

**FORT MYERS SHORES FIRE & RESCUE PROTECTION DISTRICT**  
**BOARD OF FIRE COMMISSIONERS**  
**December 17, 2020**  
**MINUTES**

**Call Meeting to Order**

Commissioner Apperson called the meeting to order at 7:30 p.m. In attendance were Commissioners Apperson, Kimball, Detzel, Ragen and Schneider. Also in attendance: Chief Dowaliby, Deputy Chief Rewis, Attorney Pringle, Administrative Assistant Howard, Chaplain Cords, Captain Swindle, Engineer Pledger, Adam Crittendon (Alva FD Commissioner), and John O’Grady from Fortress Secure, Ray Atkinson from EnviroStruct, and Nathalie White a designer with Schenkel Shultz to present information to the Board about Public, Private Partnerships.

**Pledge of Allegiance and Moment of Silence**

**Prayer- Chaplain Cords**

**Amendments to the Agenda**

1. New Business: Approval to have a bed frame with storage made for the new firefighters to match the ones in the other rooms. \$1,250
2. New Business: Approval to purchase Gear Grid storage for the new firefighters’ bunker gear. \$1,943
3. Old Business: Approval to sell the three Lehigh Acres lots and the one lot in Alva. \$9,000
4. Old Business: Discussion of the Private Public Partnership presentation
5. New Business: The CARES Act Interlocal Agreement

**Presentations/Awards**

John O’Grady from Fortress Secured presented information on the Public Private Partnership program. The Public Private Partnership is authorized by Florida Statute 255.065. It is a relatively new program in Florida and differs somewhat from a traditional RFP process for capital projects like our second station. It has been used in the past in other countries for mainly infrastructure and in the U.S. as well, mostly for highway construction. The program in Florida allows local governments to contract with one private

sector firm for both design and construction and infrastructure, as well as land purchase if necessary, and financing.

Mr. O'Grady reviewed the process for receiving an unsolicited bid and that the District could solicit bids from different companies instead. He also explained some of the advantages of using the Public Private Partnership delivery model, and some of the District's legal responsibilities. Some of the advantages include:

- The risk is transferred from the District to the private sector company that you hire for scheduling, design, and construction.
- There are cost savings (up to 8% in the design stage) due to the use of prototype fire station design.
- Accelerated project delivery by merging the separate RFP processes for design, CMAR, and constructor into one team. Sometimes that can save two months.
- Initial costs can be included in the finance package to whatever extent the District chooses, including the cost for the third party review required by Florida Statute as part of the required oversight.
- A Florida licensed financial advisor is provided as part of the program. They will work for the Board and work with the District to acquire financing that will fit with our plans. They will get three bids, with an emphasis on local banks when possible and the Board would then decide between them.
- The District would not make a lease payment until the station is built. Financing typically takes three to four weeks, including Board approval.

Mr. O'Grady finished his presentation by giving some background on the companies involved in the process and then answered a few questions. He clarified that the company uses local subs in each location, but that the contract includes a guaranteed maximum cost. There would not be any unexpected costs for change orders except in the case of the District making a last minute change. The permitting time and process is the only big variable in the timeline, but once permitting is done the project takes about eight months to complete.

Mr. Pringle reviewed the entire process and the differences between the Public Private Partnership and the traditional process. He noted the possible cost savings of some of the combined elements as

well as the downside of having to use a prototype station. He said that if the Board chooses to accept an unsolicited bid there are steps we will have to go through according to Florida Statutes. He would make sure that the District would have every opportunity possible to choose the best option at each step in the process.

There was also some discussion and clarification of the oversight process to ensure quality control in place of the construction advisor the District discussed at a prior meeting. The statute requires the District to hire a certified architect or engineer who will fulfill that role and make sure the project is completed to the correct specifications.

Chief Dowaliby said we will look into it some more this month, hopefully tour some stations, and then come back to the Board at the January meeting with more information and there was some more discussion of the process as presented.

### **Approval of Minutes**

The minutes for November 2020 were presented for approval. Commissioner Kimball made a motion to accept the minutes as presented. Commissioner Schneider seconded and the motion passed.

### **Treasurer's Report**

Bank account balances for the month of November 2020:

The operating account opened with \$1,581,318.53. There were deposits of \$491,584.59 and expenditures of \$265,681.63 for an ending balance of \$1,807,221.49.

The impact fee account opened with \$1,277,169.06. There were deposits of \$314.92 and no expenditures for an ending balance of \$1,277,483.98.

The 4-week C.D.A.R.S. opened with \$1,252,716.57. There was accrued interest of \$288.30 for an ending balance of \$1,253,004.87.

The 13-week C.D.A.R.S. opened with \$2,500,000.00. There were no credits or debits and the ending balance was \$2,500,000.00.

The 26-week C.D.A.R.S. opened with \$2,000,000.00. There were no credits or debits and the ending balance was \$2,000,000.00.

Total bank balances at November 30, 2020 were \$8,837,710.34.

Commissioner Ragen made a motion to accept the Treasurer's Report. Commissioner Kimball seconded and the motion passed.

## **Chief's Report**

### **Items of Interest**

- The Phase 2 Environmental audit call Mr. Pringle and I had was informative. There was one hiccup that Mr. Pringle will discuss.
- The closing for Verandah is scheduled for Monday.
- We have another offer for the Lehigh Acres lots. Mr. Pringle will give us an opinion.
- We are discussing an MOU with local 1826 over minimum manning.
- We conducted testing on Monday for our two open positions. Chief McGeachie's grandson Landon Glenn scored the best. His grandpa was very excited that I gave him the courtesy of notifying Landon of his hiring. Tommy Schumacher is our other new employee. They will both be great additions to the District. In addition, Devin Taylor is first on the waiting list followed by Ethan Janey. The hiring list will be open for one year.
- FPL property is still moving forward.
- We are planning for this year's ISO inspection.
- Department anniversaries: Commissioner Jon Detzel (20 years) and Engineer Hunt (4 years).
- Birthdays to celebrate this month: Commissioner Detzel, Commissioner Ragen, Engineer Mann, Engineer Washburn, Engineer Pledger, Captain Clouse's wife, Captain Swindle's daughter, Engineer Washburn's youngest son, Engineer Pledger's wife, and FF Salyers' wife.
- No wedding anniversaries to celebrate this month.

### **Meetings Attended**

- Building Workgroup met with Summit Construction
- LCFCA Medical Branch phone conference
- The Medical Care Council

### **Training Attended**

- Captain Swindle will give the Captain's Training Report

Commissioner Kimball made a motion to accept the Chief's Report. Commissioner Schneider seconded and the motion passed

## Attorney's Report

- Verandah property is set to close on Monday. We have worked out the items of concern either in the purchase contract or separate agreements including:
  - Verandah will continue to perform maintenance on the wall and we will grant them access for that maintenance.
  - We will be able to hook up to their sanitary sewer system if we are not able to hook up the county's system.
  - We will be able to continue to use the existing drainage system that connects to their system for storm run-off.
  - They have agreed to place \$10,000.00 in escrow for use in mitigating the trace amounts of arsenic that were found in one of the test areas in the Phase 2 environmental testing. They believe it may have leached from horticultural debris that has been stored there. It only came back at one location and would not have exceeded the limits for a commercial site, but they used the lower limits for a residential site because a fire station is planned for the site. The recommendation is to have the soil removed. The total amount of soil that will need to be removed is a maximum of two 55-gallon drums and the cost estimate is less than \$10,000.

- Interlocal Agreement with Lee County CARES Act

Lee County has received a block grant from the Federal Government as part of the CARES Act to reimburse local governments for unbudgeted expenditures related to the COVID 19 pandemic. Lee County has calculated the amount each fire district can receive from that grant and in order for us to request reimbursement we need to sign an Interlocal Agreement with the county. Then we can gather our expenditures and send them so they can make a final determination of how much we can receive. The Board can take action to authorize signing the agreement in New Business.

Commissioner Schneider made a motion to amend the agenda to add two items: Old Business - final approval to the Verandah property purchase contract; New Business – Interlocal Agreement with Lee County for the CARES Act. Commissioner Detzel seconded and the motion passed.

Commissioner Detzel made a motion to accept the Attorney's Report. Commissioner Ragen seconded and the motion passed

### **Fire Prevention Division Report**

- Current Construction: Three multi-family units in Portico, two 8-plex and one 6-plex
- New Construction: Demolition of the old Winn-Dixie for a new Publix
- Projects Completed: United Studios Hair Studio, change of ownership
- Revenues: The Division billed \$ 410.64 for the month for one New Building Shell inspection
- Meetings Attended: Lee County Fire Marshals and Inspection Association (remote), Lee County Fire Chiefs Association, Lee County Fire Arson Task Force
- Prevention Education: None to report
- Inspections: The division completed 14 various fire inspections for the month.
- The volunteer testing was held Monday the 14<sup>th</sup> for the two positions to be filled in January. The volunteers and all of the shifts have been working hard to train for the testing. I want to thank all of the shifts for their cooperation with training and the testing.

Commissioner Ragen made a motion to accept the Prevention Report. Commissioner Kimball seconded and the motion passed.

### **Public Input on Agenda Items**

None

### **Training Report**

Captain Swindle reviewed the Captains' Monthly Training Report.

#### **Daily Training**

- All shifts continue to participate in various functional training and circuit style workouts.
- Truck checks
- SCBA & Gear checks
- Target Solutions

#### **Monthly Training**

- Ladder inspection and proper use
- One Pre-Incident Plan per shift
- R.I.T. drills
- Fire ground skills
- Hydraulics/Apparatus
- EMT

### **Upcoming Training**

- December 18<sup>th</sup> – Vehicle Extrication and Lift Bag Training

### **A-Shift**

- Continuing to train with two probationary Firefighters every day
- Administered a district familiarization test to the probies
- Conducted a forcible entry and search scenario with the crew and some volunteers
- Started the pre-plan on the Storage King building for a shift project
- Ran Marine 81 down the river, trained on flowing water with the new pump
- Medical assessment scenarios with the crew

### **B-Shift**

- Conducted pre-fire plans a walk throughs on various buildings in the district
- Conducted large water operations and exposure protection utilizing the Blitz Fire attack
- Went over hydraulic formulas and pressure losses with engineers
- Conducted 2 ½ pre-connect deployment and new repackaging
- Went over simple rope systems with volunteers: 2:1, 3:1, 4:1, and Z-Rig
- Engineer Hunt completed a class toward his degree and is working on another one

### **C-Shift**

- Captain Clouse received his Bachelor's Degree
- Engineer Poulton has met all the requirements for his Associate's Degree and has petitioned for graduation
- Engineer Simmons is continuing to work on college courses
- We have been working hard to prepare volunteers for the promotional exam:
  - Rope Rescue
  - Hose loads
  - Hose pulls

Commissioner Detzel made a motion to accept the Training Report. Commissioner Kimball seconded and the motion passed.

### **Old Business**

1. Discussion of Public Private Partnership – discussion was concluded after the presentation.
2. Discuss contract for purchase of lots – the new offer is for the three Lehigh Acres lots and the one Alva lot for a total of \$9,000.00. We think this may be the only opportunity we will have in the foreseeable future to sell the Alva lot due to it's location. The contract calls for the buyer to pay closing costs and commissions. There was discussion about the outstanding lien on the properties that was discovered in 2018 when we originally were going to donate the properties to Habitat. We never addressed the lien at that time and we do not know what the exact total due is at this time, but it should be under \$1,000.00. Commissioner Detzel suggested that we inform the seller of the lien and have them deduct it from our proceeds and just pay it. Commissioner Ragen asked if the lien is negotiable. Attorney Pringle said yes they usually are negotiable but there is a process that involves going before the Board of County Commissioners to request it be vacated or reduced. The fact that the amount is small makes the process itself more costly in time and attorney's fees than it is really worth.

Commissioner Detzel made a motion to accept the offer for the lots and direct them to deduct the outstanding amount for the lien from the proceeds. Commissioner Schneider seconded and the motion passed.

3. Verandah Closing

Commissioner Detzel made a motion to approve the closing for the Verandah property with the contract and additional agreements as Attorney Pringle reviewed. Commissioner Schneider seconded and the motion passed.

Commissioner Detzel made a motion to authorize the Chair to sign the closing documents and authorize any two Commissioners to sign the wire transfer. Commissioner Schneider seconded and the motion passed.

### **New Business**

1. Approval to purchase bed with storage for the sixth bedroom to match other rooms. \$1,250

Commissioner Schneider made a motion to approve the purchase for up to \$1,250.

Commissioner Detzel seconded and the motion passed.

2. Approval to purchase gear grid storage system to store the new firefighters' bunker gear in the gear storage building. \$1,943

Commissioner Detzel made a motion to approve the purchase, Commissioner Ragen seconded and the motion passed.

3. Approval for the Interlocal Agreement with Lee County for CARES Act funds

Commissioner Detzel made a motion to approve entering into the Interlocal Agreement with Lee County for CARES Act funds. Commissioner Ragen seconded and the motion passed.

### **Public Input on Non-Agenda Items**

None

### **Union Report:**

None

### **Comments from Commissioners:**

Everyone stay safe and healthy and have a Merry Christmas and Happy New Year!

Commissioner Schneider thanked the guys for coming by his house for his daughter's birthday.

### **Adjourn**

Commissioner Detzel made a motion to adjourn. Commissioner Kimball seconded and the motion passed. Meeting was adjourned at 9:07 p.m.