

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20020660

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt resolution supporting the request of the Matlacha Civic Association for a separate Zip Code for Matlacha and Matlacha Isles.

WHY ACTION IS NECESSARY: Resolution supports Matlacha Civic Association's request for support to be provided to appropriate parties.

WHAT ACTION ACCOMPLISHES: Adopts Resolution in support of Matlacha Civic Association's request.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

C12A

3. MEETING DATE:

06-25-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER** Commissioner Janes
- B. DEPARTMENT** County Attorney
- C. DIVISION**
- BY:** James G. Yaeger
County Attorney

7. BACKGROUND:

Recommend that the Board consider a Board Resolution of Support for the Matlacha Civic Association's request for Matlacha and Matlacha Isles to have their own separate postal zip code.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>R. Gray</i>	<i>OA</i> <i>6/10/02</i>	<i>QM</i> <i>6/10/02</i>	<i>RISK</i> <i>6/10/02</i>	<i>GC</i> <i>6/10</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

CO. ATTY.
FORWARDED
TO CO. ADMIN.
6-6-02

**RECEIVED BY
COUNTY ADMIN.**
[Signature]
**COUNTY ADMIN.
FORWARDED TO:**
6/10 25

LEE COUNTY RESOLUTION NO: _____

- WHEREAS:** The Matlacha Civic Association is requesting as a community to have a separate Zip Code for Matlacha and Matlacha Isles and not be an extension of the Cape Coral Zip Code; and
- WHEREAS:** Matlacha and Matlacha Isles have been designated a community by the U. S. Census Bureau; and
- WHEREAS:** There is a file full of anecdotal complaints from citizens living in Matlacha and Matlacha Isles who are experiencing lost or delayed mail, utility disconnects caused by lost billings, and delayed deliveries of goods; and
- WHEREAS:** When requesting directory assistance from AT&T for telephone numbers of Matlacha residents, the response is that there is no Matlacha, Florida; and
- WHEREAS:** Because Matlacha Isles residents were omitted from the Pine Island telephone directory and also in previous years Matlacha residents were omitted; and
- WHEREAS:** Matlacha Civic Association is requesting Lee County to support its pursuit of a separate Zip Code for Matlacha and Matlacha Isles.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, the _____ day of _____, 2002:

1. The Board of County Commissioners of Lee County, Florida supports the Matlacha Civic Association's request for a separate Zip Code for Matlacha and Matlacha Isles.
2. This resolution shall take effect immediately upon the adoption by the Board of County Commissioners at a regular meeting.
3. That copies of this Resolution be provided to the U. S. Post Master General and members of the Lee County Congressional Delegation, as appropriate, evidencing the Board of County Commissioners full support of this needed community endeavor.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and, being put to a vote, the vote was as follows:

BOB JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW COY	_____
JOHN ALBION	_____

DULY PASSED AND ADOPTED this _____ day of _____, 2002.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

Bob Janes
District One

May 23, 2002

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stillwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Donna Loibl, President
The Matlacha Civic Association
P.O. Box 521
Matlacha, FL 33993

Dear Mrs. Loibl:

Thank you for your recent letter regarding your request for a ballot initiative to pursue a separate Zip Code for Matlacha for the November ballot. I took the liberty of asking James G. Yaeger, County Attorney, to review your request. Mr. Yaeger, has responded with these comments:

Section 125.01(y) allows the Board to schedule a non-binding straw ballot referendum, however, it states the matter should be of substantial concern within the county. It is Mr. Yaeger's opinion that this term implies the matter should generally relate to concerns of the entire county or at least to a good portion thereof.

There will be a cost to the county of approximately \$1,000.00. While the Supervisor of Elections may place the question on the ballot free of charge, the county pursuant to Section 100.342, F.S., will be required to place two advertised notices of the Referendum in community newspapers (i.e., News-Press, Cape Coral Daily Breeze, etc.).

The subject of the non-binding referendum is on an issue outside the authority of the county, and thus does not present any viable voter sentiment for further county action or have legal effect on the U.S. Postal Service.

It is questionable whether such referendum results would present a persuasive effect any greater than a citizen petition and/or congressional support.


A referendum on this type of issue presents a precedent, which the Board will need to consider if they choose to proceed further.

Because of these concerns, Mr. Yaeger as County Attorney is recommending that the Board consider same by petition and/or Board Resolution of Support, Congressional contacts, etc.

I would like to offer that I would be happy to have the County Attorney's Office prepare a bluesheet item for the Board to adopt a resolution supporting your request for a separate Zip Code for Matlacha. Once the Board has adopted this resolution then I would be happy to send a letter with the adopted resolution to the Honorable Porter Goss, U.S. Congress, the Honorable Bob Graham, U.S. Senate, the Honorable Bill Nelson, U.S Senate, and the U.S. Post Master General John E. Potter.

I strongly believe that the proposal that I have proposed will be just as persuasive of an effort as a non-binding straw ballot referendum. A resolution from the Board will show Congress and the U.S Postal Service that you have strong community support for this effort. Please review with your membership and let me know your thoughts. I can have this item before the board for approval of a resolution in June.

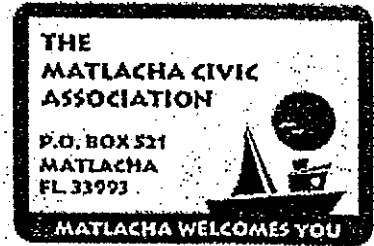
Sincerely,



Robert P. Janes, Chairman
Lee County Board of County Commissioners

RPJ/ns

cc: Board of County Commissioners, District #2, #3, #4 & #5
Don Stilwell, County Manager
James G. Yaeger, County Attorney



RECEIVED

May 30, 2002

MAY 30 '02

BOB JANES

Commissioner Robert Janes
Board of County Commissioners
P.O. Box 398
Ft. Myers, FL 33902-0398

Subject: ZIP Code for Matlacha/Matlacha Isles

Dear Commissioner Janes,

Thank you for your response to my earlier letter regarding a ballot initiative for a ZIP for our community. Our residents very much appreciate your interest and assistance.

The alternative you suggest in your letter, that is, a resolution from the Board of Commissioners supporting our request, sounds like a great idea. Please proceed with this proposal and let us know, if possible, when the item will be before the Board.

Yours truly,

Donna Loibl, President

CC: Jim Jaeger