

District 1, Chairman

Kevin Ruane

District 2, Vice-Chairman

Cecil L Pendergrass

District 3

David Mulicka

District 4

Brian Hamman

District 5

Mike Greenwell

**Lee Board of County
Commissioners
Regular Meeting Agenda**

February 4, 2025

9:30 AM

County Manager

Dave Harner, II

County Attorney

Richard Wm. Wesch

Commission Chambers

2120 Main Street

Fort Myers, FL 33901

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.

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Closed Executive Session - 8:30 AM

Invocation - Pastor Nick Yantorn, Rise Christian 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

Adjourn

TRANSCRIPT**1. 02/04/25 Agenda Transcript**

Funding:

Current Year Dollar Amount:
Included in the Current
Budget?:
Fund:
Comments:

Item Summary:**CLOSED EXECUTIVE SESSION 8:30 AM**

2. Conduct Closed Executive Session, Collective Bargaining Local 1826**Funding:**

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

Item Summary:

Provides for a Closed Executive Session on Tuesday, February 4, 2025, at 8:30 a.m. to discuss collective bargaining labor negotiations between Southwest Florida Professional Firefighters and Paramedics, Local 1826 and Lee County as authorized by Section 447.605, Florida Statutes. The opening of the public meeting will convene in the County Commission Chambers and will adjourn to a closed session in the East Room. Upon conclusion of the closed session, the public meeting will reconvene a public meeting in the County Commission Chambers.

PROCLAMATIONS

3. Pet of the Month (Commissioner Pendergrass)**4. National Wear Red Day (Commissioner Ruane)****5. Length of Service Awards (Human Resources)****RECAP**

6. 02/04/25 Agenda Recap - REVISED 2/3/25 3:30 PM**CONSENT AGENDA**

CLERK OF THE COURTS**1. Approve and Record County Disbursements per Florida Law****Funding:**

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

Budget?:
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 - <https://www.leeclerk.org/departments/finance/financial-reports/bocc-check-registers-and-wire-transfers>.

2. Approve Lee Board of County Commissioners' Meeting Minutes

Funding:

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

Item Summary:

Approve the minutes for Lee Board of County Commissioners' meetings held on November 5, 6, 7, and 19, and December 3 and 4, 2024. The minutes were provided to Board members, and any comments from the Commissioners were taken into consideration in the development of the final minutes.

3. Present Monthly Investments Summary for December 2024

Funding:

Current Year Dollar Amount: No funding required.
Included in the 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.

4. Present Driver Education Safety Trust Fund Report for December 2024

Funding:

Current Year Dollar Amount: No funding required.
Included in the 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.

5. Present Monthly Financial Summary Report for December 2024

Funding:

Current Year Dollar Amount:	No funding required.
Included in the 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, reserves and investments.

COMMUNITY DEVELOPMENT

6. Accept the 2024 Public Facilities Level of Service and Concurrency Report

Funding:

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

Item Summary:

Each year, an inventory of the maximum, utilized and available capacity of public facilities for which minimum regulatory levels of service are prescribed in the Lee Plan must be compiled and published in accordance with Land Development Code Section 2-50. This item accepts the annual Public Facilities Level of Service and Concurrency Report for 2024 inventorying the availability and adequacy of solid waste, surface water management, potable water, sanitary sewer, parks, schools, and transportation facilities. This report demonstrates that Lee County meets, or prioritizes capital improvements to meet, the adopted level of service on public facilities.

7. Award State Housing Initiatives Partnership Disaster Assistance Grant Agreement

Funding:

Current Year Dollar Amount:	\$113,400
Included in the Current Budget?:	Yes
Fund:	Affordable Housing Trust Fund (SHIP)
Comments:	Long Term Recovery Initiative HG-003 - Expanding Housing Financing & Legal Services

Item Summary:

Award State Housing Initiatives Partnership (SHIP) disaster assistance grant funding totaling \$113,400 to Lee County Housing Development Corporation to provide downpayment assistance to a minimum of one very low, special needs household affected Hurricane Debby, Hurricane Helene, or Hurricane Milton. The SHIP program is solely funded by the State and is locally governed by the strategies in the Local Housing Assistance Plan (LHAP), which allows Lee County to implement the Disaster Assistance Strategy in the event of a disaster legally declared by Executive Order.

