

## **October 25, 2022 – 6:00 PM REGULAR BOARD MEETING**

Lehigh Acres Municipal Services Improvement District  
Barrett Room  
601 East County Lane  
Lehigh Acres, FL 33936

This meeting is open to the general public.

### **REGULAR MEETING AGENDA**

- 1) Preliminaries**
  - A. Call to Order
  - B. Roll Call
  - C. Invocation & Pledge of Allegiance
  - D. Move, Remove and Add Agenda Items
  - E. Approval of Agenda
  - F. Public Comment for Agenda Items and Non-agenda
  - G. Action on Removed Consent Items
  - H. Approval of Consent Agenda
- 2) Consent Agenda**
  - A. Invoices and Change Orders
  - B. August 30, 2022 Regular Meeting & Budget Hearing Minutes, September 27, 2022 Regular Meeting Minutes & October 4, 2022 Emergency Meeting Minutes
  - C. RES #23-01 Declaration of Emergency
- 3) Action Agenda**
  - A. Good Cause
  - B. Bridge Paving and Repair Bids
- 4) Discussion Agenda**
  - A. Old Business
    1. Future Legislation
    2. Future Events
  - B. New Business
    1. Hurricane Ian Update
  - C. Commissioner's Request
  - D. Engineer's Report
  - E. Attorney's Report
  - F. Staff and Financial Report
  - G. Treasurer's Report
  - H. Secretary's Report
- 5) Adjournment**

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** Invoices and Change Orders

**Meeting Date:** October 25, 2022

**Agenda Item #** 2A

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

**Request Initiated By:**                       COMMISSIONER \_\_\_\_\_                       ATTORNEY

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**1 Recommended motion:**                      Move to approve all invoices as stated on the Summary Sheet.

**2 What the action accomplishes:**                      Approves all invoices that are outside the approval limits of the Treasurer and Manager.

**3 Fiscal Impact:**                      As listed on the Summary Sheet.

**4 Staff comments:**

**5 Staff review and recommended approval:**

MANAGER                       ASSISTANT DISTRICT MGR

ATTORNEY                       FIELD DIRECTOR

ENGINEER                       FINANCE DIRECTOR

**6 Board Action:**

APPROVED                       DENIED                       DEFERRED

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** Approval of Minutes- August Regular & Budget Meetings, September Regular Meeting, & October Emergency Meeting

**Meeting Date:** October 25, 2022

**Agenda Item #** 2B

CONSENT                       ACTION                       OLD BUSINESS] NEW BUSINESS

**Request Initiated By:**                       COMMISSIONER                      \_\_\_\_\_] ATTORNEY

BOARD                       MANAGER                       ENGINEER] AUDITOR

1 **Recommended Motion:** Move to approve the minutes of the August Regular & Budget Hearing, September Regular Meeting, & October Emergency Hearing.

2 **What the action accomplishes:** Memorializes the Board Meetings as per Florida Statute.

3 **Fiscal Impact:** 4 hours staff time

4 **Staff comments:**

5 **Staff review and recommended approval:**

MANAGER                       ASSISTANT DISTRICT MGR

ATTORNEY                       FIELD DIRECTOR

ENGINEER                       FINANCE DIRECTOR

6 **Board Action:**

APPROVED                       DENIED                       DEFERRED

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** RES #2023-01, Declaration of Emergency

**Meeting Date:** October 25, 2022

**Agenda Item #** 2C

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

**Request Initiated By:**                       COMMISSIONER \_\_\_\_\_                       ATTORNEY

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve Resolution 2023-01, Declaration of Emergency due to Hurricane Ian.

**What the action accomplishes:** PROVIDING FOR DECLARATION OF EMERGENCY AND AUTHORIZATION FOR EMERGENCY PROCUREMENT RELATING TO EMERGENCIES DECLARED BY FEDERAL, STATE OR LOCAL AUTHORITIES AND PROVIDING FOR NECESSARY ACTIONS TO BE TAKEN REGARDING EMERGENCY PREPAREDNESS AND OPERATIONS OF THE DISTRICT RELATING TO HURRICANE IRMA.

**Fiscal Impact:**

**Staff comments:** Due to a scrivners error the resolution number previously read #2022-11, Declaration of Emergency due to Hurricane Ian.It has been corrected with counsel approval to RES 2023-01

### Staff review and recommended approval:

MANAGER     ASSISTANT DISTRICT MGR  
 ATTORNEY     FIELD DIRECTOR  
 ENGINEER     FINANCE DIRECTOR

### Board Action:

APPROVED                       DENIED                       DEFERRED

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** Bridge Paving and Repair Bids

**Meeting Date:** October 25, 2022

**Agenda Item #** 3B

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

**Request Initiated By:**                       COMMISSIONER \_\_\_\_\_                       ATTORNEY

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**1 Recommended motion:** Move to award the FY2023 Bridge Repaving and Repair Project to AJAX as they are the lowest and best bidder, for an amount of \$313,836.05.

