

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

Blue Sheet No. 20020463

1. REQUESTED MOTION:

ACTION REQUESTED: Approve mediated settlement in Lee County v. Colonial West Condominiums; Case No. 95-87-CA. Also, approve transfer from Veterans Memorial Parkway Extension to Midpoint Bridge in the amount of \$120,000, including project management. Amend FY01/02-FY05/06 CIP accordingly. *(Handwritten initials)*
WHY ACTION IS NECESSARY: To resolve outstanding claim.

WHAT ACTION ACCOMPLISHES: Settles all claims except fees and costs.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

A12A

3. MEETING DATE:

05-21-2002

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT County Attorney
- C. DIVISION Litigation
- BY: John J. Renner
Chief Assistant County Attorney

7. BACKGROUND: To widen Colonial Boulevard, Lee County condemned an 8 unit condominium building which was part of a 3 building, 24 unit development known as Colonial West Condominiums. Lee County paid the individual owners for the units and the Colonial West Condominium Association, Inc. for common elements and the cost of constructing a buffer wall. The condo association made a claim for the loss of the income stream (assessments) from the 8 units and sought \$172,272.00 plus \$80,000.00 interest from July 1995 for a total of \$252,272.00. Lee County's expert estimated the value of the income stream at \$80,000.00 before interest. A settlement of \$110,000.00 has been reached at mediation, inclusive of interest.

Funds will be available in the following account upon approval of transfer: 20589631202.506110.

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>5/7/02</i> <i>[Signature]</i>	N/A	N/A	<i>5/7/02</i> N/A	<i>[Signature]</i>	OA	OM	RISK	GC	<i>[Signature]</i> 5-6-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

REC'D.
by CO. ATTY.
5/6/02
[Signature]
CO. ATTY.
FORWARDED TO:
Co. Admin.
5-7-02

RECEIVED BY
ADMIN.
5/7/02
10:30 am
CO. ATTY.
CO. TO:

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Local Option Gas Tax 595 Construction DATE: 04/29/02 BATCH NO. _____

FISCAL YEAR: 2002 FUND #: 31202 DOC TYPE: YB LEDGER TYPE: BA

TO: Capital Projects Transportation 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
20589631202.506110	Land	\$ 110,000
20589631202.506540	Improvements Construction	\$10,000
TOTAL TO:		\$ 120,000

FROM: Capital Projects Transportation Projects
 (DIVISION NAME) (PROGRAM NAME)

ACCOUNT NUMBER	OBJECT NAME	CREDIT
20460131202.506540	Improvements Construction	\$120,000

TOTAL FROM: \$ 120,000

EXPLANATION: Budget appropriation needed to cover expenses for condemnation for Midpoint Bridge Project.

DIVISION DIRECTOR SIGNATURE	DATE		5/3/02
DBS: APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/>			5-7-02
APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/>			5-7-02
CO. ADMIN.: APPROVAL <input type="checkbox"/> DENIAL <input type="checkbox"/>		CO. ADMIN. SIGNATURE	DATE
BCC APPROVAL DATE _____		BCC CHAIRMAN SIGNATURE	

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