Approval of this action is consistent with the LHAP adopted by Lee County on April 7, 2023, and by

the Florida Housing Finance Corporation on April 10, 2023. It is also consistent with Lee Plan Policy 135.3.8 to coordinate efforts to perform restoration and replacement of damaged housing during the aftermath of natural disasters such as hurricanes, tornados, flooding, etc.

COUNTY ATTORNEY

8. Direct to Public Hearing an Ordinance Amending the Medical Examiner Cremation Fee

Funding:

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

Item Summary:

Directs staff to schedule a Public Hearing on March 4, 2025 at 9:30 AM to amend the Lee County Cremation Fee Ordinance. This amendment increases the cremation fee imposed on all funeral homes from \$60 to \$70 per Medical Examiner authorization for the cremation. The last time the fee was increased was January 1, 2022. The Medical Examiner is requesting the increase to help defray costs of providing the cremation authorizations, including staff time of physicians and forensic investigators, and storage of records in accordance with state regulations. This increase will reduce the general subsidy for the authorizations as a cremation authorization

9. Adopt Resolution Amending Administrative Code AC 2-21 Animal Care Trust Fund

Funding:

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

Item Summary:

Adopt a Resolution Amending Administrative AC 2-21 Animal Care Trust Fund, to remove paragraph "N" from the Expenditures Section, which requires the Clerk of Court perform annual audits of the Animal Care Trust Fund. The Clerk's office will continue to audit the trust fund based on their standard risk-based audit model.

10. Confirm and Ratify Resolutions Extending Hurricane Milton State of Local Emergency

Funding:

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

Item Summary:

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

25-01-29 – 16th Extension of State of Local Emergency (Issued 1/26/2025)

25-02-01 – 17th Extension of State of Local Emergency (Issued 2/2/2025)

11. Confirm and Ratify Resolutions Extending Hurricane Helene State of Local Emergency

Funding:

Current Year Dollar Amount: No funding required.

Included in the Current Budget?: N/A

Fund:

N/A

Comments:

Item Summary:

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

25-01-30 – 18th Extension of State of Local Emergency (Issued 01/28/2025)

25-02-02 – 19th Extension of State of Local Emergency (Issued 02/04/2025)

COUNTY LANDS

12. Approve License Agreement for Overflow Parking & Equipment Staging for Ag Expo

Funding:

Current Year Dollar Amount: No funding required.

Included in the Current Budget?: N/A

Fund:

N/A

Comments:

Item Summary:

Approves a Permissive Use License Agreement with Van Roekel & Van Roekel, D.V.M., P.A. to use property located at 18871 Old Bayshore Road, North Fort Myers for overflow parking and equipment staging during the Agricultural Expo. The term of this agreement is from February 20, 2025, to July 31, 2025. There is no cost for the use of the property, however, County staff will have to prepare the site.

13. Consider Acquisition of Two Parcels Nominated for Conservation 20/20 Program

Funding:

Current Year Dollar Amount: \$10,500

Included in the Current Budget?: No

Fund:

Capital Improvement-Conservation 20/20

Comments:

Item Summary:

Authorizes staff to pursue acquisition activities for two parcels recommended by the Conservation 20/20 Land Acquisition and Stewardship Advisory Committee (CLASAC). Purchase agreements for acquisition will be returned to the Board for future consideration. Appraisal and Title Commitment costs are estimated to be \$10,500.

Nomination 232-2

- +/-15.5-acre parcel located in southeastern part of the County, surrounded by state owned conservation land within the Corkscrew Regional Ecosystem Watershed area (CREW). The Acquisition Review Criteria Score is 79. The CLASAC vote was unanimous to support this nomination.

Nomination 658

- +/-80.5-acre parcel located in Bokeelia near existing Conservation 20/20 Smokehouse Bay Preserve within the Matlacha Aquatic Preserve and the northeastern portion of Pine Island. This is a former ornamental tree farm and plant nursery. The Acquisition Review Criteria Score is 17. The CLASAC vote was to support this nomination with one abstention.

14. Approve Cell Tower License Agreement with Verizon at Civic Center

Funding:

Current Year Dollar Amount:	\$28,197
Included in the Current Budget?:	N/A
Fund:	General
Comments:	

Item Summary:

Authorizes the execution of a License Agreement with Verizon for its continued operation of the cell tower at the Civic Center, 11831 Bayshore Road, North Fort Myers, following the expiration of the current agreement. The initial term is one year, with successive one-year renewals until terminated. The annual license fee is \$28,197, with an annual escalation of 3%.

15. Approve Agreement for Use of Property in Cape Coral for Emergency Response, Relief and Recovery

Funding:

Current Year Dollar Amount:	No funding required.
Included in the Current Budget?:	N/A
Fund:	N/A
Comments:	Long Term Recovery Initiative HS-004 - Establishing a Community Resilience Hub

Item Summary:

Approves an agreement with Family Initiative Inc. to use property located at 3221-3301, 3305, 3309, 3313 Chiquita Blvd S., Cape Coral for emergency response, relief and recovery efforts. The uses will include staging for emergency response equipment, a point of distribution for essential emergency supplies and other emergency-related uses. The term of this agreement is for 5 years. The Agreement may be extended for an additional 5 years. The Agreement may be terminated by either party with 30 days written notice. There is no cost for the use of the property, however, County staff will have to prepare the site.

16. Approve Office Lease for Legislative Delegation Members in County Buildings

Funding:

Current Year Dollar Amount:	\$30,659
Included in the Current Budget?:	No
Fund:	General
Comments:	Lease Revenue

Item Summary:

Provides office space in Lee County owned facilities for State Senator Jonathan Martin and State Representative Jenna Persons-Mulicka. The term for the leases run from January 1, 2025 through December 31, 2025.

COUNTY MANAGER

17. Approve FY23-24 Indirect Cost Plan and Charges

Funding:

Current Year Dollar Amount:	\$19,449,265
Included in the Current Budget?:	N/A
Fund:	General
Comments:	

Item Summary:

Approves the FY23-24 Indirect Cost Plans and authorizes payments to reimburse the General Fund for services it provides to other funds. These costs are known as “indirect costs” and pay for such things as legal services, financial services, administration, maintenance and repair and accounting systems. The amount recommended for General Fund reimbursement from the FY23-24 Indirect Cost Plan is \$19,449,265.

FACILITIES CONSTRUCTION AND MANAGEMENT

18. Approve STA to Repair and Restore Bonita Beach Access Points 2-9

Funding:

Current Year Dollar Amount:	\$128,320
Included in the Current Budget?:	Yes
Fund:	General Fund
Comments:	Long Term Recovery Initiative NR-006 - Reviving Public Recreation

Item Summary:

Approves a Supplemental Task Authorization (STA) to the contract with Johnson Engineering, LLC, to provide design and engineering services for various repairs to Bonita Beach Access Points 2-9. The contract is in the amount of \$128,320.00.

Hurricane Ian-damaged Bonita Beach Access Points 2-9 require restoration for the public's safety and accessibility. The project will include landscaping and irrigation, and parking lot restoration and restriping. To safeguard the berms, the fence will be expanded to avoid pedestrian traffic across planted dunes.

This planned and budgeted project will be funded through the General Fund.

FLEET MANAGEMENT

19. Approve Sole Source Purchase for Freightliner Parts and Repair Services

Funding:

Current Year Dollar Amount:	\$90,000
Included in the Current Budget?:	Yes
Fund:	Fleet Operating
Comments:	

Item Summary:

Approve the sole source purchase of OEM parts and repair services on an as-needed basis from Tampa Truck Center LLC, dba Southport Truck Group, in the amount of \$90,000.00. Tampa Truck Center LLC, DBA-Southport Truck Group is the only full-service commercial truck center representing Freightliner in Lee County and is an authorized parts, service and warranty provider for Freightliner. Lee County Fleet Management currently has 92 Freightliner Trucks that require Original Equipment Manufacturer (OEM) parts to complete necessary vehicle repairs and require advanced technology, scanner tools provided by this vendor.

20. Approve Purchase of New Crane Truck for DOT Traffic

Funding:

Current Year Dollar Amount:	\$132,316
Included in the Current Budget?:	Yes
Fund:	Transportation Trust
Comments:	

Item Summary:

Authorizes the purchase of a 2025 Ford F-450 Regular Cab 2 wheel drive Reading flatbed crane service truck with Palfinger hydraulic crane, in the amount of \$132,316. This purchase will be made using the Sam Galloway Ford Inc, contract previously approved by the Board on December 15, 2020. This vehicle will be a new addition to the fleet for the Department of Transportation (DOT) and will be used to perform maintenance and repairs throughout the year for Lee County traffic signals.

HUMAN & VETERAN SERVICES

21. Approve Amendments to U.S. Department of Housing and Urban Development Annual Action Plans

Funding:

Current Year Dollar Amount:	No funding required.
Included in the Current Budget?:	Yes
Fund:	HUD Entitlement Funds
Comments:	

Item Summary:

Amends Lee County's 2020, 2021, 2023, and 2024 U.S. Department of Housing and Urban Development (HUD) Annual Action Plans to ensure timely expenditure of funds. Funds are being amended to include reallocations from CDBG-CV Program Administration to CDBG-CV Public

Services to support outreach and mental health services in the community, from CDBG Estero Public Services to CDBG Program Administration and from ESG-RUSH Rapid Rehousing to Program Administration to support salaries for administration of grant projects, from CDBG Non-Profit Capital Improvement and CDBG Homeownership Assistance to CDBG Housing Rehabilitation & Reconstruction to implement owner-occupied rehabilitation projects, and from CDBG Public Services to Non-Profit Capital Improvement/Public Facility/Infrastructure to support acquisition or infrastructure improvement projects for non-profit organizations and public facilities.

PARKS AND RECREATION

22. Approve Funding Request from Gateway Services District

Funding:

Current Year Dollar Amount:	\$377,000
Included in the Current Budget?:	Yes
Fund:	Community Park Impact Fees
Comments:	

Item Summary:

Gateway Services District entered into an Interlocal Agreement with Lee County in 1996 that provides the District the authority to seek Board approval to use Gateway Services Districts Community Park Impact Fees for capital improvements. These fees are collected by the County from building permits issued within the impact fee district, minus a 3% administrative fee, for capital improvements meeting the Community Park Impact Fee regulations. This item approves a request from Gateway Services District to use these impact fees pay for a portion of the construction of Phase 2 of the Master Park Plan for the Commons Property, 11301 Gateway Boulevard, in the amount of \$377,000.00. The district has identified a need to add sports courts and other amenities to create new opportunities to enjoy the community park system. Sufficient funds are available in the Gateway Services Districts Community Park Impact Fees reserve fund to reimburse the District for these improvements. Impact Fee funds will be disbursed to Gateway Services District upon completion of phase 2 of the Master Park Plan. Funding will be provided via a Budget Transfer from reserves.

23. Approve County Project Authorization for Exotic Plant Control at Six Mile Cypress Slough

Funding:

Current Year Dollar Amount:	\$175,464
Included in the Current Budget?:	Yes
Fund:	Capital Improvement-Environmentally Sensitive Land Management
Comments:	

Item Summary:

Approves a County Project Authorization (CPA) to the contract with EarthBalance Corporation to provide exotic vegetation treatment at Six Mile Cypress Slough Preserve in the amount of \$175,464.00. Funding is included in the budget. This project provides labor and materials for an initial and follow-up treatment of all Florida Invasive Species Council-listed species within the 390-acre mitigation area of Six Mile Cypress Slough Preserve. While six vendors are qualified and approved on the Environmental Maintenance Contract, EarthBalance Corporation provided the lowest bid for this project.

24. Approve Amending Contract for Parking Management to Include New Parks Locations

Funding:

Current Year Dollar Amount: \$1,200,000
Included in the Current Budget?: Yes
Fund: General Fund
Comments:

Item Summary:

Approves an amendment to the contract with Premium Parking Service, L.L.C. to add and service 18 Lee County Parks and Recreation parking lots to the contract. This amendment will increase the revenue generated from this contract by approximately \$2,648,300.00 annually, with total anticipated revenue from the contract and all amendments in the amount of approximately \$4,515,127.25.

PROCUREMENT MANAGEMENT

25. Award Annual Contract for Miscellaneous Architectural Services

Funding:

Current Year Dollar Amount: See Comments below.
Included in the Current Budget?: Yes
Fund: Various department funds.
Comments: Expenditures will be on an as-needed basis, as approved in departments' annual adopted budgets.

Item Summary:

Awards annual contracts to provide architectural services for construction projects less than \$7.5M in accordance with Florida Statute 287.055, on an as-needed basis for an initial two-year term, to the following firms:

ADG Architecture, LLC	Burt Hill/Pollack Krieg Architects, Inc.	CPH Consulting, LLC	GMA Architects and Planners, LLC
Grace Hebert Curtis Architects, LLC	Harvard Jolly/PBK	Parker Mudgett Smith Architects, Inc.	RG Architects, PA

Work under these contracts will be negotiated, authorized, scheduled, funded, and accounted by the issuance of a Supplemental Task Authorization (STA). Board approval is required for any STA \$100,000.00 or more. Total expenditures for Fiscal Year 23/24 were \$439,574.97 by the Facilities and Human Services departments.

26. Approve Piggyback for Janitorial Maintenance, Repair and Operations Supplies

Funding:

Current Year Dollar Amount: See Comments below.
Included in the Current Budget?: Yes
Fund: Various funds.

Comments:

Expenditures will be on an as-needed basis, as approved in departments' annual adopted budgets.

Item Summary:

Approves the use of a competitively solicited contract issued by Region 14 Educational Service Center through OMNIA Partners for the purchase of janitorial maintenance, repair, and operations supplies from Acuity Specialty Products Inc. dba Zep Sales and Service on an as-needed basis, through the contract expiration date of May 31, 2027, and any renewals or extensions approved. Zep Sales and Service offers industrial and professional strength cleaning products purchased by the Fleet and Solid Waste departments. The total previous contract spend was \$468,150 with a FY23-24 spend of \$71,500. Individual purchases in excess of \$100,000 will be brought to the Board for approval.

A market analysis was completed and purchases under this contract will represent a savings of 38%.

27. Ratify Emergency Expenditures Executed for Hurricanes Helene and Milton

Funding:

Current Year Dollar Amount:	\$346,064
Included in the Current Budget?:	No
Fund:	Various funds
Comments:	

Item Summary:

Ratifies the purchase of goods and services authorized, and documents executed, by the County Manager or his designee required to maintain operational continuity during emergencies as declared by the Board of County Commissioners under Lee County Emergency Resolution No. 24-09-52, enacted on September 24, 2024 for Hurricane Helene and Resolution No. 24-10-15, enacted on October 6, 2024 for Hurricane Milton. Purchases include those necessary for the County Manager or designee to take prudent action to effectuate protection of the health, safety, and welfare of the community.

Expenditures were authorized in compliance with Section 3.4 – Emergency of Lee County Procurement Ordinance No. 23-21. The attached Hurricane Helene and Hurricane Milton Purchase Order (PO) Summary Reports provide a summary of purchase orders to-date for goods and services; \$3,304,645.81 for Hurricane Helene and \$11,846,022.41 for Hurricane Milton. Board ratification is required for emergency purchases of \$100,000.00 or more. This is anticipated to be the last and final ratification under these declared emergencies.

28. Approve Price Increase Amendment for Custodial Services – Downtown Buildings

Funding:

Current Year Dollar Amount:	See Comments below.
Included in the Current Budget?:	Yes
Fund:	Various department funds.
Comments:	The corrected annual prices are \$34,136.64 per year for years one through three, \$38,137.48 for year four, and \$40,036.76 for year five.

Item Summary:

Approves a contract amendment with United States Service Industries, Inc., under the solicitation for Custodial Services for Downtown Buildings to correct the listed square footage of the Human and Veteran Services custodial service location and update the corresponding pricing. The corrected annual prices are \$34,136.64 per year for years one through three, \$38,137.48 for year four, and \$40,036.76 for year five. The Agreement began December 9, 2024; total expenditures during Fiscal Year 2022-2023 under this contract were approximately \$632,796.32.

PUBLIC SAFETY

29. Approve Piggyback Purchase of EMS Medical Supplies

Funding:

Current Year Dollar Amount:	\$183,594
Included in the Current Budget?:	Yes
Fund:	General Fund
Comments:	

Item Summary:

This item approves the piggyback purchase of supplies from Bound Tree Medical LLC in the amount of \$183,594.45. This purchase is a planned replacement of EMS response bags for ambulance and supervisor vehicles and was included in the FY24/25 budget. The piggyback was approved by the Board on February 21, 2023. Individual purchases exceeding \$100,000.00 must be presented to the Board for approval. A market analysis was completed and the purchase under this contract will represent an average savings of 38.28%.

