

**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 20, 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 Matt Swearingen, Crosspoint Church

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

Public Hearings

Walk-ons and Carry-overs

Commissioners' Items/Committee Appointments

County Manager Items

County Attorney Items

**Public Presentation of Matters by Citizens**

## Workshop Update

- Public Comment on Workshop

Recess until 5:00 PM Public Hearing

Adjourn

## CEREMONIAL PRESENTATIONS

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1. **Pet of the Month (Commissioner Pendergrass)**
2. [National Pretrial, Probation and Parole Week \(Commissioner Ruane\)](#)
3. [National Parks & Recreation Month \(Commissioner Greenwell\)](#)

## CONSENT AGENDA

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### 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 May 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.

### COMMUNITY DEVELOPMENT

3. [Approve Petition to Vacate at 2908 13th Street West, Lehigh Acres](#)

**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 and drainage easement centered along the common lot line between Lots 14 and 15 of the platted lots at 2908 13th Street West in Lehigh Acres. This action will remove encumbrances in order to create a unified building site for a residential addition. There were no objections from the public utility providers and there are no other affected property owners.

4. [Approve Petition to Vacate at 401/407 Ida Avenue North, Lehigh Acres](#)

**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 and drainage easement centered along the common property lot line between a Portion of Lot 7 and Lot 8, Lots 8 and 9, Lots 9 and 10, Lots 11 and 12, Lots 12 and 13 and Lot 13 and a Portion of Lot 14, and along the common property lot line between a Portion of Lot 7 and a Portion of Lot 14, Lots 8 and 13, Lots 9 and 12 and Lots 10 and 11, of the platted lots at 401/407 Ida Avenue North in Lehigh Acres. This action will remove encumbrances in order to create a unified building site for a commercial development. There were no objections from the public utility providers and there are no other affected property owners.

5. [Approve Petition to Vacate at Patio Cir. & Pennfield St., Lehigh Acres](#)

**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 and drainage easement centered along the common lot line between Lots 15 and 16, of the platted lots at the corner of Patio Circle and Pennfield Street 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.

6. [Approve Increase to Building Inspection and Plan Review Services](#)

**Funding:**

Current Year Dollar Amount:	\$500,000
Included in Current Budget?	Yes
Fund:	Other:
Comments:	Building Permit Fee Revenue

**Item Summary:**

The Department of Community Development uses outside contractors to supplement in-house staff when needed to reduce building permit review and building inspection times associated with spikes in application volumes. Over the last two years, services from outside contractors have been used in an amount below the allowed annual dollar amount of \$200,000. Due to Hurricane Ian the need to use these services has grown, resulting in an increase of the amount expended under the annual contract. Since the contract was awarded on February 7, 2023, \$110,104 has been paid for contracted inspection services completed through April 30, 2023. The average monthly expenditure is approximately \$37,000 and with application volumes expected to remain at high levels, if approval is granted, expenditures for this fiscal budget year can be projected to be upwards of \$500,000. In order to continue to supplement in-house staff with plan review and building inspections, an increase to the annual dollar amount for the Building Inspection, and Plan Review Services Annual Contract from \$200,000 to \$500,000 is being requested.

7. [Approve Bald Eagle Management Plan for Coral Bay Residential Planned Development](#)

**Funding:**

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

**Item Summary:**

Approve a Bald Eagle Management Plan for Coral Bay, a proposed residential development located west of Tamiami Trail between Del Prado Boulevard and Littleton Road in North Fort Myers. The development is within a 660-foot radius of bald eagle nest LE-939 and a Bald Eagle Management Plan is required for exterior construction activities within 660 feet of the nest. The 660-foot radius is a requirement of the County's Eagle Protection Ordinance. The Bald Eagle Management Plan allows for infrastructure construction within 660 feet of the nest to be completed during the non-nesting season (May 16 – September 30). Any exterior construction activities within 660 feet of the nest which extend into the nesting season (October 1 – May 15) will be accomplished in accordance with the provision of the Bald Eagle Monitoring Guidelines (United States Fish and Wildlife Service 2007). Board approval of the Bald Eagle Management Plan is required under the County's Eagle Protection Ordinance; the Eagle Technical Advisory Committee recommends approval.

**COUNTY ATTORNEY**

8. [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:

23-06-18 – 37th Extension of State of Local Emergency (Issued 6/12/2023)

23-06-19 – 38th Extension of State of Local Emergency (Issued 6/19/2023)

9. [Approve Amendments to Administrative Code AC-12-6 - Construction Licensing](#)

**Funding:**

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

**Item Summary:**

The Resolution will approve amendments to Administrative Code AC-12-6, which is a companion code to the Lee County Construction License Ordinance. In response to HB 735 which preempted occupational licensing to the state, the Board adopted Lee County Construction License Ordinance 23-09 on Tuesday, May 2, 2023. The Construction License Ordinance grandfathered certain existing local contractor licenses. This code is being amended to define the scope of work for each license category in the Ordinance.

**10. [Adopt a Resolution Amending Administrative Code AC 2-7](#)****Funding:**

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

Comments:

**Item Summary:**

Adopting this resolution will amend Administrative Code AC 2-7, Administrative Procedures for the Scheduling and Conduct of Hearings on Land Use Matters Coming Before the Lee County Board of County Commissioners from the Lee County Hearing Examiner.

The amendment updates procedures for participants in a zoning hearing requiring that documents presented to the Board during a Zoning Hearing must be part of the record and marked as an Exhibit by the Hearing Examiner. Documents that are relevant new evidence not known or could not have been reasonably discovered at the time of the Hearing Examiner hearing may be presented to the Board.

