

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

Blue Sheet No. 20040404

1. REQUESTED MOTION:

ACTION REQUESTED: Declare a limited, temporary, emergency by Resolution for repairs to Terry Park (Pigott Stadium) Seating Repair which requires certain, immediate and necessary improvements, for the protection and safety of the stadium assets and customers. Also request Board approve emergency funding for Terry Park (Pigott Stadium) Seating Repair. Approve budget transfer of \$1,000,000 from CIP reserves and amend the FY 03/04 CIP.

WHY ACTION IS NECESSARY: Board of County Commissioners' approval is required for any Emergency Declarations.

WHAT ACTION ACCOMPLISHES: Allows the County to proceed with certain, immediate improvements to the Stadium.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT # 02

A2A

3. MEETING DATE:

04-20-2004

4. AGENDA:

5. REQUIREMENT/PURPOSE:
(Specify)

6. REQUESTOR OF INFORMATION:

☒ **CONSENT**
☒ **ADMINISTRATIVE**
☐ **APPEALS**
☐ **PUBLIC**
☐ **WALK ON**
TIME REQUIRED:

☐ **STATUTE**
☐ **ORDINANCE**
☐ **ADMIN. CODE**
☒ **OTHER**

A. COMMISSIONER
B. DEPARTMENT Construction & Design
C. DIVISION
BY: Jim Lavender

7. BACKGROUND: Terry Park (Pigott Stadium) seating has been deemed structurally unsafe. The steel structure has deteriorated beyond repair. The stadium field has been officially declared a Nationally Registered Historic site. Terry Park is one of the major "landmarks" in Lee County and has a very rich history, not only for Spring Training, but also for thousands of Lee County residents. Additionally, the direct and indirect financial impacts are estimated at more than \$18 million from the four fields at Terry Park.

Staff is evaluating the current condition of the seating structure at Terry Park to determine if demolition or restoration is the best alternative with the goal of preserving the "historic value" of the facility. This will enable the public to continue to use Terry Park and make the park more conducive to current events and activities.

The adoption of a "Temporary, Limited Emergency" Resolution for the Department of Construction and Design's procurement purposes will assist in the expeditious implementation of the needed improvements.

In the FY 04/05 budget, a budget of \$500,000 was established for the Rutenberg Community Center. This project scope has been reconsidered and the funding no longer required. Hence, this project will be deferred at this time which will enable us to use the funds to reimburse fund #301 for half of the funding required to repair the Terry Park seating.

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8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>Jamundh</i> <i>4.7.04</i>	<i>Joe</i> <i>4.7.04</i>	<i>N/A</i>	<i>4/10/04</i>	<i>A2</i> <i>4/8/04</i>	<i>OA</i> <i>4-8-04</i>	<i>OM</i> <i>4/8</i>	<i>Risk</i> <i>4/8/04</i>	<i>GC</i> <i>4/8/04</i>	<i>Jamundh</i> <i>4.7.04</i>

10. COMMISSION ACTION:

☐ **APPROVED**
☐ **DENIED**
☐ **DEFERRED**
☐ **OTHER**

Rec. by CoAtty
Date: <i>4/8/04</i>
Time: <i>8:30 am</i>
Forwarded To: <i>Co. Atty</i>

RECEIVED BY COUNTY ADMIN: <i>EV</i>
<i>12:10 pm</i>
<i>4-8-04</i>
COUNTY ADMIN FORWARDED TO: <i>PL</i>
<i>4-8-04</i>
<i>4:30 pm</i>

BACKGROUND (Continued)

Much like the Temporary Emergency Resolution that was developed and adopted by the Board earlier for the repairs to the Sanibel Bridges and Causeway facilities, the GES acquisition, and repairs to the City of Palms Stadium 1) all vendor contracts will come to the Board for approval, although some may be "after the fact" 2) County standards and qualifications for vendors will remain the same and 3) the Resolution will be temporary in nature, in this case, for only one (1) year upon its approval by the Board.

The proposed Resolution is for the sole purpose of expediting the procurement of vendors, materials and projects in order to repair the seating at Terry Park.

Staff recommends approval of the Temporary, Emergency Procurement Resolution to be effective for one (1) year from adoption.

Funds will be available in account 20201130100.506540.

