

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

Blue Sheet No. 20061296

1. ACTION REQUESTED/PURPOSE: Adopt the attached resolution that formally establishes uniform terms of office for the Lee County appointees and the Commissioner selection to the Southwest Florida Expressway Authority governing board. Also, modify the authorization for the initial \$150,000 of funding for the Authority to allow up to \$25,000 of that amount to be used for any start-up or administrative costs.

2. WHAT ACTION ACCOMPLISHES: Normalizes the starting date and subsequent term limits for the Lee County Commission representative, the Commission-appointed citizen representative, and the Governor-appointed citizen representative from Lee County on the Expressway Authority Board. Provides limited spending flexibility for necessary start-up costs for the Authority.

3. MANAGEMENT RECOMMENDATION: Approve.

4. Departmental Category: <u>A9A</u>		5. Meeting Date: <u>OCT 17 2006</u>
6. Agenda: <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute	<input type="checkbox"/>
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>
	<input checked="" type="checkbox"/> Other	<input type="checkbox"/>
		8. Request Initiated: Commissioner _____ Department <u>Transportation</u> Division _____ By: <u>David M. Loveland</u> <u>Transportation Planning Mgr.</u>

9. Background:

Appointment Dates

To satisfy the requirements of Section 348.9932(2)(b), F.S., the Lee County Commission selected Commissioner Albion to a two-year term as a voting member of the Southwest Florida Expressway Authority governing board, on November 1, 2005. On September 26, 2006 Commissioner John Albion removed himself from the Southwest Florida Expressway Authority and was replaced by Commissioner Tammara Hall to serve the remainder of his term.

Subsection (2)(a)1. also required the Commission to appoint to a four-year term a voting member of the governing board who is a permanent resident of Lee County, and the Commission appointed Mr. Bob Taylor in that role on February 7, 2006.

The statute also required the Governor to appoint a permanent Lee County resident for a four-year term from a list of five candidates submitted by the Lee County Commission, and the Governor appointed Ms. Katherine Green on April 4, 2006. The Gubernatorial appointments were very specific as to start dates and end dates.

(CONTINUED ON NEXT PAGE)

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>	NA	NA		<i>[Signature]</i>	<i>[Signature]</i> RK 10/2	<i>[Signature]</i> 10/2/06	<i>[Signature]</i> 10/3/06	<i>[Signature]</i> 10/3/06	<i>[Signature]</i> 9/29/06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
10/2/06 3:25 <i>[Signature]</i>
COUNTY ADMIN FORWARDED TO:
10/4/06 P.R. 030

9. Background: (CONTINUED)

A similar situation of varying appointment dates also exists with the Collier County representatives, and led to some confusion about when the clock on membership officially started for each member. The Expressway Authority Board discussed the issue on July 20, 2006 and decided, in order to formally establish uniform terms among the Board members, to ask each County Commission to adopt a resolution that matches its appointee and commissioner terms with the Gubernatorial appointee terms. This would result in following terms:

Lee County Commission Representative John Albion, now Tammara Hall	2/16/06-2/15/08
Lee County Commission Appointee Bob Taylor	2/16/06-2/15/10
Lee County Gubernatorial Appointee Katherine Green	4/4/06-2/15/10

Funding Approval

On August 1, 2006, the Commission approved execution of an interlocal agreement with the Southwest Florida Expressway Authority to provide up to \$775,000 in funding, but limited the initial funds to be released to \$150,000 for the "study". The "study" is the Preliminary Traffic & Revenue Study, looking at the toll feasibility of various lane configuration on the interstate, which the Authority intends to pay for with a \$650,000 loan from the State's Toll Facilities Revolving Trust Fund. Since the first phase of the study is being paid for with other funds, and there are other start-up expenses facing the Authority like travel costs and hiring a CPA to set up the finances and do audit preparation, the Board is being asked to expand the allowable use of \$25,000 of the initial \$150,000 to include start-up and administrative expenses. A similar request is being made of Collier County.

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS TO FORMALLY ESTABLISH UNIFORM TERMS OF OFFICE FOR THE APPOINTEES AND THE COMMISSIONER SELECTION TO THE SOUTHWEST FLORIDA EXPRESS AUTHORITY GOVERNING BOARD

This is a Resolution of the Board of County Commissioners, Lee County, Florida, a political subdivision of the State, establishing uniform terms of office for the appointees and the Commissioner selection to the Southwest Florida Expressway Authority governing board.

WHEREAS, on November 1, 2005, the Board of County Commissioners selected Commissioner John Albion to a two-year term as a voting member of the Southwest Florida Expressway Authority governing board; and

WHEREAS, on September 26, 2006 Commissioner John Albion removed himself as a member to the Southwest Florida Expressway Authority and was replaced by Commissioner Tammara Hall to serve the remainder of his term; and

WHEREAS, on February 7, 2006 the Board of County Commissioners appointed Bob Taylor to a four-year term as a voting member of the Southwest Florida Expressway Authority governing board; and

WHEREAS, on April 4, 2006 the Governor of Florida appointed Katherine Green to a four-year term as a voting member of the Southwest Florida Expressway Authority governing board.

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

1. In order to provide for uniform terms of the Southwest Florida Expressway Authority governing board members, the Board of County Commissioners hereby establishes each Commissioner selection and appointee term as follows:

- Lee County Commission Representative John Albion, replaced by Commissioner Tammara Hall – 2/16/06-2/15/08
- Lee County Commission Appointee Bob Taylor – 2/16/06 – 2/15/10
- Lee County Gubernatorial Appointee Katherine Green – 4/4/06 – 2/15/10

2. The Clerk of the Circuit Court is hereby authorized and directed to transmit one (1) certified copy of this Resolution to the Southwest Florida Expressway Authority.

Commissioner _____ made a motion to adopt the foregoing resolution, seconded by Commissioner _____. The vote was as follows:

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

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

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairwoman

APPROVED AS TO FORM:

By: _____
Office of County Attorney