

**MINUTES REPORT
LOCAL PLANNING AGENCY
June 3, 2009**

MEMBERS PRESENT:

Noel Andress (Chair)
Cindy Butler
Carie Call
Jim Green

Mitch Hutchcraft (left meeting at 9:30 a.m.)
Ron Inge (Vice Chair)
Carla Johnston

STAFF PRESENT:

Peter Blackwell, Planning
Brad Browning, Environmental Sciences
Donna Marie Collins, Asst. Cty. Atty.
Pete Eckenrode, Dev. Svcs. Director
Andy Getch, DOT
Pam Houck, Zoning Director
Jim Lavender, Public Works Director
Dave Loveland, DOT

Janet Miller, Recording Secretary
Jim Mudd, Planning
Matt Noble, Planning
Paul O'Connor, Planning Director
Dawn Perry-Lehnert, Asst. Cty. Atty.
Nettie Richardson, Zoning
Emma Wolfe, Budget Services

Agenda Item 1 – Call to Order, Certificate of Affidavit of Publication

Mr. Andress called the meeting to order at 8:30 a.m. in the Board Chambers of the Old Lee County Courthouse, 2120 Main Street, Fort Myers, FL. Ms. Collins, Assistant County Attorney, certified that the affidavit of publication was legally sufficient as to form and content and entered it into the record.

Agenda Item 2 – Pledge of Allegiance

Agenda Item 3 – Public Forum - None

Agenda Item 4 – Approval of Minutes – April 27, 2009

Mr. Inge made a motion to approve the April 27, 2009 meeting minutes, seconded by Mr. Hutchcraft. There being no further discussion, the motion passed 7-0.

Agenda Item 5 – 2008/2009 Regular Lee Plan Amendment Cycle

A. CPA2008-06 Implementing DR/GR Study

Mr. Inge announced that he had clients who own property in the DR/GR area. He filled out Form 8B (attached) and submitted it previously to the recording secretary and the County Attorney's office. Mr. Inge noted he would participate in the discussion, but would not vote on the item.

Mr. Andress reminded LPA members that Form 1 (Financial Disclosure) had to be submitted before the end of June.

Mr. Noble referred the LPA to their copy of the "Proposed Lee Plan Amendments for Southeast Lee County," which is a document produced by Dover, Kohl & Partners. He noted Mr. Bill Spikowski would be reviewing this document with the LPA. Mr. Noble noted staff was not asking the LPA to take action today.

This is a two part hearing process. The item today is for informational purposes and discussion. The staff report will be provided at the second hearing and a vote can be taken at that time.

Mr. Bill Spikowski gave a PowerPoint presentation. He also introduced Kevin Erwin and Kim Trebatoski of Kevin Erwin Consulting Ecologists.

Mr. Andress asked if anyone from the public wished to comment, public input was received from:

Matt Uhle, representing Lake Lincoln LLC, Charles Basinait, Representing Alico Agri, LTD and Premier Airport Park, LLP, Donald Schrottenboer, President of Alico Land Development, Nicole Ryan, Conservancy of SW FL, Neale Montgomery, Representing Miromar and Old Corkscrew Plantation, Tracy Bryant, Representing Cemex, and Kim Jamerson, Farm Land Owner

Mr. Hutchcraft left the meeting and was not present during this portion.

Suggestions/Concerns of the Local Planning Agency:

Mr. Inge reviewed some points of concern that he submitted to staff (see attached). The items he discussed were regarding:

- Pursuing mining in Tradeport area seems to run counter to the intent of the Tradeport area for development of uses supporting SW and surroundings.
- Mixed Use Communities to allow for density transfers. Too few identified. Plus, they are located on SR 82 with road concurrency problems that have no resolution on the horizon. In addition, most if not all of them, are in panther habitat which adds a significant level of review, time and cost to develop.
- Overlay of AG uses and additions to AG designated lands conflicts with existing permitted mining operations and may cause possible restrictions of other uses;
- Map 14 may be incorrect and missing some mining areas that are already approved that should be included;
- Acreages on Map 14 (Table 1A and 1B) may be incorrect;
- The Priority Restoration map may have some takings exposure due to cloud on use and that map will become pseudo-regulatory.
- Concerns with the TDR concept due to the economics involved. There is no funding source or mechanism outlined. In addition, are there enough of them to make it work and worthwhile?
- Concerns with the deletion of the policy that relies on State and Federal authorities to regulate and make decisions on wetlands, which will bring this responsibility back to a County level.
- Concerns over the timing of this amendment and how rapidly it will move through the process.

Ms. Butler stated she had much to learn and read on this amendment to become more educated on it. She also expressed concern as to whether or not the LPA would be able to make some kind of decision by the end of June.

Ms. Call noted she served on the DRGR Committee. The Committee produced a final map that was submitted to the Board of County Commissioners that eliminated Area B and the Tradeport land use that was outside the DRGR and not compatible with the airport. She was in favor of the DRGR Committee's proposal. She asked that staff provide this map to the LPA for their review. Ms. Call requested that staff provide the LPA with the final copy of the DRGR Committee's map. Mr. O'Connor stated he would provide the LPA with that map as well as Kevin Erwin's memorandum that discussed the priority areas.

Ms. Johnston felt the conversations about Area B and the proximity to the airport were important issues that should be taken into consideration. She was concerned that although discussion took place about there being another 500,000 to 600,000 people in Lee County by 2030, there was not much discussion on water supply (i.e. the impact of giving access to potable water for that many more people and how it might affect the DRGR). She also expressed concerns over what measures are in place for the proximity of mining to the wellfields. She asked for something more quantitative so she could have a better understanding of what the impact would be. Ms. Johnston asked for the timeline on the Alico extension and the right-of-way impacts. Another topic of concern relates to the added acreage that is required according to the projections for mining between now and 2030. In other words, what is the existing capacity within the existing mines and how does that fit into what is projected as required? Lastly, Ms. Johnston felt there should be more discussion about the matter of concurrency issues and how they link with what might happen in terms of mixed use and TDR along Route 82.

Mr. Green stated that the Tradeport is paramount to our future as a county. He felt that having a quality Tradeport area has to be a key part of our future plan. He asked staff for more specifics as to why the Edison Farm was picked as a spot for residential development. He also asked why County staff is being put back into the wetlands permitting business. Lastly, he commented about the timing in the studies and other efforts that have been initiated. It seemed to him that these proposed Comp Plan changes would jump ahead of these other efforts. He asked for the timing of these other reports and studies versus what is being done here today.

Mr. Andress stated his number one concern was whether there has been adequate data and analysis into identifying the areas that are designated as available for future mining. He felt we needed data substantiating that those areas have the aggregate that is necessary for FDOT. In addition there are other areas that have high grade rock that have been left out of this designation. Mr. Andress discussed the County wetland permits and gave an example of a mishap that had a large impact. He felt the County needed to have some say when other agencies are not doing their job on permitting. He concurred with comments made by Mr. Inge on the regulatory overlays and stated we needed to make sure that the areas that are designated for future growth are areas that are able to receive future growth. This will depend on the funding for Highway 82 improvements so that more growth can be along that corridor. Mr. Andress noted that the County had spent a lot of money to acquire data in the different studies, and he could not see moving forward on this without examining that data. Many questions would need to be answered by the next meeting for the LPA to be able to make a recommendation.

The Chair asked staff to comment about the timeframe for the proposed amendments. Staff responded that the item will be on the LPA agenda on June 22. Staff also stated that the item will not go before the Board of County Commissioners until September and the LPA could take additional time in forming their recommendation.

Agenda Item 6 – Capital Improvement Program

Emma Wolfe from Budget Service gave a brief overview of the 5 year CIP plan. She reviewed 3 minor changes: 1) changes to the Daniels Parkway 6 laning, 2) the purchase of the environmental sensitive land that will be reduced by 1.8 million dollars due to decreasing tax values over what staff had projected them to be; and, 3) the downtown library will be put into the 2010/2011 budget, but a definite dollar amount has not been established yet.

General questions and answers ensued with various staff members.

Suggestions/Concerns of the Local Planning Agency:

Ms. Johnston referred to the Sanibel Causeway Fishing Pier (Page 11) and noted most of the people in Sanibel are not interested in the fishing pier. The Sanibel Council has gone on record to say its superfluous and a waste of money yet it is still listed in the CIP. There will be opposition as there are many people that would prefer the funds go to beaches or something other than a fishing pier. Another issue raised by Ms. Johnston was that in conjunction with making utility changes and upgrades, there are opportunities to put in shared use paths, bike paths, and things of that sort, which saves money rather than doing it separately. She hoped there was a mechanism for this to take place and that the departments work together on it.

