

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY **BLUE SHEET NO: 20021016-UTL**

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution, as a donation for one 4" diameter fire line serving **Popeye's Restaurant @ Merchants Crossing**. This is a Developer contributed asset and the project is located on the north side of Pine Island Road.

WHY ACTION IS NECESSARY:

To provide fire protection to the recently constructed restaurant.

WHAT ACTION ACCOMPLISHES:

Places the fire line into operation and complies with the Lee County Utilities Operations Manual.

2. DEPARTMENTAL CATEGORY: 10 - UTILITIES
COMMISSION DISTRICT #: 4

C10B

3. MEETING DATE:

09-24-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: _____

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER Res

6. REQUESTOR OF INFORMATION

- A. COMMISSIONER: _____
- B. DEPARTMENT: Lee County Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, Utilities Director
- DATE: 9/5/02

7. BACKGROUND:

Fire lines do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided. The installation has been inspected for conformance to the Lee County Utilities Operations manual. Satisfactory pressure and bacteriological testing has been completed. Record drawings have been received. Engineer's Certification of Completion has been provided---copy attached. Project Location Map---copy attached. Warranty has been provided---copy attached. Waiver of Lien has been provided---copy attached. Certification of Contributed Assets has been provided---copy attached. Potable water service is provided by Lee County Utilities via existing infrastructure. Sanitary sewer service provided by North Fort Myers Utility. No funds required.

SECTION 34 TOWNSHIP 43S RANGE 24E DISTRICT # 4 COMMISSIONER COY

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					App	Risk	GC		
<i>J. Lavender</i> Date: <u>9-5-02</u>	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: <u>9-5-02</u>	<i>D. Owen</i> D. Owen Date: <u>9/9/02</u>	<i>9/9/02</i> 9/9/02	<i>9/10/02</i> 9/10/02	<i>9/11/02</i> 9/11/02	<i>9/9/02</i> 9/9/02	<i>J. Lavender</i> Date: <u>9-5-02</u>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
COUNTY ADMIN. DD
9-9-02
9:15
COUNTY ADMIN.
FORWARDED TO:
9/11 5:00

REC'D 9/16/02
by CO. ATTY.
11:55am
CO. ATTY 9/16/02
FORWARDED TO:
Budget
9:25pm

RESOLUTION NO. _____

RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF
DEVELOPER CONTRIBUTED ASSETS
IN LEE COUNTY, FLORIDA

WHEREAS, it is the desire of Southeast Restaurant Properties, LLC, owner of record, to make a contribution to Lee County Utilities of water facilities (one 4" diameter fire line), serving "POPEYE'S RESTAURANT AT MERCHANTS CROSSING"; and,

WHEREAS, Lee County Utilities requires proof of a Release of Lien, a Warranty (one-year) on all labor and materials, an accurate value of contributed assets, and right-of-way and/or easement-indemnity granted for all systems being contributed to Lee County Utilities; and,

WHEREAS, all of the above information has been received and approved as complete by Lee County Utilities; and,

WHEREAS, Lee County Utilities has recommended to the Board of County Commissioners that the above-named system be accepted for ownership, operation, and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the above facilities, for a contributed value of \$1,890.00 is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner _____ who moved for its adoption. The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

Commissioner Janes(C):	_____	(1)
Commissioner St. Cerny:	_____	(2)
Commissioner Judah (V-C)	_____	(3)
Commissioner Coy:	_____	(4)
Commissioner Albion:	_____	(5)

DULY PASSED AND ADOPTED this _____ day of _____, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
DEPUTY CLERK

By: _____
CHAIRMAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

LETTER OF COMPLETION

DATE: 8/19/02

Department of Lee County Utilities
Division of Engineering
Post Office Box 398
Fort Myers, FL 33902

Gentlemen:

This is to certify that the water distribution and/or sewage collection system(s) located in the Popeyes
restaurant at 3111 NE Pine Island Road, Cape Coral, FL
(Name of Development)

were designed by me and have been constructed in conformance with:

- the approved plans
- the revised plans, attached

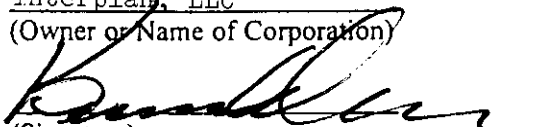
and:

- the approved specifications
- the revised specifications, attached

Upon completion of the work, we observed the following successful tests of the facilities: A pressure test
@ 150 P.S.I. for 2 hours with no loss of pressure.

Very truly yours,

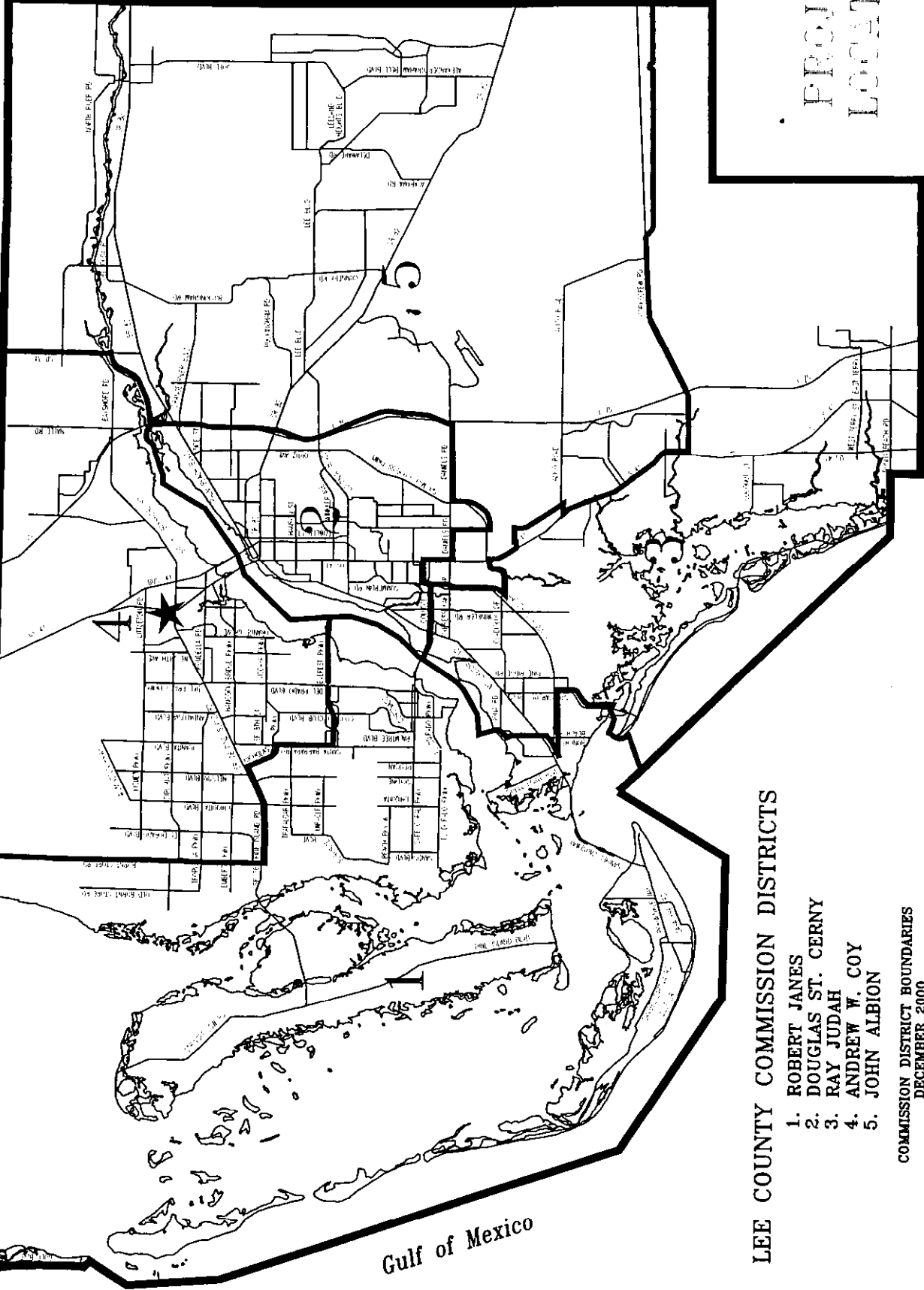
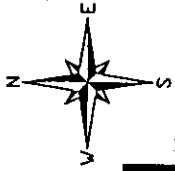
Interplan, LLC
(Owner or Name of Corporation)


(Signature)

Director of Civil Engineering
(Title)

SEAL OF ENGINEERING FIRM

POPEYES RESTAURANT @ MERCHANTS CROSSING
 34-43-24-03-000P0.0000
 COMMISSION DISTRICT # 4 - ANDREW W. COY



PROJECT
 LOCATION

LEE COUNTY COMMISSION DISTRICTS

1. ROBERT JANES
2. DOUGLAS ST. CERNY
3. RAY JUDAH
4. ANDREW W. COY
5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
 DECEMBER 2000

Gulf of Mexico

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and/or sewer systems of (Name of Development): Popeyes 3111 N.E. Pine Island Rd.
Cape Coral, Florida 33909

to be free from defects in material and workmanship for a period of one (1) year from the date of acceptance by the Lee County Board of County Commissioners. The undersigned parties further agree that they will, at their own expense, repair and replace all such defective work and all other work damaged by said defective work under this Warranty-Guaranty

It is furthermore understood that the consideration for the giving of this warranty and/or guaranty is the requirement by the General Conditions and Specifications under which the contract was let that such warranty and/or guaranty would be given.

Diversified Commercial Builders, Inc.
(NAME OF OWNER OR CONTRACTOR)
BY: Jay R. Salim Secretary-Treasurer
(SIGNATURE & TITLE)

STATE OF Georgia
COUNTY OF Cobb) SS:

The foregoing instrument was signed and acknowledged before me this 6th day of August, 2002 by Terry R. Bruckner who has produced Known
(Print or Type Name) (Type Of Identification and Number)

as identification, and who (did) (did not) take an oath.

Jessica DelPriore
Notary Public Signature

Jessica DelPriore
Printed Name of Notary Public
Notary Public, Cobb County, Georgia
My Commission Expires Feb. 22, 2003

Notary Commission Number

(NOTARY SEAL)

I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING: Terry R. Bruckner
Terry R. Bruckner, Secretary/Treasurer
(Name & Title of Certifying Agent)

OF: Diversified Commercial Builders, Inc.
(Firm or Corporation)

ADDRESS: 829 Pickens Industrial Drive, #13
Marietta, GA 30062

STATE OF Georgia)
) SS:
COUNTY OF Cobb)

The foregoing instrument was signed and acknowledged before me this 22nd day of August,
2002 by Terry R. Bruckner who has produced Known

(Print or Type Name) (Type Of Identification and Number)
as identification, and who (did) ~~(did not)~~ take an oath.

Jessica Del Priore
Notary Public Signature

Jessica Del Priore
Printed Name of Notary Public
Notary Public, Cobb County, Georgia
My Commission Expires Feb. 22, 2003
Notary Commission Number

(NOTARY SEAL)