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Capital Improvement Fund DATE: 04/07/04 BATCH NO. _____
 FISCAL YEAR: 03/04 FUND #: 30100 DOC TYPE: YB LEDGER TYPE: BA
 TO: Capital Projects Park Capital Projects
 (DIVISION NAME) (PROGRAM NAME)

NOTE: PLEASE LIST THE ACCOUNT NUMBER BELOW IN THE FOLLOWING ORDER:
 FUND #-DEPT/DIV #-PROGRAM #-OBJECT CODE #-SUBFUND #-PROJECT#-COST CENTER #.
 (EXAMPLE: BB5120100100.503450)

ACCOUNT NUMBER	OBJECT NAME	DEBIT
20201130100.506540	Construction - Improvements	\$ 1,000,000
TOTAL TO:		\$ 1,000,000

FROM: <u>Non-Departmental</u>	<u>Reserves</u>	
(DIVISION NAME)	(PROGRAM NAME)	
ACCOUNT NUMBER	OBJECT NAME	CREDIT
GC5890130100.509910	Reserves for Contingencies	\$ 1,000,000
TOTAL FROM:		\$ 1,000,000

EXPLANATION: Transfer budget from Reserves to fund the restoration of the Terry Park bleachers.

DIVISION DIRECTOR SIGNATURE _____ DATE _____
 DBS: APPROVAL ✓ DENIAL _____
 APPROVAL _____ DENIAL _____
 CO. ADMIN.: APPROVAL _____ DENIAL _____

[Signature] 4-7-04
 DEPARTMENT DIRECTOR SIGNATURE DATE
[Signature] 4-8-04
 OPERATIONS ANALYST SIGNATURE DATE
[Signature] 4/8/04
 BUDGET OPERATIONS MANAGER SIGNATURE DATE
 CO. ADMIN. SIGNATURE _____ DATE _____

BCC APPROVAL DATE _____

BCC CHAIRMAN SIGNATURE _____

BA NO: _____ AUTH CODE: _____ TRANS DATE: _____
 REV. 05/93

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF LEE COUNTY DECLARING A LIMITED, TEMPORARY EMERGENCY RELATIVE TO THE REPAIRS TO TERRY PARK SEATING; PROVIDING FOR FINDINGS AND DECLARATION; PROVIDING FOR AUTHORIZATIONS, TERM AND EFFECTIVE DATE.

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

WHEREAS, the Board possesses all County and Municipal authority with respect to governance and for the protection and convenience of its citizens, residents and customers, to include the Declaration of County Emergencies when warranted; and,

WHEREAS, based upon the examinations, findings and recommendations of the County Public Works Director and consultants, the Board now desires to declare that a limited, temporary emergency exists with respect to the County's repairs to seating at Terry Park ("Park"), for the purposes of expediting the procurement of vendors and materials for certain, immediate improvements needed to be made to the Stadium in the public's interest and for the Stadium customers' convenience.

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

1. The above recitals are hereby adopted as being true and accurate, and as if set out further at length in this section.
2. Based upon the inspections made, analyses, scientific findings and recommendations of the Parks and Recreation Director and consultants with respect to the need for certain immediate improvements to the Park in order to

better serve its customers, the Board hereby finds and declares that a limited, temporary emergency exists with respect to the operations of the Park.

3. The Board hereby finds that the ordinary delays incident to utilizing the normal course of competitive selection for outside vendors of goods and services necessary for the construction of certain, immediate improvements to the Park would be detrimental to the interests of the County and the convenience of the Terry Park customers, by unnecessarily increasing the timing of those procurements and construction activities.
4. As the result, County staff is hereby directed to take all lawful actions as expeditiously as practicable to make those immediate improvements to the Park as indicated by Exhibit A, hereto.
5. In keeping with the Declaration of this Limited, Temporary Emergency, the Board hereby waives the provisions of the Lee County Purchasing and Contracts Manuals, and invokes the relevant exceptions as provided for by general law for emergency procurements with respect to competitive selection and procurement for goods and services necessary for the implementation of the immediate improvements to the Park as set out in Exhibit A. All other provisions of the Purchasing and Contracts Manuals (i.e, requirements for satisfactory qualifications, bonding, insurance, experience, financial stability, etc.), other applicable provisions of general law and the Lee County Operations Manual, shall remain in full force and effect. All selections for Construction Managers, Contractors, Architects and other such vendors will be submitted to the Board of County Commissioners for approval, regardless of price. Such submittals may

be made "after the fact", if work schedules require procurements to be made for public safety or convenience purposes in advance of regular Board of County Commissioners' scheduling for those approvals.

6. This Resolution will remain in effect for a period of one year from its date of adoption, at which time it will then be deemed to be expired, and of no further force or effect.
7. This Resolution will take effect immediately upon its adoption by the Board of County Commissioners at a regularly scheduled meeting.

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:

DOUGLAS ST. CERNY	_____
BOB JANES	_____
RAY JUDAH	_____
ANDREW COY	_____
JOHN ALBION	_____

DULY PASSED AND ADOPTED this _____ day of _____, 2004

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney