

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

Blue Sheet No. 20021368

1. REQUESTED MOTION:

ACTION REQUESTED: Approve and authorize Chairman to execute the attached interlocal agreements between the Lee County and the Florida Department of Environmental Protection, Division of Recreation and Parks, Lovers Key State Park.

WHY ACTION IS NECESSARY: The Board of County Commissioner must approve all agreements.

WHAT ACTION ACCOMPLISHES: Provides a mechanism for reimbursement of Tourist Development Council approved projects utilizing the TDC beach and shoreline funds.

2. DEPARTMENTAL CATEGORY: 1

3. MEETING DATE:

COMMISSION DISTRICT #: 3

CIC

12-17-2002

4. AGENDA:

5. REQUIREMENT/PURPOSE:
(Specify)

6. REQUESTOR OF INFORMATION:

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

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

- A. COMMISSIONER
- B. DEPARTMENT Visitor & Conv. Bureau
- C. DIVISION
- BY: D.T. Minich, Executive Director

[Signature] *11-25-02*

7. BACKGROUND:

The Tourist Development Council recommended tourist tax funding for one project at Lovers Key State Park. The Board of County Commissioners approved funding this project with adoption of the FY 2002-03 / 2006-07 Capital Improvement Program. The attached interlocal agreement authorizes the State to perform the specified work and County staff to reimburse the State for expenses incurred. The project is as follows:

1893.....Lovers Key ADA Access/Footbridge Upgrade.....\$26,000.00

Funds are available in account number 20189330101.508150.30. Capital Projects, Lovers Key ADA Beach Access Upgrade, Capital Improvement Fund, Tourist Tax, Grants and Aids to Local Governments, Construction Phase.

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>11-25-02</i> <i>[Signature]</i>	<i>[Signature]</i>			<i>[Signature]</i> <i>[Signature]</i>	<table border="1"> <tr> <td>OA</td> <td>12-4-02</td> <td>12-4-02</td> <td>12-4-02</td> <td>12-4-02</td> <td>GC</td> </tr> <tr> <td colspan="6">RECEIVED BY COUNTY ADMIN.</td> </tr> <tr> <td colspan="6">FORWARDED TO: <i>DOE</i></td> </tr> </table>	OA	12-4-02	12-4-02	12-4-02	12-4-02	GC	RECEIVED BY COUNTY ADMIN.						FORWARDED TO: <i>DOE</i>						<i>[Signature]</i> <i>12-5-02</i>
OA	12-4-02	12-4-02	12-4-02	12-4-02	GC																			
RECEIVED BY COUNTY ADMIN.																								
FORWARDED TO: <i>DOE</i>																								

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

12-2-02
[Signature]
COUNTY ADMIN.
FORWARDED TO: *DOE*
12/5 100

AGREEMENT FOR TOURIST DEVELOPMENT TAX FUNDING

THIS AGREEMENT is entered into by and between LEE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the “**COUNTY**” and the Florida Department of Environmental Protection, Division of Recreation and Parks, Lovers Key State Park, hereinafter referred to as “**RECIPIENT**”, for funding provided by Lee County pursuant to its Tourist Development Plan.

WITNESSETH:

WHEREAS, pursuant to Florida Statutes §125.0104 and Lee County Ordinance No. 01-16, Lee County collects tourist development tax; and

WHEREAS, **COUNTY** and **RECIPIENT** acknowledges that the tourist development tax may only be spent in accordance with the Tourist Development Plan adopted by Lee County; and

WHEREAS, the **COUNTY** has approved the **RECIPIENT’S** request for funding under its Tourist Development Tax Plan for implementation of the following project:

NAME: Lovers Key ADA Beach Access/Footbridge Upgrade

NUMBER: 201893

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

6. Accurate records of all expenditures shall be maintained by the **RECIPIENT**, and these records shall be made available at all reasonable times for inspection, review or audit by the **COUNTY**. Records shall be kept for a period of at least three (3) years following the end of the funding period.
7. **RECIPIENT** will submit quarterly reports to the **COUNTY**. Expenditure reports must be accompanied by sufficient supporting invoices and documentation to support pre-audit and post-audit review. The sufficiency of said documentation shall be determined by the Clerk of the Circuit Court, who may seek additional information as the circumstances require.
8. The **COUNTY** shall not be liable to any person, firm or corporation that contracts with the **RECIPIENT** to provide goods and services associated with the project conducted with the funding. Nor shall the **COUNTY** be liable to any person, firm or corporation for claims against the **RECIPIENT** or debts incurred by the **RECIPIENT**.
9. The **RECIPIENT** shall reimburse the Lee County Tourist Development Tax Trust Fund for any sums adjudged by a court of competent jurisdiction to be an unauthorized expenditure.
10. The **RECIPIENT** covenants to the **COUNTY** that it has lawful authority to enter into this agreement and has authorized the execution of this agreement by its authorized representative.

11. This agreement may not be modified, amended or extended orally. This agreement may be amended only by written agreement executed by the governing bodies of both parties.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by the undersigned officials, as duly authorized this ____ day of _____, 200__.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

BY: _____
DEPUTY CLERK

BY: _____
CHAIRMAN

APPROVED AS TO FORM

BY: _____
COUNTY ATTORNEY'S OFFICE

ATTEST:

FLORIDA DEPARTMENT OF ENVIRONMENTAL
PROTECTION, DIVISION OF RECREATION
AND PARKS, LOVERS KEY STATE PARK

BY: Judith Baggett

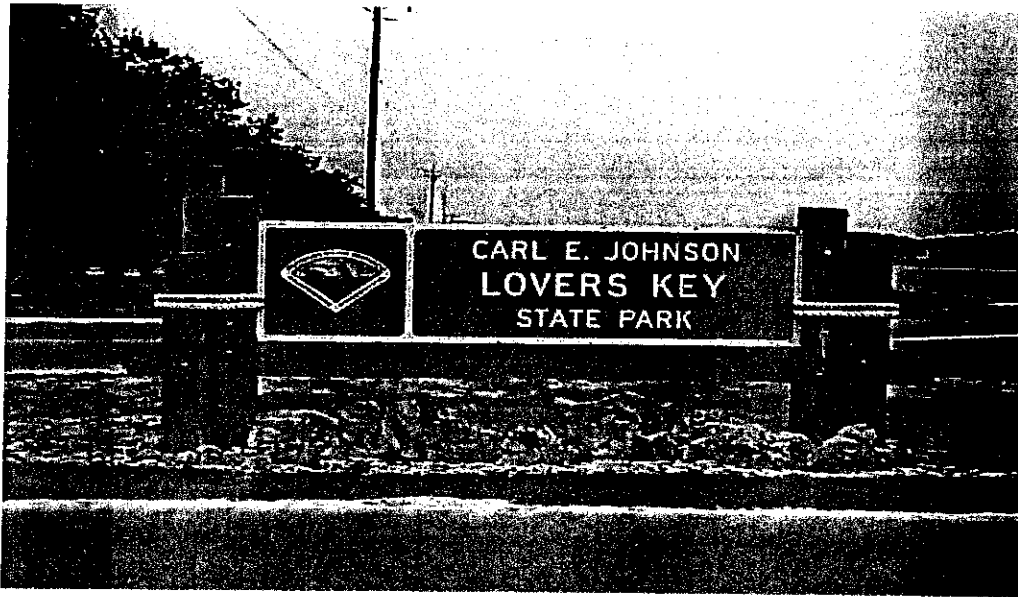
BY: Michael Bull

APPROVED AS TO FORM

BY: Jerome L. Johnson
ATTORNEY'S OFFICE

EXHIBIT "A"

Beach and Shoreline Project Request
ADA Beach & Gulf Viewing Area
Lovers Key / Carl E. Johnson
State Park



Only

BEACH & SHORELINE PROJECT REQUEST FORM
FOR TOURIST DEVELOPMENT TAX - BEACH & SHORELINE FUNDS
FISCAL YEAR 2002-2003

REQUESTING AGENCY INFORMATION	
Requesting Agency: Lovers Key State Park	
Project Manager: Paul Rice	Phone Number: 941-463-4588
E-mail address: Paul.Rice@dep.state.fl.us	Fax Number: 941-463-8851

PROJECT INFORMATION	
Project Name: ADA Beach Access/Footbridge Upgrade	
Check one:	<input checked="" type="checkbox"/> Capital Project <input type="checkbox"/> Maintenance Project
For capital projects please provide:	
Anticipated Start Date: December 2002	
Anticipated Completion Date: March 2003	

REQUEST			
FY 02-03 TDC Beach & Shoreline Funds: \$26,000.00			
If this project will be phased over more than one fiscal year, please identify the anticipated additional expenditure requests for TDC funding by fiscal year below:			
FY 03-04	FY 04-05	FY 05-06	FY 06-07

\$	\$	\$	\$
<p>If this project has received previous TDC funding, please list the fiscal year(s) and award amount(s) below: None</p>			

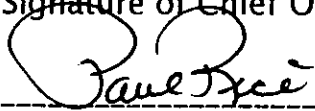
BEACH & SHORELINE PROJECT REQUEST FORM FY 02-03
PAGE 2 OF 2

OTHER FUNDING SOURCES
<p>Are funds other than Tourist Development Tax Beach & Shoreline Funds being requested for the construction or the maintenance of this project? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p> <p><i>Please note this includes funds provided by your own agency, grants or revenues generated by the facility/activity</i></p>
<p>Has other funding already been approved? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p>
<p>If, yes, please list the approved amount: \$10,000.00 plus labor for installation and maint.</p>
<p>If other funding has not been approved, please list the amount you have requested and the anticipated approval date?</p>

REQUEST NARRATIVE
<i>Please note: All information must be included for this request to be considered for funding.</i>

- I. Project Summary - one to two sentences
- II. Project Abstract - (two pages maximum) to include:
 - A. Project Description
 - B. Overall Context - if this request is part of a larger project, please describe the larger project and how this component is integrated
 - C. Impact on Tourism
 - D. Estimate Project Timeline - please include estimates for design, permitting and construction
- III. Maps - using the map provided, please mark the location of your site within the county and submit a site map indicating the project's relationship to the beach/shoreline
- IV. Budget Information - (one page maximum) to include:
 - A. Budget for Project - please provide a basic budget breakdown for the project
 - B. Facility Maintenance Budget - if this is a capital project, please provide (1) description of who will operate and maintain the facility, (2) the anticipated first full year of operating and maintenance costs, and (3) the source for these funds

Signature of Chief Official of Requesting Agency:



Date: 3/8/02

For additional information contact Tamara Pigott, Beach and Shoreline Project Manager for the Lee Island Coast Visitor & Convention Bureau, at (941) 338-3500 or tpigott@leegov.com

I. Project Summary

This project is to cover the original wooden footbridge leading out to the beach at Lovers Key State Park with a new weather resistant material and add an ADA overlook at the beach. The bridge was constructed in the mid 70's and is cracking and splintering badly, making access difficult to guests, especially guests with disabilities.

II. Project Abstract

A. Project Description

This project includes the following recreational and ADA improvements:

1. Improved access to the main beach for foot, bicycle and wheelchair traffic.
2. The addition of a 14 x 14 overlook at the beach with a bench and ADA picnic table so guests with disabilities can partake in beach activities and enjoyment.
3. Reduce risk of guest injury by elimination of exposed pressure treated wood surfaces that splinter. An injury can ruin a family outing.

B. Overall Context

This project will greatly improve barrier free access to the main beach and eliminate a potential hazard to the guests. The original 29 +/- year old bridge is deteriorating rapidly. Nail heads are popping up continually causing maintenance concerns and burdens. All of the boards on the entire bridge, including the handrail, are cracking. There have been many cases of guests getting splinters in their hands and feet. Chunks of wood have fallen away making it very difficult to cross the bridge with a bicycle or wheel chair. This covering will eliminate all of the problems, giving guests a much easier and nicer barrier free access to the beach.

C. Impact on Tourism

Lovers Key State Park has had many amenities installed or renovated over the past 5 years with a focus on visitor enjoyment and access to all areas of the park. Guests are currently using the wooden bridge, however as it deteriorates, it does and will continue to detract from the quality of their experience. This bridge offers guests a choice of beach access. Those who do not wish to ride the tram to the southern section of the beach, and those who just prefer the northern section, use this bridge daily. This will

also open a new area for guests with disabilities, offering choices of beach access and an area to spend time with their family at the beach. Renovation of the bridge will also keep in line with the overall esthetic appeal of the park enhancing the overall experience of the guest.

D. Estimated Timeline

Design and scope of work and the quotes are completed. The permit process should take about 45 days. Ordering and receiving the material and installation will take 2 months. The total estimated time is 3.5 months.

III. Budget Information

A. Project Budget

TDC Funds:

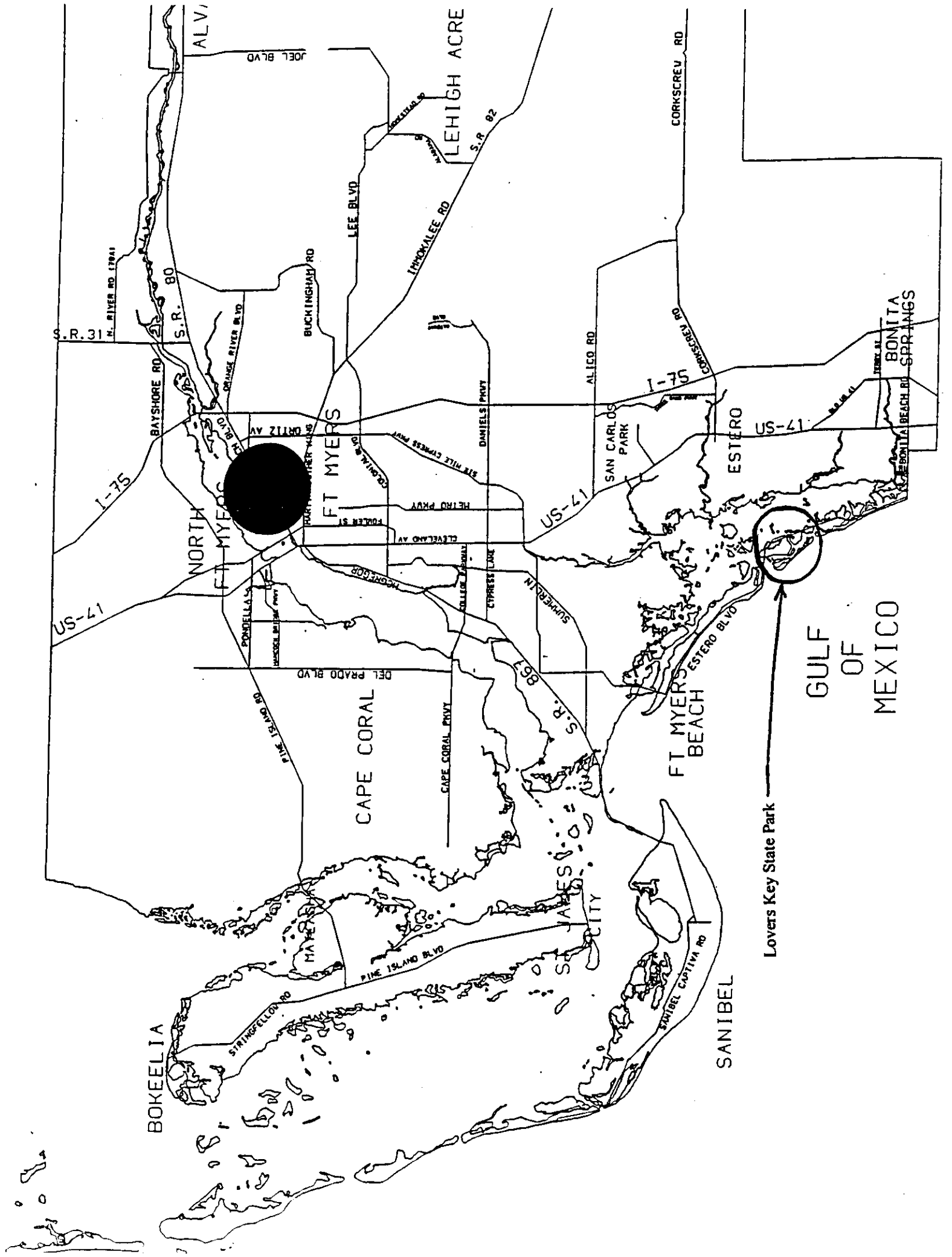
Purchase material	\$26,000.00
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DEP Funds:

Purchase Material	\$10,000.00
Staff for installation	\$4000.00

B. Facility Maintenance Budget

The anticipated maintenance and operation cost is minimal due to the nature of the material being installed. There will be routine sweeping and cleaning of the bridge. Lovers Key State Park will fund any future repairs.



