

NOVEMBER 2, 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 9:31 a.m. The Invocation was given by Pastor Russ Hurst of First Assembly of God, followed by the Pledge of Allegiance.

CEREMONIAL PRESENTATIONS

1. **Pet of the Month – Commissioner Pendergrass**

Animal Services Public Information Specialist Karen Fordiani and Domestic Animal Services Director Pablo Adorno introduced Charlotte a mix breed senior female dog who is the pet of the day. Each day there is a new pet of the day with the adoption fees being waived with each approved application. Ms. Fordiani informed the Board that November is National Adopt a Senior Dog Month. All adoptions fees for senior dogs will be twenty dollars. Ms. Fordiani, announced multiple upcoming “Pet Pictures with Santa” events being held by Lee County Animal Services with locations both at Animal Services and Miramar Outlets.

2. **[Hunger & Homelessness Awareness Month](#) – Commissioner Hamman**

Commissioner Hamman read a Ceremonial Resolution that stated the month of November is designated as “Hunger and Homelessness Awareness Month” to educate and bring public awareness to the needs of the homeless. Lee County Homeless Coalition will sponsor several activities during “Hunger and Homelessness Awareness Month” to promote awareness in the community and to encourage support for homeless assistance service providers. Lee County Homeless Coalition Executive Director, Therese Everly BS, RRT accepted the Ceremonial Resolution on behalf of the hard working members of the Lee County Homeless Coalition and the Lee County Housing Outreach Treatment (H.O.T.) Team.

3. **Recognizing [Syndi Bultman](#) – Commissioner Pendergrass**

Commissioner Pendergrass presented a Ceremonial Resolution recognizing Syndi Bultman for her tireless advocacy and dedication and offer our appreciation for her commitment to the Pine Manor community and Lee County as a whole. Ms. Bultman accepted the Ceremonial Resolution and highlighted the hard work and dedication of her partners at the Lee County Injury Prevention Coalition.

RECAP/ANNOUNCEMENTS

Referring to the [Recap](#) Agenda of November 2, 2021, the Chairman announced that:

- **Commissioners Items:** Discussion of Gateway Roundabout Water Feature-Commissioner Pendergrass
- **County Manager:** Status update of county water quality / flood mitigation efforts

COMMISSIONERS ITEMS

Commissioner Pendergrass:

Discussion of Gateway Roundabout Water Feature:

Commissioner Pendergrass stated that the Gateway Services Community Development District (GSCDD) expressed a willingness to enter into an Interlocal Agreement were if Lee County agreed to fund the design and construction of a water feature to be installed at the roundabout constructed at the intersection of Griffin Drive and Gateway Boulevard, the GSCDD would fund the continued operation and maintenance of the water feature. Commissioner Hamman asked for clarification as to what Lee County normally budgets for landscaping when constructing a roundabout. Director of Transportation, Randy Cerchie responded that Lee County normally budgets for basic landscaping and irrigation when installing a roundabout, however they do not budget or plan for water features or art work. Commissioner Hamman stated that while he will support this item in the planning stages he would like to see the county fund the core level of service normally planned and budgeted for and see the GSCDD or other outsider source supply the remaining required funds for the water feature. Commissioner Pendergrass put before the board a motion to direct staff to continue the process of bidding and design and present completed information to the Board at a later date and time.

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

PUBLIC COMMENT ON AGENDA ITEMS

The Chairman called for public comment on any Consent Agenda items and there was one (1) speaker.

C-5 Mary O'Bannon, Boca Grande Parking Panel

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

Commissioner Ruane – None
 Commissioner Pendergrass – None
 Commissioner Sandelli – None
 Commissioner Hamman – C-12
 Commissioner Mann – None

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

CONSENT AGENDA

CLERK OF COURTS

1. Approve and Record County Disbursements per Florida Law

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

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

2. Present Report on Driver Education Safety Trust Fund for the Month of September 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 Mann moved approval, seconded by Commissioner Pendergrass, called and carried.

3. Present Report on Monthly Financial Summary for the Month of September 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 Mann moved approval, seconded by Commissioner Pendergrass, called and carried.

COUNTY ATTORNEY

4. Approve Settlement in Three Eminent Domain Litigation Cases

Item Summary: As part of the Burnt Store Road Widening Project 4088, Lee County initiated a condemnation action against Maria Elena Giraldo, and lienholders on the properties to condemn Parcels 118, 119, and 119B in 2019 by filing 3 separate petitions in eminent domain. The owner of the properties, Maria Elena Giraldo, claimed damages in excess of \$540,000 for all three parcels. Lee County is seeking to resolve the 3 litigation matters. The parties have agreed to resolve the litigation matter for \$80,000 for each parcel (\$240,000 total). Lee County will receive a credit for its good faith estimates of \$15,000 for each parcel (\$45,000 total) previously deposited in the court registry. This is unique case which involves a court appointed guardian and numerous lienholders, which we anticipate will require additional expenditure of fees and costs to finalize the matter after the settlement is accepted, including costs associated with the guardianship and apportionment of proceeds to lienholders.

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

5. Direct to Public Hearing: Boca Grande Historic District Commercial Sidewalk Use Ordinance

Item Summary: The proposed ordinance will allow certain commercial businesses within the Boca Grande Historic District to use the adjacent sidewalk for commercial purposes in conjunction with their permitted commercial use. This includes the placement of items such as tables, chairs, benches, portable outdoor heaters, planters, temporary signage, sales racks, and other similar objects. The commercial use of the sidewalk must not block or impede pedestrian traffic, and all items must be removed and stored when the business is closed. The hearing will be scheduled and advertised for December 7th, 2021, at 9:30 a.m., or as soon after as can be heard, in the Board Chambers.

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

6. Direct to Public Hearing: Repeal of Taxicab/Vehicle for Hire Ordinances 11-25 & 15-05

Item Summary: Sets the Public Hearing date of Tuesday, November 16, 2021, at 9:30 a.m., in order for the Board to consider Repealing Ordinance Nos. 11-25 and 15-05 and no longer regulate taxicab and vehicle for hire companies. Repealing Ordinances 11-25 and 15-05 does not affect Lee County Port Authority's Ground Transportation Policy Section 740, as amended by Lee County Board of Port

Commissioners Resolution 20-11-08P. The Port Authority shall continue to have all rights to regulate ground transportation services at Southwest Florida International Airport and Page Field as authorized by the Airports Rules and Regulations Ordinance 94-09, as amended, and other applicable laws and regulations.

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

COUNTYLANDS

7. Approve Reconvening four Tax Deed Sale Properties in Alva to Former Owner

Item Summary: Approves the acceptance of four vacant lots located in Alva, identified as STRAP Nos. 26-43-26-02-0000B.0470, 26-43-26-02-0000B.0480, 26-43-26-02-0000B.0720, and 26-43-26-02-0000B.0730, and authorizes their reconveyance to their former owner due to an error in publication that took place prior to a Tax Deed Auction. Specifically, the required publications for the Tax Deed Auctions in question contained incorrect legal descriptions of the properties intended to be sold at said auction, such that clear title to the properties was not obtained as a result of Heritage Enterprises FL, LLC's, successful bid and purchase. To perform the reconveyances, the properties first have to transfer from current owner (successful bidder) to Lee County, then from Lee County to RH Venture

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

8. Authorize Staff to Bid on Three Parcels for Conservation 20/20

Item Summary: Authorizes staff to pursue three Conservation 20/20 Nomination acquisitions through the tax deed auction process. Conservation 20/20 Land Acquisition and Stewardship Advisory Committee (CLASAC) recommended to move the three parcels identified as Nominations 615, 616, and 617 forward for tax deed auction pursuit by unanimous votes.

