

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

Blue Sheet No. 20060948

1. ACTION REQUESTED/PURPOSE: Approve mediated settlement in case of Lee County v. Laakso, et al., Case No. 06CA-73-I, parcel 3, Matlacha Park Project.

Also, approve a transfer from Regional Park Impact Fee reserves in the amount of \$1,100,000 for the Matlacha Park Land Acquisition Project and amend the FY 05/06 - 09/10 CIP accordingly.

2. WHAT ACTION ACCOMPLISHES: Settles all claims for this case.

3. MANAGEMENT RECOMMENDATION: Approve mediated settlement.

4. Departmental Category: 12 – County Attorney **A12K**

5. Meeting Date: August 1, 2006

6. Agenda:	7. Requirement/Purpose: (specify)
<input type="checkbox"/> Consent	<input type="checkbox"/> Statute
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code
<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Other
<input type="checkbox"/> Walk-On	

8. Request Initiated:
Commissioner _____
Department _____ County Attorney
Division _____ Litigation
By: John S. Turner, Assistant County Attorney

9. Background: This is for approval of a mediated settlement of July 13, 2006, for parcel 3 in the case of Lee County v. Laakso, et al., case no. 06CA-73-I, acquisition of residence of 10,250 sq. ft. located adjacent to Matlacha Community Park for a total acquisition cost for the real estate of \$1,045,500 and attorneys fees of \$81,015 plus taxable costs. This property is to be used for expansion of the Matlacha Community Park including installation of a dock and launching facilities for kayaks and canoes, art center expansion, replanting mangroves, new parking and shelter, and a drop-off and group-size shelter. The property owners, Scott and Cheryl Swartz, initially demanded \$107. per sq. ft. for a total of \$1,096,750. Lee County's initial good faith estimate of value for purposes of order of taking was \$850,000. Recognizing recent comparable property sales transactions near the subject property, the parties agreed on a figure of \$102 per sq. ft.

Transfer from Regional Park Impact Fee reserves in the amount of \$1,100,000 for the Matlacha Park Land Acquisition Project and amend the FY 05/06 – 09/10 CIP accordingly.

Funds available in string account no.: 20203418700.506110

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
				<i>[Signature]</i>	Analyst <i>[Signature]</i>	Risk <i>[Signature]</i>	Grants <i>[Signature]</i>	Mgt. <i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY. FORWARDED TO: 7/18/06

RECEIVED BY COUNTY ADMIN: *[Signature]*
7-18-06 4:30 pm
COUNTY ADMIN FORWARDED TO: *[Signature]*
7/20/06
0007

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Regional Park Impact Fees DATE: 07/17/06 BATCH NO.: _____

FISCAL YEAR: 05-06 FUND NO.: 187-00 DOC. TYPE: YB LEDGER TYPE: BA

TO: Capital Projects Parks Capital Projects
 (Division Name) (Program Name)

NOTE: Please list the account number below in the following order:
Business Unit (dept/div, program, fund, subfund); Object Account; Subsidiary; Subledger
(Example: BB 5120100100.503450)

<u>Account Number</u>	<u>Object Name</u>	<u>DEBIT</u>
20203418700.506110	Land Acquisition	\$1,100,000
TOTAL TO:		<u>\$1,100,000</u>

FROM: Non-Departmental Reserves
 (Division Name) (Program Name)

<u>Account Number</u>	<u>Object Name</u>	<u>CREDIT</u>
GC5890118700.509910	Reserve for Contingencies	\$1,100,000
TOTAL FROM:		<u>\$1,100,000</u>

EXPLANATION: Transfer funds from reserves to increase the Matlacha Park-Land Acquisition project in the amount of \$1,100,000. Blue Sheet # 20060948.

_____	<u>John Yavelle</u>	_____
DIVISION DIRECTOR SIGNATURE/DATE	DEPARTMENT HEAD SIGNATURE/DATE	
DBO: APPROVAL <input checked="" type="checkbox"/> DENIAL _____	<u>John K. Wolf</u> 7-19-06	
OPS. MGR.: APPROVAL <input checked="" type="checkbox"/> DENIAL _____	OPS. ANALYST SIGNATURE DATE	
CO. MGR.: APPROVAL <input checked="" type="checkbox"/> DENIAL _____	<u>Ann Lange</u> 7/19/06	
	OPS. MGR. SIGNATURE DATE	
	<u>W. ...</u> 7/20/06	
	CO. MANAGER SIGNATURE DATE	

BCC APPROVAL DATE: _____
BCC CHAIRMAN SIGNATURE

BA. NO. _____ AUTH CODE _____ TRANS DATE _____