

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

Blue Sheet No. 20060717

1. ACTION REQUESTED/PURPOSE: Approve the second amendment to the Second Joint Supplemental Interlocal Agreement between Lee County and the City of Bonita Springs under its Master Transportation Agreement related to the Imperial Street Four Lane Capital Improvement Project. Also, approve Budget Amendment Resolution in the amount of \$6,590,481.00 and amend the FY 05/06-09/10 Capital Improvement Program accordingly.

2. WHAT ACTION ACCOMPLISHES: Allows County to enter into a modification of an existing Interlocal Agreement with the City of Bonita Springs to reflect an additional funding commitment by the City of Bonita Springs.

3. MANAGEMENT RECOMMENDATION: Approve.

4. Departmental Category: 09 C9C		5. Meeting Date: 06-13-2006
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)	
	<input type="checkbox"/> Statute	<input type="checkbox"/>
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>
	<input type="checkbox"/> Other	<input type="checkbox"/>
		8. Request Initiated: Commissioner _____ Department <u>Transportation</u> Division _____ By: <u>Scott M. Gilbertson</u>

9. Background:

On March 28, 2006, Lee County approved the first amendment to the Second Joint Supplemental Interlocal Agreement to the Master Transportation System Agreement regarding the Imperial Street Four-Laning Project. Subsequently, the City of Bonita Springs committed an additional \$6,590,481 to this project. The change is necessary to reflect this new commitment by the City. The City Council approved the second amendment on May 17, 2006.

Funds will made available in the following account: 20406063000.506540.

Attachments: Amended Interlocal Agreement
Budget Amendment 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>[Signature]</i>	<i>[Signature]</i>	NA	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN:	<i>[Signature]</i>
6/11/06 10:30 AM	
COUNTY ADMIN FORWARDED TO:	<i>[Signature]</i>
6-10-06	
3-3-11	

Rec. by CoAtty
Date: 6/11/06
Time: 9:45 AM
Forwarded To: 10:00 AM 6/11/06

RESOLUTION

Amending the Budget of Bonita Springs Road Impact Fees Capital-Fund 63000 to incorporate the unanticipated receipts into Estimated Revenues and Appropriations for the fiscal year 2005-2006.

WHEREAS, in compliance with the Florida Statutes 129.06(2), it is the desire of the Board of County Commissioners of Lee County, Florida, to amend the Bonita Springs Road Impact Fees Capital-Fund 63000 budget for \$6,590,481 of the unanticipated revenue from Bonita Springs and an appropriation of a like amount for construction costs and;

WHEREAS, the Bonita Springs Road Impact Fees Capital-Fund 63000 budget shall be amended to include the following amounts which were previously not included.

ESTIMATED REVENUES		
Prior Total:		\$12,091,434
Additions		
20406063000.363240.9002	Impact Fees Rec'd from Bonita Springs	6,590,481
Amended Total Estimated Revenues		\$18,681,915

APPROPRIATIONS		
Prior Total:		\$12,091,434
Additions		
20406063000.506540	Improvements Construction	6,590,481
Amended Total Appropriations		\$18,681,915

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, that the Bonita Springs Road Impact Fees Capital-Fund 63000 budget is hereby amended to show the above additions to its Estimated Revenue and Appropriation accounts.

Duly voted upon and adopted in Chambers at a regular Public Hearing by the Board of County Commissioners on this ____ day of _____, 2006.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

