

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

Blue Sheet No. 20051824

1. ACTION REQUESTED/PURPOSE: Adopt a resolution establishing an Equity Study Commission for the purpose of recommending to the BoCC revisions to the current Lee County Occupational License Tax Ordinance.

2. WHAT ACTION ACCOMPLISHES: Permits the Lee County Occupational License Tax Ordinance to be re-examined pursuant to section 205.0535, Florida Statutes.

3. MANAGEMENT RECOMMENDATION: Approval

4. Departmental Category: 01 CIB		5. Meeting Date: 01-10-2006
6. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify) <input checked="" type="checkbox"/> Statute F.S. 205.0535 <input type="checkbox"/> Ordinance <input type="checkbox"/> Admin. Code <input type="checkbox"/> Other	
	8. Request Initiated: Commissioner _____	
	Department Economic Development	
	Division <i>R. Smith</i>	
	By: Regina Smith	

9. Background: In 1994, the Board of County Commissioners approved creation of an Equity Study Commission to examine the occupational license process, fees and categories in accordance with section 205.0535, Florida Statutes. The outcome of that work resulted in a reduction of licensing categories from 27 to 5 and the creation of new occupational licensing fees. These changes were reflected in Ordinance 95-11 approved by the BoCC on June 21, 1995 (Readopted by Ordinance 95-23, approved by the BoCC on November 1, 1995).

The Lee County Tax Collector is requesting that a new Equity Study Commission be created to examine administrative issues associated with the Lee County Occupational License Tax Ordinance, and determine if the fee structure should be revised.

Pursuant to section 205.0535 (2), Florida Statutes, each member of the study commission must be a representative of the business community within the local government's jurisdiction. Accordingly, the Horizon Council will recommend to the BoCC individuals from major industry sectors in Lee County to serve on the Commission.

Commission staff will be provided by the Economic Development Office and County Administration.

Attachment:
Proposed Resolution

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>Rup</i>					<i>R.M. 12/22/05</i>	<i>MR 12-22-05</i>	<i>AVB</i>	<i>MR 12/22/05</i>	<i>HS 12/22/05</i>

- 11. Commission Action:**
- Approved
 - Deferred
 - Denied
 - Other

RECEIVED BY
COUNTY ADMIN: *OK*
12-22-05
8:50
COUNTY ADMIN
FORWARDED TO:
12/22/05
16. Supri

Rec. by CoAtty
Date: *12/22/05*
Time: *8:45 AM*
Forwarded To:
Co. Admin
8:47 AM

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS ESTABLISHING AN EQUITY STUDY COMMISSION PURSUANT TO SECTION 205.0535, FLORIDA STATUTES; PROVIDING FOR THE APPOINTMENT OF MEMBERS AND TERMS OF APPOINTMENT; PROVIDING FOR SELECTION OF OFFICERS AND RULES OF PROCEDURE; PROVIDING FOR DURATION OF THE COMMISSION; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lee County is the governing body in and for Lee County, Florida, a political subdivision of the State of Florida; and,

WHEREAS, the Board of County Commissioners has determined that the County's occupational license classification system and tax rate structure is in need of review and possible revision; and,

WHEREAS, the Board of County Commissioners finds that an Equity Study Commission of representatives of the business community in the County should be created to review and propose recommendations to the classification and rate structure found in Chapter 22 of the Lee County Code of Laws and Ordinances; and,

WHEREAS, the Board of County Commissioners desires the Equity Study Commission to review and provide recommendations on:

- A. Improving public compliance with the Lee County Occupational License Tax Ordinance;
- B. Enhancing public perception of the occupational licensing scheme; and,

- C. Revising certain administrative procedures.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA AS FOLLOWS:

SECTION ONE: ESTABLISHMENT; PURPOSE AND DUTIES

There is hereby created a Commission of the County to be known as the “Equity Study Commission.” The Commission is advisory in nature and shall not be considered to be a board or a standing committee of the County. The Commission, in its advisory capacity, shall have the powers and duties as required and authorized by section 205.0535, Florida Statutes, and the following powers and authority of reviewing and making recommendations to Chapter 22, Occupational Licenses of the Lee County Code of Laws and Ordinances, including but not limited to:

- A. Improving public compliance with the Lee County Occupational License Tax Ordinance;
- B. Enhancing public perception of the occupational licensing scheme; and,
- C. Revising certain administrative procedures.

SECTION TWO: APPOINTED MEMBERS; TERMS

- A. The Commission shall consist of nine (9) members.

- B. Members of the Commission shall during their term of service be representatives of the business community within the County.
- C. All appointments shall require an affirmative vote of a majority of the Board of County Commissioners at a regularly scheduled meeting. The Horizon Council shall recommend representatives of the business community to serve as Commission members.
- D. Members shall be appointed by the Board of County Commissioners for a term not to exceed one (1) year.
- E. In the event a Commission member resigns, is removed from the Commission, or changes business location to a location outside the County, the position shall be declared vacant. The Horizon Council shall recommend to the Board of County Commissioners a business representative to fill the remainder of the term of the original appointee. The Board of County Commissioners may choose not to appoint members to the Commission, provided that there are at least seven (7) members already serving on the Commission.

SECTION THREE: OFFICERS; RULES AND PROCEDURES

- A. The Commission shall elect by simple majority vote a Chair, Vice-Chair, and Secretary.
- B. The presence of five (5) members shall constitute a quorum.
- C. All meetings of the Equity Study Commission shall be open to the public.

SECTION FOUR: DURATION

The Commission shall come into existence upon adoption of this resolution. The Equity Study Commission established by this Resolution shall be abolished and disbanded one (1) year from the date of adoption of this Resolution.

SECTION FIVE: SEVERABILITY

If any word, sentence, phrase, clause, section, or portion of this resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, such word, sentence, phrase, clause, section, or portion shall be deemed as separate and independent, and invalidity of the part shall not affect the validity of the whole.

SECTION SIX: EFFECTIVE DATE

This Resolution shall take effect immediately upon its adoption by the Board of County Commissioners at a regularly scheduled meeting.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and, being put to vote, the vote was as follows:

BOB JANES	
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
TAMMARA HALL	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED THIS _____ day of _____, 2006.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Chairwoman

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney