

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

Blue Sheet No. 20060333

1. ACTION REQUESTED/PURPOSE:

Approve an agreement with the Boca Grande Community Planning Association, Inc. to provide financial support up to \$50,000 for the drafting of Land Development Code regulations to further implement the Boca Grande Community Plan.

2. WHAT ACTION ACCOMPLISHES:

Sets forth requirements for the issuance of Sector Planning funds to the Boca Grande Community Planning Association, Inc. for the drafting of Land Development Code regulations.

3. MANAGEMENT RECOMMENDATION:

Approval of the community planning agreement.

4. Departmental Category: 04

A 4 A

5. Meeting Date: **04-04-2006**

6. Agenda:
 Consent
 Administrative
 Appeals
 Public
 Walk-On

7. Requirement/Purpose: (specify)
 Statute
 Ordinance
 Admin. Code AC 13-3
 Other

8. Request Initiated:
 Commissioner Commissioner Janes
 Department Community Development
 Division Planning
 By: Paul O'Connor, AICP, Director
POC 3/21/06

9. Background:

The Boca Grande Community Planning Association, Inc. has requested \$50,000 for the drafting of land development regulations necessary to implement several policies of their recently adopted Lee Plan amendment. The Board adopted CPA 2004-12, Boca Grande, on October 12, 2005. That amendment was a direct result of the Boca Grande Community Plan that was financed, in part, with \$25,000 of sector plan funds.

On June 28, 2005, prior to the adoption of the Boca Grande plan amendment, the Board amended Administrative Code 13-3, Administrative Procedures Governing Community Planning Efforts Receiving Financial Support from the BOCC. That amendment to AC 13-3 increased the amount of available funding for the development of community plans from \$25,000 to \$50,000 and made each community panel eligible to receive up to an additional \$50,000 for the preparation of land development regulations necessary to implement the community plan.

This request by the Boca Grande Community Planning Association, Inc. is consistent with the recent amendment to AC 13-3.

Funds are available in account: LB5150715500.508309.05 (Community Development /Planning/Unincorporated MSTU/Other Grants & Aids/Sector Planning)

Attachments:

- Grant Contract
- Funding Request
- Administrative Code 13-3

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>M. J. [Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	<i>[Signature]</i> 3/22/06	<i>[Signature]</i> 3/22/06	<i>[Signature]</i> 3/22/06	<i>[Signature]</i> 3/23/06	<i>[Signature]</i> 3-24-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN:
3-22-06
9:12
 COUNTY ADMIN
 FORWARDED TO: *[Signature]*
3/22/06
BAW

CO. ATTY.
 FORWARDED
 TO CO. ADMIN.
3/22/06

SECOND COMMUNITY PLANNING AGREEMENT
BETWEEN LEE COUNTY AND BOCA GRANDE
COMMUNITY PLANNING ASSOCIATION, INC.

RECITALS

- A. The Board of County Commissioners recognizes that unincorporated Lee County consists of many diverse communities with various visions on how their community should develop.
- B. The residents of the Boca Grande community prepared and submitted a community plan that included proposed Lee Plan goals, objectives, and policies applicable to the Boca Grande community.
- C. The Board of County Commissioners adopted many of those goals, objectives, and polices into the Lee Plan in 2005.
- D. Several of the adopted policies direct the community to develop land development regulations specific to the Boca Grande community.
- E. The Boca Grande Community Planning Association, Inc. (BGCPA) has requested planning funds to defray the costs incurred to prepare and submit changes to the Lee County Land Development Code specific to the Boca Grande community.
- F. Lee County Administrative Code 13-3 requires communities seeking planning funds from the County to enter into a contract to govern the disbursement and use of public money on community planning efforts.

NOW, THEREFORE, THE PARTIES HERETO AGREE as follows:

1. Geographic Area. This agreement pertains to the grant of public funds to defray the cost of preparing land development regulations for a geographical area known as Boca Grande. Boca Grande is generally described as follows:
 - a. All of Gasparilla Island (located primarily in Lee County, but also in Charlotte County) including Boca Grande Isles, Three Sisters Island, Hoagen's Key, Loomis Island, and the Gasparilla Inn Historic Resort Area; and

- b. All other lands lying between the toll booth operated by the Gasparilla Island Bridge Authority and Gasparilla Island, including Cole Island and the Boca Grande Causeway.