GULF OF MEXICO

Lovers Key State Park

SANIBEL

FT MYERS BEACH

ESTERO

CORKSCREW RD

I-75

SAN CARLOS PARK

ALICO RD

US-17

LEHIGH ACRE

IMPHALEE RD

LEE BLVD

BUCKINGHAM RD

FT MYERS

NORTH FT MYERS

BOKEELIA

CAPE CORAL

CAPE CORAL PKWY

S.R. 863

ST. JAMES CITY

PINE ISLAND BLVD

SANIBEL CAYTIVA RD

BONITA SPRINGS

US-17

S.R. 80

BAYSHORE RD

ORANGE RIVER BLVD

ALV

JOEL BLVD

DEL PRADO BLVD

THE ISLAND RD

MONTEFORTE

CLIFF

HEIRO PKWY

CLEVELAND AV

COLLEGE TERNAL

STRESS LAKE

SUNGERLIN

DANIELS PKWY

ST. MILL CYPRESS PKWY

CONCRETE RD

ESTERO BLVD

US-17

BONITA BEACH RD

BONITA SPRINGS

US-17

M. RIVER RD (12841)

S.R. 17

DRITZ AV

PARHAM PKWY

POWELL AV

WASSER BLVD

CONELLA

MONTEFORTE

CLIFF

HEIRO PKWY

CLEVELAND AV

COLLEGE TERNAL

STRESS LAKE

SUNGERLIN

DANIELS PKWY

ST. MILL CYPRESS PKWY

CONCRETE RD

ESTERO BLVD

US-17

BONITA BEACH RD

BONITA SPRINGS

US-17

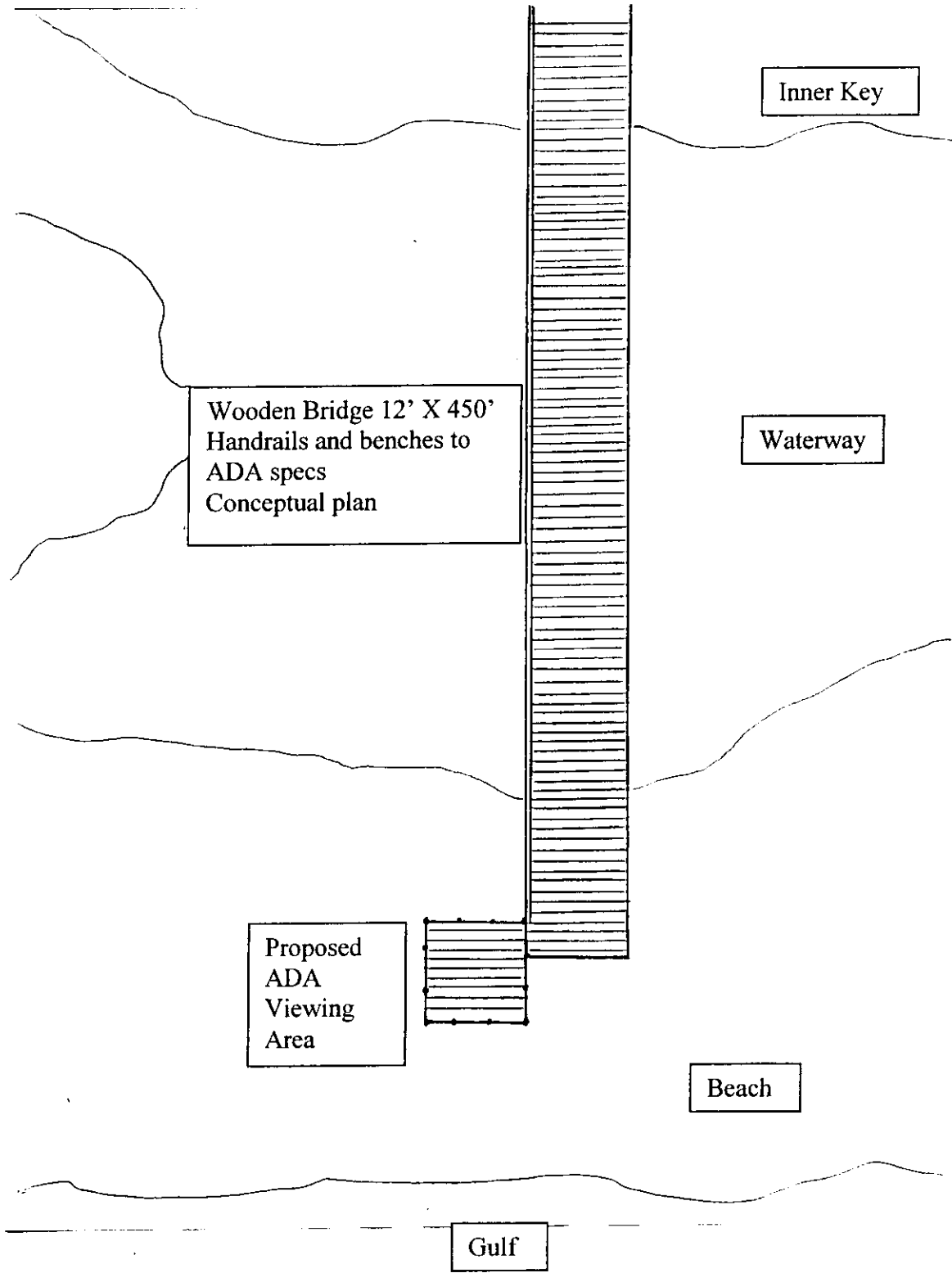
BONITA BEACH RD

BONITA SPRINGS

US-17

BONITA BEACH RD

BONITA SPRINGS



Inner Key

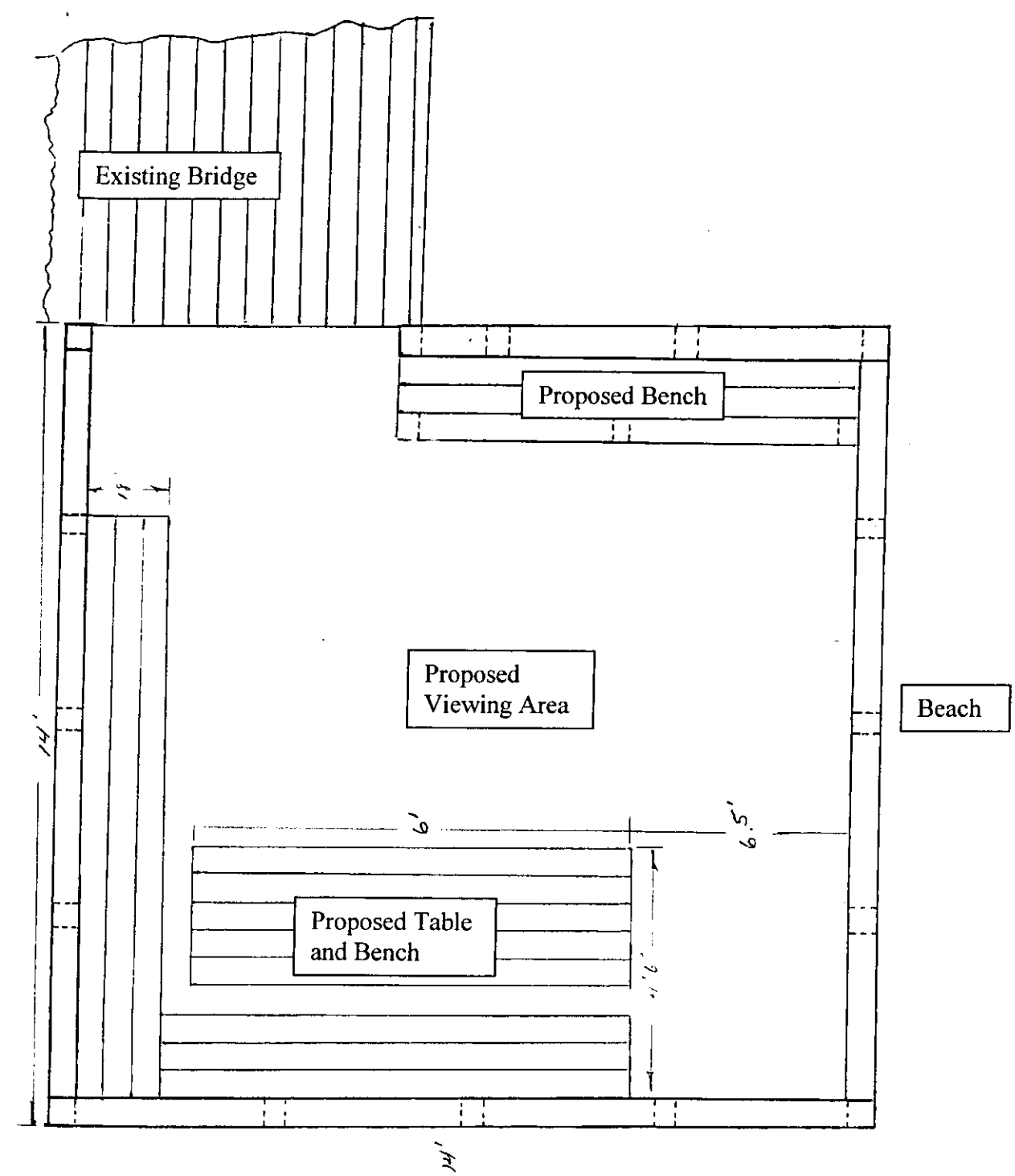
Wooden Bridge 12' X 450'
Handrails and benches to
ADA specs
Conceptual plan