**2 What the action accomplishes:** Provides for paving our remaining bridges and repair one on Bell Blvd. at Jim Canal, due to an unreported traffic accident.

**3 Fiscal Impact:** \$313,836.05

**4 Staff comments:** AJAX completed the FY2022 project and did a good job for the District.

### **5 Staff review and recommended approval:**

MANAGER                       ASSISTANT DISTRICT MGR  
 ATTORNEY                       FIELD DIRECTOR  
 ENGINEER                       FINANCE DIRECTOR

### **6 Board Action:**

APPROVED                       DENIED                       DEFERRED

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** Future Legislation

**Meeting Date:** October 25, 2022

**Agenda Item #** 4A1

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

**Request Initiated By:**                       COMMISSIONER \_\_\_\_\_                       ATTORNEY

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**1 Recommended motion:**                      N/A

**2 What the action accomplishes:**                      Provides a forum to discuss Future legislation.

**3 Fiscal Impact:**

**4 Staff comments:**

**5 Staff review and recommended approval:**

MANAGER                       ASSISTANT DISTRICT MGR  
 ATTORNEY                       FIELD DIRECTOR  
 ENGINEER                       FINANCE DIRECTOR

**6 Board Action:**

APPROVED                       DENIED                       DEFERRED

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** Future Events

**Meeting Date:** October 25, 2022

**Agenda Item #** 4A4

CONSENT

ACTION

OLD BUSINESS

NEW BUSINESS

**Request Initiated By:**

SUPERVISOR \_\_\_\_\_

ATTORNEY

BOARD

MANAGER

ENGINEER

AUDITOR

**1 Recommended motion:** N/A

**2 What the action accomplishes:** Provides for a forum to discuss upcoming District events.

**3 Fiscal Impact:**

**4 Staff comments:**

**5 Staff review and recommended approval:**

MANAGER

ASSISTANT DISTRICT MGR

ATTORNEY

COMPTROLLER

ENGINEER

WATER RESOURCE MGR.

**6 Board Action:**

APPROVED

DENIED

DEFERRED

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** Hurricane Ian

**Meeting Date:** October 25, 2022

**Agenda Item #** 4B1

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

**Request Initiated By:**                       COMMISSIONER \_\_\_\_\_                       ATTORNEY

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**1 Recommended motion:**                      N/A

**2 What the action accomplishes:**                      Provides a forum for staff to inform the Board of our construction.

**3 Fiscal Impact:**

**4 Staff comments:**

**5 Staff review and recommended approval:**

MANAGER                       ASSISTANT DISTRICT MGR  
 ATTORNEY                       FIELD SUPERINTENDENT  
 ENGINEER                       CONTROLLER

**6 Board Action:**

APPROVED                       DENIED                       DEFERRED



# AIM Engineering & Surveying, Inc.

October 14, 2022

Board of Commissioners  
Lehigh Acres Municipal Services Improvement District  
601 East County Lane  
Lehigh Acres, FL 33936

## Re: Engineer's Report for October 2022 Board Meeting

Dear Board Members:

The status of current projects involving the District Engineer is outlined in the following.

### General Consulting

- Review of Board agenda and preparation of monthly Engineer's report
- Review Bidding Documents for the Lehigh "Cookie Sign"
- Various LA-MSID GIS map revisions
- Refinement of the Peak Stage map to be provided as a reference to permit applicant
- Dog Canal to Carlos Waterway conceptual research and analysis
- Review and recommendations for Permits No. 22.31 & 22-11 (resubmittal)

### Recently Completed Projects

- Southwest Lehigh Groundwater Recharge and Aquifer Restoration (February 2018)
- Hendry Canal Extension Widening (February 2021)
- Halfway Pond – SR 82 Segment 3 (April 2019)
- JUSWMSA Agreement – FDOT (March 2021)
- West Marsh Design (May 2021)

### Current Projects Progress

**GS-10:** The property for this project was purchased by Lee County Conservation 20/20. A March 2019 Memorandum of Understanding (MOU) between Lee County and LA-MSID details each part's responsibilities related to this property. LA-MSID issued a Purchase Order to AIM in March 2020 to prepare a Land Management Plan as one of the first step requirements of the MOU. Following a presentation to Lee County's Conservation Land Acquisition and Stewardship Advisory Committee (CLASAC) made in December 2020, the committee recommended approval. The LA-MSID Board approved the Land Management Plan in January 2021 for submission to the Lee County Board of County Commissioners. The Lee County Board approved the plan of County Commissioners on their March 2021 agenda. The LA-MSID Board approved purchase order to AIM for an initial design scope at their August 2021 Board meeting. Lee County has cleared a small park access area but still needs to fence in this area, as well as a fence along the eastern boundary from the park access entrance to the southern boundary. LA-MSID is currently conducting maintenance exotic removal activities on site. LA-MSID and AIM presented a drone video of the progress at the October 2021 Board Meeting. Survey has completed the collection of elevation data and the design team is continuing to work on the 60% design approach/plans. The Environmental Scientist has begun his work to prepare for the environmental permit application.