The geographic area has been illustrated in Exhibit A hereto.

2. Deliverables. The Boca Grande Community Planning Panel (the "Panel") is responsible for the preparation of proposed amendments to the Land Development Code to be applicable to Boca Grande. A detailed description of deliverables is attached hereto as Exhibit B.

3. Eligibility for Public Funds. The parties agree that Lee County will disburse up to \$50,000 in funds that will be used solely for expenditures incurred by the Panel in the preparation and submission of proposed amendments to the Land Development Code. Total disbursements from the County for this purpose will not exceed \$50,000.

4. Applicability of Lee County Administrative Code. The parties agree that the Boca Grande community planning effort will be governed by the regulations set forth in Lee County Administrative Code 13-3 entitled "Administrative Procedures Governing Community Planning Efforts Receiving Financial Support From the BOCC." Lee County Administrative Code 13-3 is attached hereto as Exhibit C.

5. Applicability of Florida's Public Records and Open Meetings Laws.

A. Open Government

1. The parties agree that the community planning effort is subject to Florida laws on Open Government. Accordingly, all meetings of the Panel and its subcommittees will be open to the public. Moreover, the Panel will provide an adequate opportunity for public participation in the Boca Grande community planning effort. In addition, the Panel will encourage and allow the participation of residents, property owners, the school district, and other interested parties at all meetings and workshops on the community planning effort.
2. The Panel will provide reasonable notice of all meetings pertaining to the community planning effort.

3. Notification of meetings and workshops will include the posting of meeting date, time, and location of the meeting/workshop in accordance with Section 5, Lee County Administrative Code 13-3.
4. The parties agree that subcommittees consisting of members of the Panel and other community members may meet for the purpose of information gathering, information sharing, and the exploration of common concerns. Subcommittee meetings are also required to be publicly noticed. Common concerns explored by the subcommittees must be presented to the full community panel during a properly noticed public meeting consistent with Section 5 of Lee County Administrative Code 13-3.
5. The Panel must maintain minutes of its meetings in accordance with Section 5, Lee County Administrative Code 13-3.

B. Public Records

All records created in connection with the community planning effort must be retained by the Panel for three years following the date of submission of completed amendments to the Land Development Code. The records will be considered public records as defined by Chapter 119, Florida Statutes.

6. Record Keeping. The Panel must retain all financial, supporting documentation, and other records necessary to document the community planning effort and expenditures during the term of this agreement. If any litigation, claim, negotiation, audit, or other action involving the records are initiated prior to the expiration of a three-year period, the records must be retained for an additional one year after the final resolution of the action and final resolution of all issues that arise from the action.

7. Assurance, certification, and compliance. The Panel agrees that:

- A. It will comply with Chapter 760, Florida Statutes, and Lee County Ordinance 00-18 that prohibit discrimination in employment on the basis of race, color, national origin, sex, religion, disability, or marital status.
- B. Products or materials purchased with public funds will be procured in accordance with the provisions of 403.7065, Florida Statutes, which refers to the procurement of products or materials with recycled content.

- C. It will comply with the Americans with Disabilities Act of 1990, P.L. 101-336, which prohibits discrimination on the basis of disability and requires reasonable accommodation for persons with disabilities.
- D. It will notify Lee County of any significant change in the organization of the Panel.

8. Disbursement of Public Funds.

- A. Lee County will disburse up to \$50,000 to the Boca Grande Community Planning Panel during the term of this agreement, subject to the provisions pertaining to return of funds and suspension and termination of the agreement. (See paragraph 11.) The Panel agrees to spend the public funds only on items set forth in the Request for Implementation Funding & Proposed Budget set forth in the document attached as Exhibit B. The County will disburse money upon the receipt and approval of a completed payment request report. Disbursements may be made in installments based on the completion of items contemplated in the deliverables. The payment request report must include documents to support the expenditures. If the Panel fails to submit a payment request report, disbursements will be delayed until the receipt of a report. The County reserves the right to approve or disapprove payment requests.