**COUNTY LANDS****11. [Approve Purchase Agreement to Acquire Building for Natural Resources Environmental Laboratory](#)****Funding:**

Current Year Dollar Amount:	\$2,860,000
Included in Current Budget?	Yes
Fund:	General Fund

Comments:

**Item Summary:**

Approves the purchase of a 12,720+/- square foot commercial building to house the Department of Natural Resources Environmental Laboratory. This acquisition will support the future expansion of the Lee County Medical Examiners facility by allowing for the removal of the existing lab facility at the current site. The purchase price will be no more than \$2,800,000, pursuant to the terms of the Purchase Agreement. Costs to close are estimated at \$60,000. The purchase is \$2,800,000 or the average of two appraisals if below \$2,800,000. The structure is located at 5248 Red Cedar Drive, Fort Myers.

**12. [Authorize Binding Offer for Alico Road Connector Phase I Widening](#)****Funding:**

Current Year Dollar Amount:	\$42,000
Included in Current Budget?	Yes
Fund:	Other: Road Impact Fees

Comments:

**Item Summary:**

Approves a binding offer of \$40,000 to purchase a drainage and slope easement (+/- 42,820 square feet) for the Alico Road Connector Phase I Widening project. This offer is necessary to accommodate the construction schedule, should condemnation actions be required. The appraised value is \$34,400. The recommended increase of \$5,600 is to avoid condemnation and its costs and expenses.

**13. [Authorize Binding Offer to Replace a Utilities Lift Station on Matlacha](#)****Funding:**

Current Year Dollar Amount:	\$60,000
Included in Current Budget?	Yes
Fund:	Other: Utilities Capital Improvement

Comments:

**Item Summary:**

Approves a binding offer of \$55,000 to purchase a perpetual public utility easement (+/- 900 square feet) for Lee County Utilities to replace a lift station that was left inoperable due to Hurricane Ian. This offer is necessary to accommodate the construction schedule, should condemnation action be required. The appraised value of the utility easement interest is \$51,300. The recommended increase of \$3,700 is to avoid condemnation proceedings and its costs and expenses.

**14. [Accept Drainage and Access Easement on Pine Island](#)****Funding:**

Current Year Dollar Amount:	\$200
Included in Current Budget?	No
Fund:	Other: Transportation Trust

Comments:

**Item Summary:**

Approves accepting a donated permanent drainage easement located near the entrance of Blue Crab Key Condominium located at 5280 Blue Crab Circle, near the intersection with Marina Road, in Bokeelia. Lee County Department of Transportation constructed a drainage pipe across a small portion of the property to alleviate flooding. In exchange the Condominium Association agreed to donate a permanent drainage easement to the County in order to maintain the drainage pipe. Estimated recording fees are \$200.

**15. [Approve Alico Road Replacement Drainage Easements](#)****Funding:**

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

Comments:

**Item Summary:**

Approves acquiring replacement stormwater drainage and access easements from Taylor Morrison of Florida, Inc. and Esplanade Lake Club Community Development District to facilitate the stormwater runoff from the Alico Road Widening Project.

**16. [Approve Grant of Blanket Utility Easement for Lehigh Acres Park Expansion](#)****Funding:**

Current Year Dollar Amount:	\$60
Included in Current Budget?	Yes
Fund:	General Fund

Comments:

**Item Summary:**

Approves Blanket Utility Easement between Lee County and Lee County Electric Cooperative (LCEC) for LCEC's use of a portion of County property, located at 1145 Village Lakes Boulevard in Lehigh Acres, to construct a subsurface electric utility line that will power new recreational facilities, part of the Lehigh Acres Park Expansion Project. Following construction of the electric power line the County will grant LCEC a Perpetual Utility Easement over the as-built line location, which LCEC will maintain into the future.

17. [Approve Donating Five Surplus Lots to Affordable Housing Foundation](#)

**Funding:**

Current Year Dollar Amount:	\$20
Included in Current Budget?	Yes
Fund:	General Fund
Comments:	

**Item Summary:**

Conveys five surplus vacant lots to Affordably Lavish Foundation, Inc., a qualified not-for-profit affordable housing agency for construction of affordable housing. The lots are located in Lehigh Acres, at the following locations:

- 3216 42nd St. W.
- 3217 40th St. W.
- 557 Columbus Blvd.
- 553/555 Nimitz Blvd.
- 551/553 Ladd St.

All lots escheated to the County due to non-payment of real estate taxes.

18. [Reject Offers for Purchase of County-Owned Surplus Land on Pondella Road](#)

**Funding:**

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

**Item Summary:**

Approves rejecting bids submitted by DEO Investments, LLC, Pondella Holdings LLC, Bobby Oshel, and Honda Fontilus for the purchase of County-owned surplus property at 363 Pondella Road, North Fort Myers.

19. [Declare Property in City of Bonita Springs as Surplus and Authorize Conveyance to City](#)

**Funding:**

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

**Item Summary:**

Declares three parcels of vacant land at 11750 Dean Street, 27851 Edith Lane, and 27961 Quinn Street, Bonita Springs, as surplus property and available to convey to the City of Bonita Springs in connection with the City's stormwater management project, provided certain conditions associated with the conveyance are met. Also approves a right of entry to allow the City and its contractors to enter the property for a period of 90 days to conduct geotechnical and archaeological testing in anticipation of acquiring the property from the County.



**20. [Approve License Agreement for Kingston Development Utility Infrastructure](#)****Funding:**

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

Comments:

**Item Summary:**

Approves a Temporary License and Utility Turnover Agreement between Lee County and Cam7-Sub, LLC for access to three County-owned properties located along Corkscrew Road, Estero. This agreement will allow installation of developer-contributed utility infrastructure and staging of materials. The term of this agreement commences upon Board approval and is effective for 36 months, which can be extended up to 180 days.

**21. [Adopt Amended Resolution of Necessity for Alico Road Connector Phase I Widening](#)****Funding:**

Current Year Dollar Amount:	No funding required.
Included in Current Budget?	Yes
Fund:	Other: Road Impact Fees

Comments:

**Item Summary:**

Amends the Resolution of Necessity for the acquisition of Parcels 118 and 118-SE of the Alico Road Connector Phase I Widening Project No. 9245, for purposes of correcting the legal description and sketch that describes Parcel 118.

**COUNTY MANAGER****22. [Repeal and Replace Lee County Administrative Code 3-17 Governing Grants Management](#)****Funding:**

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

Comments:

**Item Summary:**

Adopts a Resolution to repeal and replace Lee County Administrative Code 3-17 Grant Program Administrative Procedures. The Administrative Code will include the Lee Board of County Commissioners' Grants Administration Notice of Policy and incorporate a new Grants Administration Manual. The Manual (Appendix A) establishes the uniform guidance for managing the life cycle of Lee County grants.

**23. [Approve CDBG-DR Financial Management and Grant Compliance Certification Submission to HUD](#)****Funding:**

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

Comments:

**Item Summary:**

Certifies to the U.S. Department of Housing and Urban Development (HUD) that Lee County complies with federal requirements for Community Development Block Grant - DR grantee management controls. The CDBG-DR Financial Management and Grant Compliance Certification submission includes the following policies and procedures: CDBG-DR Citizen Participation Plan; CDBG-DR Anti-fraud, Waste and Abuse Policy; CDBG-DR Timely Expenditure of Fund Procedure; CDBG-DR Duplication of Benefits; and Lee County's Procurement Ordinance.

**24. [Approve FY22-23 Post-Audit Fund Balance Adjustments and Budget Carryovers](#)**

**Funding:**

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

Comments:

**Item Summary:**

Approves fund balance adjustments and budget carryovers for major maintenance and capital projects, grants and operating funds for FY22-23.

***FACILITIES CONSTRUCTION AND MANAGEMENT***

**25. [Award Contract to Replace UPS for Sheriff's E911 System](#)**

**Funding:**

Current Year Dollar Amount:	\$111,000
Included in Current Budget?	Yes
Fund:	General Fund

Comments:

**Item Summary:**

Awards a contract to North Star Technical Services, Inc. to replace battery modules for the uninterruptible power supply (UPS) for the E-911 System at the Sheriff's 911 Call Center for \$111,000.00.

The UPS is a battery backup to prevent loss of electrical power during a power outage for the Sheriff's 911 Call Center located at 14750 Six Mile Cypress Parkway. The existing batteries have reached their recommended life of three to five years and need to be replaced to ensure the call center can always function. The replacement of the batteries was planned and budgeted.

**26. [Approve Change Order for the Design of Rutenberg Park Improvements](#)**

**Funding:**

Current Year Dollar Amount:	\$39,600
Included in Current Budget?	Yes
Fund:	Other: Community Park Impact Fees

Comments:

**Item Summary:**

Approves a change order to a Supplemental Task Authorization (STA) with Barraco and Associates, Inc. to expand the design of improvements for Rutenberg Park in the amount of \$39,600.00. With the addition of this change order, the total contract amount for design is \$285,930.00.

Improvements are being designed to enhance Rutenberg Park by adding pickleball courts with

shade structures, a restroom structure, a pavilion, landscaping, and upgrades to the existing parking lot. As the design progressed, it became evident that an additional building was needed for staff to operate effectively and efficiently. An additional building will be designed for use as a maintenance facility, office space, and restroom for the staff.

This planned project will be fully funded through Community Park Impact Fees.

**27. [Approve Contract Change Order for Downtown Jail Sewer Lines Replacement](#)**

**Funding:**

Current Year Dollar Amount:	See Comments below.
Included in Current Budget?	Yes
Fund:	General Fund
Comments:	Change Order amount for this item: \$236,000 Previously approved project amount: \$2,885,241 New contract total: \$3,121,241

**Item Summary:**

Approves a change order to the contract with Target Builders Construction Management, Inc., which was approved February 16, 2021. The contract is for construction services to replace the sewer lines for the downtown jail. This change order increases the contract time by 425 days to a total of 1,185 days and increases the compensation in the amount of \$236,000.00, bringing the new contract total to \$3,121,241.00.

The downtown jail is an active correctional facility. At the time the contract was approved, there were other major projects taking place at the jail. Factors that affected construction timing:

- Space reconfigurations,
- Accommodations for inmates and staff,
- Facility safety and security protocols, which require the construction manager's team to always be escorted by County or jail staff, and
- Multiple projects going on at the same time.

All other major projects have been completed; therefore, the replacement of sewer lines is scheduled for commencement. This planned and budgeted project is fully funded through the General Fund.

