

District 1
Kevin Ruane
District 2
Cecil L Pendergrass
District 3
Ray Sandelli
District 4, Chairman
Brian Hamman
District 5, Vice Chairman
Mike Greenwell



Board of County Commissioners
Regular Meeting Agenda

County Manager
Roger Desjarlais

County Attorney
Richard Wm. Wesch

Commission Chambers
2120 Main Street
Fort Myers, FL 33901

June 6, 2023
9:30 AM

If you plan to address the Board, please complete a "Public Comment Card" located on the table outside the Chamber entrance. Completed cards should be returned to the Staff table at the right of the podium prior to the start of the meeting.

NOTE: During this meeting the Board may convene and take action in its capacity as the Lee County Port Authority.

Lee County will not discriminate against individuals on the basis of race, color, national origin, sex, age, disability, religion, income or family status. To request language interpretation, document translation or an ADA-qualified reasonable modification at no charge to the requestor, contact Joan LaGuardia, (239) 839-6038, Florida Relay Service 711, at least five business days in advance. El Condado de Lee brindará servicios de traducción sin cargo a personas con el idioma limitado del inglés.

Invocation: Pastor David Yannatone, First Assembly of God

Pledge of Allegiance

Ceremonial Presentations

Recap

Consent Agenda

- Items to be pulled for discussion by the Board
 - Public comment on balance of items
- Motion to approve balance of items
- Consideration of items pulled for discussion
 - Public comment taken on each pulled item as it is considered

Administrative Agenda

Walk-ons and Carry-overs

Commissioners' Items/Committee Appointments

County Manager Items

County Attorney Items

Public Presentation of Matters by Citizens

Adjourn

CEREMONIAL PRESENTATIONS

1. [North Fort Myers Rotary Club 50th Anniversary \(Commissioner Hamman\)](#)
2. [Southwest Florida Historical Society - 100th Anniversary of Little Yellow House \(Commissioner Pendergrass\)](#)
3. [Edison Ford Robotics Team Award Recognition \(Commissioner Sandelli\)](#)
4. [Odyssey of the Mind - IMAG Team Recognition \(Commissioner Pendergrass\)](#)

CONSENT AGENDA

CLERK OF COURTS

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

Funding:

Current Year Dollar Amount: No funding required.

Included in Current Budget? N/A

Fund: N/A

Comments:

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](#).

2. [Present Monthly Investments Summary for the Month of April 2023](#)

Funding:

Current Year Dollar Amount: No funding required.

Included in Current Budget? N/A

Fund: N/A

Comments:

Item Summary:

This is a monthly, information report from the Clerk of Court's Office that provides interim information on investments.

3. [Present Report on Driver Education Safety Trust Fund for the Month of April 2023](#)

Funding:

Current Year Dollar Amount: No funding required.

Included in Current Budget? N/A

Fund: N/A

Comments:

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.

4. [Present Report on Monthly Financial Summary for the Month of April 2023](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

This is a monthly information report from the Clerk of Court's Office that provides interim information on selected revenues, expenditures, debt, cash balances, and reserves.

COMMUNITY DEVELOPMENT

5. [Approve Petition to Vacate at 601 Lincoln Boulevard, Lehigh Acres, FL](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

Extinguishes the public interest in a portion of the unimproved public utility easement centered along the common lot line between Lots 1 and 2, Lots 2 and 3 and Lots 3 and 4 of the platted lots at 601 Lincoln Boulevard in Lehigh Acres. This action will remove encumbrances in order to create a unified building site for a residence. There were no objections from the public utility providers and there are no other affected property owners.

COUNTY ATTORNEY

6. [Confirm and Ratify Resolutions Extending the Hurricane Ian State of Local Emergency](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

Confirm and ratify Hurricane Ian State of Local Emergency Resolution Numbers:

23-05-34 – 34th Extension of State of Local Emergency (Issued 5/22/2023)

23-05-36 – 35th Extension of State of Local Emergency (Issued 5/29/2023)

23-06-02 – 36th Extension of State of Local Emergency (Issued 6/5/2023)

7. [Confirm and Ratify Resolutions Extending the Burn Ban State of Local Emergency](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

Confirm and ratify Burn Ban State of Local Emergency Resolution Numbers:

23-05-33 – 10th Extension of Burn Ban State of Local Emergency (Issued 5/19/2023)
 23-05-35 – 11th Extension of Burn Ban State of Local Emergency (Issued 5/26/2023)

8. [Direct to Public Hearing LDC Amendments for Building Height, Resiliency, South Seas](#)

Funding:

Current Year Dollar Amount: No funding required.