BY: _____
DEPUTY CLERK

CHAIRWOMAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

DOC TYPE YA
LEDGER TYPE BA



*City of
Bonita Springs*

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Jay Arend
Mayor

Richard Ferreira
Councilman
District One

Alex Grantt
Councilman
District Two

Patrick McCourt
Councilman
District Three

John Joyce
Councilman
District Four

Martha Simons
Councilwoman
District Five

Ben L. Nelson, Jr.
Councilman
District Six

Gary A. Price
City Manager
Tel. (239) 949-6238

Audrey E. Vance
City Attorney
Tel. (239) 949-6254

City Clerk/Treasurer
Tel: (239) 949-6250

Public Works
Tel: (239) 949-6246

Code Enforcement
Tel: (239) 949-6257

Parks & Recreation
Tel: (239) 992-2556

May 24, 2006

2006 MAY 31 PM 4:04
RECEIVED BY
LEE CO. ATTORNEY

Jed Schneck, Assistant County Attorney
Lee County Attorneys Office
Post Office Box 398
Fort Myers, FL 33902

RE: Second Amendment to Joint Supplemental Interlocal Agreement between Lee County and the City of Bonita Springs under its Master Transportation Agreement:
Imperial Four Lane: Bonita Beach Road to Terry Street

Dear Jed:

Enclosed are three (3) originals of the Amended Joint Supplemental Interlocal Agreement between Lee County and the City of Bonita Springs under its Master Transportation Agreement for Imperial Four Laning, as prepared by Dave Loveland, and which were approved by Bonita Springs City Council on May 17, 2006.

Please schedule the Interlocal Agreement before the Lee County Board of County Commissioners and return one (1) fully signed original to the City of Bonita Springs.

Thank you for your assistance with this matter.

Sincerely yours,

Audrey E. Vance
City Attorney

AEV/
Enclosures

cc: Bonita Springs City Council
Gary A. Price, City Manager
Daryl C. Walk, P.E., Public Works Manager
Dianne J. Lynn, City Clerk
Lisa Griggs Roberson, CPA, Finance Director
David Loveland, AICP, Planning Program Director, DOT
Above without enclosures

**SECOND AMENDMENT
JOINT SUPPLEMENTAL INTERLOCAL AGREEMENT
BETWEEN LEE COUNTY AND THE CITY OF BONITA SPRINGS
UNDER ITS MASTER TRANSPORTATION AGREEMENT:
IMPERIAL FOUR LANE: BONITA BEACH ROAD TO TERRY STREET**

THIS SECOND AMENDMENT TO THE SECOND JOINT SUPPLEMENTAL INTERLOCAL AGREEMENT, is made and entered into this _____ day of _____, 2006 by and between Lee County, a political subdivision and charter county of the State of Florida, hereinafter referred to as "COUNTY", and the City of Bonita Springs, a municipal corporation in the State of Florida, hereinafter referred to as "CITY".

WHEREAS, the Parties on May 22, 2001 entered into a Second Joint Supplemental Interlocal Agreement regarding the four laning of Imperial Street as a collector road from Bonita Beach Road to Terry Street, as amended in January 2006; and

WHEREAS, the Parties on March 28, 2006 amended the Second Joint Supplemental Interlocal Agreement for the four-laning; and

WHEREAS, the Parties desire to amend the Second Joint Supplemental Interlocal Agreement for the Imperial Street four-laning to readdress funding.

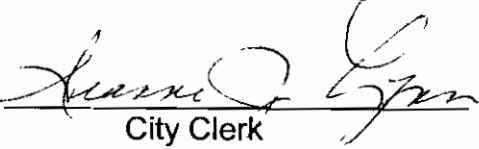
NOW, THEREFORE, in consideration of the foregoing, and of mutual covenants and conditions hereinafter set forth, the City and the County, intending to be legally bound, hereby agree to this Second Amendment, as follows:

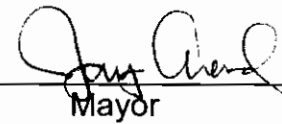
1. The recitals as set forth above are incorporated into the terms of the original agreement.
2. The following is amended by showing strikethroughs of deleted language and underlining new language.
 7. CITY agrees that it will, upon execution of this amended Agreement and request by the COUNTY, furnish to COUNTY the funds specified by fiscal year on the attached CIP request sheet. All payment due through FY 04/05 have been paid by the CITY, and the CITY will not provide any additional funding beyond the \$11,774,481 (~~\$11,174,481~~ to be funded upon execution of this agreement and the remaining \$600,000 budgeted for contingency to be funded upon request from Lee County and subsequent to approval by City's Public Works Manager for cost changes) ~~\$5,184,000~~ committed for FY 05/06 that might be necessary due to project delays or higher-than-anticipated bid prices unless otherwise agreed to by amendment of this agreement.