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

9. Approve Donation of Four Vacant Surplus Lots to Habitat for Humanity

Item Summary: Conveys four surplus vacant lots to Habitat for Humanity of Lee and Hendry Counties, Inc., a qualified not for-profit affordable housing agency for construction of affordable housing. The requested lots are located at 3215 39th Street W, 2903 32nd Street W, 3218 34th Street W, and 3010 30th Street W, all located in Lehigh Acres, Florida. All of these lots escheated to the County due to non-payment of real estate taxes.

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

10. Approve Donation of Slope Easement for Estero Boulevard Corridor Project

Item Summary: Acquires +/- 297 square foot slope easement for the Estero Boulevard Corridor Project (Parcel 631). The easement will provide for the installation of fill material that will stabilize the back of sidewalk for this segment of Estero Boulevard, Town of Fort Myers Beach. The donated easement is located at 7900 Estero Boulevard.

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

11. Approve Interlocal Agreement with the City of Fort Myers for Ortiz Avenue Widening

Item Summary: Approves acceptance of two donated parcels (+/- 16,098 square feet slope/drainage easements) and additional city drainage rights, and outlines design and construction obligations of the parties, for the Ortiz Avenue Widening Project 0613 (Colonial Blvd to Dr. Martin Luther King Jr. Blvd). The slope/drainage easements provide for the placement of fill material to support the sidewalk facilities and for drainage improvements of Ortiz Avenue, in the City of Fort Myers. Construction of this road project is funded in Fiscal Year 2021/2022.

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

12. Authorize Binding Offers for Parcels Associated with the Littleton Road Widening Project

Item Summary: Approves binding offers to acquire the following properties for the Littleton Road Widening Project from Corbett Road to US41:

1. \$2,600 for Parcel 325-TCE - Temporary Construction Easement
2. \$8,600 for Parcel 335-TCE - Temporary Construction Easement
3. \$24,200 for Parcel 330-TCE - Temporary Construction Easement
4. \$14,300 for Parcel 240 - Fee Simple Interest & Parcel 340-TCE - Temporary Construction Easement
5. \$46,000 for Parcel 215 - Fee Simple Interest

The offers are necessary to accommodate the construction schedule, should condemnation actions be required. Drainage District (\$3,200,000) if awarded.

PULLED FOR DISCUSSION

Board Discussion: Commissioner Hamman stated that he pulled this item after he was approached by a member of the public who is directly involved in binding offers associated with the Littleton Road Widening Project. Danny Ballard the property owner of 9521 Littleton Road North Fort Myers, Florida spoke before the board regarding his concerns regarding the amount of money that was offered for temporary construction easements on his land. Mr. Ballard states that neighboring lands are being

offered more money for less land. Mr. Hamman questioned County Manager Roger Desjarlais what would happen in instances where a property owner who was being offered a binding offer based on appraisal values ask for a larger amount of money than what is offered. Mr. Desjarlais explained that the Board had two options, the first is deferring the entire item for two weeks giving the County Managers office time to work with the property owner to see if there is a discrepancy or the Board could approve all but the disputed binding offers and defer only the offer to Mr. Ballard. County Attorney Richard Wm. Wesch respectfully requested that since Mr. Ballard is a Commissioner for the North Fort Myers Fire District that if the Board is to take action that they defer the item as a whole and not just the portion pertaining to Mr. Ballard's property. Mr. Wesch went on to explain that if an agreement cannot be reached with a property owner, the county is within their right to impose Eminent Domain. Mr. Hamman stated in an effort to not delay the project the motion would move forward as is.

Public Comment: The Chairman called for public comment and there was [one \(1\)](#) speaker.

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

COUNTY MANAGER

13. Accept Funding [Agreement](#) with FDEO to Harden Waste-to-Energy Facility Roof, Equipment

Item Summary: Approve an agreement with the Florida Department of Economic Development to provide \$2,820,983 for the Lee County Waste-to-Energy Plant to harden the roof, HVAC equipment tie downs, windows, and doors. The Federal Community Development Block Grant – Mitigation will pay for 100% of the cost of hardening critical facilities. The plant serves Lee and Hendry counties, which have been designated as Most Impacted and Distressed (MID) areas after Hurricane Irma.

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

[RESOLUTION No. 21-11-01](#)

14. Authorize Issuance of a Note for Purposes of [Financing](#) Telegraph Creek Bridge CIP MSBU

Item Summary: Allow the implementation of Long-Term Debt Financing for the Telegraph Creek Bridge Capital Improvement Project (CIP) Municipal Service Benefit Unit (MSBU) without pledging the Non-Ad Valorem Debt Capacity of the County. Telegraph Creek is a non-County maintained development located north of River Road, Alva. Construction was completed in June 2020. The MSBU was created by Resolution 18-11-04 and Final Assessments were confirmed by Resolution 21-09-08.

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

[RESOLUTION No. 21-11-02](#), [RESOLUTION No. 21-11-03](#), [RESOLUTION No. 21-11-04](#)

FACILITIES CONSTRUCTION AND MANAGEMENT

15. Approve Contract for Six Mile Cypress Slough Preserve Improvements

Item Summary: Approves an [amendment](#) to the contract with Fowler Construction and Development, Inc. to provide construction services for improvements to Six Mile Cypress Slough Preserve in the amount of \$461,870.00. The project will provide improvements to the on-site parking lot with additional spaces and restriping, restrooms to meet Americans with Disabilities Act (ADA) compliance and a new sidewalk to provide safe access to the park for pedestrians. This project is [funded](#) by Regional Park Impact Fee Reserves.

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

[RESOLUTION No. 21-11-05](#)

16. Award [Contract](#) for Engineering Services for Renovations to LeeTran Rosa Parks Facility

Item Summary: Awards contract to DRMP, Inc. for Construction Engineering and Inspection services for the LeeTran Rosa Parks project, in the amount of \$176,007.06. DRMP, Inc. received the highest ranking of the two (2) submitted proposals. DRMP, Inc. will provide construction engineering and inspection services including contract administration, inspection/observation, and materials sampling and testing for the LeeTran Rosa Parks project. The consultant will verify that the renovations are executed in accordance with all of the contract documents and permit requirements, delivering quality control, quality assurance and final project closeout and certification. This planned project will be funded by a State of Florida Department of Transportation Intermodal Access Development Program grant.

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

17. Award [Contract](#) for the Elections Warehouse Building Roof Replacement

Item Summary: Awards contract to Service Works of Fort Lauderdale, LLC to replace the roof for the Elections Warehouse building, located at 13180 S. Cleveland Ave., Fort Myers, in the amount of \$448,793.00. Service Works of Fort Lauderdale, LLC was determined to be the responsible bidder with the lowest responsive bid of six (6) proposals received. The Elections Warehouse building was built in 1997 and has the original roof. The protective surface of the roof has deteriorated, is leaking and has reached the end of its useful life. Replacement of the roof was planned and budgeted. This project is funded through the General Fund.

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

HUMAN SERVICES

18. Approve Contracts to Support Bob Janes Empowerment Center Operations

Item Summary: Approves contracts with The Salvation Army and SalusCare to support operations of the Bob Janes Empowerment Center (formerly known as Bob Janes Triage Center), which provides emergency shelter to individuals who are experiencing homelessness and diverts individuals from the criminal justice system. Additional contracts may be executed with nonprofit agencies as specific needs are identified. Approximately 800 individuals will receive shelter between October 1, 2021 and September 30, 2022. Total shelter expenditures for the year are estimated to be \$1,888,607, with Lee County providing \$600,000.

