

**MINUTES REPORT
EXECUTIVE REGULATORY OVERSIGHT COMMITTEE
(ERO)
Wednesday, March 10, 2021
2:00 p.m.**

Committee Members Present:

Tracy Hayden, Vice Chair	Victor DuPont
Matthew Roepstorff	Tim Keene
Buck Ward	Bill deDeugd
Carl Barraco Jr.	Bill Ennen

Excused / Absent:

Randal Mercer, Chairman	Ian Moore
Sam Hagan	Bob Knight
Mike Roeder	Jim Ink
Michael Reitmann	

Lee County Government Staff Present:

David Loveland, Director, Community Development
Audra Ennis, Manager, Community Development
Jessica Sulzer, Manager, Community Development
Joe Adams, Assistant County Attorney
Michael Jacob, Deputy County Attorney
Dirk Danley, Jr., Sr. Planner, Zoning
Adam Mendez, Planner, Zoning
Deborah Carpenter, DCD Admin, Recorder

Outside Consultants/Members of the Public Present:

Phillip Ford, BIA

CALL TO ORDER AND AFFIDAVIT:

The meeting was held in Commission Chambers, 2120 Main Street, Fort Myers, Florida. Ms. Tracy Hayden, Vice-Chair called the meeting to order at 2:00 p.m.

Mr. Joe Adams reviewed the Affidavit of Publication and found it legally sufficient as to form and content.

APPROVAL OF MINUTES – NOVEMBER 4, 2020

Mr. Buck Ward made a motion to approve the November 4, 2020 minutes. Mr. Bill Ennen seconded. The motion was called and carried unanimously.

LEECARES COVID-19 RELIEF PROGRAMS

Mr. David Loveland reviewed the LeeCares COVID-19 reports through January 2021. Referring to the Executive Summary, just under \$53 million had been disbursed in the forms of rent, mortgage and utility payment assistance, business grants, PPE distribution, food supplies, childcare scholarships and COVID-19 testing. An additional \$6 million of assistance was obligated and payment was pending. Additional funding had been expended for covered government expenses as well. The CARES Act funding has been extended through December 31, 2021 and the Coronavirus Relief Fund direct allocation expenditures are projected to reach \$134,459,744. Mr. Roepstorff asked what kind of demand there was currently for help with rents and mortgages. Mr. Loveland said the need was still there and on March 1st the County again began accepting applications for LeeCares 2021 Emergency Rental Program to help

with rent (not mortgage) and utilities for those impacted by COVID-19. Mr. Ward asked about budget shortfalls as a result of COVID-19 and there was a brief discussion about revenue sources that had been affected by the pandemic. Mr. Bill deDeugd thought the Airport's budget was one of those affected and Mr. Loveland said the Airport received separate grants over and above the \$134M. Mr. Loveland also said that a new Federal Stimulus bill was expected to be signed soon. Mr. Roepstorff asked if the County had any particular plans on how to use that money. Mr. Loveland said it would depend on how the funds were allocated and what direction was provided as to their use.

LDC AMENDMENTS – CLEAN UP AMENDMENTS

Mr. Loveland introduced this agenda item saying that these amendments were the kick-off of the regular two year LDC amendment cycle. This year the process will be a somewhat different approach. The amendments will be split out by topic area and each will go to the Board first in order to provide an opportunity for them to review the amendments before going through Committees. The Board has given authorization to begin the process and these clean-up amendments are intended to eliminate redundancies, discrepancies, provide clarifications and update cross references. Three additional areas have been identified for the Board to review: Hearing Examiner-related changes; Mobile home park buildings and a product called "Casitas", an issue that came up in a zoning hearing recently; and Dock & Shoreline regulations which industry representatives would like to see made consistent across jurisdictions. A number of other topic areas have been identified as well, but are not yet ready to bring forward.

He referred to the summary memo included which provided a list of the specific changes, and to the amendments where staff notes had been added in red to provide an explanation or rationale behind the changes. This would also be where any committee comments, if any, would be added as well.

Ms. Hayden suggested a review of the amendments by section asking that members ask questions or make comments as needed.

Mr. Buck Ward asked if the language added in **Sec 10-424**, which referred to *Section 34-1353* not included in these excerpts, was a change or an omission. Mr. Dirk Danley, Sr. Planner explained that this language was to add a cross reference which was a previous oversight.

Mr. Ward asked if there were any changes to the tables in **Sec 10-695**, or were the changes just to the notes. Staff confirmed the tables had not changed.

Ms. Hayden asked about the Administrative Code included as part of the packet. Staff explained that AC-2-10 had been provided for information only to show that procedural-type language, in this case for the Historic Preservation Boards, had been removed from the Land Development Code and moved into the Administrative Code.

Mr. Tim Keene made a motion to approve the amendments. Mr. deDeugd seconded. The motion was called and passed unanimously.

Mr. Keene had some other topics that he felt the County should consider while looking at this round of amendments. One was the Proportionate Share requirements (Sec 10-7(b)); another was 10-291(2) Roads and Access and the enabling language; Third was about bus stops and what he considered a hidden impact fee and the need to look at the fee-in-lieu calculations. Mr. deDeugd had concerns about sidewalks to nowhere. Mr. Loveland confirmed that all of these things had already been identified as language that needed to be reviewed.

There was no further business. Ms. Hayden adjourned the meeting at 2:40 p.m.

The next meeting was tentatively scheduled for May 12, 2021.