Ms. Butler referred to the \$75,000,000 funds set aside for the Red Sox Stadium (Page 11). Although this project is moving forward, she was concerned with the tremendous amount of money being spent and that it takes away from other projects. It also may prohibit other goals, policies, and objectives of the plan to be implemented.

Mr. Andress expressed concern with the Charlotte TMDL Compliance (Page 1). An EMA Eco Management Agreement is currently being put together for all North Lee County for a drainage system. They are close to being in agreement with not replacing the barrier in the north spreader canal system in Cape Coral. One of the key components is the future water quality projects that would be done by the city and the county yet no funds are available in the CIP budget until the year 2011/2012. Mr. Andress noted the County is requiring the City to start a utility project for all lots west of Burnt Store Road and prepare a new Fertilizer Ordinance. He wanted to make sure the County was on their side and would do its part because it contributes a lot of drainage from the water shed to that area.

Mr. Andress asked if anyone from the public wished to comment on this item. No public input was received.

Mr. Inge made a motion to find the CIP consistent with the Lee Plan with the corrections that staff mentioned initially and to forward onto the Board of County Commissioners some of the concerns raised by the LPA today, seconded by Ms. Call. There being no further discussion, the motion passed 5-1. Ms. Butler was opposed because of the Red Sox Stadium project.

Agenda Item 7 – 2009 Round of Land Development Code Amendments

Ms. Dawn Perry-Lehnert presented this item and referred the LPA to the memorandum on top of the ordinance that gives highlights on what is in the ordinance. She explained this was the round of amendments that is prepared every 18 months to 2 years. It has been discussed and reviewed with the Land Development Code Advisory Committee and the Executive Regulatory Oversight Committee for the last year or more.

General questions and answers ensued between the LPA and staff.

Mr. Andress asked if anyone from the public wished to comment. Public input was received from Charles Basinait who did not agree with removing language in Paragraph (1) under Section 34-373 Application (Page 117). He also did not agree with deleting language on Page 119 under Group II.

Ms. Perry-Lehnert and Ms. Pam Houck explained why these changes were made.

Suggestions/Concerns of the Local Planning Agency:

Mr. Inge stated he had concerns with discussion on the review times on Page 117 Section 34-373 Application. It has been written as is for a long time. He could not see changing the language due to a problem that arose with one case when there have been so many other projects that had no problem in this area.

Mr. Inge made a motion to find the Land Development Code Amendments consistent with the Comprehensive Plan with two changes: 1) have the building permit extensions extend from 90 to 180 days (Page 14); and, 2) leave the language as is on Section 34-373 (d) (a) (Page 117), seconded by Ms. Butler. There being no further discussion, the motion passed 6-0.

Agenda Item 8 – 2008/2009 Regular Lee Plan Amendment Cycle

A. CPA2007-49 Buckingham Community Plan

Mr. Mudd presented this item. It was brought before the LPA on April 27th and the LPA continued the item to today's meeting and directed staff and the community to work together to revise the amendment. Mr. Mudd noted staff made several attempts to schedule a meeting with the Planning Panel, but were told the Planning Panel felt the meeting would not be productive and that the Panel was not recommending any changes to what they originally submitted. Mr. Mudd noted he had revised the staff report and he reviewed the changes. He also reviewed two maps with the LPA on PowerPoint.

Lengthy discussion, questions, and answers ensued between the LPA and staff, particularly regarding 95 acres of property outside the boundary recommended by staff.

Mr. Address asked if anyone from the public wished to comment on this item. Public comment was received from:

Robert Hutcherson, Charles Basinait (representing LPH, LLC and the Buckingham Village LLC), Thomas Feminella, Gordon Brandt, Gary Edson, and Bill Burdette (Representing the Buckingham Community).

Suggestions/Concerns of the Local Planning Agency:

Mr. Green commended staff for their multiple outreaches to the Buckingham community in an effort to work through the issues. He was unclear as to why the community chose not to work with staff. Regarding the boundary issues, Mr. Green stated he was in favor of preserving areas such as Buckingham, Alva, East Lee County, etc., but it should be done within the rights of the property owners. The people outside the boundary had a certain land use when they purchased their property and Mr. Green did not feel it was appropriate to withdraw those rights. He could not see how this amendment could be moved forward with the boundary lines where they are today.

Ms. Johnston agreed with Mr. Green's points and asked for more information on the parcels outside the boundary as far as what the difference is in terms of the rights that might be lost and Bert Harris issues.