30. Approve Interlocal Agreement with City of Sanibel for Emergency Dispatching

Funding:

Current Year Dollar Amount:	\$138,336
Included in the Current Budget?:	No
Fund:	General Fund
Comments:	

Item Summary:

The City of Sanibel approached Public Safety in late 2024 to discuss options for both co-location of communications operations in the Public Safety Center and consolidations of operations under Public Safety’s Division of Emergency Communications. During the negotiations, the City opted to move directly to a consolidation model.

This Interlocal Agreement sets terms and conditions of the consolidation, including compensation to the County for the continuing operation of Sanibel Police Department communications and outlines the responsibilities of each party. The motion includes creating 3 new positions in Emergency Communications to manage this additional workload, with the balance being handled by existing staff. The City of Sanibel will pay for the cost of these additional positions under this agreement, including benefits. The current year amount is \$138,336, and is prorated for the fiscal year based on an anticipated start date of April 1, 2025.

TRANSIT

31. Approve Ground Lease Holdover for Edison Mall Transfer Center

Funding:

Current Year Dollar Amount: \$117,530
Included in the Current Budget?: Yes
Fund: Enterprise
Comments:

Item Summary:

Approves a holdover lease provision with Edison Mall, LLC for past and continued use of the transit passenger transfer center at Edison Mall until a new lease agreement is negotiated no later than March 1, 2026. The annual cost of the lease and common area maintenance is \$117,529.59. The holdover provision provides for the same terms under the ground lease dated March 29, 2011, and renewed on January 11, 2017. The holdover lease will remain in effect until a new lease agreement is executed.

TRANSPORTATION

32. Approve FDOT Memorandum of Understanding for Cape Coral Bridge

Funding:

Current Year Dollar Amount: No funding required.
Included in the Current Budget?: N/A
Fund: N/A
Comments: Long Term Recovery Initiative IF-003

Item Summary:

Approves executing a Memorandum of Understanding with the Florida Department of Transportation (FDOT) for right-of-way acquisition for the Cape Coral Bridge project. This agreement establishes the roles and responsibilities of the County and FDOT regarding property that is required along McGregor Boulevard, a State roadway, to construct the replacement of the bridge along with major intersection improvements. The County will be responsible for the acquisition of the property along McGregor Boulevard and will convey the ownership to FDOT where applicable.

33. Approve Contract Change Order for Midpoint Bridge MSE Wall Repair

Funding:

Current Year Dollar Amount: \$25,729
Included in the Current Budget?: Yes
Fund: Enterprise
Comments: Strategic Planning – Infrastructure, Roads & Bridges

Item Summary:

Approves a change order to the contract with HighSpans Engineering, Inc. that was originally for field investigation, structural and geotechnical analysis, and design plans for the Midpoint Bridge MSE (Mechanically Stabilized Earth) Wall Repair project. Additional time and compensation are needed due to the repairs being more comprehensive than originally anticipated after investigation. Additional scope for post design and construction phase services is being added due to the County bidding out the repairs. The additional contract time is 425 days, bringing the total to 605 days, with an increase in compensation in the amount of \$25,729.00 bringing the new contract total to \$107,549.00. Funding is available in the current year budget.

34. Approve Sole Source Purchase for Econolite Traffic Equipment

Funding:

Current Year Dollar Amount: \$600,000
Included in the Current Budget?: Yes
Fund: Transportation Trust
Comments:

Item Summary:

Approves the continued sole source procurement of traffic signal cabinets, switches, and other signal products from Econolite Control Products, Inc. in the amount of \$600,000.00. Econolite has been Lee County’s sole provider of traffic signal equipment and Advanced Traffic Management software since the 1980’s. It is essential for traffic signal interoperability and compatibility to utilize Econolite traffic parts and software. The total spent/ordered on this contract last year was \$567,000. Funding is available in the current year budget.

UTILITIES

35. Approve Revisions to Lee County Utilities Customer Service Operations Manual

Funding:

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

Item Summary:

Approve revisions to the Lee County Utilities Customer Service Operations Manual to provide customers and staff with an updated, comprehensive instruction Manual reflecting changes in policy and practices. The Manual was last updated and approved by the Board of County Commissioners on January 16, 2024.

The proposed revisions will change how and when Connection (Capacity) Fees are paid. Currently, the first 50% of the fee is collected at the submittal for Approval to Construct Utility Infrastructure and the final 50% of the fee is collected at the submittal for Final Acceptance of Utility Infrastructure. The proposed language will now require 100% of Connection (Capacity) Fees to be collected during the Final Acceptance of Utility Infrastructure after the final inspection. This modification was recommended by the Building Industry Association (BIA) and is consistent with other regional water utilities.

The Customer Service Manual does not contain any rate changes. The updated Manual will be made available on the Utilities web page for easy public access and reference.

36. Award Contract for Design for Billy Creek and Orange River Septic Conversion Project

Funding:

Current Year Dollar Amount: \$1,111,051
Included in the Current Budget?: Yes
Fund: Utilities Capital Improvement Program

Item Summary:

Awards a competitively negotiated Professional Services contract to Wade Trim Inc., to provide comprehensive engineering services for design, permitting, and construction engineering inspection for the Billy Creek and Orange River septic conversion project in an amount not to exceed \$1,111,051.00.

The Billy Creek and Orange River project areas were rated high priority Group 1 in the adopted Countywide Wastewater Management Plan. The project was approved by the Board and included in the FY24 Utilities Capital Improvement Program.

The project is funded by Legislative Program Appropriations through the Florida Department of Environmental Protection. The County has not been successful in obtaining grant funding for the project construction costs. By completing project design, construction grant applications will consider the project shovel-ready and more favorable for additional grant funding.

37. Award Construction Contract for Lazy Days Waterline Replacement Project**Funding:**

Current Year Dollar Amount:	\$185,000
Included in the Current Budget?:	Yes
Fund:	Utilities Water & Sewer R&R
Comments:	

Item Summary:

Award construction contract for Lazy Days Waterline Replacement Project for water main improvement and replacement to the lowest bidder, 5G Contracting, LLC., in the amount of \$185,000.00. The department solicited three bids in accordance with the Lee County Procurement Ordinance 23-21 and determined 5G Contracting to be the lowest responsible bidder. The Waterline Replacement Project will ensure quality potable water for Lee County Utilities customers and add additional fire protection for the safety of the residents within this area. The existing water system is old and undersized for today's growth in the area. The larger lines will supply customers with adequate fire protection and water pressure. This project was approved by the BoCC as part of the FY25 Utilities Capital Improvement Program. Construction is anticipated to begin in March 2025.

38. Award Construction Contract for SR 80 Water Main Encasing**Funding:**

Current Year Dollar Amount:	\$433,410
Included in the Current Budget?:	Yes
Fund:	Utilities Capital Improvements
Comments:	

Item Summary:

Awards a competitively bid construction contract to, Andrew Sitework, LLC., the lowest bidder for the SR80 Watermain Encasing project in the amount of \$433,410.00. The project scope includes protecting a water main with concrete encasement to resolve the conflict within the Florida Department of Transportation (FDOT) SR 80 improvement project right of way and continue maintaining service to Lee County Utilities customers. The Board of County Commissioners

approved the project funding as part of the FY25 Utilities Capital Improvement Program. Construction is anticipated to begin in February of 2025.

VISITOR AND CONVENTION BUREAU

39. Award Contract for Visitor & Convention Bureau Market Research

Funding:

Current Year Dollar Amount:	\$300,000
Included in the Current Budget?:	Yes
Fund:	Tourist Development Tax
Comments:	

Item Summary:

Award contract to Downs & St. Germain Research, Inc. to provide marketing research services for the Visitor & Convention Bureau (VCB) for an initial period of three years with the option to renew for up to one additional two-year period, as approved in the department's annual adopted budget. Total expenditures for these services for Fiscal Year 2023-2024 were approximately \$189,050.

ADMINISTRATIVE AGENDA

COMMUNITY DEVELOPMENT

40. Authorize Land Development Code Amendments

Funding:

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

Item Summary:

Provides staff with direction to draft amendments to the Land Development Code to address parking requirements for the County's historic island communities within Boca Grande and Matlacha to support their physical and economic recovery after Hurricane Ian. The amendments will allow a reduction in the minimum number of spaces required for residential and commercial uses consistent with what is allowed for properties within the Mixed Use Overlay. Draft amendments will be presented to the County's advisory committees before being brought back to the Board for adoption. The County is currently precluded by the State from proposing or adopting more restrictive or burdensome land development regulations.

