

**IONA MCGREGOR FIRE PROTECTION AND RESCUE SERVICE DISTRICT
BOARD OF FIRE COMMISSIONERS EMERGENCY MEETING AGENDA**

DATE: OCTOBER 7, 2022

10:00 A.M.

6061 SOUTH POINTE BOULEVARD

FORT MYERS, FL 33919

NOTE: THE BOARD MEETING IS BEING RECORDED AND ALL STATEMENTS MADE DURING THE BOARD MEETING ARE SUBJECT TO BEING MADE AVAILABLE TO OTHERS AS A PART OF THE BOARD MEETING PUBLIC RECORD.

NOTE: ALL PHONES AND ELECTRONIC DEVICES MUST BE PUT ON THE SILENT MODE PRIOR TO THE BEGINNING OF THE BOARD MEETING AND REMAIN ON SILENT MODE THROUGHOUT THE ENTIRE BOARD MEETING UNTIL ADJOURNMENT.

Meeting Called to Order

Roll Call of Commissioners: Commissioners Andersen, Louwers and Langford were present, with a quorum the meeting was able to proceed.

Opening Prayer and Pledge of Allegiance

Approval of Chief's Report N/A

Attorney's Comments N/A

DVP's Comments N/A

Adoption of Meeting Agenda, Including Amendments: A motion to adopt the meeting agenda was made by Commissioner Andersen, with a second by Commissioner LangfordMotion carried.

Public Input on Business Agenda Items [Note: Prior to Board action being taken on each of the Business Agenda Items below, members of the public will have up to three (3) minutes per person to make public comment on each of the Business Agenda Items after the Commissioners have had their discussion.]

Commissioner Andersen said let the record show that there was no public present at this meeting.

Business Agenda Items

1. Select a vendor to perform emergency remediation and repair work made necessary by Hurricane Ian.

a. Discussion of agenda item

Attorney Pringle said that this was an emergency meeting authorized under Chapter 189 of the Florida statute to occur as an emergency meeting. The focus of the emergency meeting is the topic of the emergency only. A declared state of emergency has been made by the Governor for Lee County, where the District is located, that authorizes emergency activities to occur including the holding of this emergency meeting. The meeting was noticed on the districts website, there was not time to do any other noticing. This meeting is for the purposes of only addressing the 2 agenda items that are presented.

Attorney Pringle went on to say that procedurally you are discussing this topic because the state law gives you the authority to waive certain competitive selection methods, because of the state emergency this has been modified. Policy says purchases over \$25,000 require board approval. Whatever board decision is made today will be legal and justifiable. Storm damage from Hurricane Ian included flooding in stations 71 and 72. Extensive work will need to be done to make those locations habitable again. The District needs to move quickly to identify a company to perform and oversee the work to be done. Due to the impact of Hurricane Ian, the State of Florida has declared a state of emergency which includes Lee County, and, as a result, the normal statutory competitive selection processes have been modified.

The District's purchasing policy requires a solicitation of at least two (2) responses from vendors before the Board can select a District vendor to perform work for the District on work that costs more than \$25,000.00. Attorney Pringle has solicited responses from Heatherwood and Wright Construction on their qualifications to perform the necessary emergency repair and remediation work that has been caused by Hurricane Ian. A copy of Attorney Pringle's solicitation to Heatherwood and Wright, as amended, is attached. Under the District's purchasing policy the Board must select a vendor. The Board should also authorize the Chief and Attorney Pringle to negotiate an Agreement for the work and the Board should also authorize someone, possibly the Chief, to execute the final Agreement to avoid delays.

Chief Comer added we're getting done what we need to get done and now we need to get moving but it's not like we've lost something more. Primary focus has been operations and call responses. Commissioner Louwers wanted it on record that from day one Commissioner Walker needs to have respect and he has none and that's what bothers him.

Chief Comer wanted it on record that staff are amazing.

The board then went on to discuss the 2 responses weighing the benefits of each. The board said that they give Chief Comer the discretion to make the decisions for Stations 71 and 72 and the roof of 73

b. Public input – no public input as no public present

c. Board action

Commissioner Langford made a motion for the Chief to decide the work to be done between both vendors as he sees fit and that both vendors are qualified for the work, with a second by Commissioner AndersenMotion approved

Commissioner Andersen made a motion to approve the selection of the vendors to perform emergency remediation o approve the selection of a vendor to perform emergency remediation and repair work of the District's fire station properties and improvements AND to authorize the Chief and Attorney Pringle to negotiate an Agreement for the work with the selected vendor(s) AND to authorize the Chief to execute the Agreement on behalf of the District. With a second by Commissioner LangfordMotion carried

2. Approve an increase in the Chief's purchasing authority during the declared state of emergency resulting from Hurricane Ian.

a. Discussion of agenda item

Attorney Pringle said that 2 parts to this, one was to bring to your attention that we should make a change to your policy that's first and foremost and the second part of it is we are in a declared state of emergency and the action that the board just took was to authorize the Chief to execute construction contracts but there may be other items that have to be addressed during this emergency beyond the \$25,000 limit currently described. The second part of this is to allow the Chief to purchase and enter into agreements related to the state of emergency that exceeds his current spending authority.

The board then discussed this and clarified that this was just during this state of emergency and that this would end once the state of emergency ends.

b. Public input no public input

c. Board action

Commissioner Langford made a motion to authorize the Chief to make purchases and enter into agreements beyond his maximum spending authority to carry out district purposes during this declared state of emergency resulting from Hurricane Ian without further Board of Commissioner action. With a second by Commissioner LouwersMotion carried.

Public Comments on Non-Business Agenda Items [Note: Any member of the public will have up to three (3) minutes to make public comments on any non-business agenda item topics.]

There were no public comments and no public present.

Commissioner Comments on Non-Business Agenda Items:

Commissioner Andersen commends all staff for everything they've done for this community and will continue to do. Commissioner Louwers said we have a good chief working with you all, hand in hand.

A motion to adjourn was made by Commissioner Langford, with a second by Commissioner Andersen ...Motion carried.

Adjournment: 10:45am

Signed: _____

Commissioner Langford, Secretary

APPROVED