3. The CIP project sheet attached replaces Exhibit A to this Agreement.
4. All other terms of the Interlocal Agreement remain the same.
5. This Interlocal Agreement shall become effective on the date written above.
6. This Agreement, and any subsequent Amendments thereto, shall be filed with the Clerk of the Circuit Court for Lee County.

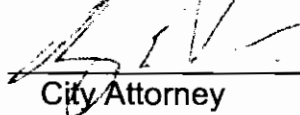
Attest:

CITY OF BONITA SPRINGS

By: 
City Clerk

By: 
Mayor

APPROVED AS TO LEGAL FORM:

By: 
City Attorney

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF COUNTY COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairwoman

APPROVED AS TO LEGAL FORM:

By: _____
Office of the County Attorney

CIP REQUEST FORM - FY 05/06 - 09/10

PROJECT NAME Imperial Street	NEW PROJECT	CAPITAL TYPE PROJECT	X
PROJECT NUMBER 204060	EXISTING PROJECT	MAINTENANCE TYPE PROJECT	
REQUESTING DEPT. Transportation	COMMISSION DIST. 3	DATE PREPARED: 4/28/2006	
MANAGING DEPT. Transportation			

PROJECT DESCRIPTION:
Widen 2-lane Imperial Street to 4 lanes, including construction of a bridge across the Imperial River, 1.0 mile.

PROJECT LOCATION:
Bonita Springs, Bonita Beach Road to East Terry Street.

JUSTIFICATION FOR THE PROJECT:
[Redacted]

If mandated, indicate under what authority: FL Stat. #: Lee Plan: Co Ord #: Admin Code: Other:

ESTIMATED PROJECT COST PREPARED BY: Nicole Maxey	ACTUAL PRIOR	FY 04/05 BUDGET	FY 05/06	FY 06/07	FY 07/08	FY 08/09	FY 09/10	5 YEAR TOTAL	YEARS 6-10	PROJECT TOTAL
LAND	2,091,309	7,555,526						0		9,646,835
PROFESSIONAL SERVICES CONSTRUCTION	749,876	92,568	11,137,327					11,137,327		842,444
CEI			1,991,810					625,661		13,129,137
PROJECT MGMT. MITIGATION	146,980	128,020						0		625,661
LANDSCAPING			11,493					11,493		275,000
TOTAL	2,988,165	10,317,924	11,774,481	0	0	0	0	11,774,481	0	25,080,570

CIP FUNDING SOURCES AND AMOUNTS:

	FY 05/06	FY 06/07	FY 07/08	FY 08/09	FY 09/10
Impact Fees					
City Funds	11,774,481				
Ad Valorem					

OPERATING IMPACT:
(Complete the details on the back of the form)

	FY 05/06	FY 06/07	FY 07/08	FY 08/09	FY 09/10
START UP	N/A	N/A	N/A	N/A	N/A
RECURRING (Ops)	N/A	N/A	N/A	N/A	N/A
(Traffic)	N/A	N/A	N/A	N/A	N/A
TOTAL	0	0	0	0	0

COMMENTS:
Total costs in FY 05/06 increased by \$6,590,481, from \$5,184,000 to \$11,774,481. Subject to updated Master Transportation System Agreement and Joint Supplemental Interlocal Agreement with City of Bonita Springs.

CONTACT PERSON:
Nicole Maxey, Project Manager
PHONE NUMBER: 479-8569