

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

Blue Sheet No. 20041021

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Approve a Resolution amending the original resolution (96-08-16) that created the Lee County Roadway Landscape Advisory Committee (RLAC).

**WHY ACTION IS NECESSARY:**

The RLAC desires to amend their composition of membership by adding an "at large" representative from the *Fort Myers/Lee County Garden Council, Incorporated*.

**WHAT ACTION ACCOMPLISHES:**

Adds a voting member to the RLAC from the *Fort Myers/Lee County Garden Council, Incorporated* (GC). Also, modifies the resolution to reflect the recent name change of the former *Florida Nurserymen and Growers Association* (FNGA), to their new name of *Florida Nursery, Growers and Landscape Association* (FNGLA).

**2. DEPARTMENTAL CATEGORY: 9  
COMMISSION DISTRICT #All**

*C9B*

**3. MEETING DATE:**

*08-24-2004*

**4. AGENDA:**

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

**5. REQUIREMENT/PURPOSE:**  
(Specify)

- STATUTE
  - ORDINANCE
  - ADMIN. CODE
  - OTHER
- Resolution 96-08-16*

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT *Transportation*
- C. DIVISION *Operations*

BY: *Scott M. Gilbertson, P.E.*

**7. BACKGROUND:**

For the past several months, the Garden Council has shown interest in the activities of the RLAC. Garden Council representative(s) have participated in the committee's regular monthly meeting, along with their task force sub-committee meetings. At the July 6, 2004 RLAC meeting, the committee voted to move forward with this item and present it to the BoCC for their consideration.

**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
<i>8/9/04</i> <i>[Signature]</i>	NA	N/A	N/A	<i>[Signature]</i>	OA	OM	Risk	GC	<i>[Signature]</i> <i>8-9-04</i>
					<i>8/12/04</i>	<i>8/12/04</i>	<i>8/11/04</i>	<i>8/11/04</i>	

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *8/10/04*  
Time: *11:15*

Forwarded To:  
*Budge*  
*8/10/04 11:52am*

RECEIVED BY  
COUNTY ADMIN:  
*8/10/04*  
*[Signature]*  
COUNTY ADM. :  
FORWARDED TO: *[Signature]*  
*8/10/04*  
*[Signature]*

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS RELATING TO THE AMENDMENTS TO LEE COUNTY RESOLUTION NO. 96-08-16 WHICH CREATED THE ROADWAY LANDSCAPE ADVISORY COMMITTEE; PROVIDING FOR AMENDMENT TO THE COMPOSITION OF THE MEMBERSHIP; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners of Lee County, Florida, created the Lee County Roadway Landscape Advisory Committee on August 28, 1996 to act in an advisory capacity to assist County efforts in providing a roadway landscaping program; and

WHEREAS, the Lee County Roadway Landscape Advisory Committee desires to amend their composition of membership to allow a member of the Fort Myers/Lee County Garden Council, Inc. to be a voting member and modify the resolution to reflect another organization's name change; and

WHEREAS, it is in the public interest of Lee County to amend Resolution No. 96-08-16 for these purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, that Lee County amends Lee County Resolution No. 96-08-16, as amended, as follows:

- I. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
- II. Amendments to Section Three:

There is hereby designated and established a Landscape Advisory Committee comprised of ~~thirteen (13)~~ fourteen (14) regular voting members serving without compensation. The committee members shall be appointed as follows:

One (1) voting member appointed by each County Commissioner representing the five (5) Commission Districts.

~~Eight (8)~~ Nine (9) "at large" voting members appointed by the Board of County Commissioners, which shall include one (1) representative each from

the local chapter of the *American Society of Landscape Architects* (ASLA), the local chapter of the ~~*Florida Nurserymen and Growers Association*~~ (FNGA) *Florida Nursery, Growers and Landscape Association* (FNGLA), the local chapter of the *Florida Native Plant Society* (FNPS), an Arborist certified by the *International Society of Arboriculture* (ISA), *Keep Lee County Beautiful* (KLCB), *Tourist Development Council* (TDC), *Urban Forester* (UF), *Horticultural Extension Agent* (HEA), and *Horizon Council* (HC), and *Fort Myers/Lee County Garden Council, Inc.*(GC)

Three (3) non-voting staff members shall be appointed by the Director, or their designee, from the following Divisions of Lee County Government:

Parks & Recreation (P & R)  
Department of Transportation (DOT)  
Community Development (CD)

Each member of the committee is expected to attend all meetings.

Terms of appointments for voting members shall be on a staggered two (2) year basis with approximately one half of the membership rotating annually. The initial terms of appointment shall be staggered as follows:

Commission District #1 appointee, one (1) year term,  
Commission District #2 appointee, two (2) year term,  
Commission District #3 appointee, one (1) year term,  
Commission District #4 appointee, two (2) year term,  
Commission District #5 appointee, one (1) year term,  
Registered ASLA appointee, two (2) year term,  
~~FNGA~~ FNGLA appointee, one (1) year term,  
FNPS appointee, two (2) year term,  
ISA appointee, one (1) year term,  
KLCB appointee, two (2) year term,  
TDC appointee, one (1) year term,  
UF appointee, two (2) year term,  
HEA appointee, one (1) year term.  
HC appointee, two (2) year term.

The Board of County Commissioners may remove any voting member of the committee with or without cause by providing written notice to the member. Also, by a majority vote of the committee, and at the committee chairman's request, the Board of County Commissioners may remove any voting member of the committee with cause by providing written notice to the member. Failure to attend two (2) consecutive meetings without prior notice to the chairman or liaison to the committee, shall constitute cause for

removal from this committee by the Board of County Commissioners. Any vacancy on the committee shall be filled as soon as possible after the vacancy occurs.

- III. All other terms and conditions of Lee County Resolution 96-08-16, as amended, shall remain in full force and effect with the section of this amended language which shall control.
- IV. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for, if any of the provisions of this Resolution shall be held to be unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution.
- V. This Resolution shall become effective upon its adoption by the Board of County Commissioners of Lee County, Florida.

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 W. Coy	_____
John E. Albion	_____

DULY PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2004.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney