

**April 22, 2024 – 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 Items
  - G. Action on Removed Consent Items
  - H. Approval of Consent Agenda
- 2) **Consent Agenda**
  - A. Invoices and Change Orders
  - B. Approval of Minutes – March 25, 2024 Regular Meeting
  - C. PER #23-08, 416 Williams Ave.
  - D. PER #24-09, FP&L Overhead Crossing – Rim Canal
  - E. PER #24-10, FP&L Bore Under Angelfish Canal
  - F. PER#24-11, FP&L Bore Under Champion Canal
  - G. RES #24-09, Financial Policy
- 3) **Action Agenda**
  - A. Good Cause
  - B. Alico Rd. to Sunshine Blvd. (and widening), SFWMD Permit Application
  - C. Succession Plan Bids
- 4) **Discussion Agenda**
  - A. Old Business
    1. Future Events
    2. CHNEP Agreement
  - 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:** April 22, 2024

**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 – March 25, 2024 Regular Meeting

**Meeting Date:** April 22, 2024

**Agenda Item #** 2B

CONSENT                       ACTION                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve the minutes from the March 25, 2024 Regular Board Meeting.

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

**Fiscal Impact:** 2 hrs. staff time.

**Staff comments:**

### 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 #23-08, 416 Williams Ave.

**Meeting Date:** April 22, 2024

**Agenda Item #** 2C

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve Permit 2023-08, 416 Williams Ave., with any listed stipulations.

**What the action accomplishes:** Allows Alexis Ebra to develop an commercial site at 416 Williams Ave., while certifying on their plans that their stormwater facilities are adequate and able to discharge less than 30 CSM.

**Fiscal Impact:** Permit Fees: \$2,150.00

**Staff comments:** Approved according to the revised plans and calculations signed/sealed March 12, 2024.

### 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 #24-09, FP&L Overhead Crossing – Rim Canal (46-21-4)

**Meeting Date:** April 22, 2024

**Agenda Item #** 2D

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve Permit 2024-09, FP&L aerial powerline crossing over Rim Canal along the east side of Gunnery Road, with any listed stipulations.

**What the action accomplishes:** Allows FP&L to install a powerline over Rim Canal while avoiding any conflicts with future improvements to the canal.

**Fiscal Impact:** Permit Fees: \$2,925.00

**Staff comments:** Approved according to the plans submitted April 3, 2024.

### 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 #24-10, FP&L Bore Under Angelfish Canal (46-29-5)

**Meeting Date:** April 22, 2024

**Agenda Item #** 2E

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve Permit 2024-10, FP&L bore under Angelfish Canal between Lee Blvd. and Brookfield St., with any listed stipulations.

**What the action accomplishes:** Allows FP&L to bore under Angelfish Canal at a depth that won't conflict with future improvements to the canal.

**Fiscal Impact:** Permit Fees: \$3,175.05

**Staff comments:** Approved according to the revised plans submitted April 9, 2024.

### 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 #24-11, FP&L Bore Under Champion Canal (46-20-3)

**Meeting Date:** April 22, 2024

**Agenda Item #** 2F

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve Permit 2024-11, FP&L bore under Champion Canal at structure S-VL-1 just south of Brookfield Street, with any listed stipulations.

**What the action accomplishes:** Allows FP&L to bore under Champion Canal at a depth that won't conflict with future improvements to the canal.

**Fiscal Impact:** Permit Fees: \$1,950.00

**Staff comments:** Approved according to the revised plans submitted April 9, 2024.

### 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:** RES #24-09 Financial Policy

**Meeting Date:** April 22, 2024

**Agenda Item #** 2G

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

**Recommended motion:** Move to approve Resolution 2024-09, Financial Policy.

**What the action accomplishes:** Provides for changes, among others, to have this policy override as it applies to the Manager's spending authority. Should the Manager's spending ability need to be reigned in, the Board could change this policy, to accomplish that.

**Fiscal Impact:** None at this time.

**Staff comments:**

### 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:** Alico Rd. to Sunshine Blvd. (and widening), SFWMD Permit Application

**Meeting Date:** April 22, 2024

**Agenda Item #** 3B

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

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

BOARD                       MANAGER                       ENGINEER                       AUDITOR

- 1 Recommended motion:** Move to approve that the Manager sign the Lee County permit application for the Sunshine Blvd. Widening Project drainage.
  
- 2 What the action accomplishes:** Moves the Alico Road Connection to Sunshine Boulevard (Phase III from SR 82 to 23rd St.) project forward. The drainage from the extra impervious asphalt will drain into Sailfish Canal.
  
- 3 Fiscal Impact:** None at this time. Later in the process, Lee County will have to provide an offset to the loss of future storage capacity due to the loss of right of way and roughly 320 acre-ft of storage capacity.
  
- 4 Staff comments:** The final permit must have in its stipulations that the project, although permitted can not move forward until Lee County has purchased the necessary right of way from LA-MSID.

**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:** Succession Plan Bids

**Meeting Date:** April 22, 2024

**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 bid from the Matrix Consulting Group for a Not-to-Exceed amount of \$59,900 for the Succession Plan Study.

**2 What the action accomplishes:** Provides for a study that will provide a training guide and pathway for current employees to move up in the organization and an easy to use guide for Managers and the Board to evaluate candidates for job openings.

**3 Fiscal Impact:** \$59,900, not to exceed.

**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:** April 22, 2024

**Agenda Item #** 4A1

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

**Request Initiated By:**

COMMISSIONER \_\_\_\_\_

ATTORNEY

BOARD

MANAGER

ENGINEER

AUDITOR

**1 Recommended motion:** None at this time.

**2 What the action accomplishes:** Provided a forum to discuss upcoming 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

# LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT

## AGENDA ITEM SUMMARY

**Subject:** CHNEP Comprehensive Conservation and Management Plan Agreement

**Meeting Date:** April 22, 2024

**Agenda Item #** 4A2

CONSENT                       ACTION                       OLD BUSINESS                       NEW BUSINESS

**Request Initiated By:**

COMMISSIONER \_\_\_\_\_

ATTORNEY

BOARD

MANAGER

ENGINEER

AUDITOR

**1 Recommended motion:** None at this time.

**2 What the action accomplishes:** Provided a forum to discuss an agreement for which, by approved work assignments, and if meeting their mission, the Coastal and Heartland National Estuary Partnership will provide grant funds.

**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

# AIM Engineering & Surveying, Inc.

April 10, 2024

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

## **Re: Engineer's Report for April 2024 Board Meeting**

Dear Board Members:

The status of current projects and tasks involving the District Engineer are outlined as follows.

### **General Consulting**

- Review of Board agenda and preparation of monthly Engineer's report.
- West Marsh Preserve 5<sup>th</sup> Annual Monitoring.
- Review and recommendation for permits 23-08 (resubmittal), 24-05, 24-06, and 24-07.
- Coordination and ongoing permit review for the Lee County Sunshine Widening Project.

### **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)
- Weir S-VL-1 Replacement (August 2023)

### **Current Projects Progress**

**Frank Mann Preserve (Formally GS-10):** The Frank Mann Preserve property was purchased by Lee County Conservation 20/20. A March 2019 Memorandum of Understanding (MOU) between Lee County and LA-MSID allows LAMSID to construct and maintain a stormwater storage and water quality system within the parcel. 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 County Commissioners' plan on their March 2021 agenda. The LA-MSID Board approved a purchase order to AIM for an initial design scope at the August 2021 Board meeting. Lee County has cleared a small park access area. LA-MSID is currently conducting maintenance exotic removal activities on site. Survey has completed the elevation data collection, and the design team worked to complete the design approach/plans.

As a result of critical Hurricane Ian recovery efforts, progress on the Frank Mann Preserve project was delayed. LAMSID staff continue to complete exotic vegetation removal & maintenance berm/access work, which will aid the design team in understanding the effort involved in re-establishing the berm in the NW corner of the project. LAMSID staff have

confirmed key design elements, and the design plans are currently being finalized. Additional topographic survey data was completed by January 8, 2024. The design team is utilizing this additional survey data to complete the 90% plans.

The project was recently selected to receive \$15M in grant funding. Given the additional project funding, AIM and LAMSID will continue coordination on the next steps of the project's development.

**Caloosahatchee River and Estuary Storage and Treatment (CREST):** LA-MSID purchased approximately 105 acres for the CREST preserve and stormwater treatment area. The LA-MSID Board authorized the design of this project in November 2019. AIM staff had a virtual meeting with LA-MSID senior staff in April 2020 to review concepts for developing final plans. 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 also provides 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.

A Caracara nesting site is currently established within the CREST project and is protected as such unless determined to be an abandoned nest. This determination can only be revisited/alterd within the nesting season period. While designated as a nesting site, a 300' buffer zone is established.

Due to grant funding, the design plans and construction activities required 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, which partially addressed required Caracara monitoring. The LA-MSID Board approved a contract with AIM for this effort on 6/21/2021.

### ***CREST Phase 1***

Phase 1 of the CREST project is complete, which includes maintenance dredging of the Dog to Hendry canal and replacement & relocation of weir S-H-2.

### ***CREST Phase 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. AIM received the SFWMD CREST Phase 2 permit dated June 6, 2022. Bids for Phase 2 were received on December 15, 2022. AIM recommended awarding the project to the apparent low bidder (Turnbull Environmental) for \$1,929,500.00, which was just under the Engineering Opinion of Probably Cost and grant-funding budget of \$2 million. The Phase 2 construction groundbreaking ceremony was held on February 15, 2023.

With factors including rain days, Hurricane Idalia, equipment operator shortages, and vendor challenges, a time-only change order was approved to extend the final completion date. Phase 2 was completed in February 2024.

### **CREST Phase 3**

LA-MSID has received an additional \$4.06 million in grant funds to allow for the construction of the full build-out of the CREST project (Phase 3). AIM worked 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 coordinated with USFWS to clarify construction restrictions related to the Caracara nesting site. USFWS has informally agreed that a reduced 300-foot Caracara buffer size is acceptable since the completed project is anticipated to benefit the species. One more year of Caracara monitoring is required (January to April 2024) before the application to declassify the nest as a protected nesting site can commence. The design team completed the 100% plan set for Phase 3, and the SFWMD permit was issued on May 22, 2023.

Due to the recent supply chain and inflationary factors, a flexible design and bidding approach are desired to ensure all Phase 3 grant funds are utilized for the project. An additional scope of work was approved to accommodate the additional design, environmental, bidding, and construction-phase tasks. Phase 3 was advertised for contractor bid on March 7, 2024. The contractor bids are due April 18.

### **Rehydration of Bedman (Creek) Utilizing Storage & Treatment (ROBUST)**

LA-MSID gained legislative funds to purchase and improvement of two parcels within Lehigh Acres: A Sinkhole Parcel (34-44-27-00-00001.0140) and the ROBUST Parcels (36-43-27-01-00000.A000 & 36-43-27-00-00004.0020). AIM conducted Phase I Environmental Reports for the Sinkhole and Robust parcels. The purpose of these assessments was to characterize the environmental conditions based on readily available information & site observations and to identify recognized environmental conditions. To assist with water quality grant funding applications, AIM prepared a conceptual ROBUST nutrient removal analysis. If desired, AIM can provide an aesthetically pleasing concept exhibit for the grant application, as well as a corresponding estimated design scope of work.

### **Bottomless Lake (Sinkhole Parcel)**

AIM provided LAMSID staff with a conceptual scope, fee, and construction cost to be utilized toward grant application submittal.

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

Sincerely,

**AIM Engineering & Surveying, Inc.**

Daniel Schroeder, PE, MSE