Included in Current Budget? N/A

Fund: N/A

Comments:

Item Summary:

Direct to public hearing amendments to the Land Development Code intended to address building height and other development regulations to increase resiliency of development in flood and storm surge prone areas of Unincorporated Lee County to a public hearing on June 20, 2023.

9. [Direct to Public Hearing an Ordinance Amending Well Code Ordinance No. 16-06](#)

Funding:

Current Year Dollar Amount: No funding required.

Included in Current Budget? N/A

Fund: N/A

Comments:

Item Summary:

Staff was directed to draft a County Ordinance in response to HB 735, that pre-empted occupational licensing to the state. The Lee County Construction License Ordinance (No. 23-09) was adopted by the Board on Tuesday, May 2, 2023, grandfathering certain existing local contractor licenses. Amendments to the Well Code are necessary to grandfather local soil boring contractors and elevator shaft contractors. Several additional amendments are necessary to the well code to update rules and allow changes necessitated by new industry practices that have changed since adoption of the previous ordinance.

COUNTY LANDS

10. [Approve Easement Purchase for Orange River Boulevard Sidewalk Project](#)

Funding:

Current Year Dollar Amount: \$20,400

Included in Current Budget? Yes

Fund: Other:
Road Impact Fees

Comments:

Item Summary:

Acquires +/-2,153 square foot sidewalk easement, in the amount of \$19,150, for the Orange River Boulevard Sidewalk Project. The purchase price includes payment for relocation of an existing fence. Lee County is responsible for closing costs, estimated at \$1,250, which is included in the current year's budget. Construction of the project is scheduled to begin in Fiscal Year 2024.

11. [Approve First Amendment to Lease Agreement for Supervisor of Elections' Bonita Springs Office](#)

Funding:

Current Year Dollar Amount: \$107,695

Included in Current Budget? Yes

Fund:

General Fund

Comments:

Item Summary:

Approves the first amendment to the lease agreement between Smizer Properties L.L.C. and Lee County. The lease agreement is for office space for the Supervisor of Elections at Bonita Commons, 25987 S. Tamiami Trail, Suite 105, Bonita Springs. The renewal term is November 1, 2023 through October 31, 2028 with three additional five-year options to renew. Initial monthly rent is \$6,988.05, or \$83,856.54 annually, with an annual escalation of the Consumer Price Index or 3%, whichever is lower. The current common area maintenance monthly payment is \$1,986.55, or \$23,838.60 annually. The monthly rent is increasing by 3% from the current monthly rent.

12. [Approve First Amendment to Lease Agreement for Tax Collector's Bonita Springs Office](#)

Funding:

Current Year Dollar Amount:	\$194,226
Included in Current Budget?	Yes
Fund:	General Fund

Comments:

Item Summary:

Approves the first amendment to the lease agreement between Smizer Properties L.L.C. and Lee County. The lease agreement is for the Tax Collector's Bonita Springs office located at Bonita Commons, 25987 S. Tamiami Trail, Suite 112, Bonita Springs. The renewal term is September 1, 2024 through August 31, 2029 with three additional five-year options to renew. Initial monthly rent is \$12,639.57, or \$151,674.86 annually, with an annual escalation of the Consumer Price Index or 3%, whichever is lower. The current common area maintenance monthly payment is \$3,545.96, or \$42,551.52 annually. The monthly rent is increasing by 3% annually from the current monthly rent.

13. [Declare County-Owned Lot as Surplus Property for Sale](#)

Funding:

Current Year Dollar Amount:	\$1,300
Included in Current Budget?	No
Fund:	General Fund, Other: County Lands

Comments:

Item Summary:

Declares a vacant parcel of County-owned property as surplus and authorizes staff to proceed with its sale in accordance with Lee County Ordinance 02-34. Acceptable bids will be presented to the Board for its consideration. Sales proceeds will be placed in the General Fund. The property is +/- 5,753 sq. ft. in size and located at 2560 Second Street in Fort Myers.

COUNTY MANAGER

14. [Approve Expedited Procurement Timeframe for CDBG-DR Implementation Contracts](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

The Procurement Ordinance establishes an advertisement time for contracts with an estimated value of \$500,000 or more as 30 days. Due to urgent needs in the community, staff

is requesting a reduced advertisement time of less than 30 days for procurements related to implementation of the \$1.1 billion Community Development Block Grant - Disaster Recovery (CDBG-DR) funds for Hurricane Ian disaster recovery efforts. Approval of this request will shorten the procurement timeframe while maintaining fair and open competition for these contracts.

15. [Accept Grant for Local Government Cybersecurity Program](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

Accepts a grant for a Local Government Cybersecurity Program from the State of Florida Department of Management Services for Lee County Utilities and Innovation & Technology departments. This grant will provide both departments with Cybersecurity training, software, services, and assistance at no cost to the County. Signed grant agreements and capability selection are to be turned into the state by June 9th to avoid being at risk of not receiving assistance. Project kickoff with state selected vendors is currently set for June 14th with grantees being provided access to solutions by June 27th.

