

**AGENDA RECAP**  
**MEETING DATE: OCTOBER 29, 2013**

**REVISIONS & CORRECTIONS**

<b><u>Agenda/Item #</u></b>	<b><u>Purpose</u></b>	<b><u>Requested by</u></b>
<b>C14A</b>	Please revise the blue sheet as follows:	County Attorney

**1. ACTION REQUESTED/PURPOSE:**

Direct to public hearings the consideration of the Fifth Amendment to the FGCU Campus Development Agreement. Suggested dates: November 26, 2013 and December 17, 2013. Two public hearings are required by Florida Statutes to amend a campus development agreement.

**3. WHAT ACTION ACCOMPLISHES:**

Approval of the Development Agreement will complete the Campus Master Plan process set out in Chapter 1013 of the Florida Statutes. The Campus Development Agreement process provides a mechanism for the University and the County to identify the University's proposed campus development over the next five years and to address the potential impact of that development on public facilities and services, including roads, sanitary sewer, solid waste, drainage/storm water management, potable water, parks and recreation, and public transportation.

The 5th Amendment revises the Development Agreement to identify that the University's Campus Plan for the next five years will not have an impact on the County's adopted levels of service for transportation, open space and recreation facilities. The Agreement also identifies that improvements for sanitary sewer, solid waste, potable water, and storm water management are not necessary to accommodate the impacts of the proposed development.

In addition, Florida Statutes does not require universities to mitigate impacts to public facilities unless the proposed development will degrade adopted levels of service in the County's comprehensive plan. The Lee County Comprehensive Plan does not establish a level of service for mass transit facilities. For this reason, FGCU is not legally required to fund mass transit as part of its obligation to mitigate the impact of the development authorized in its Campus Plan. The Fifth Amendment to the Agreement removes the University's requirement to fund mass transit service to the campus.

The second paragraph in **BACKGROUND:** has also been modified to read as follows:

Two public hearings are required by law prior to the adoption of an amendment to a Campus Development Agreement. The suggested Public Hearing dates: November 26, 2013 and December 17, 2013.

<b>C14B</b>	Revise to correct the following within the <b>Background</b> section: "98096± acres" should be "980.96± acres".	County Attorney
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**AGENDA RECAP**  
**MEETING DATE: OCTOBER 29, 2013**

**COMMISSIONERS' ITEMS**

**Commissioner Pendergrass**

- He will be giving an update on the TEAMFL transportation meeting he recently attended.
- He will ask for a volunteer to serve on the newly created Juvenile Justice Circuit Advisory Board (information attached).

Additionally, during the Ceremonial part of the meeting, he will call forward Heather Mazurkiewicz to recognize Builder's Care. This is not a ceremonial presentation, but just a recognition for the group. I've attached an email with more information.

**Commissioner Kiker**

- Bonita COPCN and the newly passed Water Resources Reform and Development Act (WRDA)
- Sand Haul trucking status on Corkscrew Road

**COUNTY MANAGER/COUNTY ATTORNEY ITEMS**

Closed Executive Session for Estero Place scheduled on November 5, 2013.

County Attorney

Scheduling Closed Executive Session for Pine Island Bert Harris.

County Attorney

**DATE AND TIME DISTRIBUTED: 10-28-13      9:00am published to web**  
**10-28-13      3:40pm distributed to staff**



## FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Rick Scott, Governor

Wansley Walters, Secretary

RECEIVED

OCT 9 2013

COMMISSIONER CECIL PENDERGRASS  
DISTRICT 2

October 3, 2013

Dear Statutorily Required Representative:

We greatly appreciate your support of the passage of House Bill 617. Through your cooperation, during the 2013 Session, the Florida Legislature passed a bill that will create a cohesive and effective forum for local stakeholders to share ideas and improve the delivery of community-based services to Florida's youth.

Florida law now authorizes the establishment of a Juvenile Justice Circuit Advisory Board in each of the 20 judicial circuits. The Circuit Advisory Boards will provide advice and direction to the department in the development and implementation of juvenile justice programs and will work collaboratively with the department in seeking program improvements and policy changes to address the emerging and changing needs of Florida's youth who are at risk of delinquency.

