

Lee County Board of County Commissioners
Agenda Item Summary

Blue Sheet No. 20021230

1. REQUESTED MOTION:

ACTION REQUESTED: Authorize Chairman to execute Modification to agreement with the Department of Community Affairs contract #00FM-J1-09-46-15-014 to provide additional funding of \$5,440; and to the extend agreement to December 30, 2002. Approve Budget Amendment Resolution in like amount.

WHY ACTION IS NECESSARY: Commission Chairman's signature is required to execute the modification.

WHAT THE ACTION ACCOMPLISHES: The modification provides funding to cover cost overruns associated with past repetitive loss property elevation projects.

2. DEPARTMENTAL CATEGORY: Division of Public Safety (07)
COMMISSION DIST. # *C7A*

3. MEETING DATE: November 5, 2002

4. AGENDA

CONSENT
ADMINISTRATIVE
APPEALS
PUBLIC
TIME REQUIRED:

5. REQUIREMENT/PURPOSE

(Specify)
STATUTE
ORDINANCE
ADMAN. CODE
 OTHER

6. REQUESTOR OF INFORMATION

A. COMMISSIONER
B. DEPARTMENT Independent
C. DIVISION Public Safety

BY John D. Wilson, Director *[Signature]*

7. BACKGROUND: On June 6, 2000, the Lee County Board of County Commissioners approved an agreement with the Florida Department of Community Affairs, which provided funding to complete the elevation of two residential structures. Cost overruns in combination with expected funding not materializing from the State, resulted in the county picking up a portion of these project costs. The funding provided by this modification reimburses the county for these expenses.

Attachment 1 – Four copies of Modification to Agreement #00FM-J1-09-46-15-014
Attachment 2 – Budget Resolution

8. MANAGEMENT RECOMMENDATIONS: Staff recommends approval of request.

9. RECOMMENDED APPROVAL

DEPARTMENT
DIRECTOR
[Signature]
10/23/02

Purchasing or
Contract
[Signature]
10/23/02

Human
Resources

County
[Signature]
10/23/02

County Administration *[Signature]* 10/23/02
OAI OMI Risk IGC
[Signature] 10/24/02
[Signature] 10/23/02

COUNTY
MANAGER
[Signature]

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by Cofity
Date: 10/23/02
Time: 11:36
am
Forwarded To:
Budget
10/23/02

RECEIVED BY
COUNTY ADMIN.
10/23/02 11:42
COUNTY ADMIN.
FORWARDED TO: *[Signature]*
10/23/02

RESOLUTION

Amending the Fund 00100 General Fund budget to incorporate the unanticipated receipts into Estimated Revenues and Appropriations for the fiscal year 2002-2003.

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 Fund 00100 General Fund budget for \$5,440 of the unanticipated revenue from Amendment #3 Flood Mitigation contract and an appropriation of a like amount into an expense account and;

WHEREAS, the Fund 00100 General Fund budget shall be amended to include the following amounts which were previously not included.

ESTIMATED REVENUES		
Prior Total:		\$287,051,042
Additions		
11061300100.331200.9002	Flood Mitigation Asst. Grant	\$5,440
Amended Total Estimated Revenues		\$287,056,482

APPROPRIATIONS		
Prior Total:		\$287,051,042
Additions		
11061300100.506110	Land & Court Reg. Depst.	\$5,440
Amended Total Appropriations		\$287,056,482

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, that the Fund 00100 General Fund 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 _____, 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 YB
LEDGER TYPE BA

MODIFICATION #3 TO FLOOD MITIGATION ASSISTANCE AGREEMENT

WHEREAS, Lee County (hereinafter "Recipient") and the Department of Community Affairs, Division of Emergency Management (hereinafter "the Department") have entered into a Flood Mitigation Assistance Agreement dated June 6, 2000; for the purpose of distributing federal funds for flood mitigation activities; and

WHEREAS, the parties agree to reinstate and extend the Agreement, effective from its expiration date to December 30, 2002, in order for the Recipient to receive additional funds for the overrun the project received.