**S-VL-1:** The existing S-VL-1 structure has reached the end of its useful lifespan. AIM finalized design plans for the replacement of the weir including water control inlets, automated gates, and a catwalk to access controls. The design is complete and the SFWMD permit issued. AIM submitted a post-design and construction phase services scope and fee to LA-MSID which was approved by the Board on 9-20-2021. Bids were received on November 4, 2021, and LA-MSID has executed the contractor agreement. The notice to proceed was in December 2021. The contractor is working to complete the construction within the contract milestone timeframes, which include the pipes and structure being completed by June 15, gates and platform being completed by August 15, and the actuators being completed by September 15, 2022. The contractor has currently completed the construction of the inlet, pipes, and gates. The contractor's supplier experienced supply chain issues and a construction schedule extension change order was issued.

**Caloosahatchee River and Estuary Storage and Treatment (CREST):** LA-MSID purchased approximately 105 acres for the CREST preserve and stormwater treatment area. The design elements include an interconnecting channel between Dog Canal and Hendry Canal to balance flows between the Bedman Creek and Carlos Waterway Drainage Basins. A retention reservoir is also proposed to provide year-round treatment of suspended solids through increased flow way resident time and storage to attenuate peak stages during storm events. Additionally, wetland plantings provide water quality treatment through nutrient uptake within the circuitous wetland flow way path.

The LA-MSID Board authorized the design of this project in November 2019. A field survey of the site was completed in April 2020. AIM staff had a virtual meeting with LA-MSID senior staff in April 2020 to review concepts for developing final plans. A pre-application meeting with SFWMD was held in May 2020. LA-MSID was notified in March 2021 that FDEP had approved \$1,000,000 for funding of this project.

A Caracara nesting site is currently established within the CREST project and is protected as such unless determined as an abandoned nest. This determination can only be revisited/altered within the nesting season period. Note that Caracara tends to maintain an established nesting site or relocate near a previous nesting site. While designated as a nesting site, a 300-meter (984-ft) primary and a 1,500-meter (4,920-ft) secondary zones are established. For impact reference, the primary zone encompasses more than half of the project area, while the secondary zone encompasses the entire project.

A portion of the funds required to construct the entire CREST project will be addressed via a grant from FDEP. AIM and LA-MSID are coordinating with FDEP on this issue. Based on the grant amount, the design plans and construction activities require a phased approach. AIM developed the scope of work for design phasing, post-design, and construction phase services and provided it to LA-MSID staff for review. This scope also addresses required Caracara monitoring. The LA-MSID Board approved a contract with AIM for this effort on 6/21/2021. Phase 1 of the CREST project includes maintenance dredging of the Dog to Hendry canal and replacement of weir S-H-2. LA-MSID and AIM received notification from FDEP on the final grant award to complete a \$2 million project to be completed in Phase 2. AIM aggressively worked to complete the design for permit submission in December 2021. A change order with FDEP extends the benchmark to have design plans and permits ready for construction bidding by March 2022, but a time-only change order is anticipated. SFWMD issued RAI No. 1 and AIM responded to review comments. Another central-office permit reviewer was assigned to the project, who issued RAI No. 2. AIM responded to the review comments on April 7, 2022. AIM received the SFWMD CREST Phase 2 permit dated June 6, 2022, which means that the Phase

2 project is fully designed, permitted, funded, and acceptable to proceed into the construction phase, which is anticipated to commence this fall 2022 season. AIM is working with LAMSID staff on bid document preparation for CREST Phase 2.

LA-MSID has received an additional \$4.0 million in grant funds to allow for the construction of the full build-out of the CREST project (Phase 3). AIM is working to complete the additional design and permitting tasks required to revise the plans and permitting approach to include the full project build-out. AIM's Environmental Scientist is currently coordinating with USFWS to clarify construction restrictions related to the Caracara nesting site. The design team is working to provide a 90% design plan set for Phase 3 to aid in negotiations with USFWS.

If you have any questions or inquiries, please call my cell at (239) 823-8171.

Sincerely,

**AIM Engineering & Surveying, Inc.**

Daniel Schroeder, PE