Copies of supporting documentation must be attached to the payment request report. The County may require additional supporting documentation before agreeing to disburse money.

- B. Unsupported/unallowable costs. The County has the option to defer payment to the Panel during the period of a County audit or monitoring due to questionable items. If, as a result of the audit or monitoring, unallowable or unsupported costs are found, no further disbursements will be made until the full amount of overpayment is remitted to Lee County or the County accepts a repayment agreement.

9. Audits, Monitoring, and Records.

- A. Monitoring. The Panel agrees to permit County employees to inspect records, papers, and documents to be assured of satisfactory performance with the terms and conditions of this agreement. The monitoring is a limited

scope of review and does not relieve the Panel of its obligation to manage the public monies disbursed by the County in accordance with Lee County Administrative Code 13-3 and sound management practices.

Following this monitoring, the County may deliver to the Panel a written report regarding the status of compliance with the terms and conditions of the agreement. The panel must rectify all noted deficiencies within the specified period of time indicated in the monitoring report or provide the County with a reasonable and acceptable justification for not correcting the noted shortcomings. The Panel's failure to correct or justify the deficiencies within the time specified by the County may result in the withholding of future disbursements or termination of the agreement.

- B. Audit and Inspections. The Panel will make all records and items included on financial statements available for audit or inspection purposes during normal business hours and as often as County deems necessary. The Clerk of Courts internal audit division and Lee County have the right of timely and unrestricted access to books, documents, papers, and other records of the panel that are pertinent to the agreement in order to make audits, examinations, excerpts, transcripts, and copies of those documents.

10. Risk Management. The Panel will defend, hold harmless, and indemnify the County from and against all liability, loss, claims, damages, costs, attorneys fees, and expenses that the County may sustain, incur, or be required to pay either by reason of the loss of or improper use of money disbursed or to be disbursed hereunder including, but not limited to, fraud, embezzlement, or dishonesty on the part of any person represented or employed by the Panel, or by reason of the intentional or negligent act of the Panel or its agents, representatives, or employees.

11. Suspension/Termination. The County reserves the right to suspend the disbursement of money for failure to comply with this agreement. The County may cancel this agreement by giving 24 hours written notice to the Panel by certified mail following a determination by the Board of County Commissioners that the cancellation is in the best interest of the people of Lee County. Neither party will have further obligations under this agreement as of the date of cancellation unless specified otherwise in the termination notice. The Panel may cancel this agreement by giving 72 hours prior written notice to the County by certified mail. The County's obligation to make further disbursements under this agreement will cease as of the effective date of termination.

12. Reports.

- A. The Panel agrees to prepare a report outlining the progress of the Boca Grande community planning effort and deliver the report to the County with each request for disbursement of funds.
- B. A closeout report is due 60 days after the termination of the agreement or upon the submission of proposed amendments to the Land Development Code.
- C. If the required reports are not sent to the County or not completed in a manner acceptable to the County, the County may withhold further disbursements until the reports are completed.

13. Duration of agreement. Parties agree that the Panel will deliver proposed amendments to the Land Development Code for consideration by the Lee County Planning Division no later than December 2007 unless this agreement is terminated beforehand as specified in Paragraph 11.

14. Notice. The parties agree all notices provided under or pursuant to this agreement will be in writing either by hand delivery or first class certified mail, return receipt requested, to the representative identified below and at the address set forth below. The name and address of the County representative is: Paul O'Connor, Director, Planning Division, Department of Community Development, 1500 Monroe Street, P. O. Box 398, Fort Myers, Florida 33902-0398. The name and address of the representative of the Boca Grande Community Planning Association, Inc., responsible for the administration of this agreement is: Edward Hoopes, 1712 Jose Gaspar Drive, P. O. Box 1451, Boca Grande, Florida 33921. In the event different representatives or addresses are designated by either party after the execution of this agreement, notice of the new information will be provided in accordance with this section.