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

19. Accept Annual Low Income Home Energy Assistance Grant Funds

Item Summary: Acceptance provides an additional \$2,342,201 in Low Income Home Energy Assistance Program (LIHEAP) grant funds to assist income qualifying households with home energy. Funds are used to pay electric bills and to prevent disconnections of electric services. Approximately 4,749 households will be assisted. In FY 2020-2021, \$2,900,169 was expended and 4,328 households were served. Funds must be expended by September 30, 2022.

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

[RESOLUTION No. 21-11-06](#)

20. Approve Submitting 2021 Continuum of Care Funding [Application](#)

Item Summary: Authorizes Lee County's submittal of the annual Continuum of Care grant application to the U.S. Department of Housing and Urban Development. The application requests \$2,674,357 in federal funding for local agencies. Funds will be used to provide permanent housing and supportive services for persons who are experiencing homelessness. An estimated 175 households will receive housing and supportive services. If awarded, funds will be received during Fiscal Year 2021-2022.

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

LIBRARY

21. Approve Construction Contract for Library Administration Renovation and Relocation

Item Summary: Approves a contract [amendment](#) with Manhattan Construction (Florida), Inc. to renovate the fourth floor of Admin East Building for the relocation of Library Administrative staff. The amendment establishes the Guaranteed Maximum Price (GMP) in the amount of \$1,620,878. The amount being approved is \$1,620,878 for construction and \$450,000 for IT, furniture and fixtures and equipment. The total estimated project cost of \$2,270,197 includes previously approved amounts of \$177,000 for design and \$22,319 for permits and pre-construction services. This planned and budgeted project will be fully funded through Library Capital Improvement Fund.

The renovation will address Library Administration office space needs by adding approximately 3,000 square feet, improve operational efficiency, and reduce operating costs.

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

22. Approve [Renewal](#) and Purchase of Gale Electronic and Print Resources

Item Summary: Approve the renewal of electronic databases and purchase of new print materials from Cengage Learning, Inc. in the amount of \$204,702, on an as-needed basis, as allocated in the department's approved budget. Gale electronic resources cover an array of topics and subject matter, from arts and literature databases for research, to resources which help young children learn new skills, to resources such as Gale Courses which allows our customer to learn new skills by enrolling in virtual classes. Print materials are in the form of both fiction and non-fiction titles and are printed in large type for easier reading.

The expected spend for FY21-22 is \$204,702 with electronic resources set at \$164,702 and print resources estimated to be \$40,000 as items are purchased on an as-needed basis. FY 20-21 spend was \$149,675 - electronic resources: \$115,602, print resources: \$34,073. The increase in electronic resource pricing is due to an effort to align the subscription renewal dates for all Gale databases. These resources fall under a procurement ordinance which exempts library materials from the County's solicitation process.

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

PARKS AND RECREATION**23. Accept USFWS Grant for Habitat Restoration at Pine Island Flatwoods Bayside Preserve**

Item Summary: This item accepts \$25,000 in grant funding from the U.S. Fish & Wildlife Services (USFWS) for restoration and improvement of fallow pasture land. This project focuses on treating the exotics and planting native grasses to reestablish the native vegetation and enhance the habitat for the native species in the preserve.

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

[RESOLUTION No. 21-11-07](#)

PROCUREMENT MANAGEMENT**24. Approve Single Source Purchase of Software for Emergency Rental Assistance Program**

Item Summary: Authorizes the execution of a contract [amendment](#) with Benevate, Inc. dba Neighborly Software for the purchase of software expansion, system hosting, and licensing renewal for the Neighborly software system used for all LeeCares programs through February 10, 2023. This amendment provides unlimited user licenses for the application portals used for the LeeCares assistance programs, including the Emergency Rental Assistance (ERA) Program, and allows for the reporting functionality necessary for implementation of the ERA2 program funding.

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

PUBLIC SAFETY**25. Approve CPA to Contract with Hagerty Consulting for Disaster Recovery Planning Project**

Item Summary: Approves modification of County Project Authorization (CPA) No. 1 to Hagerty Consulting Services, Inc. to expand the scope of work for the County disaster recovery planning project awarded by the BOCC on May 18, 2021. The increased scope will provide for workshops with county partners and stakeholders who will participate in the recovery of Lee County's economy, natural and cultural resources, housing, human services, and infrastructure after a disaster.

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

26. Accept Funds from FDOH to Expand EMS Operations, Training, and Education Programs

Item Summary: Approval will provide \$60,713 in grant funding from the Florida Department of Health to improve and enhance Lee County's existing EMS system. The funds will not be used to supplant existing Public Safety budget allocations. [Grant](#) funds will pay for medical equipment for EMS operations and training, support the Lee County Injury Prevention Coalition, and fund a social services outreach program for EMS patients.

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

[RESOLUTION No. 21-11-08](#), [RESOLUTION No. 21-11-09](#)

27. Approve Amendments to EMS Collective Bargaining Agreements

Item Summary: On October 4, 2021, the Board approved a modification to County Policy that increased vacation carryover limits for 2022. The Collective Bargaining Agreements for [EMTs](#), [Paramedics](#), and EMS Supervisors does not follow this policy therefore specific agreements to offer this benefit had to be extended to both units. This item approves the amendment to both Collective Bargaining Agreements, which extended the same benefit to the employees to those within the units.

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

SOLID WASTE**28. Increase Annual Spend Limit for Purchase of Recycling and Refuse Containers**

Item Summary: Allows Lee County Solid Waste to meet demand for recycling and waste containers from new customers by increasing FY22 purchases of containers sold by Toter, LLC from \$220,000 to \$380,000. Projected need is based on building permit activity and historical replacement rates.

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

TRANSPORTATION**29. Approve STA for Sidewalk and Water Main Design on Orange River Boulevard**

Item Summary: Approves a Supplemental Task Authorization (STA) to the contract with CW3 Engineering, Inc. for Miscellaneous Professional Services, to design a sidewalk and water main on Orange River Boulevard between State Road 80 and Lorraine Dr., in the negotiated amount of \$497,972.50. This project was ranked by the Bicycle and Pedestrian Advisory Committee as the #4 priority in 2016. Design and right-of-way is funded in the current fiscal year, construction is funded in 2023/24. Total project costs are estimated to be \$3,466,754.00

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

30. Approve STA for Sidewalk Design on Alico Road

Item Summary: Approves a Supplemental Task Authorization (STA) to the contract with Kisinger Campo & Associates, Corp. for Miscellaneous Professional Services, to design a sidewalk on Alico Road from Michael G. Rippe Parkway ramp to Quaker Lane., in the negotiated amount of \$259,919.39. This project was ranked by the Bicycle Pedestrian Advisory Committee as the #27 priority in 2015, due to road impact fee boundaries there were no higher ranked priorities in the district. Funding is available in the current fiscal year budget for design and right-of-way acquisition, construction is funded in FY 2023/24, and total project costs are estimated to be \$2,231,000.

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

31. Approve Contract Change Order for Burnt Store Road Widening Construction

Item Summary: Approves a change order to the contract with Wright Construction Group, Inc. for the Burnt Store Road Widening – South Segment construction project. The Change Order increases the contract time by 47 days, to a total of 647 days, and provides for field adjustments to date, additional embankment for median landscaping, and signage and lighting revisions for safety enhancements at the Embers Intersection in the amount of \$273,252.18, bringing the new contract total to \$13,869,928.80. Funding is available in the current year budget.

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

32. Approve Contract Change Order for Littleton Road Widening Design

Item Summary: Approves a change order to the design contract with Cardno, Inc. for the Littleton Road Widening from Corbett Road to US 41 project. The Change Order increases the contract time by 750 days to remain active during the duration of construction, to a total of 1,500 days, and provides for additional environmental, permitting, utility and post design services through the final acceptance of the project, increasing compensation in the amount of \$262,900.00. The revised total of the contract is now \$1,648,159.09. Funding for this project is included in the current budget; construction is anticipated to begin in early 2022 and has a total estimated project cost of \$14.8 million.