***FLEET MANAGEMENT***

**28. [Approve Piggyback Purchase of Caterpillar Mini Excavator for DOT](#)**

**Funding:**

Current Year Dollar Amount:	\$153,375
Included in Current Budget?	Yes
Fund:	Other: Transportation Trust Fund

Comments:

**Item Summary:**

Approves purchasing one Caterpillar 309 Mini Excavator and necessary accessories, from Kelly Tractor Co., in the amount of \$153,375.00, using piggyback pricing through the Florida Sheriff's Association Contract. The excavator will assist with the operations of a newly created roadway and drainage maintenance crew within the Department of Transportation. A market analysis was completed and the purchase under this contract represent a total savings of \$8,620.00 or 5.3%.

**29. [Approve Piggyback and Lease-Purchase of Replacement Vac-Con Sewer Cleaning Truck for Utilities](#)**

**Funding:**

Current Year Dollar Amount:	\$122,688
Included in Current Budget?	Yes
Fund:	Enterprise
Comments:	This is an annual amount budgeted for FY23. The same amount will be budgeted for FY24 - FY27.

**Item Summary:**

Approves a piggyback lease-purchase of one replacement Vac-Con jet/vacuum sewer cleaner truck for Utilities using the Sourcewell Contract with Vac-Con, Inc. in the total amount of \$613,440.00, paid in five annual payments of \$122,688.00. This truck replaces a 21 year old truck that was recently decommissioned due to a rusted through frame. A market analysis of lease finance rates was conducted and Government Leasing, LLC offered the lowest finance rate resulting in a savings of \$37,792.10. Funding was approved by the Board during the budget cycle for this fiscal year.

**HUMAN SERVICES**

**30. [Approve Renewing Receiving System and Transportation Plan for Individuals in Crisis](#)**

**Funding:**

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

**Item Summary:**

Approves a plan, required by Florida Statute, to serve the behavioral health needs of individuals in crisis. The plan includes a transportation plan and receiving facilities for people in need of mental health or substance abuse evaluations. Approval of this plan allows the Florida Department of Children & Families and its community partners to provide immediate access to emergency services for those in need of assistance, including children and adults under Baker Act or Marchman Act orders. Law enforcement will provide transportation for those in need to the appropriate receiving facility.

**INNOVATION AND TECHNOLOGY**

**31. [Approve 2nd Contract Addendum for Enterprise-Wide Network Infrastructure Services](#)**

**Funding:**

Current Year Dollar Amount:	\$623,649
Included in Current Budget?	Yes
Fund:	Other: Innovation & Technology
Comments:	

**Item Summary:**

Approves a 2nd addendum to the contract with Presidio Networked Solutions. Presidio provides enterprise-wide datacenter, network and voice infrastructure monitoring and support. The addendum extends the contract for one year and will reduce the contract amount by \$521,283.48 annually, with total anticipated expenditures in the amount of \$623,649.12.

**NATURAL RESOURCES**

**32. [Approve ILA with Captiva Erosion Prevention District for Sanibel Sand Placement](#)****Funding:**

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

Comments:

**Item Summary:**

Approves an Interlocal Agreement (ILA) with Captiva Erosion Prevention District (CEPD) for a one-time emergency beach nourishment project for northwest Sanibel. The agreement will allow the County to conduct the emergency sand placement under the authority of, and in accordance with, the CEPD state and federal permits. Northwest Sanibel was identified as an area of most critical need for emergency sand placement to provide storm protection of upland public infrastructure and recreational benefits following severe erosion from Hurricane Ian.

**33. [Approve Delegating Award of Contract for Hurricane Ian Beach Restoration](#)****Funding:**

Current Year Dollar Amount:	\$5,000,000
Included in Current Budget?	Yes
Fund:	Other: Grant Funded

Comments:

**Item Summary:**

Approves delegating to the County Manager the authority to award and execute a contract, and related contract documents, for the Hurricane Ian Beach Restoration Project – Truck Haul. The contract will be awarded to the lowest qualified bidder for an amount not to exceed \$5 million, which is completely grant funded by the State of Florida. This project will place sand on northwestern Sanibel to protect Sanibel-Captiva Road, the only evacuation route for northwestern Sanibel and Captiva Island, provide storm protection and help restore recreational benefits along the publicly accessible and heavily used beaches eroded by Hurricane Ian.

**34. [Approve Agreement for Upland Use of Lovers Key State Park](#)****Funding:**

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

Comments:

**Item Summary:**

Approves a Use Agreement with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida to use upland state park lands during construction and maintenance of the Lovers Key State Park Beach Nourishment project.

**35. [Award Contract for Design for South 10 Mile Canal Flood Improvements](#)****Funding:**

Current Year Dollar Amount:	\$1,494,938
Included in Current Budget?	Yes
Fund:	General Fund CIP – General Fund

Comments:

**Item Summary:**

Awards a contract to Johnson Engineering, Inc. for design of improvements and permitting for South 10 Mile Canal in an amount not to exceed \$1,494,938.00. The objective of this plan is to develop a conceptual design taken from the Southern Lee County Flood Mitigation Plan and further the project into detailed construction plans and specifications with the primary focus of improving surface water conveyance in the Island Park area.

**36. [Award Contract for Waterway Infrastructure Risk & Resiliency Plan - CDBG-MIT](#)**

**Funding:**

Current Year Dollar Amount:	\$635,988
Included in Current Budget?	Yes
Fund:	General Fund, Other: Grant funded
Comments:	Grant funded revenue offsets 100% of cost.