15. Applicable Law. This agreement will be construed under the laws of the State of Florida and the venue for any actions arising out of this agreement will lie in Lee County.

In witness thereof, Lee County and the Boca Grande Community Planning Association, Inc., have executed this agreement:

Attest: Clerk of Court

Lee County

By: _____
Deputy Clerk

By: _____
Tamara Hall, Chairwoman
Board of County Commissioners

Date: _____

APPROVED AS TO FORM:

Donna Marie Collins
Assistant County Attorney

Boca Grande Community Planning Association, Inc., A Florida Not-for-Profit Corporation

By: _____
Edward Hoopes, President

Date: _____

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this _____ by
(date)
Edward Hoopes, President of the Boca Grande Community Planning Association, Inc.,
a Florida Not-for-Profit corporation, on behalf of the corporation. He is personally known
to me or has produced _____ as identification.
(type of identification)

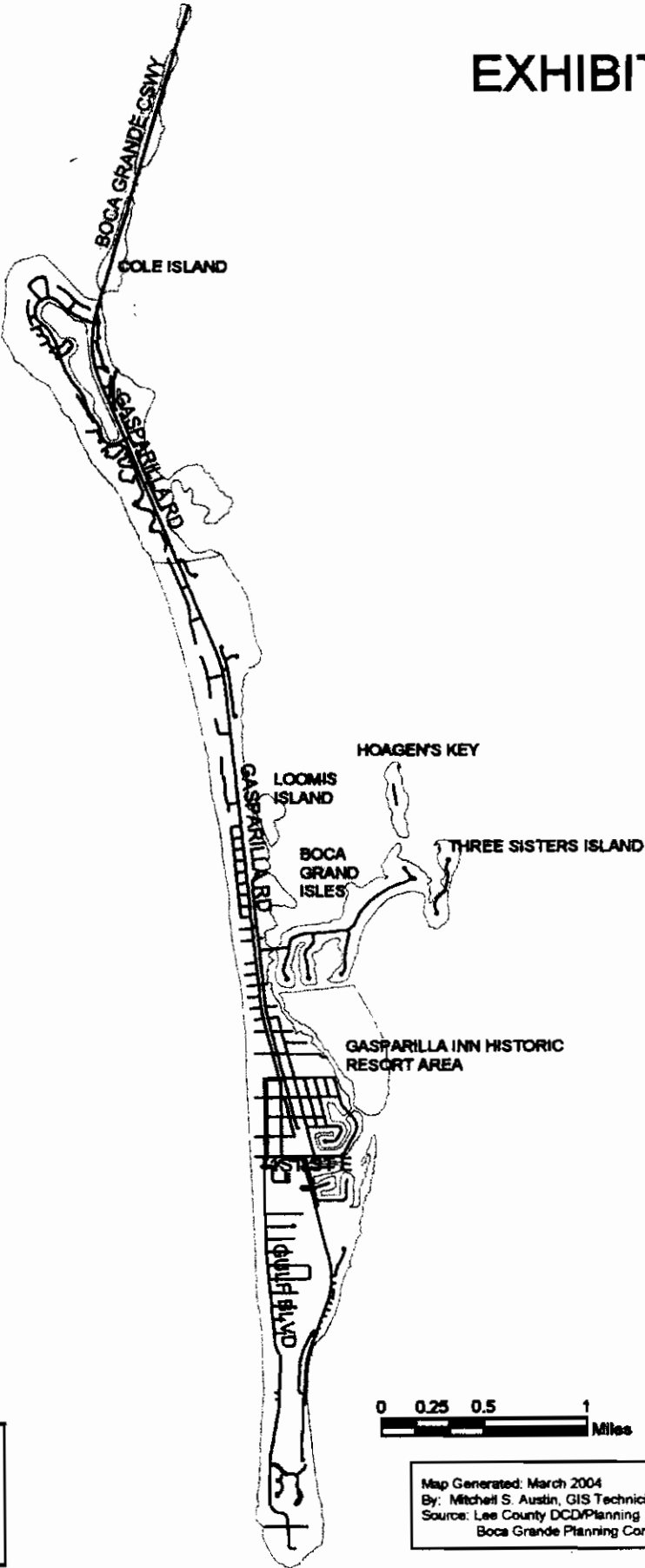
(Signature of person taking acknowledgment)

(Name typed, printed, or stamped)
(Title or Rank)
(Serial Number, if any)

Exhibits:

- A: Map of Geographic Areas subject to the Community Planning effort
- B: Deliverables
- C: Lee County Administrative Code 13-3

EXHIBIT A



LEGEND

- Charlotte County Roads
- - - Charlotte County
- - - Lee County
- Lee County Roads



LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING



Map Generated: March 2004
By: Mitchell S. Austin, GIS Technician
Source: Lee County DCD/Planning
Boca Grande Planning Community Map

EXHIBIT B
BOCA GRANDE COMMUNITY PLANNING ASSOCIATION, INC.
P.O. BOX 2404
BOCA GRANDE, FL 33921

DRAFT

February 1, 2006

Jim Mudd, AICP
 Principal Planner
 Lee County Department of Community Development
 Division of Planning
 1500 Monroe Street, Fort Myers FL 33901

Re: Boca Grande Community Plan
Request for Implementation Funding & Proposed Budget

Dear Jim,

The BGCPA, by this letter is requesting \$50,000 in additional funding for 2006 to assist with implementation of the Boca Grande Community Plan. As you are aware, Staff recommended that the Boca Grande Community undertake certain of the studies and develop some of the regulations and standards called for in our Community Plan. The Planning Panel agreed with the staff recommendation with the understanding that there would be funding available from Lee County to accomplish this.

The following are some of the policies that require additional action by the Boca Grande Community in order to implement our Community Plan:

- Policy 1.1.1:** Boating and marine facility site location standards and regulations
- Policy 1.1.2:** Commercial design guidelines, parking, signage standards, etc.
- Policy 1.1.3:** Regulations to better manage rental and tour businesses
- Policy 1.1.7:** Standards for permit requests for Cistern Feasibility Studies.
- Policy 1.1.8:** Regulations to preserve light space and air and discourage "mansionization"
- Policy 1.1.11:** Investigate and/or propose Zoning Overlay District and/or Marine Zoning District
- Objective 2.2:** Parking and traffic study to address multiple issues identified in **Policy 2.2.1 & 2.2.7**

The following is our estimate for the work and studies

1. Consultants, Parking & Traffic, Studies (Research & Reports)	\$22,000
Consultants, Public Meetings	7,000
 2. Consultants, Design Guidelines, Commercial Standards Marina Standards, Zoning Overlay Research & Reports	\$25,000
Consultants, Public Meetings	7,500
 3. a. Zoning Ordinance Drafting Research & Reports	\$14,000
b. Ordinance Adoption Hearings	\$15,000
Sub-Total	\$90,500

BOCA GRANDE COMMUNITY PLANNING ASSOCIATION, INC.
P.O. BOX 2404
BOCA GRANDE, FL 33921

Jim Mudd, AICP
February 1, 2006
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In addition, we anticipate costs for our public meetings, public notices, website postings, office and miscellaneous expenses, as follows:

Recording Secretary/Clerical	\$280	
Website posting	220	
Supplies, copies, postage, misc.	25	
Public Notices	<u>100</u>	
<u>Estimated Cost Per Public Meeting</u>	\$625	
X 12 meetings 2006 -2007		\$ 7,500
Legal& Misc.		<u>\$ 5,000</u>
	Sub Total	\$12,500
	<u>Total</u>	<u>\$103,000</u>

We anticipate the implementation process will take two more years to complete, possibly longer. We also anticipate raising some funds within our community, but as you can see, we are looking at a costs for implementation of over \$100,000.

As there are time requirements on some of these policies, we will be most grateful for an early and favorable response to our request for implementation funds.

Please do not hesitate to call or email me with any questions you may have.

Very truly yours,

Lynne M. Seibert, Treasurer
Boca Grande Community Planning Association, Inc.
(941) 964-2547

EXHIBIT C

ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS

CATEGORY: Development/Planning/Zoning	CODE NUMBER: 13-3
TITLE: Administrative Procedures Governing Community Planning Efforts Receiving Financial Support from the BOCC	ADOPTED: 6/26/01
	AMENDED: 6/28/05
	ORIGINATING DEPARTMENT: Department of Community Development

Purpose/Scope: To provide procedures and criteria for community planning effort and to establish the minimum acceptable criteria for community plans in order to be eligible for public financial support.

Policy/Procedure: The Board of County Commissioners recognizes that unincorporated Lee County consists of many diverse communities with various visions of how their community should develop. The intent of a community plan is to propose goals, objectives, and policies applicable to a specific area of the County that may ultimately be incorporated into the Lee Plan. Upon completion of a community planning effort the information gathered and the common concerns identified will be considered for a formal amendment to the Lee Plan.

The following procedures are established by the Board of County Commissioners to assure public confidence in the grass-root planning effort when public funds are provided to encourage the development of community plans by the residents of a community:

Section 1. Definitions:

- 1.1. "Community Panel" means the collection of community residents who volunteer to act as the group responsible for coordinating and overseeing the community planning effort. The Community Panel is encouraged to represent a wide variety of the community, including citizens, local business people, landowners, developers, and civic leaders. The Community Panel initiating a community planning effort must be a legal entity, either already existing or established expressly for the purpose of conducting the planning effort. The Community Panel may also be a committee or subset of a legal entity. If the Community Panel receives public funds from the Board of County Commissioners, they will be responsible for the financial accountability of the public funds granted for use in the community planning effort. The Community Panel is not an advisory body to the Board of County Commissioners. Their planning product is a compilation of the common concerns of the community containing suggested amendments to the Lee Plan and/or the Land Development Code to address those concerns.
- 1.2. "Planning Funds" means a grant that will be used for certain expenditures incurred by the Community Panel in the preparation of and the submission of: (a) a community plan, (b) land development regulations to implement a community plan, or (c) update a previously adopted community plan.
- 1.3. "Seed Money" means an initial grant of public money, authorized by the Board of County Commissioners, to be used to: (a) initiate a community plan, (b) pursue the development of land development regulations to implement a community plan, or (c) update a community plan. Seed money will be disbursed only after the Community Panel has entered into a written grant agreement

with the County describing the scope of the community plan and the limitations on the use of the grant.

Section 2. Initiation of a Community Planning Effort:

- 2.1. Residents wishing to serve as a Community Panel that is eligible to receive financial support from the County, must have at least one preliminary meeting with Planning Division staff to discuss the proposed community planning effort.
- 2.2. Following initial discussion with the Planning Division, the Community Panel must develop a written Community Planning Proposal that must contain, at a minimum:
 - a. The proposed name of the Community Panel including a list of the people who will act as the initial Community Panel, and information regarding its organization and composition, including, if applicable, a copy of its current budget and a list of its board of directors. (The membership of the Community Panel may be increased thereafter);
 - b. Copies of completed Form 1 "Statement of Financial Interests" for the previous year and, when applicable: Form 2 "Quarterly Client Disclosure" for the previous four quarters from those people wishing to act as the Community Panel and from any consultants that have been retained by the Community Panel to assist in the community planning effort;
 - c. A preliminary boundary description or a map of the area of the unincorporated County that the plan intends to cover;
 - d. An overview of the main issues that the planning effort intends to address and the expected resources needed to address the issues;
 - e. A preliminary timetable for the planning effort including target dates for project milestones such as completion of a visioning effort, completion of the data and analysis, workshops and public meetings, compilation of a draft study, and study completion date;
 - f. A description of the methods and procedures to be used to foster the maximum amount of public participation in the planning process;
 - g. A good faith estimate of the expected full cost of the planning effort;
 - h. A statement indicating the percentage of the projected costs that will be provided through the County funds; and,
 - i. A tangible demonstration that the planning effort will operated in a financially sound manner.
- 2.3. Planning staff will review and comment on the Community Planning Proposal to determine if it is sufficient for presentation to the Board of County Commissioners. Planning staff may require additional information, clarifications, or revisions to assure that the minimum requirements of this code have been met. Planning Staff will make a recommendation as to whether a Community Planning Proposal is sufficient to proceed before the Board of County Commissioners.

