

Agenda Item Summary

1. **ACTION REQUESTED/PURPOSE:** Approve and adopt Resolution to amend AC-4-4, Contract Manual to authorize an exemption for the reimbursement of permit fees for Lee County projects.

2. **WHAT ACTION ACCOMPLISHES:** Allows immediate reimbursement for permit fee expenses for County projects.

3. **MANAGEMENT RECOMMENDATION:** Staff Recommends approval

4. Departmental Category: 2. <u>C 2 B</u>		5. Meeting Date: <u>08-09-2005</u>	
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>Construction & Design</u> Division _____ By: <u>Jim Lavender, Director</u>
	<input checked="" type="checkbox"/> Statute	<u>125.80</u>	
	<input checked="" type="checkbox"/> Ordinance	<u>97-23 & 96-01</u>	
	<input checked="" type="checkbox"/> Admin. Code	<u>AC-4-4</u>	
	<input type="checkbox"/> Other		

9. Background:

Currently the Lee County Contract Manual, Administrative Code AC-4-4 allows for certain exemptions from the formal competitive process with appropriate justification. Lee County generally applies/pays for permit fees on County projects through the appropriate permitting agency. Past history shows a delay in obtaining a permit while we are waiting for a check to be issued. Many times we have authorized the Contractor/Consultant to pay for the permit and Lee County would reimburse them. Lee County has many large projects where the permit fees will exceed the formal bidding level of \$50,000.00. In order to prevent delays in getting the Contractor/Consultant reimbursement and delays to County projects, we are requesting an exemption from the Lee County Contract Manual.

Attachment: 1. Lee County Resolution

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>J. Lavender</i> 7/27/05	<i>[Signature]</i> 7/27/05	N/A		<i>[Signature]</i> 7/27/05	<i>[Signature]</i> 7/27/05	<i>[Signature]</i> 7/27/05	<i>[Signature]</i> 7/27/05	<i>[Signature]</i> 7/27/05	<i>J. Lavender</i> 7/27/05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

REC'D. 11/27/05
by CO. ATTY.

CO. ATTY. 11/27/05
FORWARDED TO:
[Signature]

RECEIVED BY
COUNTY ADMIN:
7-27-05
4:10
COUNTY ADMIN
FORWARDED TO:

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23: PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 of the Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

WHEREAS, Lee County Ordinance No. 97-23 at Section III allows and provides for amendments to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners meeting; and,

WHEREAS, certain amendments to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such proposed amendments are acceptable, serve a public purpose and are consistent with the terms and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:

1. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed amendment(s) to the Lee County Administrative Code AC-4-4 (attached hereto as Exhibit A), is (are) approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment(s).
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
4. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and, being put to a vote, the vote was as follows:

Ray Judah	_____	_____
Douglas St. Cerny	_____	_____
Robert Janes	_____	_____
Tammy Hall	_____	_____
John E Albion	_____	_____

DULY PASSED AND ADOPTED this ____ day of _____, ____

ATTEST:
CHARLIE GREEN, CLERK

By: _____
Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA**

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of County Attorney

Blue Sheet #20051081

“EXHIBIT A”

Amend the Lee County Contract Manual, Section 5: Unique Services, Section 5.3 entitled “Exemptions” to create an exemption for reimbursement of permit fees on County projects.

ADD: 5.3.3.6 Reimbursement of permit fees on County projects.