

12. **CITY MANAGER**

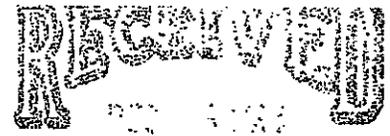
a. Informational Items

- i. Lee County "Invitation for Joint Planning"



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS



CITY OF SANIBEL
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December 17, 2008

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District Five

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David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Kenneth B. Cuyler, Esq., City Attorney
City of Sanibel
800 Dunlop Road
Sanibel, FL 33957

Re: Draft Resolution inviting the City of Sanibel
to participate in Joint Planning
LU-08-06-2415.A.1.f.1)

Dear Mr. Cuyler:

Enclosed please find a draft resolution inviting the City of Sanibel to negotiate an Interlocal Service Boundary Agreement to designate a Joint Planning Area and provide for the efficient delivery and funding for public services. Along with this draft resolution, there is a map depicting proposed joint planning areas for the City's consideration. The County will likely adopt the enclosed resolution at a regular meeting in January 2009. Commissioner Tammy Hall will discuss the resolution in further detail at an upcoming meeting of the Mayors scheduled for January 2009.

Kind regards,

Donna Marie Collins
Chief Assistant County Attorney

DMC/amp
Enclosures: Draft Resolution
Map

cc: Tammy Hall, Commissioner, District 4
David M. Owen, County Attorney
Mary Gibbs, Director, Department of Community Development
Paul O'Connor, Director, Planning Division
Wayne Daltry, Director, Smart Growth

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RESOLUTION NO. _____

A RESOLUTION OF LEE COUNTY, FLORIDA, PROVIDING FOR AN INITIATING RESOLUTION AS CONTEMPLATED IN PART II, CHAPTER 171, FLORIDA STATE STATUTES; INVITING THE CITY OF SANIBEL TO NEGOTIATE AN INTERLOCAL SERVICE BOUNDARY AGREEMENT TO DESIGNATE A JOINT PLANNING AREA AND PROVIDE FOR THE EFFICIENT DELIVERY AND FUNDING FOR PUBLIC SERVICES.

WHEREAS, the goal of the Interlocal Service Boundary Agreement Act is to encourage local governments to jointly determine how to provide services in the most efficient and effective manner while balancing the needs and desires of the community; and,

WHEREAS, an Interlocal Service Boundary Agreement encourages intergovernmental coordination in planning, service delivery, and potential boundary adjustment thereby reducing intergovernmental conflict and litigation between local governments; and,

WHEREAS, an Interlocal Service Boundary Agreement promotes sensible boundaries, reduces the cost of local government, avoids duplication of local service, and increases political accountability; and,

WHEREAS, an Interlocal Service Boundary Agreement prevents inefficient service delivery and insufficient tax base to support the delivery of services; and,

WHEREAS, an Interlocal Service Boundary Agreement will provide a flexible process for joint planing and, if appropriate, adjusting municipal boundaries and address a wider range of the effects of annexation; and,

- B. Road ownership, construction, and maintenance.
- C. Other transportation services, including mass transit.
- D. Water and wastewater.
- E. Conservation, parks and recreation, environmental mitigation and remediation.
- F. Stormwater management and drainage overall and within specific watersheds.
- G. Planning, Zoning, and Code Enforcement.
- H. Other issues as appropriate, such as human services, affordable housing, and above core level of service County services.

Section 4. Joint Planning Issues. Lee County will negotiate in good faith with the City to address issues of mutual interest. These details will be specified in the Joint Planning Agreement that may result from the requested negotiations. The County suggests the following issues to be discussed as part of this effort:

Fishing pier

Blind Pass

Development in Iona McGregor Corridor

Hurricane evacuation

Periwinkle Road

Cooperative efforts to address regional water quality

Captiva Island

Future Role of Community Redevelopment Areas/Tax increment financing

Blueways coordination

Section 5. Interlocal Joint Planning Agreement Contemplated. If the negotiations arising from this Initiating Resolution are successful and an Interlocal Joint Planning Agreement is achieved between Lee County and the City, then each entity will be responsible for preparing and adopting Comprehensive Plan amendments, implementation of land development regulations, and the issuance of development orders in accordance with the procedures outlined in the Interlocal Planning Agreement.

Section 6. Annexations. If the City of Sanibel annexes a parcel within the Joint Planning Area, it is contemplated that the City will assume responsibility for the delivery and funding of services in accordance with the established Joint Planning Agreement between the City and Lee County (as amended). Annexation of parcels within the Joint Planning Area will be accomplished in a manner consistent with the procedures outlined in Section 171.205, F.S. Lee County Comprehensive Plan and land development regulations will control property within municipal services area unless the City annexes the property and amends its Comprehensive Plan in accordance with Chapter 163, F.S., to recognize the annexed land.

Section 7. Transmittal to City Manager. The County Attorney and County Manager are authorized and directed to transmit this Initiating Resolution to the City Manager by U. S. Certified Mail, and to begin negotiations once a Responding Resolution is approved by the City Council.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Ray Judah, Chair

DATE: _____

Approved as to form by:

Office of the County Attorney

Attachment: "Exhibit A" - Proposed Joint Planning and Municipal Service Area for City of Sanibel