In addition, the statute provides the administrative procedures and framework for the development of effective Circuit Advisory Boards. The framework is in place to assure that Circuit Advisory Boards effectively represent the community. Except in single-county circuits, each Circuit Advisory Board shall have a county organization representing each of the counties in the circuit. The Circuit Advisory Boards cannot fully represent the community they serve unless the statutory obligations of the Circuit Advisory Boards have been met. Furthermore, the statute mandates the membership of a Circuit Advisory Board to be comprised of: *state attorney, public defender, chief judge, Department of Children and Families, county sheriffs, county police chiefs, county commissioners, district school superintendents, county workforce organizations, business community, juvenile justice involved youth, faith community, health services, parent or family of juvenile justice involved youth and community leaders or youth serving coalitions.*

To that end, the Department of Juvenile Justice, in conjunction with the Juvenile Justice Circuit Advisory Boards require that each statutory representative serve on the Circuit Advisory Board to assist in the statutory requirements and ensure quality services for youth.

A membership application is enclosed to assist in the membership process. Please complete the membership or designee application and send any supporting documents to the Circuit Advisory Board Chairman appropriate to your area. An index of all Circuit Advisory Board Chairmen has been included as well.

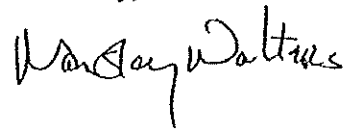
If you have any further questions, please contact Daniella DelVento, Statewide Circuit Advisory Board Coordinator. She may be contacted at (850) 717-2428 or [Daniella.DelVento@djj.state.fl.us](mailto:Daniella.DelVento@djj.state.fl.us).

2737 Centerview Drive • Tallahassee, Florida 32399-3100 • (850) 488-1850  
<http://www.djj.state.fl.us>

*The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.*

Thank you again for your dedication and commitment to serving the youth of Florida as representative to your Juvenile Justice Circuit Advisory Boards.

Sincerely,

A handwritten signature in black ink that reads "Wansley Walters". The signature is written in a cursive style with a large, prominent "W" at the beginning.

Wansley Walters, Secretary  
Florida Department of Juvenile Justice

Cc: Christy Daly, Deputy Secretary  
Alex Kelly, Chief of Staff  
Wanda Finnie, Esq., Assistant Secretary, Office of Prevention



# FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Rick Scott, Governor

Wansley Walters, Secretary

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## Circuit Advisory Board Chairmen

### Circuit One

Kenneth M. Myers  
30 E Texar Dr.  
Pensacola, FL 32503  
kmyers@escambia.k12.fl.us

### Circuit Two

Donnie Read  
11939 State Road 20  
Bristol, FL 32321  
Donnie@twinoaksfl.org

### Circuit Three

Curtis Jenkins  
690 E Duval Street  
Lake City, 32025  
columbateencourt@comcast.net

### Circuit Four

Jim Clark  
4203 Southpoint Blvd.  
Jacksonville, FL 32216  
jclark@danielkids.org

### Circuit Five

Stephanie Glass  
518 W Alfred Street  
P.O. Box 7800  
Tavares, FL 32778  
sglass@lakecountyfl.gov

### Circuit Six

\*Daniella DelVento  
Statewide Circuit Advisory Board Coordinator  
Knight Bldg.  
2737 Centerview Drive  
Tallahassee, FL 32399  
Daniella.delvento@djj.state.fl.us

### Circuit Eleven

Marie Osborne  
3300 NW 27<sup>th</sup> Ave.  
Miami, FL 33147  
MOsborne@pdmiami.com

### Circuit Twelve

Wayne Applebee  
2200 Ringling Blvd. Suite 2001  
Sarasota, FL 34238  
wapplebee@scgov.net

### Circuit Thirteen

Judge Ralph C. Stoddard  
401 N Jefferson Room 437  
Tampa, FL 33602  
Stoddardc@fljud13.org

### Circuit Fourteen

Michael Johnson  
2629 W 10<sup>th</sup> Street  
Panama City  
mjohnson@pcgov.org

### Circuit Fifteen

Barabara Gerlock  
7716 Spring Creek Drive  
West Palm Beach, FL 33411  
bcgcircuit15@gmail.com