Mr. Noble and Ms. Collins addressed those questions.

Ms. Butler stated she concurred with Mr. Green. Due to the legal concerns, she was in support of staff and their position in terms of the planning boundaries. She had a more difficult time with the goals staff is proposing to eliminate. With more work, she felt some good alternatives could be derived.

Mr. Andress agreed with Mr. Green's comments on the boundary. He recommended the Planning boundary be the same as the Community Planning Area boundary. Due to comments during today's proceedings, Mr. Andress felt it was clear there was no support in incorporating the three parcels that are outside into the boundary. On a separate issue, Mr. Andress stated he was a strong proponent of community plans and felt communities should have the right for self determination. When the LPA previously reviewed this amendment and made recommendations, those recommendations were with certain language in place. He was not in favor of striking language from Policy 17.3.6, 17.5.2, and 17.6. He recommended that as part of the LPA's motion, these sections should be included, but the LPA could accept the rest of staff's recommendations.

Mr. Noble clarified that even though the LPA made recommendations previously, they were never officially adopted. At the Board's transmittal hearing, the amendment was sent back to staff so these policies are not currently in the plan.

Ms. Call made a motion to change the boundary lines and that Policies 17.3.5, 17.3.6 (minus the last sentence), 17.5.2, and Objective 17.6 (in its entirety) remain, seconded by Mr. Andress.

Mr. Andress clarified that the motion would be to change the Planning Community Boundary to be the same as the Community Planning Area boundary so those parcels will be outside as they are now. They will not be included. The red boundary is going to move over and be the same as the blue boundary in the south and east edge. The blue and the red will both match now.

After further discussion, it was decided that the motion would be changed to recommend the 95 acres be added into the Lehigh Acres boundary as Residential in the Rural category. Ms. Call and Mr. Andress agreed to the amendment.

Ms. Butler asked for clarification that other than these changes, the LPA is supporting staff and their position.

Mr. Inge agreed with the map change, but felt staff outlined why Policies 17.3.5, 17.3.6, 17.5.2, and Objective 17.6 are not needed. Mr. Inge stated he was not prepared to support the motion with the inclusion of adding those back in.

Discussion ensued as to whether the allocation table would need to be changed because there is no residential/rural allocation currently in the Lehigh Planning Community. Now that this change is being made, there should be some rural/residential allocation added into the Lehigh portion of the table. It was decided that a separate motion would be made for that.

Mr. Green asked if there would be any legal ramifications to keeping these policies/objective in the document and whether there would be any Bert Harris implications.

Ms. Collins stated that Policy 17.3.5 would restrict the array of uses that the County could make of property that is within its ownership and control. Once the last sentence is stricken from Policy 17.3.6, it is less objectionable. The Attorney's office did not recommend adding Policy 17.5.2 because there are property owners along the Orange River that currently have the ability to have some non-residential use on the banks of the river. This Policy would preclude that and it would result in a loss of use to those property owners. It also directly affects the County as they are a property owner with property along the river in Buckingham.

Ms. Butler stated there had been confusion with the language in Policy 17.1.6 as discussed by Mr. Hutcherson. It would need to be clarified.

Mr. Andress stated it would be part of the motion to direct staff to clarify language in Policy 17.1.6. This was agreed to by Ms. Call.

There being no further discussion, the motion failed 3-3. Mr. Andress, Ms. Johnston, and Ms. Call were in favor. Mr. Inge, Mr. Green, and Ms. Butler were opposed.

Mr. Inge made a motion to approve staff's recommendation for CPA2007-49, seconded by Mr. Green. There being no further discussion, the motion failed 3-3. Mr. Inge, Mr. Green, and Ms. Butler were in favor. Ms. Johnston, Ms. Call, and Mr. Andress were opposed.

Ms. Call made a motion to change the boundaries to match the red and blue boundaries, seconded by Mr. Andress. The Planning Community boundary will now match the Buckingham Community as depicted on the Future Land Use Map, Map 1 (2 of 5). It would exclude the Harnsmarsh area, the Lehigh Urban Reserve area, and the Rural area that is in Lehigh south of Buckingham ?. It will include little rural bits, the outlying Suburban, the Public Facilities, as well as the Rural preserve which is already in there. There being no further discussion, the motion passed 6-0.

Mr. Inge made a motion to recommend that staff look into the allocation tables and bring that back to the next meeting, seconded by Ms. Johnston. The motion passed 6-0.

