

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

Blue Sheet No. 20060033

1. ACTION REQUESTED/PURPOSE: Receive input and opinions relative to legal options available to the County concerning freshwater discharges from Lake Okeechobee to the Caloosahatchee River and provide further direction to both legal and administrative staff.

2. WHAT ACTION ACCOMPLISHES: Advises the Board of legal options and their viability, and provides further direction to staff.

3. MANAGEMENT RECOMMENDATION: Consider legal options and their timing, and provide further direction to staff.

4. Departmental Category: 12

AMA

5. Meeting Date:

01-31-2006

6. Agenda:

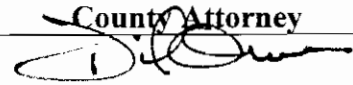
7. Requirement/Purpose: (specify)

8. Request Initiated:

<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Statute	CH. 373, F.S.
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance	
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code	
<input type="checkbox"/> Public	<input type="checkbox"/> Other	
<input type="checkbox"/> Walk-On		

Commissioner _____
 Department County Attorney
 Division _____
 By: David M. Owen
County Attorney

9. Background:



At its regular meetings of November 29, 2005 and December 20, 2005, the Board directed legal staff to research and present legal options with respect to the discharges from Lake Okeechobee to the Caloosahatchee River and to engage outside counsel for assistance in the analyses.

Legal options, observations and suggestions are being presented to the Board for its consideration and further direction to both legal and administrative staff on how to proceed at this time is being respectfully requested.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
				<i>[Signature]</i> 1/12/06	RK 1/13	or 1/17/06	1/17/06	1/17/06	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *[Signature]*
 1-12-06
 5:35
 COUNTY ADMIN FORWARDED TO: *[Signature]*
 1-17-06
 11:00

CO. ATTY. 1/12/06
 FORWARDED TO CO. ADMIN.
[Signature]