**Item Summary:**

Awards a contract to Woods Hole Group, Inc., for \$635,988.15 for completion of a countywide Waterway Infrastructure Risk and Resiliency Plan. This contract will be funded by CDBG-MIT and FDEP grants. It will assess risk from rainfall, sea level rise, storm surge, and compound flooding events projected to 2070. By complying with Resilient Florida statutory requirements, Lee will be eligible for FDEP grants for resiliency projects

**37. [Approve Acceptance of FDEP Resilient Florida Planning Grant](#)**

**Funding:**

Current Year Dollar Amount:	\$383,000
Included in Current Budget?	No
Fund:	General Fund, Other: Grant funded
Comments:	Grant revenue with no local match required.

**Item Summary:**

Accepts a \$383,000 grant from Florida Department of Environmental Protection. This companion item supplements the Waterway Infrastructure Risk & Resiliency - CDBG-MIT grant award to fund the balance of a \$635,988 contract for a countywide assessment of risk to critical infrastructure for rainfall, sea level rise, storm surge and flooding projected to 2070. This meets state requirements that make Lee County eligible for FDEP implementation grants. No local match is required.

**PROCUREMENT MANAGEMENT**

**38. [Award Contract for Structural Engineering Services - 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:**

Awards competitively solicited contracts to Diversified Technology, Inc, Hardesty & Hanover, LLC., HighSpans Engineering, Inc., HNTB Corporation, Kimley-Horn and Associates, Inc., Kisinger Campo & Associates, Corp., Patel, Greene, and Associates, LLC., Stantec Consulting Services, Inc., and T.Y. Lin International, provide structural engineering services, on an as

needed basis, for an initial term of three years and the option to renew for up to three additional years, as approved in the departments' annual adopted budget. Expenditures for these services in FY2022-2023 were \$167,778.00.

### **PROPERTY APPRAISER**

#### **39. [Approve Expenditures for 2023 Notice of Proposed Property Taxes \(TRIM\) Mailing](#)**

##### **Funding:**

Current Year Dollar Amount:	\$485,000
Included in Current Budget?	No
Fund:	General Fund

Comments:

##### **Item Summary:**

Approves funding for printing and postage for annual Notice of Proposed Property Taxes (TRIM Notice) mailing.

### **PUBLIC SAFETY**

#### **40. [Authorize Terminating ILA with FGCU for Computer Aided Dispatch and Records System](#)**

##### **Funding:**

Current Year Dollar Amount:	\$116,156
Included in Current Budget?	No
Fund:	General Fund

Comments:

##### **Item Summary:**

The Board approved an Interlocal Agreement (ILA) with Florida Gulf Coast University on January 18, 2022. This agreement provided for the use of the County's Computer Aided Dispatch and Records System and established a compensation method to initiate the project and for ongoing use and maintenance of the system. FGCU has chosen to work directly with Hexagon on the system's deployment, and this interlocal agreement is no longer applicable. Additionally, the funding provided to the County was not expended and will be returned to Florida Gulf Coast University. Florida Gulf Coast University.

#### **41. [Direct to Public Hearing a COPCN Application for MediCab Transportation](#)**

##### **Funding:**

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

Comments:

##### **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 August 1, 2023.

#### **42. [Direct to Public Hearing a COPCN Application for Matlacha/Pine Island Fire Control District](#)**

##### **Funding:**

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

Fund:

N/A



Comments:

**Item Summary:**

Matlacha/Pine Island Fire Control District has applied for a Certificate of Public Convenience and Necessity for Advanced Life Support Non-Transport service. 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 August 15, 2023.

**RISK MANAGEMENT**

**43. [Approve Public Officials Performance Bonds](#)**

**Funding:**

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

Comments:

**Item Summary:**

This is a surety bond that serves as statutory obligation requiring faithful performance, fidelity and integrity of public official's duties to the public. In 1998, Lee County Board of County Commissioners adopted Ordinance 98-22, which requires Commissioners to provide a Faithful Performance Bond based on Florida Statute §137.01. The Ordinance was later amended (00-25) to include other Lee County elected officials. Florida Statute §137.05 requires that bonds be examined for sufficiency at its regular meetings in January and June of each year.

**SOLID WASTE**

**44. [Approve Sole Source Purchase of Construction and Composting Equipment Parts and Service](#)**

**Funding:**

Current Year Dollar Amount:	\$575,000
Included in Current Budget?	Yes
Fund:	Enterprise

Comments:

**Item Summary:**

Approves the sole-source purchase of \$575,000 in proprietary parts for Volvo, Backhus, and Doppstadt machinery and repair services from Alta Construction Equipment Company. Alta is the only authorized dealer for Lee County and the region for these three machinery lines and Alta has the only proprietary engine and transmission diagnostic software for this machinery. Last year's spend was approximately \$510,000; due to market price escalation and equipment age, an increased spending level is anticipated.

**45. [Approve Piggyback Purchase of One John Deere Backhoe](#)**

**Funding:**

Current Year Dollar Amount:	\$255,020
Included in Current Budget?	Yes
Fund:	Enterprise

Comments:

**Item Summary:**

Approves the piggyback purchase of one John Deere backhoe valued at \$255,019.52 from Dobbs Equipment, through the Florida Sheriffs Association Contract for Heavy Equipment. The backhoe will provide an additional resource to manage solid waste handling operations at

the Buckingham Rd. transfer station. A market analysis was completed, and the purchase under this contract represents a savings of \$25,880.48 or 9.2%.

**46. [Award Contract for Design Services for Lee-Hendry Landfill Class III Cell Construction](#)**

**Funding:**

Current Year Dollar Amount: \$1,703,773

Included in Current Budget? Yes

Fund: Enterprise

Comments:

**Item Summary:**

Awards a competitively solicited contract to Jones Edmunds and Associates, Inc., for design, permitting, and construction support services for construction of new cells, odor management controls, and related systems at the Lee-Hendry County Class III (construction debris) Landfill, in the amount of \$1,703,773. County growth and residual impacts from Hurricane Ian has led to an increase in Class III material received at the landfill, causing early start of the construction project.

The Board of County Commissioners approved the project funding as part of the FY20 Solid Waste Capital Improvement Program. Total estimated project cost is \$14,535,000 for completion in FY25.

**47. [Approve Contract Amendment for Composting Facility Capacity Improvements](#)**

**Funding:**

Current Year Dollar Amount: \$5,866,357

Included in Current Budget? Yes

Fund: Enterprise

Comments:

**Item Summary:**

Approves an amendment to the contract with Chris-tel Construction, the competitively selected Construction Manager at Risk, for improvements to the Lee County Composting Facility. The amendment establishes the Guaranteed Maximum Price in the amount of \$5,866,357.00. The project includes a covered metal-framed building, repairs to pavement, new asphalt pavement, improvements to the wastewater and storm water management systems, and electrical work. The Composting Facility is permitted to receive 90,000 wet tons of biosolids per year, however it has an operational capacity of 60,000 wet tons. The improvements increase capacity to 115,000 wet tons per year. The Board previously approved amounts of \$366,236.00 for design and \$63,866.00 for pre-construction services for this project.

**TRANSPORTATION**

**48. [Approve Single Source Purchase for Out of State Vehicle Registration Lookup](#)**

**Funding:**

Current Year Dollar Amount: \$260,000

Included in Current Budget? Yes

Fund: Enterprise

Comments:

**Item Summary:**

Approves and renews the single source procurement of Department of Motor Vehicles (DMV) registered owner lookup for out of state license plates to resolve unpaid toll transactions at Lee County Toll Facilities from Law Enforcement Systems, LLC. Total expenditures for Fiscal Year 2021-2022 were \$207,467. This service was advertised, and the County received two inquiries that did not meet the requirements to the proposal. Law Enforcement Systems, LLC

is the only vendor able to contact the DVMS of all 50 states for owner information look up of license plates. The single source will be for a one-year period in the amount of \$260,000. Funding is available in the current year budget.

**49. [Approve Contract Change Order for Corkscrew Road Phase I Widening](#)**

**Funding:**

Current Year Dollar Amount:	\$630,757
Included in Current Budget?	Yes
Fund:	Enterprise, Other: Capital Improvement

Comments:

**Item Summary:**

Approves Change Order #4 with Cougar Contracting, LLC in the amount of \$630,756.78. The change order is for contractual adjustments to asphalt prices that will cover the remainder of the project, compensation for hurricane recovery costs, bridge deck grooving for wildlife crossings and addition of a chain link fence with privacy screen west of Stoneybrook Golf Drive. The change order also adds 28 days to the contract time.

**50. [Approve Contract Amendment for Tolls Mail House Services](#)**

**Funding:**

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

Comments:

**Item Summary:**

Approves a contract amendment with Cathedral Corporation, under the solicitation for Lee County Tolls Mail House Services, to add two new services - Generation of Discount Program Renewal Forms and an Additional Insert for Toll Due Notices. The new services will be added to Exhibit A, Detailed Specifications and the cost will be added to Exhibit B, Fee Schedule. The amendment and costs will be included in the original contract amount of \$400,000 annually that was approved by the Board on February 1, 2022.

**51. [Award Contract to Resurface Lehigh Acres Local Roads](#)**

**Funding:**

Current Year Dollar Amount:	\$2,324,669
Included in Current Budget?	Yes
Fund:	Other: Growth Increment

Comments:

**Item Summary:**

Awards a low bid contract to Pavement Maintenance, LLC to provide resurfacing for multiple roads within Lehigh Acres, in the amount of \$2,324,669.00. 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 August 2023. Funding is available in the current fiscal year budget.

**52. [Award Contract to Resurface Lehigh Acres Arterial Roads](#)**

**Funding:**

Current Year Dollar Amount:	\$1,549,605
Included in Current Budget?	Yes
Fund:	Other:

## Growth Increment

Comments:

**Item Summary:**

Awards a low bid contract to Ajax Paving Industries of Florida, LLC to provide resurfacing of various roads within Lehigh Acres, in the amount of \$1,549,605.00. The location of the resurfacing includes sections of Alabama Road from SR 82 to Milwaukee Boulevard, 8th Street from Gunnery Road to Sunshine Boulevard S and 23rd Street SW from Gunnery Road to Sunshine Boulevard S. 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 August 2023. Funding is available in the current fiscal year budget.

**53. [Award Contract to Resurface Lehigh Acres Arterial and Collector Roads - Ajax Paving](#)****Funding:**

Current Year Dollar Amount:	\$1,471,802
Included in Current Budget?	Yes
Fund:	Other:
	Growth Increment

Comments:

**Item Summary:**

Awards a low bid contract to Ajax Paving Industries of Florida, LLC to provide resurfacing multiple roads within Lehigh Acres, in the amount of \$1,471,802.00. The project includes resurfacing of sections of Alabama Road, Grant Boulevard, Jaguar Boulevard and W 9th Street. 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 October 2023. Funding is available in the current fiscal year budget.

**54. [Award Contract to Resurface Lehigh Acres Arterial and Collector Roads - OHLA USA](#)****Funding:**

Current Year Dollar Amount:	\$2,235,713
Included in Current Budget?	Yes
Fund:	Other:
	Growth Increment

Comments:

**Item Summary:**

Awards a low bid contract to OHLA USA, Inc. to provide resurfacing for arterial and collector roadways in Lehigh Acres, in the amount of \$2,235,713.40. This project consists of resurfacing sections of Parkdale Boulevard, Joel Boulevard, Leeland Heights Boulevard W and Richmond Avenue. 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 July, 2023. Funding is available in the current fiscal year budget.

**55. [Award Contract to Resurface Portions of Three Oaks Pkwy and Gladiolus Drive](#)****Funding:**

Current Year Dollar Amount:	\$2,279,629
Included in Current Budget?	Yes
Fund:	Other:
	Transportation Capital Improvement

Comments:

**Item Summary:**

Awards a low bid contract to OHLA USA, Inc. to provide resurfacing on Three Oaks Parkway from Corkscrew Road to Coconut Road and on Gladiolus Drive from San Carlos Boulevard to Pine Ridge Road, in the amount of \$2,279,628.58. 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 of 2023. Funding is available in the current fiscal year budget.

**56. [Award Contract to Resurface Portions of Veterans Pkwy, Plantation Rd, College Pkwy](#)**

**Funding:**

Current Year Dollar Amount:	\$1,969,844
Included in Current Budget?	Yes
Fund:	Other: Transportation Capital Improvement

Comments:

**Item Summary:**

Awards a low bid contract to Preferred Materials, Inc. to provide resurfacing on sections of Veterans Parkway, Plantation Road and College Parkway, in the amount of \$1,969,844.25. The project limits include Veterans Parkway from Skyline Parkway to Santa Barbara Boulevard, Plantation Road from Daniels Parkway to Six Mile Cypress Parkway and College Parkway from Summerlin Road to US 41. 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. The funds used for this project are also part of the set-aside for major arterials from FY 2021/22. Work is expected to begin in July 2023. Funding is available in the current fiscal year budget.

**UTILITIES**

**57. [Authorize Utilities to Initiate Bank Loan Application Process](#)**

**Funding:**

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

Comments:

**Item Summary:**

Authorizes Lee County Utilities to start the application and Procurement process for a bank loan not to exceed \$45,000,000. This action is contingent on the BoCC adopting the proposed Lee County Utilities Rate Schedule during the June 20, 2023 Public Hearing. The loan will fund a portion of capital improvement projects necessary to ensure infrastructure is in place to serve the County's customer needs. As of April 6, 2023, the estimated interest rate is 4.13%, with an annual debt service payment of \$4,087,140 for fifteen years. There are no pre-pay penalties.

**58. [Award Contract for Wastewater Collections System Rehabilitation](#)**

**Funding:**

Current Year Dollar Amount:	\$56,951
Included in Current Budget?	Yes
Fund:	Enterprise
Comments:	Funds in the amount of \$1,100,000 are budgeted in FY24 CIP Budget.

**Item Summary:**

Awards a competitively bid contract to Miller Pipeline, LLC for wastewater collection system rehabilitation on an as-needed basis for an initial term of three years with three additional one-

year terms at the option of the department. The average unit price increase is 35%. Total expenditures to provide these services for the last 12-month period were \$778,491.28.

**59. [Approve Purchase of Aerator Pumps for Olga Water Treatment Plant](#)**

**Funding:**

Current Year Dollar Amount:	\$124,241
Included in Current Budget?	Yes
Fund:	Enterprise

Comments:

**Item Summary:**

Authorizes the purchase and installation of a replacement aerator pump, motor, and associated parts for the Olga Water Treatment Plant from John Mader Enterprises, Inc. dba Mader Electric Motors in the amount of \$124,241.40. This was a competitively bid solicitation with only one bid submitted to the County. The pumps are necessary to properly aerate the raw water to remove dissolved and volatile gases before the clarification process. This allows for proper operation and continued reliability at the Olga Water Treatment Plant. Funds were approved by the Board as part of the FY23 Utilities major maintenance program.

**VISITOR AND CONVENTION BUREAU**

**60. [Award Contract for Meeting and Sales Promotion Representative - Northeast](#)**

**Funding:**

Current Year Dollar Amount:	\$165,000
Included in Current Budget?	Yes
Fund:	Other: TDT Special Revenue

Comments:

**Item Summary:**

Awards a competitively solicited contract to Betsy Bush, LLC, to provide professional tourism marketing representation for Lee County in the Northeast USA Territory for the Visitor & Convention Bureau (VCB). The initial contract term is for a term of three years with the option to renew up to three additional years, as approved in the department's annual adopted budget. Total expenditures for these services for Fiscal Year 2021 – 2022 were approximately \$134,601.

**61. [Award Contract for Meeting and Sales Promotion Representative – Midwest](#)**

**Funding:**

Current Year Dollar Amount:	\$165,000
Included in Current Budget?	Yes
Fund:	Other: TDT Special Revenue

Comments:

**Item Summary:**

Awards a competitively solicited contract to Lauren J. Hyps to provide professional tourism marketing representation for Lee County in the Midwest USA Territory for the Visitor & Convention Bureau (VCB). The initial contract term is for three years with the option to renew up to three additional years, as approved in the department's annual adopted budget. Total expenditures for these services for Fiscal Year 2021 – 2022 were approximately \$149,042.

**ADMINISTRATIVE AGENDA**

**COUNTY MANAGER****1. [Approve Resolution for FDEO Loan for Hurricane Ian Recovery](#)****Funding:**

Current Year Dollar Amount:	\$25,000,000
Included in Current Budget?	No
Fund:	N/A

Comments:

**Item Summary:**

Approves a resolution authorizing the County to receive a \$25,000,000 loan from the Florida Department of Economic Opportunity (FDEO) to cover costs associated with continuing, expanding, or modifying local governmental operations to meet Hurricane Ian disaster-related needs.

**PROCUREMENT MANAGEMENT****2. [Approve Fifth Ratification of Emergency Expenditures Executed under Emergency Resolution 22-09-31](#)****Funding:**

Current Year Dollar Amount:	\$748,774
Included in Current Budget?	No
Fund:	Other: Various Funds

Comments:

**Item Summary:**

Approves the fifth ratification of emergency purchase orders issued during the Hurricane Ian State of Local Emergency. This is mostly for remediation services, fence repairs, portable toilet rentals, and lift station repairs.

On 5/16/2023, the Board reviewed and ratified purchase orders issued while under the state of local emergency for Hurricane Ian, in the amount of \$290,248,126.26. Since the last report was pulled, purchase orders were issued or revised in the amount of \$748,774.05. The combined total for all purchase orders issued is \$290,996,900.31. Expenditures or contract actions not included in this summary, or amounts that exceed the estimates provided, will be presented to the Board at a future date. Board ratification is required for emergency purchases of \$100,000.00 or more.

**3. [Direct to Public Hearing Amendments to the Procurement Ordinance](#)****Funding:**

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

Comments:

**Item Summary:**

Approves scheduling for public hearing amendments to Ordinance No. 22-06, known as the Procurement Ordinance. The Board and staff identified needed changes to provide additional clarity in the procurement process, including a timeframe for reporting emergency purchases to the Board. Other changes include raising the threshold amount for formal procurement from \$100,000 to \$250,000 to match the federal limit; clarifying the exemption for software primarily used by the public; adding provisions for revenue-generating contracts; and authorizes county

manager to approve public assistance projects up to \$250,000 for grant funded programs. The public hearing will be scheduled for August 1, 2023, at 9:30 am.

## **PUBLIC HEARING - 9:30 AM**

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### **1. [Conduct Public Hearing to Adopt Lee County Utilities Rate Schedule](#)**

#### **Funding:**

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

Comments:

#### **Item Summary:**

Conducts a public hearing to adopt by resolution the Lee County Utilities (LCU) revised rate schedule for water, wastewater and reclaimed water services. The Board selected the 2023 LCU rate adjustments on May 2, 2023, and approved to move the item forward for Public Hearing. The rate schedule will be a five-year flat increase of 8% annually and will apply to all water and wastewater monthly service charges (base fees), administrative fees, water rate schedules, wastewater rate schedules, wholesale (bulk) services, and reclaimed water services.

### **2. [Conduct Public Hearing to Adopt an Ordinance Amending LDC Chapters 30, 33 and 34](#)**

#### **Funding:**

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

Comments:

#### **Item Summary:**

Conducts a public hearing to adopt an ordinance that amends Chapters 30, 33, and 34 of the Land Development Code (LDC) in response to certain issues that have been identified as regulatory constraints in rebuilding post Hurricane Ian, including a uniform measurement of building height, modifications to promote resiliency, and relocation of nonconforming billboards.

### **3. [Conduct Public Hearing to Adopt an Ordinance Amending Lee County Well Code Ordinance 16-06](#)**

#### **Funding:**

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

Comments:

#### **Item Summary:**

Conducts a public hearing to adopt an ordinance amending Lee County Well Code Ordinance 16-06. Amendments to the Well Code are necessary to grandfather local geotechnical soil boring contractors and elevator shaft contractors. Several additional amendments are necessary to update rules and allow changes necessitated by new industry practices that have changed since adoption of the previous ordinance.

The Board adopted Lee County Construction License Ordinance 23-09 on Tuesday, May 2, 2023 in response to HB 735 that pre-empted occupational licensing to the state. Ordinance 23-09 grandfathered certain existing local contractor licenses but did not include the



geotechnical soil boring contractors and elevator shaft contractors, creating the need to adopt an updated Well Code Ordinance.

4. [Conduct Public Hearing to Adopt an Ordinance to Allow Website Publication of Legal Notices](#)

**Funding:**

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

**Item Summary:**

Conducts a public hearing to adopt an ordinance that will allow publication of all county legal notices and advertisements on Lee County's publicly accessible website in lieu of publication in a newspaper in accordance with recent amendments to Florida Statute 50.0311.

5. [Conduct Public Hearing to Adopt an Ordinance Creating Saltleaf Community Development District](#)

**Funding:**

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

**Item Summary:**

Conducts a public hearing to adopt an ordinance creating the Saltleaf Community Development District pursuant to Chapter 190, F.S. If approved, the ordinance will create a Community Development District capable of financing and servicing the basic services within the District boundary.

**PUBLIC HEARING - 5:00 PM**

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1. [Conduct First Public Hearing to Adopt and Enact a New Lee County Code of Ordinances](#)

**Funding:**

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

**Item Summary:**

Conducts the first public hearing to adopt an ordinance adopting and enacting a new Code of Ordinances of Lee County, Florida, and to re-adopt and reenact the Land Development Code of Lee County, Florida. The Land Development Code is the official recodification of all Lee County land use regulations, with the exception of the Lee Plan. The Code of Ordinances is the official recodification of all Lee County regulations, including a recodification of the Land Development Code. The Code of Ordinances cannot be legally considered an official codification of Lee County regulations unless adopted by the Board through the public hearing process.