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

UTILITIES**33. Approve 2nd Amendment to Annual Contract for Chemical Used for Wastewater Treatment Process**

Item Summary: Approves a contract amendment with Thatcher Chemical of Florida, Inc. under the solicitation for Sodium Bisulfate 40% Aqueous Solution - Annual, extending the as-needed services and increasing the unit price by 24.16%. Thatcher Chemical of Florida submitted the required documentation to Procurement Management to substantiate a price increase and renew the annual contract through November 12, 2022. Raw material used to manufacture Sodium Bisulfite has increased dramatically since the beginning of 2021. Recent market changes are a result of increased sulfur costs, increased ocean freight costs and reduced refinery outputs. The total previous twelve-month spend for this product was \$45,700.65, which is used as a dechlorination agent at the Fiesta Village Water Reclamation Facility.

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

ADMINISTRATIVE AGENDA**HUMAN RESOURCES****1. Authorize Annual Merit Increase for County Manager and County Attorney**

Item Summary: Approves the merit increases for the County Manager and County Attorney for their performance and contributions to the organization in accordance with their existing agreements.

Board Discussion: Commissioner Ruane presented the item to the Board.

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

Vote: Commissioner Pendergrass moved approval for a six percent (6%) merit pay increase, seconded by Commissioner Ruane, called and carried.

HUMAN SERVICES**2. Authorize Renewing Annual Contracts for FY21-22 Partnering for Results Funds**

Item Summary: Authorizes contracts with nonprofit agencies to address human service needs through the Lee County Partnering for Results program. The total amount of all contracts recommended for funding in FY 2021-2022 will not exceed \$5,586,442. Funds were allocated by the Board for the FY 2021-2022 budget year, and will be used to support 52 human services programs at 40 non-profit agencies.

Board Discussion: Human and Veteran Services Director, Roger Mercado presented the item to the Board. Mr. Mercado stated that the funding amount for FY 2021-2022 included the ten percent the Board directed during budget hearings. Commissioner Pendergrass requested an update on Rapid Housing with

the upcoming winter season. Mr. Mercado informed the Board that while there are still some participants living in hotels, there is a steady amount that are moving into permanent housing.

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.

NATURAL RESOURCES

3. Accept Grant from FDEP for Lovers Key Beach Nourishment

Item Summary: Accepts award of a grant from Florida Department of Environmental Protection (FDEP) for the Lovers Key Beach Nourishment in the amount of \$11,988,615.94 (\$9,991,120 FDEP share & \$1,997,495.94 local match requirement). The project includes modification to the design and permits, beach nourishment, and permit required monitoring on the critically eroded beach of Lovers Key. The work was anticipated and is consistent with the State Strategic Beach Management Plan. The local match of 16.55% for construction and 50% for post-construction monitoring will come from the Beach Renourishment Trust Fund project. Project was anticipated and is partially budgeted in the current 5-year CIP plan.

Board Discussion: Natural Resources Director, Roland Ottolini presented the item to the Board. Commissioner Mann asked for clarification in regards to the partnership with the State of Florida and the funding percentages that both the state and the county are responsible for. Parks and Recreation Director, Jesse Lavender explained that the county is responsible for fifty percent of the project funding for the portion of land owned by the county and that the state would be paying the full amount for the portion of land owned by the state and the remaining fifty percent for the portion owned by the county. Mr. Ottolini continued on to explain the criteria the State of Florida uses to fund beach renourishment projects.

