

Lee County Board Of County Commissioners

Blue Sheet No. 20070316

Agenda Item Summary

1. **ACTION REQUESTED/PURPOSE:** Approve and adopt Resolution authorizing County Manager, or designee, to enter into, execute, and accept, on behalf of the Board all necessary Temporary Licensing Agreements for the purpose of establishing staging areas to store horticultural, construction, and demolition debris created by a local emergency event.

2. **FUNDING SOURCE:** None

3. **WHAT ACTION ACCOMPLISHES:** Allows staff to secure locations for temporary staging areas prior to the declaration of a local emergency event.

4. **MANAGEMENT RECOMMENDATION:** Approve

4. Departmental Category: 6

CGA

5. Meeting Date:

MAR 27 2007

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose: (specify)

- Statute 125
- Ordinance
- Admin. Code
- Other

8. Request Initiated:

Commissioner _____
 Department Independent
 Division County Lands
 By: Karen L.W. Forsyth, Director

9. **Background:**

As needed, the Division of County Lands obtains Temporary Licensing Agreements on behalf of the Department of Public Works, Division of Solid Waste. The purpose of the licenses are to establish staging areas in various locations around the County to store and process horticultural, construction, and demolition debris in the event of a local emergency event.

Once executed by the property owners, these standardized temporary licenses will permit County vehicles, personnel and any County authorized contractor to enter upon those lands for the purposes set forth in the Temporary License Agreement. The adoption of the Resolution will authorize the County Manager or his designee, to enter into, execute and accept all necessary Temporary Licensing Agreements required only for staging and storage of horticultural, construction and demolition debris created by local emergency events.

Staff Recommendation: Staff recommends the Board approve the action requested.

Funds are not required.

Attachment: Resolution

10. **Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
K. Forsyth	N.A.	N.A.	2-26-07	Robert Spuler 3-9-07	Analyst DWH 3/9/07	Risk MF 3/9/07	Grants M 3/9/07	Mgr N 3-13-07	3-13-07

11. **Commission Action:**

- Approved
- Deferred
- Denied
- Other

ENTD FEB 27 2007

Rec. by CoAtty
Date: 2/28/07
Time: 2:20pm
Forwarded To: Admin 3/9/07

RECEIVED BY COUNTY ADMIN: D
3/19 4:00
COUNTY ADMIN FORWARDED TO: PPC
3/14 8:30AM

2:26 pm

RESOLUTION GRANTING AUTHORIZATION TO THE COUNTY MANAGER, OR DESIGNEE TO ENTER INTO, EXECUTE, AND ACCEPT, ON BEHALF OF THE BOARD, ALL NECESSARY TEMPORARY LICENSE AGREEMENTS FOR THE PURPOSE OF ESTABLISHING STAGING AREAS TO STORE HORTICULTURE, CONSTRUCTION AND DEMOLITION DEBRIS CREATED DURING A LOCAL EMERGENCY EVENT

WHEREAS, the Board of County Commissioners from time to time and for various reasons, must declare a State of Local Emergency due to various weather events, or other catastrophes; and,

WHEREAS, the annual Hurricane Season, running from June 1 to November 30, also has the potential to impact Lee County each year causing various degrees of damage and destruction; and,

WHEREAS, certain weather events, or other catastrophes, may produce large quantities of horticultural, construction and demolition debris; and,

WHEREAS, the presence of large accumulations of debris may create unsafe and unsanitary conditions constituting a public nuisance that may render other structures in the vicinity uninhabitable and unsafe for the general public; and,

WHEREAS, in order to prevent disease, and to protect the health, safety and welfare of persons in Lee County, the Board of County Commissioners finds that there exists a compelling public purpose and need to regularly establish potential sites for staging and sorting of debris caused by a local emergency event; and,

WHEREAS, County staff will need to identify and secure suitable temporary staging locations throughout the year and on short notice due to the ever changing conditions and availability of various properties; and,

WHEREAS, it has been determined that the licenses are of a standardized format, temporary in duration, and require no compensation to the property owner.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA, that the County Manager, or designee, will be authorized to enter into, execute and accept all necessary Temporary License Agreements required for the purpose of establishing staging areas to store horticulture, construction and demolition debris created during a local emergency event.

All such temporary licenses entered into by the County Manager, or designee, will be for the specific purpose set out in this Resolution and may bind the County to restore the property to a safe and aesthetic condition which reasonably matches or exceeds the condition prior to the County's use.

All Temporary Licenses will be reviewed and approved by the County Attorney's Office prior to being executed and accepted by the County Manager or designee. Upon acceptance, the license will be entered into the County records.

THE FOREGOING RESOLUTION was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote was as follows:

Robert P. Janes	_____
Brian Bigelow	_____
Ray Judah	_____
Tammara A. Hall	_____
Franklin Mann	_____

DULY PASSED AND ADOPTED this ___ day of _____, 20 ___.

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

Chairman

APPROVED AS TO FORM:

Office of County Attorney