

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

Blue Sheet No. 20041306

1. REQUESTED MOTION:

ACTION REQUESTED: Establish the Smart Growth Director position as a permanent position and the Smart Growth Advisory Committee as a permanent committee.

WHY ACTION IS NECESSARY: Original authorization for director position and committee was for three years (two years with one year renewal option), starting October 23, 2001.

WHAT ACTION ACCOMPLISHES: Gives permanence to a position and committee that has become integral to accomplishing the county's long-term Smart Growth goals and objectives.

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

CIA

3. MEETING DATE:

10-19-2004

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
- B. DEPARTMENT County Administration
- C. DIVISION

BY: Donald D. Stilwell
County Manager

7. BACKGROUND:

On October 23, 2001, the Board of Lee County Commissioners authorized the creation of the Smart Growth Director position and Smart Growth Advisory Committee for three years (two years with a one year renewal option).

The Smart Growth Director was hired in February 2002 and the committee began meeting in April 2002. Since then, both have become integral components of the county's long-term Smart Growth efforts, drafting a series of initial recommendations (December 2003) that have been, or are being, incorporated into the county's Comprehensive Plan, Land Development Regulations, and annual Goals & Objectives. Both still are needed for the ongoing implementation of the initial recommendations and development of future recommendations.

Also, the Smart Growth Director has become a key member of the county's Administration team, working on multi-departmental/agency/jurisdictional issues such as water quality and reservations, red tide research, annexation, community planning, Babcock Ranch acquisition, mitigation plan, groundwater resource study, and SFWMD five-year plan.

8. MANAGEMENT RECOMMENDATIONS: Approve.

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	<i>[Signature]</i> 10-6-04	N/A	<i>R. Gray</i>	OA <i>[Signature]</i>	OM <i>[Signature]</i>	Risk <i>[Signature]</i>	GC <i>[Signature]</i>	<i>[Signature]</i> 10-6-04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

**MEMORANDUM
FROM THE**

04 SEP 16 PM 2:49



DIVISION OF PUBLIC RESOURCES

DATE: September 16, 2004

TO: Wayne Daltry, Director
Smart Growth

FROM: Kathy Geren, Administrative Specialist
Public Resources

RE: SMART GROWTH

The Smart Growth Advisory Committee and program was approved by Board action on 10-23-01 (BS#20011179-copy attached) for two years with a one year renewal option.

A bluesheet should be prepared by Administration for further direction and authorization by the Board as to the future of the Committee and the Director position as referenced in the memorandum of 04-21-04 from Tim Jones (copy attached). The sunset date is 10-31-04.

If I can be of further assistance, please do not hesitate to contact me at 335-2215.

Thank you for your prompt attention to this matter.

attachments

cc: Tim Jones, County Attorney
Pete Winton, County Administration
Libby Walker, Public Resources

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

20011179
BLUE SHEET NO:

1. REQUESTED MOTION:

ACTION REQUESTED: Authorize the creation of a 17 member Board appointed Smart Growth Advisory Committee. Approve the job description for the Director position that will support the Smart Growth Committee. Approve new classification for this position to the Lee County Pay Plan to fall under pay grade 24. Funding for the program was pre-approved at the September 19th Budget Public Hearing. The program shall be approved for two years with a one year renewal option.

WHY ACTION IS NECESSARY: Board authorization is required to create the Advisory Committee. The Board asked to review the Smart Growth Director job description and the initial operating budget.

WHAT ACTION ACCOMPLISHES: Establishes the Smart Growth Advisory Committee and authorizes the Director position.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #:

3. MEETING DATE:

10-23-2001

4. AGENDA

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- TIME REQUIRED _____
- Walk-on

5. REQUIREMENT/PURPOSE

(Specify)

- STATUTE _____
- ORDINANCE _____
- ADMIN CODE _____
- OTHER _____

6. REQUESTOR OF INFORMATION

- A. COMMISSIONER.
- B. DEPARTMENT. County Administration
- C. DIVISION:

BY: Donald D. Stilwell, County Manager

MS

7. BACKGROUND:

At the Smart Growth Workshop on October 16th the Board of County Commissioners directed County Administration to create a 17 member Smart Growth Advisory Committee to advise the Board on proposed changes to the Comprehensive Plan. The 17 member committee shall consist of fifteen appointed members and two designated positions – a Lee County Commissioner and a School Board Member. Each board member shall appoint three members.