WHEREAS, the parties agree to modify the Agreement to increase the funding provided by the Department.

NOW, THEREFORE, the Department and the Recipient agree as follows:

1. Section (2) paragraph 1 is hereby deleted in its entirety, and the following paragraph substituted in its place and stead for all intents and purposes:

This is a cost-reimbursement Agreement. The Recipient shall be reimbursed quarterly for FMA eligible costs incurred in the satisfactory performance of work required to complete the project(s). The Department shall provide FMA funds to Recipient for reimbursement of up to **\$114,803**, or seventy-five percent (75%) in allowable costs, whichever is less, which Recipient will match for the non-federal sources with **\$38,268**, or twenty-five percent (25%) of allowable costs, whichever is less, for payment of expenditures and costs incurred in performing the project(s) identified in Attachment A. In-kind contributions to be considered as match shall not exceed twelve and one-half percent (12.5%) of allowable costs. Cash match from non-federal sources may include: (1) local government expenditures; (2) salary paid to staff to carry out the approved project; (3) local cash funds provided to contractors and consultants to carry out approved mitigation activities; and (4) cash funds provided by any non-federal source. Allowable costs shall be determined in accordance with the OMB Circular A-87, 44 Code of Federal Regulations (CFR) Part 78, 44 CFR Part 13, and other applicable Flood Mitigation Assistance Program guidance. Payment shall be provided on a quarterly basis.

2. Attachment A, Budget and Scope of Work, is hereby deleted in its entirety and Revised Attachment A is added. A copy of Revised Attachment A is attached hereto and is incorporated herein.

All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this modification to be executed by the undersigned officials as of the date listed below.

RECIPIENT: LEE COUNTY

BY: _____

Name and Title: _____

Date: _____

Federal Employer I.D. _____

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

BY: _____

Name and Title: W. Craig Fugate, Director, Division of Emergency Management

Date: _____

Revised Attachment A (Lesinski)

BUDGET AND SCOPE OF WORK

Property Owner: Richard John Lesinski

Property Address: 4861 E. Riverdale Drive
Fort Myers, Florida 33905

Recipient shall require the property owner to perform tasks associated with the demolition of a substantially damaged structure and the construction of a new residential structure, as further described in the Recipient's Flood Mitigation Assistance Program (FMAP) application. That application is hereby incorporated by reference. The Department of Community Affairs shall reimburse eligible costs for this project up to \$62,819.00

(a) Funding Summary

Federal Share: \$62,819.00

Local Share: \$20,940.00

Project Cost: \$83,759.00

(b) Eligible Expenditures

The following categories are generally considered eligible for reimbursement under the FMA Program. Only reasonable eligible expenses may be reimbursed. The Recipient shall provide the Department with a detailed listing of project expenditures, and classify them according to the listed categories, as part of any request for payment. Any expenditures that do not clearly fall under the specified categories shall be submitted to the Department for review and determination of funding eligibility under the FMA Program.

Preliminary cost estimates for this project have been provided to the Department, and those costs that are eligible have been incorporated into the categories below.

The amounts set forth below are estimates, and the Recipient may allow the Property Owner to exceed the estimates and be reimbursed for 75% of expenditures in a category, provided that the total reimbursement shall not exceed \$62,819.00

Revised Attachment A (continued)

Budget and Scope of Work

	Federal (75%)	Non-Federal (25%)
A. Permitting	\$ 375.00	\$ 125.00
B. Site Clearing/Demolition/Grading	\$ 7,500.00	\$ 2,500.00
C. Retrofit/Elevation	\$30,000.00	\$ 10,000.00
D. System Extension	<u>\$24,944.00</u>	<u>\$ 8,315.00</u>
TOTAL:	\$62,819.00	\$20,940.00