

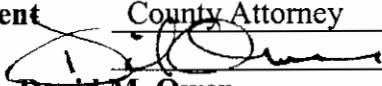
**Lee County Board Of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20060219

**1. ACTION REQUESTED/PURPOSE:** 1) Approve the reinstatement and extension of the Lee County Emergency Resolution Declaring Lee County a Major Disaster Area for the Removal of Hurricane Debris from the Lee County Bridgeless Barrier Islands which authorizes the removal, transportation and disposal of residential hurricane debris and construction and demolition ("C&D") materials from the Bridgeless Barrier Islands through marinas on Pine Island until **August 31, 2006**; and 2) Waive certain Land Development Code (LDC) Regulations and their enforcement during the term of the Resolution to facilitate the use of Pine Island marinas for hurricane debris removal from the Barrier Islands.

**2. WHAT ACTION ACCOMPLISHES:** Reinstates and allows for continuances of the Post-Disaster Recovery process for the Bridgeless Barrier Islands until August 31, 2006, in order to insure the safety and welfare of the residents on the Bridgeless Barrier Islands.

**3. MANAGEMENT RECOMMENDATION:** Approve the above requested reinstatement and extension to the Lee County Emergency Resolution, and the waiving of certain LDC Regulations and their enforcement for the use of Pine Island marinas for hurricane debris removal from the Bridgeless Barrier Islands during the term of the Resolution

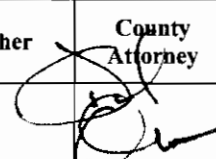



<b>4. Departmental Category:</b> 12 <b>CIAC</b>			<b>5. Meeting Date:</b> 03-14-2006		
<b>6. Agenda:</b> X Consent		<b>7. Requirement/Purpose: (specify)</b> X Statute Ch. 252, Fla. Stat.		<b>8. Request Initiated:</b> Commissioner	
Administrative		X Ordinance #95-14		Department County Attorney	
Appeals		Admin. Code		Division 	
Public		Other		By: David M. Owen	
Walk-On				County Attorney	

**9. Background:**

The reinstatement and extension of the Declaration of Lee County as a Major Disaster Area for the Removal of Hurricane Debris from the Lee County Bridgeless Barrier Islands is necessary in order to continue the recovery and mitigation process. This reinstatement and extension will allow for the continued removal of residential hurricane debris and C&D materials through marinas on Pine Island until August 31, 2006. A waiver and the abatement of enforcement of certain Lee County LDC Regulations with respect to the off-loading of the residential hurricane debris and C&D materials is necessary for the continued removal of the materials during the term of the proposed Resolution. The public's health and safety remains at risk on the Barrier Islands until such time as the residential hurricane debris and C&D materials from Hurricane Charley are removed and disposed.



**ATTACHMENTS:** Proposed Lee County Resolution Amending Resolution Nos. 04-11-06, 05-03-08, and 05-05-01

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Aggr.	
					RK 2/27			2/27/06	

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: 
2-24-06
4:27
COUNTY ADMIN FORWARDED TO: 
3/2/06
7.30

**LEE COUNTY RESOLUTION NO. \_\_\_\_\_**

**REINSTATEMENT AND EXTENSION OF THE  
DECLARATION OF LEE COUNTY BEING A MAJOR  
DISASTER AREA FOR THE REMOVAL OF HURRICANE  
DEBRIS FROM THE LEE COUNTY BRIDGELESS BARRIER  
ISLANDS**

**WHEREAS**, the Board of County Commissioners had previously adopted Lee County Resolution No. 04-08-70, declaring Lee County as a Major Disaster Area on Tuesday, August 17, 2004, as the result of Hurricane Charley, a Category 4 Hurricane, impacting Lee County on Friday, August 13, 2004; and,

**WHEREAS**, the Board of County Commissioners adopted Lee County Resolution No. 04-11-06 on November 2, 2004, extending the Declaration of Lee County being a Major Disaster Area for the Removal of Hurricane Debris from the Lee County Bridgeless Barrier Islands, which was extended by Resolution No. 05-03-08 on March 1, 2005, and extended again by Resolution No. 05-05-01 on May 3, 2005; and,

**WHEREAS**, Hurricane Charley caused major damage to many residential and commercial buildings, to include those located on the Bridgeless Barrier Islands; and,

**WHEREAS**, the Board of County Commissioners enacted Lee County Ordinance No. 95-14 to better manage recovery, post-disaster reconstruction and mitigation activities following a major disaster in unincorporated Lee County; and,

**WHEREAS**, the post-disaster reconstruction process presently requires an additional period of time from the expiration of Resolution No. 05-05-01 on November 30, 2005, to ensure the continued removal of hurricane debris from the Lee County Bridgeless Barrier Islands as the result of the damage caused by the impact of Hurricane Charley.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:**

1. The above recitals are hereby incorporated herein as if set forth at length.
2. Lee County Resolution Nos. 04-11-06, 05-03-08, and 05-05-01 are incorporated herein in their entirety by reference.
3. The Board of County Commissioners hereby exercises its authority pursuant to Chapter 242, Fla. Stat., and Lee County Ordinance No. 95-14 for the adoption of this Resolution.
4. This reinstatement and extension of the Declaration of Lee County as a Major Disaster Area for the Removal of Hurricane Debris from the Lee County Bridgeless Barrier Islands is reinstated and extended until August 31, 2006.
5. All other terms and conditions of Lee County Resolution No. 04-08-70 shall remain in full force and effect until the expiration date as set out in Paragraph 4., above.

This Resolution shall become effective immediately upon its adoption. The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and being put to a vote, was as follows:

BOB JANES \_\_\_\_\_  
DOUGLAS ST. CERNY \_\_\_\_\_  
RAY JUDAH \_\_\_\_\_  
TAMMARA HALL \_\_\_\_\_  
JOHN E. ALBION \_\_\_\_\_

**DULY PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2006.**

ATTEST: CHARLIE GREEN  
CLERK OF COURTS

BY: \_\_\_\_\_  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Tammara Hall, Chairwoman

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
Office of the County Attorney