### Circuit Sixteen

Steven Torrence  
P.O. Box 1409  
Key West, FL 33041  
storenc@keywestcity.com

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2737 Centerview Drive • Tallahassee, Florida 32399-3100 • (850) 488-1850  
<http://www.djj.state.fl.us>

*The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.*

**Circuit Seven**

Dana Platas  
4203 Southpoint Blvd.  
Jacksonville, FL 32216  
dplatas@danielkids.org

**Circuit Eight**

Jim Pearce  
3615 SW 13 Street  
Gainesville, FL 32608  
Ste 4  
jim\_pearce@cdfsfl.org

**Circuit Nine**

Captain Warren Shepard  
8 North Stewart Ave.  
Kissimmee, FL 34741  
wshepard@kissimmee.org

**Circuit Ten**

Julia Hermelbracht  
1055 Highway 17 North  
Bartow, FL 33830  
julia\_hermelbracht@dcf.state.fl.us

**Circuit Seventeen**

Marsha Ellison  
1100 Sistrunk Blvd.  
Ft. Lauderdale, FL 33311

**Circuit Eighteen**

Richard Rodgers  
817 Dixon Blvd. Ste. 8  
Cocoa, FL 32922  
rrogers@eckerd.org

**Circuit Nineteen**

Chief John Bolduc  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, FL 34984  
john.bolduc@cityfpsl.com

**Circuit Twenty**

Dr. Sandra Pavelka  
10501 FGCU Blvd. S.  
Ft. Myers, FL 33920  
spavelka@fgcu.edu



### CIRCUIT ADVISORY BOARD Designee Form

**I. Complete the following information for your designee:**

Name: \_\_\_\_\_ County: \_\_\_\_\_  
Organization: \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**II. Please indicate which representative your designee will serve as:**

- State attorney, or designee
- Public defender, or designee
- Chief judge, or designee
- Sheriff, or designee, County: \_\_\_\_\_
- Police chief, or designee, County: \_\_\_\_\_
- Board of Commissioners or designee, County: \_\_\_\_\_
- School Superintendent or designee, District: \_\_\_\_\_

**III. Please provide a brief biography of 150 words or less (use additional sheet if necessary).**

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*By signing this document you have agreed to have the individual named above to serve as the \_\_\_\_\_ designee for the \_\_\_\_\_ Circuit Advisory Board.*

\_\_\_\_\_  
*Signature of Statutory Representative*

\_\_\_\_\_  
*Date*



**Schweers, Molly**

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**From:** htaulman@bia.net on behalf of Lee BIA Builders Care [htaulman@bia.net]  
**Sent:** Friday, October 18, 2013 11:17 AM  
**To:** Dist2, Cecil Pendergrass  
**Subject:** Builders Care- A finalist in 100 Cars for Good!

## Lee BIA Builders Care

October, 2013

**Dear Cecil Pendegrass,**

Builders Care has been named as one of the 250 finalists in the Toyota 100 Cars for Good program and we need your support to help us win a Toyota Tundra!

### **Your support can make a difference**

Builders Care is a nonprofit organization that provides emergency repairs to homeowners in need in Lee County. Winning a Toyota Tundra will allow us to transport much needed construction materials and tools to project sites so that our volunteers can make a difference in peoples lives.

In order to be successful in this endeavor, we must INCREASE OUR FACEBOOK LIKES on our Builders Care facebook page and also have AS MANY PEOPLE AS POSSIBLE vote for us on October 29th.

We want to make this as easy as possible for you. We have attached several items to this email to make this easy for you. You will find all of the information that you will need along with sample emails and facebook posts to send out to your organization.



1. LIKE us on Facebook
2. Share with others on
3. **VOTE on 10/29!**

website, newsletter  
and social media streams!

You use [attachment!](#)

**LIKE US on FACEBOOK [@LeeBuildersCare](#)**

**SHARE IT with others!**



**DON'T FORGET TO VOTE ON OCT. 29TH**

[www.facebook.com/Toyota](http://www.facebook.com/Toyota)

If all of our supporters would do this, then we will have a better chance at winning a new Toyota Tundra!

Thank you so much!

The team at  
Lee BIA Builders Care

[Forward this email](#)



Try it FREE today.

This email was sent to dist2@leegov.com by [htaulman@bia.net](mailto:htaulman@bia.net) |  
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).  
Lee BIA Builders Care | 10501 Six Mile Cypress Pkwy. | Suite 104 | Fort Myers | FL | 33966

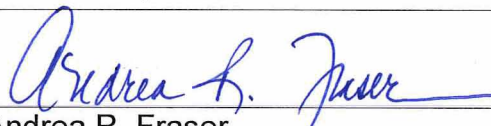
**MEMORANDUM  
FROM THE  
OFFICE OF COUNTY ATTORNEY**

VIA EMAIL ONLY

DATE: October 15, 2013

TO: Board of County Commissioners

FROM:

  
Andrea R. Fraser  
Interim County Attorney

RE: **County Attorney Item for October 29, 2013, Board Meeting  
Closed Executive Session**

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As a County Attorney item at your regularly scheduled meeting of Tuesday, October 29, 2013, I will request the scheduling of a Closed Executive Hearing regarding *Estero Place, LLC v. Lee County, Case No. 11-CA-507*, Circuit Court of Lee County, Florida.

Consistent with Section 286.011(8), Florida Statutes, the meeting is for the purpose of settlement discussions. The proposed Session is scheduled for **Tuesday, November 5, 2013, at 11:00 a.m.**, opening in Chambers, convening in the East Room, and adjourning in Chambers.

The following individuals will be in attendance at this *Attorney-Client Executive Session*:

<u>County Commissioners:</u>	John E. Manning Cecil L Pendergrass Larry Kiker Frank Mann
<u>Attorneys:</u>	Richard Wm. Wesch Andrea R. Fraser John S. Turner John Shubin
<u>County Manager:</u>	Roger Desjarlais

The Closed Session of the meeting will be transcribed by Jennifer Budreau or other representative of the court reporting firm of Von Ahn Associates.

ARF/awe

Via E-Mail Only:

Roger Desjarlais, County Manager  
Lisa L. Pierce, Minutes Office Manager, Lee County Clerk of Courts  
Georgia Sekulski, Office Manager, Public Resources  
Kim Kirton, Administrative Specialist, Public Resources

**MEMORANDUM  
FROM THE  
OFFICE OF COUNTY ATTORNEY**

VIA EMAIL ONLY

DATE: October 22, 2013

TO: Board of County Commissioners

FROM:

  
Andrea R. Fraser  
Interim County Attorney

RE: **County Attorney Item for October 29, 2013, Board Meeting  
Closed Executive Session – Pine Island Bert Harris**

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As a County Attorney item at your regularly scheduled meeting of Tuesday, October 29, 2013, I will request the scheduling of a Closed Executive Hearing regarding *Estero Cammilot Partners, LLC v. Lee County*, Case No. 09-CA-5630, *Breese Rusk Glennon v. Lee County*, Case No. 09-CA-4630, *Dean & Dean Farms v. Lee County*, Case No. 09-CA-5724; *Sabasa Pass Grove, Inc. v. Lee County*, Case No. 09-CA-5722, Circuit Court of Lee County, Florida, Circuit Court of Lee County, Florida.

Consistent with Section 286.011(8), Florida Statutes, the meeting is for the purpose of settlement discussions. The proposed Session is scheduled for **Monday, November 25, 2013, at 1:00 p.m.**, opening in Chambers, convening in the East Room, and adjourning in Chambers.

The following individuals will be in attendance at this *Attorney-Client Executive Session*:

<u>County Commissioners:</u>	John E. Manning Cecil L Pendergrass Larry Kiker Frank Mann
<u>Attorneys:</u>	Richard Wm. Wesch Andrea R. Fraser John S. Turner Kenneth G. Oertel
<u>County Manager:</u>	Roger Desjarlais

The Closed Session of the meeting will be transcribed by Jennifer Budreau or other representative of the court reporting firm of Von Ahn Associates.

ARF/awe

Via E-Mail Only:

Roger Desjarlais, County Manager  
Lisa L. Pierce, Minutes Office Manager, Lee County Clerk of Courts  
Georgia Sekulski, Office Manager, Public Resources  
Kim Kirton, Administrative Specialist, Public Resources