FACILITIES CONSTRUCTION AND MANAGEMENT

16. [Approve Purchase of Two Heaters for Player Development Complex](#)

Funding:

Current Year Dollar Amount:	\$123,300
Included in Current Budget?	Yes
Fund:	Other: Tourist Development Tax Fund

Comments:

Item Summary:

Authorizes the purchase of two gas-fired heaters for the Player Development Complex from B&I Contractors, Inc in the amount of \$123,300.00. These gas-fired heaters will replace the boiler at the Player Development Complex clubhouse, as it is no longer operating. It was old, leaking, out of warranty, and due for replacement. At present, to maintain the continuous hot water supply in the facility, a temporary electric heater has been installed. It will be replaced with the two new gas-fired heaters. This planned and budgeted project will be funded through the Tourist Development Tax funding.

FLEET MANAGEMENT

17. [Approve Purchase of a Ford F-450 Crane Truck for DOT](#)

Funding:

Current Year Dollar Amount:	\$138,849
Included in Current Budget?	Yes
Fund:	Other: Transportation Trust Fund

Comments:

Item Summary:

Approves the purchase of a new Ford F-450 Utility Body Crane Truck using the competitively solicited Sam Galloway Ford Automobiles, Sport Utility Vehicles, Passenger & Light Duty Vans Contract in the amount of \$138,849.21. The purchase of this truck will assist with the

operations of a newly created roadway and drainage maintenance crew within the Department of Transportation (DOT). Both the truck and the positions were approved by the Board on September, 20, 2022 for this fiscal year.

18. [Approve Purchase of 10 Ford Vehicles for Utilities](#)

Funding:

Current Year Dollar Amount:	\$474,446
Included in Current Budget?	Yes
Fund:	Enterprise

Comments:

Item Summary:

Approves the purchase of the following Ford trucks from Sam Galloway Ford:

- one (1) F-150,
- six (6) F-250, and
- three (3) F-350.

The total purchase amount is \$474,445.50. These 10 trucks will be used by the Utilities Department to assist their field operations. A cost comparison was done, and the previous model year trucks are within 1.4% of the 2023 contract pricing. Due to the 14-18 month wait time for contract vehicle purchases, it is recommended that these available trucks be purchased for immediate operation. The total purchase price will be at or below the 2024 Ford contract pricing once it is released in the next few months. These new vehicles were approved by the Board during the budget cycle for this fiscal year.

HUMAN SERVICES

19. [Accept HOPWA Program Funds from Health Planning Council of SWFL](#)

Funding:

Current Year Dollar Amount:	\$268,400
Included in Current Budget?	No
Fund:	General Fund

Comments:

Item Summary:

Accepts \$268,400 of Housing Opportunities for Persons with AIDS (HOPWA) grant funds from the Health Planning Council of Southwest Florida. Funding is used to provide case management for persons with HIV/AIDS. Approximately 120 households with income at or below 80% of the area median income will be assisted using these grant funds. Funds must be expended by June 30, 2024.

NATURAL RESOURCES

20. [Approve Resolution Requesting West Coast Inland Navigation District Funding](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

Approves a resolution requesting funding from the West Coast Inland Navigation District (WCIND) for FY23/24 in the amount of \$1,857,312. This resolution also authorizes the County Manager, or designee, to execute and submit any project funding agreements. The resolution includes a prioritized list of projects for navigation improvements, marine law enforcement,

environmental education, and boating safety. Projects were considered based on Lee County needs and municipal and non-profit agency requests. No funding is required for this request.

21. [Approve Post Hurricane Ian Lee County Waterway Debris Removal](#)

Funding:

Current Year Dollar Amount:	See Comments below.
Included in Current Budget?	No
Fund:	General Fund, Other: Grant funded
Comments:	USDA NRCS grant - \$11,322,253.92 Lee County share - \$3,774,084.64

Item Summary:

Approves emergency requests for Lee County waterway debris removal due to Hurricane Ian to the following:

- Aftermath Disaster Recovery: not to exceed \$12,850,288.56;
- Thompson Consulting Services: not to exceed \$1,051,050.00; and
- Crowder Gulf Joint Venture, Inc.: not to exceed \$1,195,000.00.

All work will be performed per Federal guidelines (2 CFR 200.317-326). Total not to exceed cost to complete waterway debris removal is \$15,096,338.56 to be funded by both the U.S. Department of Agriculture Natural Resources Conservation Service (75%) and Lee County (25%).