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

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

PUBLIC SAFETY

4. Approve Request for 21 New Positions for Emergency Medical Services

Item Summary: This item approves the immediate creation of 21 new EMS positions to address staffing impacts associated with the COVID-19 pandemic, at a cost not to exceed \$1,860,327. In the last 90 days, EMS workload has increased dramatically, with unique incidents in August 2021 up 31 percent over August 2019 alone. Additional personnel funded using American Rescue Plan Act funding would help provide personnel within the system to address sick and vacation time and staffing to add new resources to respond to the pandemic's uncertainty. The Department plans to reduce the long-term reliance on ARPA funds by transitioning staff into future positions needed to address EMS service demands.

Board Discussion: Public Safety Director, Benjamin Abes presented the item to the Board. Commissioner Mann inquired if the added positions would help address rotation issues that have been brought to his attention, and requested a timeline of how long it would be before the funding of these positions would transfer from Federal monies to the county general fund. Mr. Abes replied that the additional positions will help address and eventually solve the rotation problems seen in slower less populated areas and that we could see these positions transfer from federal monies to the general fund over the next two fiscal years. Commissioner Sandelli inquired as to when we could see these positions filled and how the county would recruit qualified individuals. Mr. Abes said they would use two key strategies to achieve these goals. The first would be to hire certified personnel and accelerate them through training, and the second would be to hire individuals who are not certified and assist them through EMT training, which would add an estimated eight (8) weeks to the onboarding process. Commissioner Ruane requested clarification on the estimated cost as the program would be starting roughly one month later than originally planned. Mr. Abes explained the actual cost would be closer to 1.2 to 1.3 million and that surplus funds would be returned for use in other areas.

Public Comment: The Chairman called for public comment and there were [two \(2\)](#) speakers.

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

PUBLIC HEARING – 6:00 PM

1. Public Hearing to Consider 2021 Board of County Commissioners Redistricting Alternatives

Item Summary: Continues a series of public meetings to be conducted during the 2021 Lee County Commission Redistricting process. Florida law requires that after each decennial census, the Board of County Commissioners adjust commission districts to reduce imbalances in population distribution. Lee County's Home Rule Charter dictates that Commission district boundaries can only be changed after notice and public hearing pursuant to general law. Historically, Lee County's redistricting process has begun in March or April of the year following the U.S. Census. Seven redistricting Alternatives are contained in the attached 2021 Lee County Redistricting Report.

FOR ACTION ON ALL THE ABOVE ITEMS PLEASE REFER TO THE MINUTES OF
NOVEMBER 2, 2021 (110221S)

COMMISSIONERS APPOINTMENTS

Commissioner Hamman:

Moved approval to:

- Appoint Tiffany Esposito to the Affordable Housing Committee

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

Commissioner Pendergrass:

Moved approval to:

- Appoint Jack Morris to the Land Development Code
- Appoint Daniel Marino to the Tanglewood Improvement Unit
- Appoint Stacy Miller to the Fort Myers Villas Street Lighting Unit

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

COUNTY MANAGER ITEMS

Director of Natural Resources, Roland Ottolini presented a [PowerPoint](#) to the Board with a status update of the counties water quality and flood mitigation efforts. Mr. Ottolini highlighted multiple water quality projects such as the Yellow Fever Creek / Gator Slough Interconnect, Phase Three of the Lakes Park Project and the L-3 Canal. Mr. Ottolini explained that the county has taken great strides in combating flooding issues in multiple locations and in 2021 has cleaned twenty-four (24) miles of canals, twenty-eight (28) miles of roadside ditches and with the South Florida Water Management District, preformed thirteen (13) miles of creek maintenance.

PUBLIC PRESENTATION OF MATTERS BY CITIZENS

The Chairman called for presentation of matters by citizens and there was [one \(1\) speaker](#) and [one \(1\) eComment](#).

The Chairman adjourned the meeting at 10:28 a.m.

ATTEST:
LINDA DOGGETT, CLERK

By: _____
Deputy Clerk

Chairman, Lee County Commission