

REVISED AGENDA RECAP
MEETING DATE: SEPTEMBER 3, 2013

ITEMS TO BE DEFERRED/CONTINUED

<u>Agenda/Item #</u>	<u>Purpose</u>	<u>Requested by</u>
C6A	Please defer item to the September 10, 2013 meeting. It is necessary for this action to be approved by the CAA/NDC prior to the Board of County Commissioner approval. The CAA/NDC meeting scheduled for August 29, 2013 must be rescheduled until September 5, 2013.	Human Services

REVISIONS & CORRECTIONS

<u>Agenda/Item #</u>	<u>Purpose</u>	<u>Requested by</u>
No items submitted		

ITEMS MOVED FROM CONSENT TO ADMINISTRATIVE AGENDA

<u>Agenda/Item #</u>	<u>Purpose</u>	<u>Requested by</u>
No items submitted		

WALK - ONS OR CARRY - OVERS

Walk-on #/Carry-Over#

- WO1 ACTION REQUESTED/PURPOSE:**
On August 27, 2013 at a Special Meeting to interview candidates for County Attorney, the Board came to consensus on moving forward with candidate Richard Wesch as the first selection and Andrea Fraser as the second selection.
A) Select and approve Richard Wesch as the chosen candidate for services to be performed as the Lee County Attorney.
B) Authorize Chair, on behalf of the Board, to enter into contract negotiations with Mr. Wesch for his contractual employment.
C) Select and approve Andrea Fraser as the secondary candidate for services to be performed as the Lee County Attorney if successful contract negotiations are unable to be reached with Mr. Wesch.
D) Should contract negotiations fail with Mr. Wesch, authorize Chair, to enter into contract negotiations with Ms. Fraser. (#20130761-HUMAN RESOURCES)
REASON FOR WALK ON:
Directed by the BoCC at the conclusion of the County Attorney interviews held on 8/27/13 during a special meeting
- WO2 ACTION REQUESTED/PURPOSE:**
Accept a settlement of the Final Judgment regarding LPH, LLC and Buckingham Village, LLC v. Lee County, Case No. 07-CA-3142 consolidated with Case No. 08-CA-12823 in the amount of \$8,389,225.00. (#20130763-COUNTY ATTORNEY)
REASON FOR WALK ON:
To allow staff time to process within timeframe of Court order.

COUNTY MANAGER/COUNTY ATTORNEY ITEMS

- | | |
|--|-----------------|
| Discuss Implementing Senate Bill 50 – Opportunity to be Heard | County Attorney |
| Representatives of the Supervisor of Elections (Sharon Harrington) and Sheriff's Office (Bill Bergquist) will be present to discuss and answer questions about their budgets | County Manager |

DATE AND TIME DISTRIBUTED: 9-3-13 8:10am

**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

VIA EMAIL ONLY

DATE: August 30, 2013

TO: Board of County Commissioners

FROM:



Andrea R. Fraser
Interim County Attorney

RE: **Public Comment at Board Meetings – Open to the Public
Section 286.0114, Florida Statutes**

Effective October 1, 2013, pursuant to Section 286.0114, Florida Statutes, members of the public must be given a reasonable opportunity to be heard regarding any item or proposition presented to or acted upon by the Board. While the opportunity to be heard is not required to happen at the same meeting in which the Board takes official action on an item, the opportunity to be heard must occur at a meeting during the decision-making process and within reasonable proximity before the meeting at which the Board takes official action.

We reviewed the Board's current set of meetings to which this law would apply: Management & Planning Meetings (M&P), Regularly Scheduled Board Meetings, Budget Workshops, and Joint Meetings. This means that prior to any formal or informal decision-making, the opportunity for public comment must be provided. With respect to M&P and other workshop meetings, our office recommends allowing public comment on all items on the scheduled agenda at the beginning of the meeting, similar to the comment on Consent and Administrative Agenda. That said, we would like you, the Board, to consider how to best approach "Commissioner Items" during Regularly Scheduled Board Meetings.

One option involves requiring all "Commissioner Items" to be sent to Public Resources and other Board members at least 24-hours in advance of the regularly scheduled Board meeting. The item would be placed on the *Agenda Recap Sheet* for distribution no later than 9:00 a.m., the day prior to the Regularly Scheduled Meeting. This would provide the general public with notice and therefore, the opportunity to comment.

Another option with respect to "Commissioner Items", is to allow issues to be discussed without advance notice to the public with the understanding that if action or direction is required by the Board or staff, the item would be placed on a future Board Agenda in order to give the public an opportunity to comment.

At the Board's Regularly Scheduled Meeting of September 3, 2013, we will bring this item forward as a "County Attorney Item" in order to obtain the Board's direction regarding amendment of Administrative Codes AC-1-2, and AC-1-3, as well as direction as to providing an opportunity for public comment regarding "Commissioner Items".

Board of County Commissioners
August 30, 2013
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RE: Public Comment at Board Meetings – Open to the Public
Section 286.0114, Florida Statutes

ARF/awe

Via Email Only:

Roger Desjarlais, County Manager
Pete Winton, Assistant County Manager
Glen V. Salyer, Assistant to the County Manager
Laurel Chick, Internal Services Manager, Lee County Administration
Christine Brady, Director, Human Resources/Public Resources
Georgia Sekulski, Office Manager, Public Resources