

Lee County Board of County Commissioners
Agenda Item Summary

Blue Sheet No. 20041088

1. **REQUESTED MOTION:**

ACTION REQUESTED: Approve Memorandum of Understanding between Lee County and the United States Department of Interior, through the J.N. "Ding" Darling National Wildlife Refuge, for providing emergency disaster relief as a result of Hurricane Charley.

WHY ACTION IS NECESSARY: The Board of County Commissioners is required to enter into the proposed Agreement, in accordance with Federal requirements.

WHAT ACTION ACCOMPLISHES: Allows for disaster relief for Captiva Island and also allows the County to reimburse costs incurred by the U.S. Fish and Wildlife Service, and then seek reimbursement from the Department of Homeland Security, Federal Emergency Management Agency (FEMA) for the services provided by the U.S. Fish and Wildlife Service.

2. **DEPARTMENTAL CATEGORY:**
COMMISSION DISTRICT #

3. **MEETING DATE:**

08-24-2004

4. **AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. **REQUIREMENT/PURPOSE:**
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. **REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT County Attorney
- C. DIVISION General Services
- BY: David M. Owen
Chief Assistant County Attorney

7. **BACKGROUND:**

When Hurricane Charley impacted Lee County, the County requested assistance from the State of Florida. As a result, the State requested assistance from the Federal Government. Such assistance came in many forms, in particular, the United States Fish and Wildlife Service agreed to assist with emergency disaster relief for Captiva Island. As a condition of the USFWS providing said assistance, the County agreed to reimburse the Agency for costs incurred. In turn, the County will seek reimbursement from FEMA.

8. **MANAGEMENT RECOMMENDATIONS:**

9. **RECOMMENDED APPROVAL:**

Approve the Memorandum of Understanding with the U.S. Department of the Interior.

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	8/20/04	OA RK 8/20	OM 8/20/04	RISK 8/20/04	GC 8/20/04	

10. **COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

CO. ATTORNEY
FORWARDED
TO CO. ADMIN.
8/20/04
2:50pm

RECEIVED BY
COUNTY ADMIN:
8/20/04
320
COUNTY ADMIN
FORWARDED TO:
8/20/04
340



United States Department of the Interior

FISH AND WILDLIFE SERVICE
J.N. "Ding" Darling National Wildlife Refuge
1 Wildlife Drive
Sanibel, Florida 33957

IN REPLY REFER TO:

FWS/R4/JNDD

17 August 2004

Memorandum

To: Lee County

From: Refuge Manager Robert D. Jess

Subject: Disaster Relief Support to Captiva Island - FL-R4R-004001

On Friday, August 13, 2004, the U.S. Fish and Wildlife Service agreed to assist Captiva Island in response to a request from Captiva, Lee County to provide emergency disaster relief to Hurricane Charley. This letter is to acknowledge Lee County's intent to reimburse costs incurred by the Service in this response action.

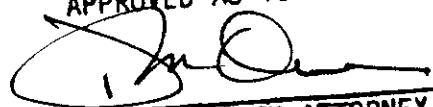
Lee County should include Service cost estimates in their disaster relief package and reimbursement is contingent upon Lee County receiving reimbursement by the Department of Homeland Security (FEMA).

Should you have any questions, please contact Refuge Manager Jess at 239-940-2969 or 239-395-0880.

Refuge Manager
J.N. "DING" Darling NWR



Lee County

APPROVED AS TO FORM


OFFICE OF COUNTY ATTORNEY

COPY

BOARD OF COUNTY COMMISSIONERS
WALK ON AGENDA ITEMS
MEETING DATE: August 24, 2004

WO # DESCRIPTION

- WO #1** **ACTION REQUESTED:**
Confirm and accept for both filing and the Clerk's Minutes purposes, Lee County Resolution Nos. 04-08-61 and 04-08-62, relating to the Declaration of Local Emergency and Evacuation Order as adopted by the County on August 11, 2004 and August 12, 2004, respectively, relating to Hurricane Charley.
WHY ACTION IS NECESSARY:
Approval of the Emergency Resolutions at a Board meeting facilitates the filing of same with the minutes of the Board.
WHAT ACTION ACCOMPLISHES:
Provides both a Board meeting confirmation and scheduling document for the filing of Emergency Resolutions adopted by the Board. (#20041083-County Attorney)
REASON FOR WALK ON:
To expedite confirmation and filing of two Emergency Resolutions adopted last week without benefit of Board action at a regular meeting.
- WO #2** **ACTION REQUESTED:**
Approve second extension of Declaration of State of Local Emergency originally declared on August 11, 2004, and extended for an additional seven (7) days on August 17, 2004, relating to Hurricane Charley.
WHY ACTION IS NECESSARY:
State of Local Emergencies are only effective for seven (7) days and must be extended in seven (7) day increments until rescinded.
WHAT ACTION ACCOMPLISHES:
Allows the County to waive the procedures and formalities otherwise required, in order to take whatever actions are necessary to ensure the health, safety and welfare of the County. (#20041086-County Attorney)
REASON FOR WALK ON:
To ensure compliance with regulatory requirements.
- WO #3** **ACTION REQUESTED:**
Rescind Lee County Emergency Resolution No. 04-08-62 of August 12, 2004, declaring an Evacuation Order for all persons residing in mobile homes, recreational vehicles or manufactured homes, the Barrier Islands; and suspending the payment of tolls on Sanibel, Midpoint and Cape Coral Bridges.
WHY ACTION IS NECESSARY:
With the community now returning to their homes, the Evacuation Order is no longer necessary.
WHAT ACTION ACCOMPLISHES:
Rescinds the Evacuation Order and reinstates tolls on the applicable Bridges. (#20041087-County Attorney)
REASON FOR WALK ON:
To ensure compliance with regulatory requirements.
- WO #4** **ACTION REQUESTED:**
Approve Memorandum of Understanding between Lee County and the United States Department of Interior, through the J.N. "Ding" Darling National Wildlife Refuge, for providing emergency disaster relief as a result of Hurricane Charley.
WHY ACTION IS NECESSARY:
The Board of County Commissioners is required to enter into the proposed Agreement, in accordance with Federal requirements.
WHAT ACTION ACCOMPLISHES:
Allows for disaster relief for Captiva Island and also allows the County to reimburse costs incurred by the U.S. Fish and Wildlife Service, and then seek reimbursement from the Department of Homeland Security, Federal Emergency Management Agency (FEMA) for the services provided by the U.S. Fish and Wildlife Service. (#20041088-County Attorney)
REASON FOR WALK ON:
To ensure compliance with regulatory requirements.

BOARD: ALBION COY JUDAH JANES ST. CERNY
COMMISSION RECEPTION DESK
DONALD STILWELL, COUNTY MANAGER
WILLIAM HAMMOND, DEPUTY COUNTY MANAGER
HOLLY SCHWARTZ, ASSISTANT COUNTY MANAGER

ANTONIO MAJUL, BUDGET SERVICES
BOB GRAY, DEPUTY CO ATTORNEY
JAMES LAVENDER, PUBLIC WORKS
PUBLIC RESOURCES OFFICE
LISA PIERCE, MINUTES

DATE AND TIME DISTRIBUTED: 08-20-04 4:45 PM

Distributed by: Kathy Geren
Division of Public Resources

**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

DATE: August 20, 2004

TO: Elizabeth Walker, Director

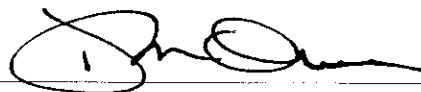
Public Resources

and

Kathy Geren

Public Resources

FROM:



David M. Owen

Chief Assistant County Attorney

**RE: WALK-ON BLUESHEETS NOS. 20041086, 20041087 AND 20041088
FOR MEETING OF AUGUST 24, 2004**

Ladies;

The above bluesheets need to be “walked on” next Tuesday in order to ensure compliance with regulatory requirements concerning the extension of the Declared State of Local Emergency, the rescission of the County’s Evacuation Order and the entering into an Agreement with a Federal agency.

As part of the Board’s continuing legislative actions concerning Hurricane Charley, and the daily changing of circumstances surrounding the storm, these actions need to be taken as expeditiously as possible in order to keep the Board’s business in order with respect to actions taken pursuant to Hurricane Charley.

Thanks.

DMO/dm

xc: Robert W. Gray, Deputy County Attorney
Donald D. Stilwell, County Manager
Pete Winton, Assistant to the County Manager
Lisa Pierce, Supervisor, Minutes Department