

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

**Blue Sheet No. 20020253**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve "Working Agreement" with the U.S. Department of Agriculture, Natural Resources Conservation Service for the services of a County employee Program Manager and approve Budget Amendment for an amount not-to-exceed \$59,260.00.

**WHY ACTION IS NECESSARY:** To provide funds for the Program Manager position in the Lee Soil and Water Conservation Program.

**WHAT ACTION ACCOMPLISHES:** Assists in bringing about conservation, development and wise use of land, water and related resources in Lee County.

**2. DEPARTMENTAL CATEGORY:**

COMMISSION DISTRICT # CW

**11 C11A**

**3. MEETING DATE:**

**04-02-2002**

**4. AGENDA:**

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

**5. REQUIREMENT/PURPOSE:**

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER
- "Working Agreement"

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT Parks and Recreation
- C. DIVISION

BY: **John Yarbrough, Director of Parks and Recreation**

*J. Yarbrough by ccm  
3-12-01*

**7. BACKGROUND:**

The County and the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) have a common objective of helping to bring about the conservation, development and wise use of land, water and related resources. Lee County will provide the services of a Program Manager to the USDA-Natural Resources Conservation Service for the following: 1) Technical assistance for erosion control, irrigation water management, drainage, soils, engineering, agronomy and range for District Cooperators and 2) Direct daily NRCS field office operations.

The U.S. Department of Agriculture, Natural Resources Conservation Service will provide the following: 1) Office space, phone, vehicle and equipment necessary to carry out duties; 2) Training as required, including travel expenses; 3) Services of soil scientists, engineers, technicians and other specialists as requested; and 4) Reimburse the County a not-to-exceed amount of \$59,260.00 for the period October 1, 2001 through September 30, 2002.

Revenues are budgeted in: 11067915500.331390.9003 and funds will be made available in: 11067915500.501210

**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>ccm</i>		<i>J. J. [Signature]</i>						<i>[Signature]</i>		<i>ccm 3/14</i>				<i>[Signature]</i>			
<i>d/y 3-12-01 by ccm</i>		<i>3/18/01</i>						<i>3/12/02</i>		<i>OA CA 3/12/02</i>		<i>OM 3/14/02</i>		<i>Risk 3/14 GC 3-14-02</i>		<i>3-14-02</i>	

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

REC'D.  
by CO. ATTY.  
*3/12/02*  
*10:40 pm*  
CO. ATTY.  
FORWARDED TO:  
*ADMIN*  
*3/12/02 1:30 pm*

RECEIVED BY  
COUNTY ADMIN.  
*3/12/02*  
COUNTY ADMIN.  
FORWARDED TO:  
*3/14/02*

MW

WORKING AGREEMENT

Between

LEE COUNTY BOARD OF COUNTY COMMISSIONERS

and the

UNITED STATES DEPARTMENT OF AGRICULTURE  
NATURAL RESOURCES CONSERVATION SERVICE

Authority: Public Law 74-46, 16 U.S.C. (590 a-f)

THIS AGREEMENT, made and entered into this October 1, 2001 by and between the Lee County Board of County Commissioners (hereinafter called the "County") and the United States Department of Agriculture Natural Resources Conservation Service (hereinafter called the "Service").

The County and the Service have the common objective of helping to bring about the conservation, development, and wise use of land, water and related resources. Whereas the County and the Service desire to provide certain conservation assistance, programs, and benefits to the citizens; and, both parties have certain resources available to facilitate the provision of these services.

Therefore, the County and the Service deem it mutually advantageous to cooperate in this undertaking, and hereby agree as follows:

A. The County Agrees:

1. To provide the services of a County employed Natural Resources Manager to the USDA-Natural Resources Conservation Service for the following:
  - a. Technical assistance for erosion control, irrigation water management, drainage, soils, engineering, agronomy, and range for Soil and Water Conservation District Cooperators and others.
  - b. Facilitate delivery of NRCS programs.
  - c. Directing daily NRCS field office operations.
2. To bill the Service monthly for one twelfth the agreed annual total using form SF-270.
3. To cover all other costs of these services not reimbursed by this agreement.

B. The Service Agrees:

1. To reimburse the County monthly for actual expense in a total amount not to exceed \$59,260.00 for assistance described in A.1. upon receipt of a properly certified SF-270. This shall include advance of funds anticipated to be expended within thirty days. Actual pay status will be in accordance with Lee County Policies. This is the second year of a three (3) year agreement. This agreement will be affirmatively renewed next Service fiscal year for a specified time period and reimbursement amount and will be presented as part of the county budget process. Payment will be made to:

Lee County Board of County Commissioners

2. To provide office space, phone, vehicle, and equipment necessary to carry out duties.
3. To provide training as necessary and travel expenses.
4. To provide the services of soil scientists, engineers, technicians, and other specialists as needed or requested.

C. It is mutually understood and agreed:

1. **TERM.** This agreement shall commence October 1, 2000 and shall conclude September 30, 2003.
2. **AREA COVERED.** Lee and Charlotte Counties, Florida.
3. **HOURS OF WORK.** Employee work hours will consist of the corresponding 5-4/9 plan of compressed work schedules – nine workdays per two week period (eight 9 hour days and one 8 hour day). This work plan best meets the needs of the clients, employees, and Service.
4. **RENEWALS.** This agreement will remain in force through September 30, 2003. It may be affirmatively renewed by a new agreement until the purposes of this agreement are complete.
5. **METHOD of PAYMENT.** Payment will be processed after receipt of a properly certified form SF-270. This shall include advanced payments of Service cost share anticipated to be incurred within thirty (30) days. These documents shall be sent to:

NATURAL RESOURCES CONSERVATION SERVICE  
P.O. Box 141510  
Gainesville, FL 32614-1510  
Attn: Financial Management

6. **INTENT TO COOPERATE.** It is the intent of the Service and the County to fulfill their obligations under this agreement. However, commitments cannot be made beyond the period for which funds have been appropriated. In the event funds from which the Service or the County may fulfill their obligations are not appropriated, the agreement will automatically terminate. Reimbursement will then be for work completed that is otherwise eligible for reimbursement prior to the effective date of termination.
7. **TERMINATION.** This agreement may be terminated by either party giving a sixty (60) day advance written notice to the other party.
8. **MODIFICATION.** This agreement may be modified by amendment duly executed by authorized officials of the County and the Service, provided such modification does not extend this agreement beyond the close of the fiscal year in which the work is completed.
9. **ADMINISTRATION.** This agreement shall be administered in accordance with the provisions of OMB circulars A-87, A-102, and A-133, 7 CFR 3015, 7 CFR 3016, 7CFR 3017, 7 CFR 3018 and 7 CFR 3052.
10. **OFFICIALS NOT TO BENEFIT.** No member of Congress or Resident Supervisor shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom; but this shall not be construed to extend to this agreement if made with a corporation for its general benefit.

11. NON-DISCRIMINATION. The program or activities conducted under this agreement will be in compliance with the non-discrimination provisions contained in the Titles VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1989 (Public Law 100-259); and other non-discrimination statutes; namely, section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendment of 1972, and the Age Discrimination Act of 1975. They will also be in accordance with the regulation of the Secretary of Agriculture (7 CRF-15, Subparts A and B), which provide that no person in the United States shall on the grounds of race, color, national origin, age, sex, religion, marital status, or handicapped be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial and/or technical assistance from the Department of Agriculture of any agency thereof.
12. DRUG-FREE WORKPLACE. Certification Regarding Drug-Free Work Place Requirements (Grants) For Alternative I – For Grantees Other Than Individuals, Form AD-1049, is attached and made a part of this agreement.

This Agreement was approved by the Lee County Board of County Commissioners on

\_\_\_\_\_.

Lee County  
Board of County  
Commissioners

United States  
Department of Agriculture  
Natural Resources  
Conservation Service

By: \_\_\_\_\_  
Chairman

By:   
State Conservationist

# RESOLUTION #

Amending the Budget of Department of Parks & Recreation, Fund 15500 to incorporate the unanticipated receipts into Estimated Revenues and Appropriations for the fiscal year 2001-2002.

**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 Department of Parks & Recreation, Fund 15500 budget for \$ 59,260 of the unanticipated revenue from Grant funding and an appropriation of a like amount for grant expenditures and;

**WHEREAS**, the Department of Parks & Recreation, Fund 15500 budget shall be amended to include the following amounts which were previously not included.

## ESTIMATED REVENUES

Prior Total:		
Additions		\$ 12,410,428
11067915500.331390.9003	Parks & Rec- Other Physical Env. Federal	\$ 59,260
Amended Total Estimated Revenues		\$ 12,469,688

## APPROPRIATIONS

Prior Total:		
Additions		\$ 12,410,428
11067915500.501210	Salaries	\$ 59,260
Amended Total Appropriations		\$ 12,469,688

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Lee County, Florida, that the Department of Parks & Recreation, Fund 15500 budget is hereby amended to show the above additions to its Estimated Revenues 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 \_\_\_\_\_, 2002.

ATTEST:  
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
DEPUTY CLERK

\_\_\_\_\_  
CHAIRMAN

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

DOC TYPE YA  
LEDGER TYPE BA