

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20060110

1. **ACTION REQUESTED/PURPOSE:** Request permission to advertise for and conduct a Public Hearing on **Tuesday, February 28, 2006, at 5:00 p.m.**, in Chambers to consider the adoption and execution of the proposed Ordinance repealing and replacing Lee County Ordinance No. 86-13, relating to moving expenses in hiring of County personnel. Adoption of the proposed revision of the Ordinance will require an update to Lee County's Personnel Policies & Procedures Manual, as adopted by Administrative Code.

2. **WHAT ACTION ACCOMPLISHES:** Allows the proposed repeal and replacement of Lee County Ordinance No. 86-13 to go forward to Public Hearing.

3. **MANAGEMENT RECOMMENDATION:** Set Public Hearing date for Tuesday, February 28, 2006, at 5:00 p.m.

4. **Departmental Category:** 12 **Meeting Date:** 02-14-2006
C12A

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)		8. Request Initiated: Commissioner Department <u>County Attorney</u> Division <u>General Services</u> By: <u>Andrea R. Fraser</u> Chief Assistant County Attorney
	<input type="checkbox"/> Statute		
	<input checked="" type="checkbox"/> Ordinance	<u>86-13</u>	
	<input checked="" type="checkbox"/> Admin. Code	<u>6-1</u>	
	<input type="checkbox"/> Other		

9. **Background:**

On June 4, 1986, the Board of County Commissioners adopted Lee County Ordinance No. 86-13 relating to the authorization to pay reasonable household moving expenses relating to the hiring of County personnel.

The "Moving Expenses" Policy will be updated in this round of Lee County's Personnel Policies and Procedures Manual revisions. In order for the "Moving Expenses" Policy to be in effect the Ordinance addressing the Policy must be changed.

ATTACHMENTS: "Draft" of proposed Ordinance

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>	<i>RK 2/2</i>	<i>MF 2-2-06</i>	<i>2/2/06</i>	<i>2/3/06</i>	<i>[Signature]</i>

11. **Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN. *JK*
2-2-06
1:49
COUNTY ADMIN. *JK*
FORWARDED TO
2/2/06
4:10 PM

LEE COUNTY ORDINANCE NO. _____

AN ORDINANCE REPEALING AND REPLACING LEE COUNTY ORDINANCE NO. 86-13, RELATING TO HIRING OF COUNTY PERSONNEL; PROVIDING FOR SHORT TITLE; PROVIDING FOR AUTHORIZATION AND LIMITS TO PAY REASONABLE HOUSEHOLD EXPENSES; PROVIDING FOR REIMBURSEMENT; PROVIDING FOR CONFLICT; SEVERABILITY; CODIFICATION; SCRIVENER'S ERRORS; AND AN EFFECTIVE DATE.

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

WHEREAS, the Lee County Board of County Commissioners had previously adopted Ordinance No. 86-13, known as the Lee County Moving Expenses Ordinance; and,

WHEREAS, the Board of County Commissioners now desires to repeal and replace Lee County Ordinance No. 86-13.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

SECTION ONE: SHORT TITLE / REPEAL AND REPLACEMENT

- A. Lee County Moving Expenses Ordinance No. 86-13, is hereby repealed and replaced.

- B. This Ordinance will be known and cited as the Moving Expenses for Lee County Personnel.

SECTION TWO: AUTHORIZATION

As a condition of employment, the County Manager and the County Attorney, where applicable, are hereby authorized to approve reasonable and customary household moving expenses for highly qualified employees.

SECTION THREE: LIMIT OF PAYMENT

Household moving expenses payment shall be limited to the cost of packing and shipping of household goods constituting personal effects and property used or to be used in the employee's dwelling. Said payment shall be paid from the lowest of three (3) proposals made by bonded moving and storage companies.

SECTION FOUR: REQUIREMENT TO REIMBURSE

If the employee voluntarily leaves County employment within three (3) years of the date of initial hire, he or she shall be required to reimburse the County said household moving expenses paid employee pursuant to this Ordinance on a monthly pro-rated basis.

SECTION FIVE: CONFLICTS OF LAW

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Ordinance or Statute, the most restrictive requirements shall apply.

SECTION SIX: SEVERABILITY

The provisions of this Ordinance are severable and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided for. If any provisions of this Ordinance shall be held unconstitutional by any court of competent

jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION SEVEN: **CODIFICATION AND SCRIVENER'S ERRORS**

The Lee County Board of County Commissioners intends that this Ordinance will be made part of the Lee County Code; and that sections of this Ordinance can be renumbered or relettered and the word "Ordinance" can be changed to "Section," "Article" or some other appropriate word or phrase to accomplish codification, and regardless of whether this Ordinance is ever codified, the Ordinance can be renumbered or relettered and typographical errors and clarification of ambiguous wording that do not affect the intent can be corrected with the authorization of the County Manager or his designee, without the need for public hearing.

SECTION EIGHT: **EFFECTIVE DATE**

This Ordinance will take effect upon its filing with the Office of the Secretary of the Florida Department of State.

The foregoing Ordinance 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: _____
Tammara Hall, Chairwoman

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney