

LEE COUNTY RESOLUTION NO. 10-08-13

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, REQUIRING CERTAIN LEE COUNTY ADVISORY BOARDS/COMMITTEES AND THEIR MEMBERS TO FILE STATEMENTS OF FINANCIAL INTERESTS AND OTHER RELATED DISCLOSURE FORMS PER FLORIDA STATUTES SECTION 112.3145; AMENDING LEE COUNTY RESOLUTIONS 01-02-54, 02-04-25, 02-10-33, 03-01-07, 04-06-08 AND 07-12-26 BY DELETING SIX (6) BOARDS/COMMITTEES AND THEIR MEMBERS FROM DESIGNATION; RELATING TO THE COMMUNITY ACTION AGENCY/NEIGHBORHOOD DISTRICT COMMITTEE, THE ANIMAL CARE TRUST FUND OVERSIGHT COMMITTEE, THE NUISANCE ABATEMENT BOARD, THE LOCAL NEIGHBORHOOD DISTRICT COMMITTEE, THE SUNCOAST ESTATES LOCAL NEIGHBORHOOD DISTRICT COMMITTEE AND THE PALMONA PARK LOCAL NEIGHBORHOOD DISTRICT COMMITTEE; AND CHANGING THE NAME OF THE SMART GROWTH ADVISORY COMMITTEE TO THE COMMUNITY SUSTAINABILITY ADVISORY COMMITTEE; PROVIDING FOR TRANSMITTAL OF THE AMENDING DESIGNATION RESOLUTION TO THE STATE COMMISSION ON ETHICS; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Florida Statutes Section 112.3145 authorizes and allows Lee County by "Local Option" designation to require or to continue to require any appointed member of a Lee County Advisory Board/Committee to be subject to the requirements of said section, to include filing Financial Interest and related disclosure forms, even though they may be exempt from said law by Board/Committee function; and

**WHEREAS**, Lee County on February 27, 2001 adopted Lee County Resolution No. 01-02-54; on April 16, 2002 adopted Lee County Resolution No. 02-04-25; on October 29, 2002 adopted Lee County Resolution 02-10-33; on January 7, 2003 adopted Lee County

Resolution No. 03-01-07; on June 1, 2004 adopted Lee County Resolution No. 04-06-08, and on December 18, 2007 adopted Lee County Resolution No. 07-12-26 noting which Lee County Advisory Board/Committee members would be subject to the Florida Statutes Section 112.3145 filing and disclosure requirements as Reporting Individuals (Form 1 and related disclosure forms, gifts); and

**WHEREAS**, said Resolutions need to be updated and amended to delete the disbanded Animal Care Trust Fund Oversight Committee, the Nuisance Abatement Board, the Local Neighborhood District Committee, the Suncoast Estates Local Neighborhood District Committee and the Palmona Park Local Neighborhood District Committee; and

**WHEREAS**, said Resolutions need to be further updated and amended to delete the Community Action Agency/Neighborhood District Committee which no longer makes financial decisions that warrant financial disclosure by its members;

**WHEREAS**, said Resolutions need to be further updated and amended to change the name of the Smart Growth Advisory Committee to the Community Sustainability Advisory Committee in accord with the adoption of Lee County Administrative Code 1-14, by the Board of County Commissioners on June 22, 2010.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA THAT:**

**SECTION 1.** Lee County hereby exercises its Local Option as set forth in Florida Statutes at Section 112.3145(2)(g).

**SECTION 2.** The Lee County appointed Board/Committee designation as set forth in Section 3 of Lee County Resolution 01-02-54, as amended by Resolutions 02-04-25, 02-

10-33, 03-01-07, 04-06-08 and 07-12-26, is hereby further amended to delete the following Boards; to change the name of the Smart Growth Advisory Committee to the Community Sustainability Advisory Committee; and to apply the changes to each committee's respective members as to such designation. The deletion of the Community Action Agency/Neighborhood District Committee, the Animal Care Trust Fund Oversight Committee, the Nuisance Abatement Board, the Local Neighborhood District Committee, the Suncoast Estates Local Neighborhood District Committee and the Palmona Park Local Neighborhood District Committee are noted by strike-through. The deletion of the Smart Growth Advisory Committee and the addition of the Community Sustainability Advisory Committee in its place is noted by strike-through/underline. Said Advisory Boards and their members, as amended, shall be subject to Florida Statutes Section 112.3145 and be required to file a statement of Financial Interests (Form 1) and related forms and shall by this Resolution be designated and considered "Local Officers" for the purposes of said Florida Statutes Section 112.3145 and related statutory provisions as Reporting Individuals for Gifts per Florida Statutes Section 112.3148.

SECTION 3. Section 3 of Lee County Resolution 01-02-54, 02-04-25, 02-10-33, 03-01-07, 04-06-08, and 07-12-26 is amended to read as follows:

Local Planning Agency  
Construction Board of Adjustment and Appeals  
Construction Licensing Board  
Mechanical Board of Adjustment and Appeals  
Plumbing Board of Adjustment and Appeals  
~~Nuisance Abatement Board~~  
Tourist Development Council  
Coastal Advisory Council  
Conservation Land Acquisition and Stewardship Committee  
Disaster Advisory Council

~~Local Neighborhood District Committee~~  
~~Smart Growth Advisory Committee~~  
Community Sustainability Advisory Committee  
~~Historic Preservation Board~~  
~~Equal Opportunity Review Board~~  
~~Affordable Housing Committee~~  
~~Community Sector Planning Committees~~  
~~Community Action Agency/Neighborhood District Committee~~  
~~Industrial Development Authority~~  
~~Housing Finance Authority~~  
~~Animal Care Trust Fund Oversight Committee~~  
~~Suncoast Estates Local Neighborhood District Committee~~  
~~Palmona Park Local Neighborhood District Committee~~  
~~Southeast County Density Reduction/Groundwater Resource (DR/GR)~~  
~~Ad Hoc Advisory Committee~~

SECTION 4. Lee County Resolutions 01-02-54, 02-04-25, 02-10-33, 03-01-07, 04-06-08, and 07-12-26 are duly amended by the adoption hereof and shall remain in full force and effect. This Resolution as an Amending Resolution contains a restatement compilation of all such designated Boards and their members previously designated by Resolutions noted, with the addition thereto as underlined herein and the deletions as further noted above.

SECTION 5. This Resolution shall be provided to the State of Florida Commission on Ethics as Lee County's amended designation of appointed board/committee members subject to the Florida Statutes Section 112.3145 disclosure of interests requirement per the authority of Florida Statutes Section 112.3145(2)(g).

SECTION 6. This Resolution shall become effective upon its adoption by a majority vote of the Board of County Commissioners sitting at a regularly scheduled Board meeting.

Commissioner Manning made a motion to adopt the foregoing Resolution, seconded by Commissioner Mann. The vote was as follows:

JOHN E. MANNING	<u>Aye</u>
BRIAN BIGELOW	<u>Aye</u>
RAY JUDAH	<u>Aye</u>
TAMMARA HALL	<u>Aye</u>
FRANK MANN	<u>Aye</u>

DULY PASSED AND ADOPTED THIS 10 day of August, 2010.

ATTEST: CHARLIE GREEN  
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson  
Deputy Clerk

BY: [Signature]  
Chair



APPROVED AS TO FORM:

BY: [Signature]  
Office of the County Attorney