B. CPA2008-16 – The 2020 Financially Feasible Transit Network Map Update

Mr. Peter Blackwell gave an overview of this amendment.

Mr. Andress asked if anyone from the public wished to comment on this item. No public input was received.

Mr. Inge made a motion to recommend transmittal of CPA2008-16, seconded by Ms. Johnston. There being no further discussion, the motion passed 6-0.

Agenda Item 9 – Other Business

Mr. Andress announced he would not be seeking reappointment to the Affordable Housing Commission as his tenure was up in December. He was appointed by Commissioner Bob Janes. The Florida Statutes require that an LPA member be on that Committee. If any member is interested, they should contact Commissioner Janes' office. Ms. Call said she was willing to serve on the Affordable Housing Commission on behalf of the LPA.

Agenda Item 10 – Adjournment

The next meeting is scheduled for Monday, June 22, 2009, at 8:30 a.m. in the Board Chambers. The meeting adjourned at 12:50 p.m.

Miller, Janet

From: Ron Inge [ringe@landsolutions.net]
Sent: Monday, June 15, 2009 3:11 PM
To: Miller, Janet
Subject: FW: DRGR Plan Amendments

From: Ron Inge
Sent: Thursday, May 28, 2009 5:49 PM
To: 'Gibbs, Mary'
Subject: DRGR Plan Amendments

I have had a chance to review the proposed amendments. I wanted to give you some thoughts on the proposals, not in any particular order, and not referencing any section, but by highlighting concerns.

- Pursuing mining in Tradeport area seems to run counter to the intent of the Tradeport area for development of uses supporting RSW and surroundings.
- Extinguishment of residential density for mined lands. Why is this done since lands remain that can be used? Provisions allow for transferability, but the locations are limited and no mechanism exists. One is proposed, but viability is undetermined.
- Mixed Use Communities to allow for density transfers. Too few identified. Plus, they are located on SR82 with road concurrency problems that have no resolution on the horizon. In addition, most if not all of them are in panther habitat which adds a significant level of review, time and cost to develop. May still be uneconomical in spite of density transfer ability and timing too far out due to concurrency.
- Overlay of AG uses and additions to AG designated lands conflicts with existing permitted mining operations.
- Language in plan as to preservation of AG uses and additions to AG lands on map, remove areas from excavation that create conflict with Map 14.
- Not all approved mines are on Map 14 and related GOP's so how does that get resolved.
- Adding review of planned future uses to new or renewed mining operations will add burden to staff, uncertainty to applicant and may cause focus to shift to future unpermitted uses that become problematic to main issue of submittal.
- Does analysis of primary and secondary water related impacts at local and watershed level add so much to the cost and become unwieldy as to be impractical to analyze.
- Table A and Table 1(b) acreages and identified locations may be incorrect and eliminate approved locations.
- Restriction of mining to Map 14 may create Harris or other types of takings claims due to elimination of the major allowed use in DRGR.
- Not sure how to figure out how to get new mine operation permits given the table acreages and how this is handled under Policy 30.1.4, etc.
- Proposal stresses recycling operations, but no help on where this can happen.
- Priority Restoration map may have some takings exposure due to cloud on use and that map will become pseudo-regulatory.
- New policy that outlined a resource extraction mitigation fee may not be lawful.
- Designation of Mixed Use Community locations and removal of ability on other DRGR lands again may have takings implications by eliminating one of the major allowable uses in DRGR.
- TDR concept is neat, but no funding source, no mechanism outlined, have limited locations to move, may be uneconomical. Further, it is very difficult to get allowable densities now through zoning process, so this may eliminate TDR as vehicle since you don't gain over what theoretically is allowable.

6/15/2009

- Should Mixed Use Communities have updates to commercial site locations map?
- Policies for elimination of isolated wetlands is a great idea, but has to be acceptable to state and federal agencies, otherwise it is of no use. Mitigation at state and federal level may make this too costly.
- Policies in section (d) seem to get county back into business of regulating wetlands, so now there will be three levels of trying to balance wetland issues as was long ago.
- Wetlands maps done by expert review of aerial data—this needs to be able to be overcome by field work. Concern about designation and affects of the designations.

I wanted to get these to you early to save some time from having to ask them at the meeting and you not having time to think.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>INVER, RONALD E.</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>LEE COUNTY LOCAL PLANNING AGENCY</i>	
MAILING ADDRESS <i>4571 COLUMBIA BLVD.</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
CITY <i>FOAS MYERS FL</i>	COUNTY <i>LEE</i>	NAME OF POLITICAL SUBDIVISION: <i>LEE COUNTY</i>	
DATE ON WHICH VOTE OCCURRED <i>6/3/09 6/22/09</i>		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which injures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which injures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Russell E. Furr, hereby disclose that on 6/3/09 And 6/22/09, 2009

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

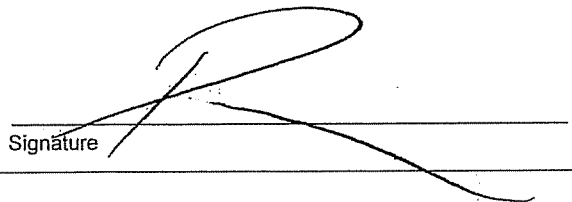
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

CFA 2008-06, Implementation DR/GR STUDY,
MAY AFFECT PROPERTY OF CLIENTS OF
MY FIRM

Date Filed

5/26/09

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

LOCAL PLANNING AGENCY
ATTENDANCE RECORD FOR 2009

Committee Member	Jan	Feb	Mar	Apr	Jun 3	Jun 22	Jul	Aug	Sept	Oct	Nov	Dec
Noel Andress	P	P	P	P	P							
Cindy Butler	P	P	P	P	P							
Carie Call	P	P	P	P	P							
Jim Green	P	P	P	P	P							
Mitch Hutchcraft	P	P	P	P	P							
Ron Inge	P	P	P	P	P							
Carla Johnston	P	P	P	P	P							

P - Present
A - Absent
NM - No Meeting
RES - Resignation

NEWS-PRESS

Published every morning – Daily and
Sunday

Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA

COUNTY OF LEE

Before the undersigned authority, personally appeared

Valerie Daeda

who on oath says that he/she is the

Legal Assistant

of the News-Press, a
daily newspaper, published at Fort Myers, in Lee County,
Florida; that the attached copy of advertisement, being a

Meeting Notice

In the matter of

**Local Planning Agency Public Hearing June 3rd,
2009**

In the court was published in said newspaper in the
issues of

May 20th, 2009

Affiant further says that the said News-Press is a paper of
general circulation daily in Lee, Charlotte, Collier, Glades
and Hendry Counties and published at Fort Myers, in said Lee
County, Florida and that said newspaper has heretofore been
continuously published in said Lee County, Florida, each day,
and has been entered as a second class mail matter at the post
office in Fort Myers in said Lee County, Florida, for a period of
one year next preceding the first publication of the attached copy
of the advertisement; and affiant further says that he/she has
neither paid nor promised any person, firm or corporation any
discount, rebate, commission or refund for the purpose of
securing this advertisement for publication in the said
newspaper.

Valerie Daeda

Sworn to and subscribed before me this

21st day of May, 2009 by

Valerie Daeda

personally known to me or who has produced

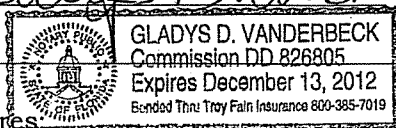
as identification, and who did or did not take an
oath.


Notary Public

Print Name

My commission Expires

Gladys D. Vanderbeck





MEETING NOTICE LOCAL PLANNING AGENCY PUBLIC HEARING

The Lee County Local Planning Agency (LPA) will meet on Wednesday, June 3, 2009, at 8:30 a.m. in the Board Chambers of the Old Lee County Courthouse, 2120 Main Street, Fort Myers, FL 33901. The following proposed amendments to the Lee Plan will be discussed:

- A. CPA2008-06 – Implementing DR/GR Study
- B. Capital Improvement Program
- C. 2009 Round of Land Development Code Amendments
- D. CPA2007-49 – Buckingham Community Plan
- E. CPA2008-16 – The 2020 Financially Feasible Transit Network Map Update

Establish a revised Goal, and new and revised Objectives, and Policies specific to the Buckingham community.

Update Lee Plan Map 3C, The 2020 Financially Feasible Transit Network Map, to change the planning horizon from 2020 to 2030.

To appeal an Agency decision made at this hearing, a record of the proceedings will be needed. The person appealing the decision is required to ensure that the necessary verbatim record is made. In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation or desire further information on the proposed agenda items, please contact Janet Miller at 533-8583.

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