1, 2021.

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

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

UTILITIES

6. Award Construction Contract for Surface Facilities Improvements for Deep Injection Wells

Item Summary: Awards a competitively bid construction contract to [TLC Diversified, Inc.](#), the lowest bidder for Fort Myers Beach Water Reclamation Facility & Fiesta Village Water Reclamation Facility Surface Facilities Improvements in the amount of \$7,868,000. The County received a total of two bid submittals for this solicitation. The project includes civil, structural, mechanical, electrical, and instrumentation work to operate two new deep injection wells. This scope does not include drilling and underground work for the wells. The Board of County Commissioners approved the project as part of the FY21 Utilities Capital Improvement Program. This project's total estimated cost is \$8,935,000.00, and construction is anticipated to begin in October of 2021.

Board Discussion: Director of Utilities Pam Keys presented the item to the Board.

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

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

7. Approve Single Source Purchase of Deep Injection Well Construction

Item Summary: Approves a Single Source procurement for a construction contract to [Youngquist Brothers, Inc.](#) for Fort Myers Beach Water Reclamation Facility (WRF) Deep Injection Well #2 & Fiesta Village Water Reclamation Facility Deep Injection Well in the amount of \$16,399,800. The project includes construction of drilling pads, temporary shallow monitoring wells and two 3,000-foot deep, 24-inch diameter Class I municipal disposal/injection wells. The Board of County Commissioners approved the project funding as part of the FY21 Utilities Capital Improvement Program. This project's total estimated cost is \$17,466,800, and construction is anticipated to begin in October of 2021.

Board Discussion: Director of Utilities Pam Keys presented the item to the Board.

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

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

PUBLIC HEARING - 9:30 AM

1. Conduct Public Hearing: Modify Toll Resolution to Eliminate Motorcycle Discount

Item Summary: On June 15, 2021, the Board voted to remain with All Electronic Tolling for the county's toll bridges (Cape Coral, Midpoint, and Sanibel Causeway) and directed to a public hearing the elimination of the motorcycle discount. Effective October 1, 2021 the motorcycle rate will be the same as the 2-axle vehicle rate, \$2 on Cape Coral and Midpoint Bridges and \$6 on the Sanibel Bridge.

County Attorney: Assistant County Attorney Joe Adams approved and submitted the [Affidavit of Publication](#) for entry into the record and summarized the request. Commissioner Ruane asked if Staff could describe the challenges in trying to read the motorcycle tags and the administrative burden it is currently. Also, how the discount is inconsistent with all the other pass systems. Director of Transportation Randy Cerchie stated the information has to be manually coded into the system for each individual motorcycle and we are the only county in the state that still does it which is inconsistent with the rest of the state. This action will assist in streamlining process across the state.

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

Vote: Commissioner Hamman moved approval, seconded by Commissioner Ruane, called and carried with Commissioner Pendergrass voting nay.

[RESOLUTION No. 21-08-14](#)

COMMISSIONERS ITEMS

Commissioner Ruane:

1. Lake Okeechobee System Operating Manuel (LOSOM)

Commissioner Ruane wanted to give an update on the LOSOM. The commissioner stated he sent the letter to Colonel Andrew Kelly, Jacksonville District Commander, Army Corp of Engineers that had previous Board approval and said he continues to be frustrated and disappointed with the lack of shared diversity. He said he continues to be engaged and appreciates everyone's support and involvement

because this item is very important to our community. The commissioner said we need to continue to put as much pressure on the Army Corp of Engineers as possible and that we have a lot to do before we get to the end product.

Commissioner Hamman:

2. COVID-19 Update

Commissioner Hamman wanted to give an update on the COVID-19 situation

Commissioner Hamman asked if Staff could give an update on the monoclonal antibody clinic and communication. Assistant County Manager Christine Brady presented a PowerPoint Presentation with information on how to find a Covid-19 testing site and vaccination site. The web page to access the information is: <https://floridahealthcovid19.gov/vaccines/vaccine-locator>.

The site provides a map in order to find a testing location closest to an individual's location. Ms. Brady stated Communications staff has been working to keep all county pages up-to-date as well as all social media channels in order to get information out to reach as many people as possible.

Ms. Brady went on to say the staff from Public Safety have been working with the Florida Department of Emergency Management (FDEM) regarding the monoclonal antibody clinic. Staff is working on coordinating the potential of becoming a regional asset here in Lee County. If Lee County is chosen, a vendor would come in and do everything. Staff is in the process of finalizing a site to use if chosen.

Commissioner Hamman asked how long it would be before this would be set up and ready to go and Ms. Brady said barring any problems it could be up and running in 7-10 days. She stated the state is looking to move very quickly. Staff is also working with the Department of Health to expand testing sites and hours. Again, barring any problems it would also take approximately 7-10 days to get this up and running. Commissioner Hamman asked if maybe CenturyLink Sports Park might be a good idea since it was used before and people are familiar. Ms. Brady stated the CenturyLink Sports Park is one of the sites that are being considered.

COMMISSIONERS APPOINTMENTS

Commissioner Hamman:

Moved approval to:

- Reappoint Matthew Roepstorff to the Executive Regulatory Oversight Committee
- Reappoint Thomas Lehnert to the Land Development Code Committee
- Reappoint Jennifer Sopen to the Land Development Code Committee

Vote: Commissioner Mann seconded and the motion was called and carried.

Commissioner Ruane:

Chairman Ruane requested a motion of approval for:

- Reappoint Thomas A. Phillips to the Construction Licensing Committee
- Reappoint Jay Johnson to the Land Development Code Committee
- Reappoint Paula McMichael to the Land Development Code Committee

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

Commissioner Pendergrass:

Moved approval to:

- Appoint Kyle Philpot to the Eagle Technical Committee
- Reappoint Linda Wright to the San Carlos Park Special Improvement District
- Reappoint Randy Krise to the Land Development Code Committee

Vote: Commissioner Hamman seconded and the motion was called and carried.

Commissioner Sandelli:

Moved approval to:

- Appoint Monique Ward to the Palmetto Point Special Improvement District

Vote: Commissioner Ruane seconded and the motion was called and carried.

COUNTY MANAGER ITEMS

Deputy Assistant County Manager Dave Harner had no additional items for discussion.

COUNTY ATTORNEY ITEMS

County Attorney Richard Wm. Wesch had no additional items for discussion.

PUBLIC PRESENTATION OF MATTERS BY CITIZENS

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

The Chairman adjourned the meeting at 10:39 a.m.

ATTEST:
LINDA DOGGETT, CLERK

By: _____
Deputy Clerk

Chairman, Lee County Commission