Section 3. Obtaining Seed Money and Planning Funding:

- 3.1 Once a Community Planning Proposal is determined by Planning staff to be sufficient, staff will initiate a blue sheet to bring the proposal, which includes a proposed grant agreement requesting the use of public funds, to a Public Hearing at a regularly scheduled Board of County Commissioner meeting. The grant agreement will set forth the terms and conditions that must be fulfilled prior to obtaining the Planning Funds and the seed money, if included in the request.
- 3.2 At the Public Hearing the Board of County Commissioners will solicit input from members of the community and the public in general.
- 3.3 Following public comment, the Board of County Commissioners will consider by motion whether to enter into the contract with the Community Panel.

Section 4. Seed Money, Planning Funds and Additional Grant Funding Assistance:

- 4.1. The Board of County Commissioners may initially authorize a grant of up to \$5,000 ("seed money"), to facilitate a community planning effort. No money will be disbursed by the Board until the required grant agreement is approved. The "seed money" will be disbursed pursuant to the written grant agreement between the County and the Community Panel. All disbursements of "seed money" will be deducted from the maximum amount of funds for which the Community Panel may be eligible.
- 4.2. Subsequent disbursements of public money for Planning Funds will be available in accordance with the terms and conditions of the grant agreement. The County grant will be based on the size and scope of the planning effort and the Community Panel's ability to complete the effort.
- 4.3 Each Community Panel may be eligible to receive a grant of up to \$50,000 for the development of a community plan and up to an additional \$50,000 for the preparation of land development regulations necessary to implement the community plan. The maximum amount of funds disbursed for each phase of the planning effort may not exceed \$50,000.
- 4.4. Community Panels may update community plans and the land development regulations necessary to implement the plan after five years. The County may authorize a grant of up to \$50,000 to defray the cost of the update.
- 4.5. All grants of public funds must be used solely for the creation of, or update to, the community plan and the preparation of land development regulations necessary to implement the plan. Acceptable uses of these public funds will include: payment of professional consulting services; advertising of public meetings/workshops; and copying of draft and final documents. Public funds may not be used for the rental of office space, purchase of supplies such as computers and software, or phone service. Before receiving any funds, the Community Panel must document how the funds will be utilized to the Lee County Department of Community Development, Planning Division.
- 4.6. The County will have unrestricted access to all records of the Community Panel pertaining to the community planning effort. The County may conduct audits of the financial records of the Community Panel. Before disbursing a grant of Planning Funds, the County must independently ensure that the proposed expenditure is in accordance with the regulatory requirements set forth in this Code and may enlist the Clerk of the Courts to perform an audit of the Community Panel. The head of the Community Panel must attest that the entity has complied with the provisions of the grant agreement and this Code.

- 4.7. County Planning Staff will assist the Community Panel in identifying additional funding sources to support the community planning efforts such as state or philanthropic grants.

Section 5. Public Participation:

- 5.1. The Community Planning effort is subject to the Florida laws on Open Government. Therefore, there must be an adequate opportunity for public participation in the community planning effort, the Community Panel must encourage and allow the participation of residents, property owners, the school district, and other interested parties. In order to effectuate this purpose, reasonable notice of all meetings pertaining to the community planning effort must be provided to the public. All meetings of the Community Panel must be open to the public.
- 5.2. Proper notification of meetings of the full Community Panel will include the posting of the meeting date and time in several public places including, but not limited to local libraries, post offices, banks, supermarkets, chambers of commerce, civic associations, and community recreation areas. In addition, these public meetings must be noticed in a local paper that is published daily or weekly. All posted and published notices must provide the date, time, and location of the public meeting. In lieu of a display advertisement, the notice could take the form of an article in a similar publication that provides the date, time, and location of the public meeting.
- 5.3. The Community Panel must maintain both recorded and written minutes of all of its full meetings. All records of the Community Panel pertaining to the community planning effort will be deemed public records and open for personal inspection by any person.
- 5.4. The Community Panel may establish sub-committees consisting of members of the Community Panel and/or other community members for the purpose of information gathering, information sharing, and the exploration of common concerns. The sub-committee meetings are required to be publicly noticed and recorded. The common concerns explored by the sub-committees must be presented to the full Community Panel at an informational sharing session during a properly noticed public meeting as outlined in section 5.2 above.

Section 6. Minimum Community Plan Requirements.

- 6.1. The Community Panel's suggested additions or revisions to the Lee Plan must be based on sufficient data and analysis to support the proposed amendments. Original data collection by the Community Panel to support the vision and unique character of a community is encouraged but not required.
- 6.2. Where data augmentation, updates, or special studies or surveys are deemed necessary by the Community Panel, appropriate methodologies must be clearly described or referenced and must meet professionally accepted standards for those methodologies.
- 6.3. The Community Panel's suggested additions or revisions to the Lee Plan must be based on resident and seasonal population estimates and projections. Resident and seasonal population estimates and projections must be those provided by the Planning Division, or can be generated by the Community Panel. If the local Community Panel chooses to base its community plan on its own projections, a detailed description of the rationale for this choice must be included in the Plan.
- 6.4. If a community plan includes suggested new Capital Expenditures or mandates County actions that will require additional or new public expenditure, the community plan must identify the funding source to achieve these expenditures.

- 6.5. County staff may make suggestions to the Community Panel regarding issues, upcoming projects, and other needs relevant to the community. The Community Panel is not obligated to incorporate those suggestions into the plan, but will recognize the suggestions as public input into the planning process.

Section 7. Submittal Requirements:

- 7.1. A completed Lee Plan Amendment Application form. (applicable comprehensive plan amendment fees will not be required.)
- 7.2. All text and maps submitted with a community plan must be in a format and size that is easily reproduced.
- 7.3. All maps included in the community plan must include major natural and man-made geographic features, and city and county lines, when applicable, and must contain a legend indicating a north arrow, map scale, and date.
- 7.4. As part of any proposed Comprehensive Plan Amendment, the Community Panel must provide a written summary on the extent of citizen participation in the planning effort. At a minimum, the citizen participation report must include the following information:
- a. Details of methods the Community Panel used to notify and involve the public. The dates, location, and attendance of all meetings and workshops where citizens were invited to discuss the planning effort;
 - b. Copies of all published and posted notices for meetings. A copy of the letters used for mailings, as well as the dates the letters were mailed and numbers of intended recipients. Copies of newspaper articles and newsletters discussing the community planning efforts.
 - c. Copies of all Agency Minutes for all meetings and workshops;
 - d. Copies of notices, newsletters, or other written materials distributed during the community planning effort;
 - e. A tally of the number of people who participated in the process, and if possible, the names of those who attended meetings and workshops;
 - f. A summary of the issues and concerns expressed by the participants in the planning effort;
 - g. The substance of the issues and concerns;
 - h. A description of how the agency has addressed or intends to address the issues and concerns expressed during the planning effort;
 - i. A description of the issues and concerns the Community Panel does not intend to address and why;
 - j. Copies of correspondence, including e-mail and facsimile transmittals; and
 - k. The names and addresses of the members of the Community Panel and all consultants retained to assist the Community Panel, and their additional Form 1 and Form 2 disclosures

for the time periods through the date of submittal of the Community Panel's suggested additions or revisions to the Lee Plan.

Section 8. Community Plan Amendment Review Process:

- 8.1 Following submittal of suggested amendments to the Lee Plan, Planning Division staff will conduct a complete evaluation and analysis of the proposal.
- 8.2 Lee County will consider comprehensive plan amendments suggested in community plans as part of the regular yearly amendment process. Those amendments will be reviewed, evaluated and considered in the same manner as any other proposed Lee Plan amendment. This review will follow the procedures and public notification required by Florida Statutes section 163.3187 and Lee County Administrative Code 13-6: Annual Plan Amendment Procedure to the Lee Plan.
- 8.3 The Board of County Commissioners reserves the right to adopt, not adopt or modify any and all of the community plan's suggestions.