SOLID WASTE

41. Approve Expenditures for Disaster Debris Cleanup and Monitoring for Hurricanes Helene and Milton

Funding:

Current Year Dollar Amount:	\$13,038,643
Included in the Current Budget?:	No
Fund:	FEMA Reimbursement

Comments:

Item Summary:

Severe storm surges affected Captiva, Boca Grande, Pine Island, Matlacha, North Fort Myers, and the Caloosahatchee River region, leading to substantial sand and construction and demolition debris. Additionally, inland areas were heavily impacted by extensive vegetative debris accumulation.

Initial expenditures as a result of Hurricane Milton for disaster debris cleanup and monitoring services by Crowder Gulf Joint Venture, Inc. and Thompson Consulting Services, LLC were authorized in compliance with Section 3.4 – Emergency of Lee County Procurement Ordinance No. 23-21 and approved by the Board on November 5, 2024. The Board has approved \$10,642,679.55 to-date.

The amounts for approval are being adjusted to reflect the true estimated costs of Category A as approved by FEMA. The attached report provides a summary of costs for debris services of \$23,681,322.10.

TRANSPORTATION

42. Approve Amendment to Daniels Parkway Controlled Access Management Resolution

Funding:

Current Year Dollar Amount:	No funding required.
Included in the Current Budget?:	N/A
Fund:	N/A
Comments:	Strategic Planning – Infrastructure, Roads & Bridges

Item Summary:

This item requests approval to amend the Controlled Access Resolution for Daniels Parkway to add a new right-in only access point located approximately 804 feet west of SR 82. This new access point was requested by and will serve a private commercial development on the north side of Daniels Parkway. A traffic analysis was conducted by the Gateway Marketplace developer. This new right-in only access point does not degrade the safety or capacity of Daniels Parkway.

UTILITIES

43. Provide Direction to Discontinue Adding Fluoride to LCU Drinking Water

Funding:

Current Year Dollar Amount:	\$80,000
Included in the Current Budget?:	Yes
Fund:	Enterprise
Comments:	

Item Summary:

Lee County Utilities (LCU) has maintained the lowest recommended fluoride dosage since 1997 when the BoCC authorized a State grant application for the necessary equipment to add fluoride to the finished drinking water.

Fluoride is an unregulated additive, once recommended by the Environmental Protection Agency

and Florida Department of Environmental Protection (FDEP). Since the Florida Surgeon General publicly opposed its use, FDEP now allows communities to decide whether to use fluoride, with no penalties to the water utilities for discontinuing the program.

The cost-benefit of fluoridation to public health has been argued by the medical community including the American Dental Association (ADA) & the American Academy of Pediatrics (AAP) who actively support the continued use of fluoride in water and oral products such as toothpaste and mouthwash. Utilities staff are not qualified to comment on the cost-benefit to public health.

Fluoride is a hazardous substance and highly corrosive. Maintaining the dosage and storage equipment is an ongoing task. The County’s annual average chemical costs are \$63,000 and the associated maintenance costs are \$17,000, for a total average annual cost of \$80,000. These costs are neither mandatory nor a regulatory requirement.

PUBLIC HEARING - 9:30 AM

UTILITIES

44. Conduct Public Hearing to Adopt Resolution Approving Lee County Utility Miscellaneous & Capacity Fee Schedules

Funding:

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

Item Summary:

Conducts a Public Hearing to adopt a resolution approving the Lee County Utilities (LCU) revised Miscellaneous Fee Manual and Capacity Fee Rate Schedule and study. The new capacity fees will commence effective May 5, 2025, and the miscellaneous fees will commence upon execution of the resolution. The capacity fees were last increased in 2007 and the miscellaneous fees in 2011. A Miscellaneous and Capacity Fee Study was completed by LCU’s rate consultant, Raftelis Financial Consultants, Inc. on February 13, 2024. The proposed capacity fees will reflect an increase of \$1,220 (50%) in the Water Capacity Fee and an increase of \$1,330 (50%) in the Wastewater Capacity Fee. The increases will be applied in 4 equal annual installments, starting in 2025 and continue through 2028. The Water Capacity Fee will increase by \$305.00, and the Wastewater Capacity Fee will increase by \$332.50. The proposed miscellaneous fee increases will recover the costs incurred by LCU for specific customer services and will be implemented February 4, 2025. Neither of these rate adjustments impacts the monthly fees for water and sewer services. All fees will be assessed according to policy and procedures outlined in the Customer Service Manual.