The BoCC also requested the creation of a Smart Growth Director position to facilitate the Smart Growth effort in conjunction with the newly formed Committee. Attached please find the proposed job description and the proposed budget. The hiring of a Smart Growth Director will take place not later than January 1, 2002. The director position will report to the County Manager and follow the normal Lee County hiring process, including participation from several members of the newly formed Committee and the community in an advisory capacity.

Parties interested in being appointed to the Committee should submit a letter of interest to Public Resources prior to November 30, 2001. Discussions of the five Working Groups: Land Use, Water Supply, Environmental Quality, Transportation and Community Character should continue and will be utilized by the newly formed office. Participation in the Working Groups will remain open and voluntary.

8. MANAGEMENT RECOMMENDATIONS: Consideration should be given to membership diversity regarding the appointment of the Smart Growth Committee members to represent participation from citizen, environmental and development interests.

9. RECOMMENDED APPROVAL

DEPARTMENT DIRECTOR	Purchasing	Human Resources	County Administration				OTHER	COUNTY ATTORNEY	COUNTY MANAGER
			OA	OM	Risk	GC			
<i>MS</i>		<i>MS</i>	<i>MS</i>	<i>MS</i>	<i>MS</i>	<i>MS</i>	<i>Stilwell</i>	<i>MS</i>	

10. COMMISSION ACTION:

- APPROVED *AFTER DISCUSSION*
- DENIED
- DEFERRED
- OTHER

Smart Growth Director

This is a high-level technical and professional administrative position whose primary responsibility is to serve as staff to the Smart Growth Committee, an advisory body to the Lee County Board of Commissioners. This position reports to the County Manager with dotted line responsibility to the Smart Growth Committee. This is estimated to be a 2-year work assignment with annual reviews as appropriate and an evaluation of the program at the end of the second year to determine the need for continuation beyond the second year.

The primary task of the Smart Growth Council is to build consensus about growth issues and translate the recommendations into proposed changes to the Lee County Comprehensive Plan scheduled for revision in February 2003. A further responsibility of this position would be to assist and encourage Lee County departments and other planning, permitting and approval agencies to incorporate the recommended changes into the regulatory approval process.

Major responsibilities include administrative and technical support for the Smart Growth Council and its related working groups. Person should have broad background in urban planning, with interest and knowledge in helping to establish new approaches to maintain a balance between economic viability, community livability and environmental quality. Knowledge of established and innovative methods of planning, permitting, and other regulatory issues concerning environmental quality, land use, transportation, water supply and community character is helpful.

Primary Responsibilities:

- Manage committees, plan meetings, schedule speakers and research issues.
- Facilitate Smart Growth principles throughout Lee County Departments
- Compile and maintain historical records and report documents (including meeting minutes), in both written and web form.
- Maintain information library, prepare research abstracts and establish research site links
- Maintain and update Smartgrowthlee.com web-site.
- Communicate with public, technical experts, media, government, and regulatory agencies in both oral and written form.
- Schedule and manage public information outreach sessions, town hall meetings, and speaking engagements
- Tabulate, report, and maintain survey data
- Manage media information, including press releases, editorial board information, meeting announcements, and press information packages
- Prepare and manage consultant contracts for required studies
- Prepare and manage operating budget
- Coordinate recommendations with Lee County Departments (and other governments and agencies where possible) for implementation.

Necessary Skills:

- Broad based urban planning background
- Strong administrative and organization skills
- Strong verbal, written, public speaking and presentation skills
- Good consensus building, meeting planning and committee management skills
- Knowledge of Microsoft Word, Excel, Power Point, Front Page and Internet Research
- Ability to maintain and update web-site.

Minimum Requirements: 4-year degree, preferably in Urban and Regional Planning, Engineering, Business, Economics or equivalent experience and background in a related area with demonstrated experience in consulting or managing projects, departments or agencies in a development, environmental, water management, transportation, or other related field. Valid Florida Drivers License.

SMART GROWTH - BUDGET

Director Expenses		
*Salary: pay grade 24 (\$56,685-\$89,656)	\$60,000	
Benefits (approx. 35%)	21,000	
Operations (Travel, Training, Misc.)	<u>5,000</u>	
Subtotal		\$ 86,000
Meeting Expenses and Operating Expenses		<u>\$175,000</u>
TOTAL (if incorporated into existing operations)		\$261,000

The Smart Growth Office will be located on the 4th Floor of the Lee County Administration Building and full administrative support will be provided by the existing support staff within County Administration.

*Estimated for first fiscal year.

OCTOBER 16, 2001

The Smart Growth Workshop of the Board of Lee County Commissioners was held this date to discuss the organizational structure and potential funding for a Smart Growth Initiative, with the following Commissioners present:

Douglas R. St. Cerny, Chairman
Andrew W. Coy, Vice-Chairman (arrived at 1:35 p.m.)
Ray Judah
John E. Albion
Robert P. Janes

The Chairman called the meeting to order at 1:30 p.m.

Commissioner Janes, Board liaison for the Smart Growth Committee, stated this workshop is being held to better understand how to manage growth, and informed that he believes the secret of smart growth is to involve the community in a decision-making process, and since growth will continue, we must all learn how to deal with it. He stated that since smart growth involves more than economic development, perhaps it should be located somewhere other than the Economic Development Department; and noted that the Board has supported approximately \$340 thousand in the budget for this initiative. COMMISSIONER COY ENTERED THE MEETING DURING THE ABOVE INPUT. The Chairman complimented Economic Development Director Janet Watermeier for her memorandum, dated October 12, 2001 (copy is on file in the Minutes Office), which offered insight on the Lee County Smart Growth initiative, its inception, and the vision the five working groups created for Lee County. The following are some ideas and suggestions that the Commissioners and staff offered throughout the meeting:

There must be control and accountability over the money spent.

Everyone who works in the committees should have the opportunity to have a seat at the table. Working groups should be voluntary, to allow participation for everyone.

Form a Smart Growth Committee similar to other winning county groups, such as Conservation 2020 and CLASAC, appoint three members to the Board of Directors; entertain Letters of Interest from the community/citizens. The smaller community plans could segue into smart growth, which is the bigger picture, and hopefully, in time these ideas can be used within the Comp Plan.

The committee should be formed through county procedure, under the Board, and through the County Manager's Office, to create an independent department for Smart Growth, to work on goals and objectives. County Management should bring to the Board a detailed job description, salary range, etc., regarding the hiring of a manager, or assistant director, as soon as possible. One suggestion was that County Manager Donald D. Stilwell could form a small committee to review the short list for the proposed employee. Mr. Stilwell reviewed the process that staff uses in recruiting department managers; and the Board suggested that, due to the sensitivity of the position, the employee should initially report to the County Manager.

Create a two-year sunset provision, to be reviewed in one-year with Board evaluation; and create a Steering Committee to keep an inclusive, broad membership in the different committees.

There should be representation from the School Board on the Committee from the beginning of the planning process. An additional position could be created at Board level for the School Board, making it 16 members; or, to keep the numbers uneven, create a 17th member by appointing a Board Member as liaison, this can be created to keep Board involvement at the policy-making level. The citizens who have donated so many hours in the past on the different work groups might choose to continue to work with smart growth, and they should be encouraged and applauded for their efforts, and should be kept involved. To truly be a success, there should be a cross-section of people who are willing to give their time, thoughts and expertise.

The mission of smart growth is not to stop or create growth, nor is it to put houses around Audubon golf courses. Smart growth goes beyond the Lee Comp Plan and the community sector plans, it raises issues such as relating transportation planning to land use, and involving members of the public in decision making; and may help to slow down urban sprawl, and create more urban infill. Another mission of smart growth is to take into account the carrying capacity, the infrastructure, and the resources, and then find a balance.

Assistant County Attorney Timothy Jones stated that the committee will be subject to the Sunshine Law; and the

Board should decide whether the Committee/Board will be subject to the full ethics requirements; if so, everyone who applies should be made aware of this fact - the Board concurred. Commissioner Judah thanked both Commissioner Janes and Ms. Watermeier for their efforts in keeping this concept viable. Ms. Watermeier announced that on November 9th, a meeting with everyone involved in the task forces, and suggested this information be reported to them at that time. She offered to draft a press release to solicit letters of interest to be sent to the media as soon as possible. The following is a timetable of events:

- November 9th meeting: Economic Development meeting, and advertisement.
- November 30th: deadline for receiving the Letters of Interest.
- The appointments by the Commissioners will be made by December 15th.
- The committee could begin early in 2002.

Manager Stilwell stated that staff would begin immediately to develop a proposed budget, write a proposed job description and salary range, and return to the Board with a Blue Sheet at the meeting of October 23, 2001. The next step would be to meet with the committee and begin the recruitment process. The School Board will be informed via a formal notification on their participation. A Board designee should be chosen.

The Chairman adjourned the meeting at 2:32 p.m.

ATTEST:
CHARLIE GREEN, CLERK

Deputy Clerk

Chairman, Lee County Commission

BOARD OF COUNTY COMMISSIONERS

WALK-ON AGENDA ITEMS

MEETING DATE: October 23, 2001

<u>W O #</u>	<u>DATE & TIME DISTRIBUTED</u>	<u>DESCRIPTION</u>
#1	10-19-01 3:00 PM	<p>ACTION REQUESTED: Adopt Resolution in opposition to any actions that may be taken by the Governor or the Legislature of the State of Florida that would reduce any funding sources of the Florida Department of Transportation 5-Year Aviation Capital Work Program.</p> <p>WHY ACTION IS NECESSARY: Resolutions must be adopted by the Board of County Commissioners.</p> <p>WHAT THE ACTION ACCOMPLISHES: Conveys the opposition of the Board of County Commissioners regarding reduction of funding sources for the FDOT 5-Year Aviation Capital Work Program. (#20011171-County Commissioners)</p> <p>REASON FOR WALK ON: Requested by Commissioner St. Cerny.</p>
#2	10-22-01 4:55PM	<p>ACTION REQUESTED: Authorize the creation of a 17 member Board appointed Smart Growth Advisory Committee. Approve the job description for the Director position that will support the Smart Growth Committee. Approve new classification for this position to the Lee County Pay Plan to fall under pay grade 24. Funding for the program was pre-approved at the September 19th Budget Public Hearing. The program shall be approved for two years with a one year renewal option.</p> <p>WHY ACTION IS NECESSARY: Board authorization is required to create the Advisory Committee. The Board asked to review the Smart Growth Director job description and the initial operating budget.</p> <p>WHAT THE ACTION ACCOMPLISHES: Establishes the Smart Growth Advisory Committee and authorizes the Director position. (#20011179-County Administration)</p> <p>REASON FOR WALK ON: Directed by the Board on October 16, 2001.</p>

BOARD: ALBION COY JUDAH JANES ST. CERNY
DONALD STILWELL, COUNTY MANAGER
BILL HAMMOND, DEPUTY COUNTY MANAGER
BRUCE LOUCKS, ASSISTANT COUNTY MANAGER
ANTONIO MAJUL, BUDGET SERVICES
JIM YAEGER, COUNTY ATTORNEY
JIM LAVENDER, PUBLIC WORKS

PUBLIC RESOURCES OFFICE
LISA PIERCE, MINUTES DEPT
COMMISSION RECEPTION DESK
BETTY SPENCER, FINANCE

Distributed by: Kathy Geren
Division of Public Resources
Phone: 335-2215

direction from the Board to proceed with a Request for Proposal (RFP) for the Master Plan; noted that the cost will be over \$50 thousand; reviewed the RFP procedures, and stated that the last step is to return to the Board for the ultimate determination. Commissioner Janes advised staff to send RFP's to all of the consultants who work in this field. The Chairman entertained a motion to approve going forward with the RFP. Commissioner Coy so moved, seconded by Commissioner Albion, for discussion. Ms. Gibbs responded to questions, and stated that it would take approximately three months to do the RFP. The motion was called and carried. The Chairman stated that the next motion would be to move this item to a Public Hearing, with the revised proposed ordinance being presented as additional backup. Commissioner Judah so moved, and stated: as additional backup, but not to be incorporated at this time, seconded by Commissioner Coy. Attorney Jones confirmed that staff would present both ordinances, and make the language changes as discussed. After further discussion, the motion was called and carried.

(b) ACTION REQUESTED:

Accept \$180,000 in settlement from Beyel Brothers, Inc. and Mobro Marine, Inc. as the final resolution of all damages incurred as a result of a tug and barge colliding into Span "A" of the Sanibel Bridge on August 17, 2000. Authorize Chairman to execute Settlement and Release Agreement, if the Settlement Agreement is acceptable to the Board.

WHY ACTION IS NECESSARY:

The Board of County Commissioners must approve or reject all settlements.

WHAT ACTION ACCOMPLISHES:

County receives an equitable monetary settlement by collecting 81% of its damages.

(#20011118-County Attorney)

Commissioner Judah moved the item, seconded by Commissioner Janes, called and carried.

12. HEARING EXAMINER

No requests received.

13. PORT AUTHORITY

No requests received.

14. CONSTITUTIONAL OFFICERS

No requests received.

15. COMMUNITY REDEVELOPMENT AGENCY

No requests received.

16. VISITOR AND CONVENTION BUREAU

No requests received.

17. PUBLIC WORKS DIVISION

No requests received.

WALK-ON ITEM NO. 1

3. COUNTY COMMISSIONERS

ACTION REQUESTED:

Adopt Resolution in opposition to any actions that may be taken by the Governor or the Legislature of the State of Florida that would reduce any funding sources of the Florida Department of Transportation 5Year Aviation Capital Work Program.

WHY ACTION IS NECESSARY:

Resolutions must be adopted by the Board of County Commissioners.

WHAT ACTION ACCOMPLISHES:

Conveys the opposition of the Board of County Commissioners regarding reduction of funding sources for the FDOT 5Year Aviation Capital Work Program. (#20011171-County Commissioners)

REASON FOR WALK-ON:

Requested by Commissioner St. Cerny.

Commissioner Janes moved the item, seconded by Commissioner Albion, called and carried.

RESOLUTION NO. 01-10-26

WALK-ON ITEM NO. 2

<http://www.lee-county.com/minutes/2001/10-23-01.htm>

9/16/04

1. COUNTY MANAGER

ACTION REQUESTED:

Authorize the creation of a 17-member Board-appointed Smart Growth Advisory Committee; approve the job description for the Director position that will support the Smart Growth Committee; and approve new classification for this position to the Lee County Pay Plan to fall under pay grade 24. Funding for the program was pre-approved at the September 19th Budget Public Hearing. The program shall be approved for two years with a one-year renewal option.

WHY ACTION IS NECESSARY:

Board authorization is required to create the Advisory Committee, and the Board asked to review the Smart Growth Director job description and the initial operating budget.

WHAT ACTION ACCOMPLISHES:

Establishes the Smart Growth Advisory Committee, and authorizes the Director position. (#20011179County Commissioners)

REASON FOR WALK-ON:

Directed by the Board on October 16, 2001.

Commissioner Janes moved the item, seconded by Commissioner Coy, for discussion. It was clarified that the 16th position was for an elected School Board member, that the 17th position was for a designee from the Board of County Commissioners, and that the director reports directly to the County Manager. Commissioner Albion and Commissioner Janes expressed their appreciation to Economic Development Director Janet Watermeier for the excellent job she has done over the past years. The motion was called and carried.

At this time, the Chairman suggested the Board designate their representative to the 17 Member Committee; and asked Commissioner Janes to continue as the Board's Liaison. Commissioner Judah so moved, seconded by Commissioner Coy, called and carried.

COMMISSIONER ITEMS

SIX-MILE CYPRESS SLOUGH CEREMONY - Commissioner Albion expressed the Board's appreciation to the Parks and Recreation Staff regarding the excellent ceremony that took place at the Six Mile Cypress Slough Preserve; and added that, hopefully, there will be other projects that will offer a great accompaniment to Six-Mile in the future.

STATE LEGISLATIVE DELEGATION MEETING DATE - Commissioner Janes reported that he received a communication from House Representative Carol Green regarding the State Legislative Delegation Meeting; and noted that the date will be Wednesday, December 12, 2001.

THANK YOU - Commissioner Janes thanked Commissioner St. Cerny for his quick response with the letter he sent to the Delegation regarding the proposed cuts.

HOT VIDEO - Commissioner Judah shared his experience on viewing an excellent video tape entitled, "Hot Spots in Cool Places", regarding the Lee County Parks and Recreation system; and stated that the video was made in conjunction with the Tourist Development Council (TDC); and could be viewed by contacting TDC or Parks and Recreation. Commissioner Albion suggested putting the video into the Library System for easy viewing by the citizens; Staff concurred.

ANTHRAX SCARE - Commissioner Judah recounted an incident, an anthrax scare that occurred in Lee County's Administration Mail Room, and noted everyone's relief that it was only a scare. He applauded the following employees for keeping their cool, and handling a bad situation in a very professional manner, and by not spreading the contamination: Public Resources Senior Office Support Connie Wheeler, Public Resources Office Support Martha Cail, Interim Services Office Assistant Denise Parker, and Public Resources Manager Libby Walker. County Manager Donald D. Stilwell added the name of Public Safety Director John Wilson to the list, and called attention to the fact that the Board had set up the Public Safety Program, and that it worked quite well.

FUND RAISING - Commissioner Judah commended the Lee County Fire Chief's Association for the \$110 thousand they raised to send to the New York City Fire and Emergency Relief Service Fund and the American Red Cross Disaster Fund, and applauded the community for their continuing support and funds.

TRANSFER DEVELOPMENT RIGHTS - Commissioner Judah noted that two studies have come out recently, the David Meyer Study regarding the Florida Panther, and the Economic Analysis Study by Dr. James Nicholas; and suggested the use of transfer development rights in order to better protect our environmentally sensitive lands.

SAVINGS - Commissioner St. Cerny congratulated the staff of Solid Waste and the Office of Management and Budget, with special emphasis to Budget Services Fiscal Research Specialist/Manager Jim Lewin, for the refinancing of the Garbage Bonds, resulting in a savings to the rate-payers of \$25.7 million.

CODE VIOLATION - Commissioner St. Cerny reported on a News-Press article regarding code violations that occurred on Calvin Boulevard, made it known that Development Services Deputy Director Robert Stewart and DCD/Development Services Rick Roberts are on top of this issue, that changes have been already made; and stated he believed it was helpful that the neighbors offered a petition asking for the County's help, and that the newspaper followed up with the story.

COMMITTEE APPOINTMENTS

From: Timothy Jones
To: Geren, Patricia
Date: 4/21/04 10:34AM
Subject: Re: Smart Growth

Kathy,

Yes, I believe the administration needs to do a bluesheet for further direction and authorization by the Board as to the future of the Committee and the Director position.

Tim

Timothy Jones
Chief Assistant County Attorney
Lee County, Florida
Phone: 239-335-2236 Fax: 239-335-2606
Email: jonest@leegov.com

>>> Patricia Geren 4/20/2004 4:33:16 PM >>>
Tim,

I am attaching a copy of the bluesheet that was approved on 10-23-01 to authorize the Smart Growth Advisory Committee and Smart Growth Director position. Since the program was approved for two years with a one year renewal option that will expire this year, will another bluesheet be needed to approve continuation of the Committee and Director position? No action has been taken by the Board since the original approval date. I have the Committee set to sunset on 10-31-04. Thanks!!

Kathy

Patricia K. (Kathy) Geren
Administrative Specialist
Public Resources
gerenpk@leegov.com
Phone: 239-335-2215
FAX: 239- 335-2449

CC: Daltry, Wayne