

## **November 29, 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. Oath of Office Program, Seats 2 & 4
  - E. Election of Officers
  - F. Move, Remove and Add Agenda Items
  - G. Approval of Agenda
  - H. Public Comment for Agenda Items
  - I. Action on Removed Consent Items
  - J. Approval of Consent Agenda
- 2) **Consent Agenda**
  - A. Invoices and Change Orders
  - B. October 25, 2022 Regular Meeting Minutes
  - C. PER 20-11, Storage Facility – 22 Beth Stacy Blvd.
  - D. PER 22-31, Comcast Cable – Aerial Crossing Royal Canal at Aletha Ave.
  - E. PER 22-32, Zaxby's Restaurant – 5557 Lee Blvd
- 3) **Action Agenda**
  - A. Good Cause
  - B. Sink hole Parcel Purchase Agreement
  - C. Dog Canal to Carlos Waterway Agreement
  - D. FDEP Grant Agreement
- 4) **Discussion Agenda**
  - A. Old Business
    1. Future Legislation
    2. Future Events
  - B. New Business
  - 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:** November 29th 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- October 25, 2022 Regular Meeting

**Meeting Date:** November 29th 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                      October 25, 2022  
Regular Meeting .

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:** PER 22-11, Storage Facility – 22 Beth Stacy Blvd.

**Meeting Date:** November 29th 2022

**Agenda Item #** 2C

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve Permit 22-11, Storage Facility - 22 Beth Stacey, with any listed stipulations.

**What the action accomplishes:** Allows Storage Facility - 22 Beth Stacey, to develop an commercial site at 22 Beth Stacey, while certifying on their plans that their stormwater facilities are adequate and able to discharge less than 30 CSM.

**Fiscal Impact:** \$1,855.00

**Staff comments:** Approved according to the revised signed/sealed plans dated November 7, 2022.

### Staff review and recommended approval:

MANAGER                       ASSISTANT DISTRICT MGR  
 ATTORNEY                       FIELD SUPERINTENDENT  
 ENGINEER                       CONTROLLER

### Board Action:

APPROVED                       DENIED                       DEFERRED

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** PER 22-31, Comcast Cable – Aerial Crossing Royal Canal at Aletha Ave.

**Meeting Date:** November 29th 2022

**Agenda Item #** 2D

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve Permit 22-31, Comcast Cable-Aerial Crossing Royal Canal at Aletha Ave, with any listed stipulations.

**What the action accomplishes:** Allows Comcast Cable to construct an aerial coax cable crossing at Royal Canal and Aletha Ave.

**Fiscal Impact:** \$3,900.00

**Staff comments:** During the permit review process and a site visit to the location, staff observed that the cable has already been installed. Staff contacted the applicant to let them know that it will now be an "after the fact" permit and the permit fee will be doubled from \$1,950 to \$3,900.

### Staff review and recommended approval:

MANAGER                       ASSISTANT DISTRICT MGR  
 ATTORNEY                       FIELD SUPERINTENDENT  
 ENGINEER                       CONTROLLER

### Board Action:

APPROVED                       DENIED                       DEFERRED

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** PER 22-32, Zaxby's Restaurant – 5557 Lee Blvd

**Meeting Date:** November 29th 2022

**Agenda Item #** 2E

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve Permit 2022-32 Zaxby's Restaurant with any listed stipulations.

**What the action accomplishes:** Provides Zaxby's to develop a commercial site at 5557 Lee Boulevard., while certifying on their plans that their stormwater facilities are adequate and able to discharge less than 30 CSM.

**Fiscal Impact:** \$1,750.00

**Staff comments:** Approved according to the plans signed/sealed August 16, 2022.

### 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:** Sink hole Parcel Purchase Agreement

**Meeting Date:** November 29th 2022

**Agenda Item #** 3B

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**1 Recommended motion:** Move to approve the land purchase agreement contingent upon funding approval from the Florida Legislature.

**2 What the action accomplishes:** Purchases Strap #34-44-27-00-00001.0140 for future District use; allows land appraiser to provide an official appraisal of land.

**3 Fiscal Impact:** Pending land appraiser's review.

**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:** Dog Canal to Carlos Waterway Agreement

**Meeting Date:** November 29th 2022

**Agenda Item #** 3C

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**1 Recommended motion:** Move to approve the agreement for the purchase of land and ultimate land swap from HWY 80 Trust.

**2 What the action accomplishes:** Approves a land swap and purchase that would allow the District to move forward with the Dog Canal to Carlos Waterway project. This agreement lays out the process of due diligence through the legislature and gubernatorial approval necessary for success.

**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:** FDEP Grant Agreement

**Meeting Date:** November 29th 2022

**Agenda Item #** 3D

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**1 Recommended motion:**                      Move to approve FDEP Grant Agreement LPA0423 in the amount of \$4,060,000.

**2 What the action accomplishes:**                      Grants the \$4,060,000 needed to finish the Phase III of the CREST project.

**3 Fiscal Impact:**

**4 Staff comments:**                      This is funding received from the Legislature administered through FDEP for the CREST project.

**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:** November 29th 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:** November 29th 2022

**Agenda Item #** 4A2

CONSENT

ACTION

OLD BUSINESS

NEW BUSINESS

**Request Initiated By:**

COMMISIONER \_\_\_\_\_

ATTORNEY

BOARD

MANAGER

ENGINEER

AUDITOR

**1 Recommended motion:**

N/A

**2 What the action accomplishes:**

Provides a forum to discuss future events.

**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