PARKS AND RECREATION

22. [Approve Donation Agreement with Boca Grande United Methodist Church, Inc.](#)

Funding:

Current Year Dollar Amount:	\$150,000
Included in Current Budget?	No
Fund:	General Fund
Comments:	

Item Summary:

This donation, in the amount of \$150,000, will be used for the renovation design of the tennis/pickleball court at Wheeler Road Community Park. The Boca Grande United Methodist Church, along with various local community organizations and private individuals, formed the Boca Grande Disaster Fund after Hurricane Ian. Organizers with the Boca Grande Disaster Fund chose this renovation project as a donation recipient to enhance facilities at the park for residents and visitors. A budget resolution will establish expense budget for the project.

23. [Approve Contract Amendment for Chemical Delivery Services](#)

Funding:

Current Year Dollar Amount:	\$146,034
Included in Current Budget?	Yes
Fund:	General Fund, Unincorporated MSTU
Comments:	

Item Summary:

Approves an amendment to the contract with Hawkins Water Treatment Group, Inc., under the solicitation for the Supply & Delivery of Sodium Hypochlorite for Pools, to increase the price for

sodium hypochlorite to \$2.49 per pound. The amendment will increase the contract amount by \$5,353.64 annually, with total anticipated expenditures not to exceed amount of \$146,034.00. Total expenditures during Fiscal Year 2021-22 were \$58,128.60.

PROCUREMENT MANAGEMENT

24. [Award Contracts for Rental of Portable Shower, Laundry, and Restroom Trailers - Countywide](#)

Funding:

Current Year Dollar Amount: See Comments below.

Included in Current Budget? Yes

Fund:

Comments: Expenditures will be on an as needed basis, as approved in the departments' annual adopted budget.

Item Summary:

Award competitively solicited contracts to Garner Environmental Services, Inc., John To Go FL LLC, and SLSCO LTD., to provide the rental and servicing of portable showers, laundry and restroom trailers Countywide, on an as-needed bases for an initial three-year period. Portable shower, laundry, and restroom trailers are used for special events, restroom facilities for departments without permanent facilities, and as comfort stations in the event of disasters. Annual expenditures under this contract are estimated to be \$5,000,000.00.

PUBLIC SAFETY

25. [Approve Renewing Golisano Children's Hospital of Southwest Florida COPCN](#)

Funding:

Current Year Dollar Amount: No funding required.

Included in Current Budget? N/A

Fund: N/A

Comments:

Item Summary:

Golisano Children's Hospital of Southwest Florida submitted an application for renewal of their Certificate of Public Convenience and Necessity (COPCN) to provide advance life support interfacility transport services. County staff reviewed the application according to the current county ordinance provisions and recommends granting the certificate.

Approval provides Golisano Children's Hospital of Southwest Florida with the necessary COPCN to satisfy the statutory requirements applicable to their State transport license that expires on August 28, 2023. Granting the COPCN will allow the hospital to continue operating as an ALS interfacility transport provider in accordance with State law for two additional years.

26. [Approve Renewing Ambitrans Medical Transport COPCN](#)

Funding:

Current Year Dollar Amount: No funding required

Included in Current Budget? N/A

Fund: N/A

Comments:

Item Summary:

Ambitrans Medical Transport submitted an application for renewal of their Certificate of Public Convenience and Necessity (COPCN) to provide advance life support (ALS) interfacility

transport services. County staff reviewed the application according to the current county ordinance provisions and recommends granting the certificate.

Approval provides Ambitrans Medical Transport with the necessary COPCN to satisfy the statutory requirements applicable to their State transport license that expires on June 19, 2023. Granting the COPCN will allow the Ambitrans to continue operating as an ALS interfacility transport provider in accordance with State law for two additional years.

27. [Accept Grant Funds from FDMS and E911 Board to Support E911 Operations](#)

Funding:

Current Year Dollar Amount:	\$6,556,759
Included in Current Budget?	No
Fund:	Enterprise
Comments:	All Grant proceeds will be expensed during FY22/23.

Item Summary:

Approves the acceptance of two grants from the Florida Department of Management Services (FDMS) and E911 Board to support projects in E911 operations.

The first grant, not to exceed \$6,139,788, is for Next Generation 911 Core Services implementation, a network backbone to the County's investment in Next Generation 911 technologies. The second grant, not to exceed \$416,970.66, is for a regional 911 map repository, which will link the 911 maps of counties in our region to support call routing across boundaries. The grants are both cost-reimbursement grants, which will be funded through E911 funds and reimbursed back to fund reserves.

SHERIFF

28. [Approve Expenditure of FEMA Reimbursement for Hurricane Ian Expenses](#)

Funding:

Current Year Dollar Amount:	\$2,597,220
Included in Current Budget?	No
Fund:	General Fund, Other: FEMA Reimbursement
Comments:	

Item Summary:

Approves a budget amendment to allow Lee County Sheriff's Office to use a FEMA reimbursement in the amount of \$2,597,220 to complete the Real Time Intelligence Center Expansion project, the School Threat Enforcement Team Expansion project and related expenses. These projects were started in FY21-22 but were delayed as resources were focused on Hurricane Ian recovery.

SOLID WASTE

29. [Award Contract for Buckingham WTE Facility Scale Replacements](#)

Funding:

Current Year Dollar Amount:	\$688,700
Included in Current Budget?	Yes
Fund:	Enterprise
Comments:	

Item Summary:

Awards a competitively bid contract to Superior Contracting & Environmental Specialties LLC in the amount of \$688,700.00 for the removal and installation of three (3) scales at the Lee County Waste-to-Energy (WTE) facility located on Buckingham Rd. This project includes a 12-year manufacturer's warranty and bid option (A) to add integrated catwalks for improved customer access to the scale houses. Project was approved as part of the Solid Waste Capital Improvement Plan.

30. [Approve Construction Contract for Clewiston Transfer Station Improvements](#)

Funding:

Current Year Dollar Amount:	\$4,495,900
Included in Current Budget?	Yes
Fund:	Enterprise
Comments:	Construction costs were budgeted partially in FY23 and FY24.

Item Summary:

Awards a competitively bid construction contract to Wright Construction Group, Inc. to reconstruct the Clewiston Transfer Station in the amount of \$4,495,900.00. The amount being approved is for a pre-engineered metal building, concrete and electrical repairs to address significant deterioration of the 30-year old structure. The Transfer Station, built in 1994, was heavily corroded and at the end of its life; its operation is a requirement of our agreement with Hendry County. The Board previously approved amounts of \$241,628.00 for design and \$44,428 for pre-construction services.

31. [Approve 2nd Contract Amendment for Advertising and Marketing Services](#)

Funding:

Current Year Dollar Amount:	\$75,000
Included in Current Budget?	Yes
Fund:	Enterprise
Comments:	

Item Summary:

Approves a contract amendment with Z Axis Solutions LLC. for Recycling & Solid Waste Advertising & Marketing Services, to increase the FY23 spend, from \$125,000 to \$200,000. Following years will not be increased. The requested increase is due to Hurricane Ian, which required additional communications, marketing, and advertising for disaster debris to the community. Total anticipated expenditures are \$450,000 over the three-year contract term. Year-to-date expenditures for FY23 are \$124,071.32. The Director will approve individual expenditures. This contract is not an addition as it replaced several older marketing and advertising contracts.

32. [Approve Interlocal Agreement with City of Naples for Recyclable Processing](#)

Funding:

Current Year Dollar Amount:	\$345,000
Included in Current Budget?	N/A
Fund:	Enterprise
Comments:	City of Naples will pay a processing fee of \$115 per ton, or \$345,000 annually.

Item Summary:

Approves an Interlocal Agreement between Lee County and the City of Naples to accept and process approximately 3,000 tons per year of recyclable material generated and delivered from the City of Naples for a two-year period with a one-year renewal option upon mutual agreement between both parties. This continues an arrangement with Naples in place since

2010. The City of Naples will pay Lee County a processing fee of \$115 per ton or \$345,000 annually to process recycling materials, an annual increase of approximately \$307,000.

TRANSIT

33. [Adopt LeeTran's Public Transportation Agency Safety Plan](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

Adopt LeeTran's Public Transportation Agency Safety Plan (PTASP) as required by the Federal Transit Administration (FTA). The 2023 Bus Transit System Annual Safety Certification is part of the PTASP document. Operators of public transportation systems that receive FTA funds are required to develop and implement a PTASP, which must be updated and certified on an annual basis.

34. [Approve Grant Application to the Florida Commission for the Transportation Disadvantaged](#)

Funding:

Current Year Dollar Amount:	See Comments below.
Included in Current Budget?	No
Fund:	Enterprise, Other: State Grant
Comments:	CTD Trip & Equipment grant: \$1,147,387 10% Local Match: \$127,487 Total Funding FY23/24: \$1,274,874

Item Summary:

Approve submitting an application for the Trip & Equipment Grant to the Florida Commission for the Transportation Disadvantaged (CTD) and authorize the Transit Director to execute the grant agreement. The grant allows LeeTran to provide opportunities for non-sponsored transportation disadvantaged citizens to obtain access to transportation for daily living needs. Current grant funding from the CTD expires on June 30, 2023, this application provides funding from July 1, 2023 through June 30, 2024. Grant funding provided through the CTD grant will result in total funding in the amount of \$1,274,874.00.

TRANSPORTATION

35. [Approve FDOT Federal Funding Agreement for Traffic Operations Center](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

Execute a Federal Funding Agreement with the Florida Department of Transportation (FDOT) to add \$46,500 in Federal funds to assist with the operation of the Traffic Operations Center. This funding is used to partially fund a traffic signal timing specialist, the additional funding for this position is included in DOT's Operating budget. This funding is in addition to the State participation that Lee County receives to fund the Traffic Operations Center, this Agreement was anticipated, and the revenue is included in the adopted budget.

36. [Approve Amendment to Traffic Signal Maintenance Agreement with FDOT](#)**Funding:**

Current Year Dollar Amount: See Comments below.

Included in Current Budget? N/A

Fund:

Comments: The FY23/24 device inventory will result in an estimated reimbursement amount of \$1.1 million for signal maintenance. The reimbursement amount received in FY22/23 was \$981,813.

Item Summary:

Approves an amendment to the Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT). The agreement outlines the responsibilities of maintenance of traffic control devices on state roads within Lee County, and the level of funding FDOT provides to the County based on an annual inventory. The amendment is primarily simple language adjustments that FDOT is asking all local agencies to accept. Additional reimbursement for items such as illuminated street name signs, traffic monitoring cameras, pedestrian hybrid beacons, connected vehicle roadside unit and arterial dynamic message signs is also included in this amendment. The FY23/24 inventory will result in an estimated reimbursement amount of \$1.1 million for signal maintenance. The reimbursement amount received in FY22/23 was \$981,813.

37. [Approve Contract Change Order for CEI Services for the Burnt Store Rd. Widening Project](#)**Funding:**

Current Year Dollar Amount: \$80,000

Included in Current Budget? Yes

Fund: Enterprise

Comments:

Item Summary:

Approve Change Order No. 11 to the contract with HighSpans Engineering, Inc. for Construction Engineering & Inspection (CEI) services for the widening of the South Segment of Burnt Store Road, in the amount of \$80,000. This change order compensates for work that was added to the south segment of the Burnt Store Road widening project, including the addition of full depth reclamation paving, the closure of Embers Parkway and Tropicana Parkway and delays due to Hurricane Ian.

38. [Approve Piggyback of FDOT Contract for Purchases of Approved Traffic Equipment](#)**Funding:**

Current Year Dollar Amount: \$850,000

Included in Current Budget? Yes

Fund: Other:

Transportation Trust and Transportation Capital Improvement

Comments:

Item Summary:

Approves a piggyback of the Florida Department of Transportation's (FDOT) contract for State approved traffic equipment on an as needed basis through the contract expiration date of March 13, 2024, and includes any renewals FDOT makes. FDOT maintains an Approved Products List (APL), which specifies products that are authorized for use on State owned facilities. FDOT has an extensive testing program managed out of their Transportation Engineering Research Laboratory (TERL), and all traffic equipment that passes the rigorous

testing is placed on the APL for use on State owned roadways. This list contains hundreds of transportation related devices that FDOT has competitively procured. The annual estimated amount that will be spent is \$850,000. Individual expenditures in excess of \$100,000 will be brought to the Board for approval. The actual spend for FY 2021/22 was \$1,172,639 which included purchases through a vendor that the County now contracts directly with and won't be utilizing the APL contract for those purchases.

39. [Approve FDOT Funding Agreement for Hurricane Ian Signal Repairs](#)

Funding:

Current Year Dollar Amount:	\$2,972,530
Included in Current Budget?	Yes
Fund:	Unincorporated MSTU
Comments:	

Item Summary:

Execute a Local Agency Program (LAP) Agreement with the Florida Department of Transportation for \$2,972,530 in Federal funds for the repair of traffic signals damaged as a result of Hurricane Ian. The funding will be used by Lee County to hire a contractor to repair signals that have been identified as damaged by Hurricane Ian and have met eligibility requirements under Federal Highway Administration Emergency Relief Program.

UTILITIES

40. [Approve Contract Change Order for Fiesta Village WRF Reuse Main](#)

Funding:

Current Year Dollar Amount:	\$326,220
Included in Current Budget?	Yes
Fund:	Enterprise
Comments:	

Item Summary:

Approves Change Order No. 2 with Accurate Drilling Systems, Inc. for Fiesta Village Water Reclamation Facility (WRF) Reuse Main Upgrade Phase II. The change order will increase the contract value by \$326,220.30 for changing the pipe installation method to avoid utility conflicts and related items. The total contract amount will be \$5,585,534.50. The contractor provided pricing documentation to support the additional cost. The project includes the construction of a 24-inch diameter reuse main between Fiesta Village WRF and Fort Myers Beach WRF that will allow the transfer of reuse water between the two facilities for distribution to customers or wet weather disposal in deep injection wells.

41. [Approve Submitting a Request for Inclusion for Hurricane Ian State Revolving Funds](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	
Comments:	

Item Summary:

Requests authorization for Lee County Utilities to submit a Request for Inclusion for the FY24/25 State Revolving Fund (SRF) Loan. After Hurricane Ian the Governor appropriated funds for emergency SRF Loans to support utility infrastructure recovery. The Request for Inclusion must be submitted by June 30, 2023, and is the initial step to enable the County to apply for funds.

42. [Award Contract for Fort Myers Beach WRF Temporary Electrical Cabling](#)**Funding:**

Current Year Dollar Amount:	\$213,302
Included in Current Budget?	Yes
Fund:	Enterprise

Comments:

Item Summary:

Awards a contract to MG Electrical Developers, Inc. in the amount of \$213,302.07 for temporary wiring at the Fort Myers Beach Water Reclamation Facility (WRF) from the main switchgear to various equipment that was damaged during Hurricane Ian. The facility experienced six feet of storm surge during Hurricane Ian that inundated the plant's electrical system with saltwater. This caused most of the electrical wiring and equipment to be damaged due to saltwater corrosion to electrical conductors and equipment components. This scope of work is for temporary repairs and may be eligible for FEMA/State funds.

43. [Award Construction Contract for US41 North Water Main Project](#)**Funding:**

Current Year Dollar Amount:	\$3,308,022
Included in Current Budget?	Yes
Fund:	Enterprise

Comments: Remaining contract balance funds will be available in FY23/24 Budget.

Item Summary:

Awards a competitively bid construction contract to Accurate Drilling Systems Inc. for the US 41 North water main from Littleton Road to Del Prado Blvd. in the amount of \$3,308,022.00. The County received five bid submissions. The project scope of work includes the construction of a Ductile Iron water main, installation of new water service lines, installation of fire hydrants, and other related improvements. The project will improve the flow to the emergency interconnect with Cape Coral, water distribution, and service reliability to the northernmost end of the system. The new line will also correct high frequency line breaks that cause service interruptions and maintenance and reparation costs. The Board approved the project as part of the FY 22/23 Utilities Capital Improvement budget. Construction is anticipated to begin Summer 2023 and be complete by Summer 2024.

44. [Approve STA for Southeast Advanced Water Reclamation Facility](#)**Funding:**

Current Year Dollar Amount:	\$1,680,460
Included in Current Budget?	Yes
Fund:	Enterprise

Comments: Remaining contract balance included in FY24 CIP Budget.

Item Summary:

Approves Supplemental Task Authorization (STA) No. 2 with Jacobs Engineering Group, Inc. for the Southeast Advanced Water Reclamation Facility in the amount of \$8,395,822 to complete the design and permitting of the project. Jacobs Engineering will provide ongoing professional services for the Design and Permitting Phase from 30-100% for the new water reclamation facility. Tasks include; detailed design & construction documents, permitting services, beneficial reuse application engineering and design, and public outreach. The project was approved by the Board as a part of the FY23 Utilities Capital Improvement Program.

ADMINISTRATIVE AGENDA

COMMUNITY DEVELOPMENT**1. [Adopt Resolution Amending the 2023-2026 Local Housing Assistance Plan](#)****Funding:**

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

The proposed amendment adds a new strategy to the 2023-2026 Local Housing Assistance Plan (LHAP) for demolition and reconstruction of income-qualified, owner-occupied single family homes. This strategy includes elevating existing homes located in a flood zone and determined to be in need of repairs in excess of 50% of value of the home due to hurricane damage. Hurricane Housing Recovery Program funding administered through the State Housing Initiatives Partnership (SHIP) program will be used to fund this strategy. The County is estimated to receive \$16,564,646 in disaster funding for affordable housing through SHIP, the State's affordable housing assistance program. The program is locally governed by the strategies in the County's LHAP. The SHIP program places a priority on serving very low, low and special needs households and requires 65% of the funds be spent on homeownership activities. The proposed amendment will add to the already allowed homeownership strategies which include new construction, purchase assistance, owner-occupied rehab, and disaster assistance.

2. [Award Hurricane Housing Recovery Program Grant Agreements](#)**Funding:**

Current Year Dollar Amount:	\$8,211,516
Included in Current Budget?	N/A
Fund:	Other: Affordable Housing Trust Fund (SHIP)

Comments:

Item Summary:

Approval of the Agreements provides Hurricane Housing Recovery Program (HHRP) funding totaling \$8,211,516 to nonprofit housing development organizations to assist households affected by Hurricane Ian. The HHRP program is solely funded by the State, administered in accordance with the State Housing Initiatives Partnership program, and is locally governed by the Disaster Recovery strategy in the Local Housing Assistance Plan. The HHRP funds will be used to assist 133 homeowners affected by Hurricane Ian with down payment assistance, owner occupied rehabilitation, and demolition/reconstruction. The HHRP program places a priority on serving very low, low and special needs households.

COUNTY ATTORNEY**3. [Approve Settlement Agreement with MW Horticulture](#)****Funding:**

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

The proposed Settlement Agreement will resolve the litigation between Lee County and MW Horticulture related to land development code compliance at 17650 East Street in North Fort Myers. Lee County will agree to dismiss its claim against MW Horticulture in exchange for MW Horticulture’s dismissal of its counterclaim against Lee County with prejudice.

4. [Approve Settlement Agreement with Minus Forty Technologies Corp. USA](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A
Comments:	

Item Summary:

The proposed Settlement Agreement will resolve two cases between the parties: litigation between Lee County and Minus Forty Technologies Corp. USA related to land development code compliance at 17650 East Street in North Fort Myers and Lee County’s action to foreclose on its code enforcement lien on the subject property. Lee County will agree to dismiss its claims against Minus Forty Technologies in both cases in exchange for Minus Forty’s agreement to bring the property into compliance with the land development code no later than February 29, 2024.

5. [Approve Cease and Desist Request to Florida Pace Funding Agency](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A
Comments:	

Item Summary:

Direct County Attorney’s Office to send Cease and Desist correspondence to Florida Pace Funding Agency (FPFA). Approve Resolution in support of Lee County Tax Collector and Lee County Property Appraiser with respect to Residential Private Assessment Clean Energy (PACE) Loans.

COUNTY LANDS

6. [Approve Purchase of Parcel for Three Oaks Parkway North Project](#)

Funding:

Current Year Dollar Amount:	\$4,803,800
Included in Current Budget?	Yes
Fund:	Other: Transportation Capital Improvement Fund
Comments:	

Item Summary:

Acquires +/-9.19 acres located at 13701 Fiddlesticks Boulevard in the amount of \$4,778,800, plus closing expenses estimated at \$25,000, for the Three Oaks Parkway Extension North-Phase II. The project requires 1.84 acres for construction. Due to condemnation expense exposure and potential severance damages, purchase of the entire parcel is recommended. This project phase is expected to commence in FY25/26. The appraised value of the parcel is \$4,778,800.

COUNTY MANAGER

7. [Approve FY23-24 Transportation Project Tiers and Draft CIP](#)

Funding:

Current Year Dollar Amount:	To be determined.
Included in Current Budget?	N/A
Fund:	General Fund, Enterprise, Unincorporated MSTU

Comments:

Item Summary:

At its May 16, 2023 Board Workshop, the Board discussed and directed to an agenda item the following:

A) Keep Tier 1 Transportation Projects the same as was presented at the April 18, 2023 Transportation Priorities Workshop and as described in the attached workshop presentation slide deck on page 4 (attached).

B) Re-rank Tiers 2 and 3 as described in the attached workshop presentation slide deck on pages 9 and 12. The re-rankings incorporated more points for capacity-building/congestion-reducing projects.

C) Approve the remainder of the Draft FY23-24 Capital Improvement and Major Maintenance Plan as presented.

SOLID WASTE

8. [Approve Amendment for Disaster Recovery Services for Concrete Removal](#)

Funding:

Current Year Dollar Amount:	\$400,000
Included in Current Budget?	N/A
Fund:	Enterprise

Comments:

Item Summary:

Approves a contract amendment with Crowder-Gulf Joint Venture, Inc., under the solicitation for Disaster Recovery Services for Lee County, to add concrete removal services for the rights-of-way within Unincorporated Lee County, as deemed necessary by the County to protect the health and safety of the general public. The amendment will increase the contract amount by \$400,000 for FY23, a preliminary cost estimate to remove this debris, including monitoring and contingency. Lee County assumes responsibility for this expense at this time.

TRANSPORTATION

9. [Approve Amendment to the Veterans Parkway Controlled Access Management Resolution](#)

Funding:

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	N/A
Fund:	N/A

Comments:

Item Summary:

Approves an amendment to the controlled access resolution for Veterans Parkway to relocate a directional median opening that is currently near property owned by Lee County. The

access point will be moved north to provide access to a development that would only have right-in/right-out access to Veterans Parkway under the current access management plan. The County owned property will retain left-in access at two locations further to the south on Veterans Parkway. The proposed amendment does not degrade the safety or capacity of Veterans Parkway.