Waterway

Proposed
ADA
Viewing
Area

Beach

Gulf



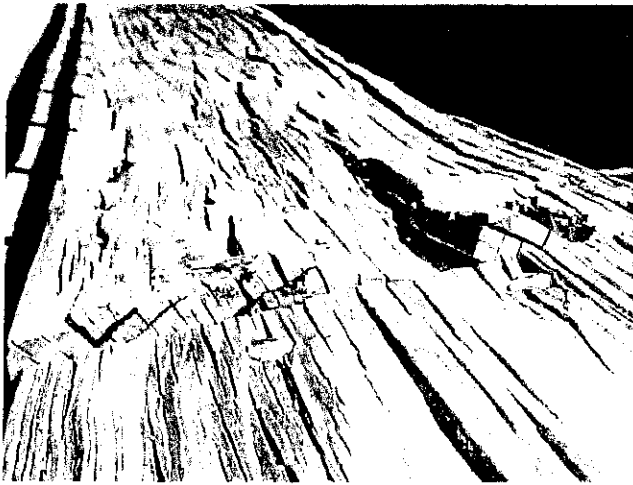
ADA Beach and Gulf Viewing Deck
 Conceptual Plan
 Benches, Rails, and Table to ADA
 Specifications



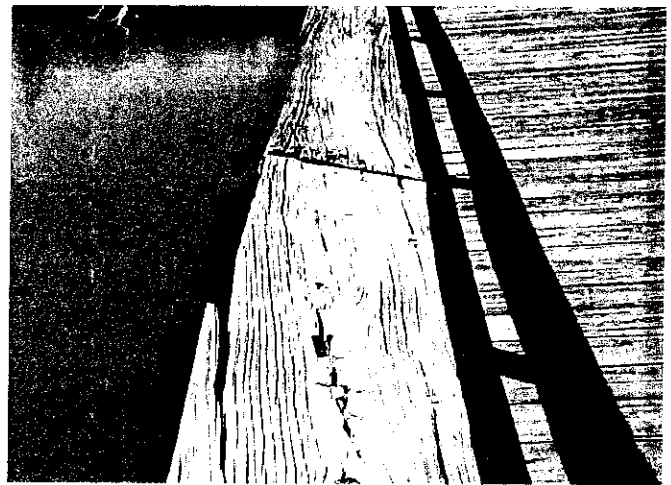
Existing wood bridge



Barefoot guest on bridge



Splitting handrail



Splitting handrail

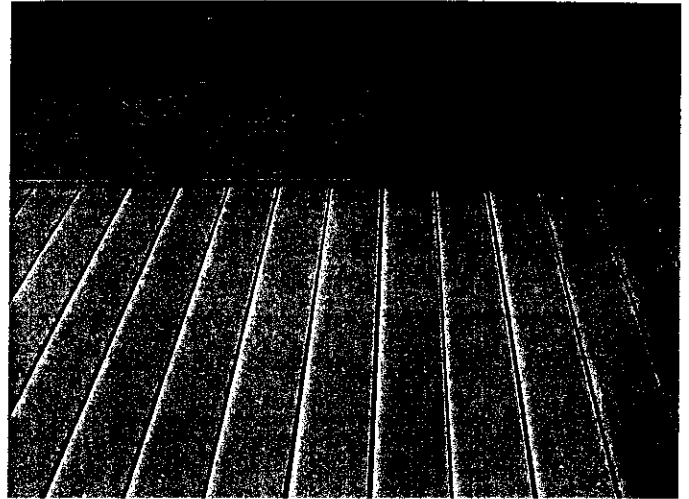
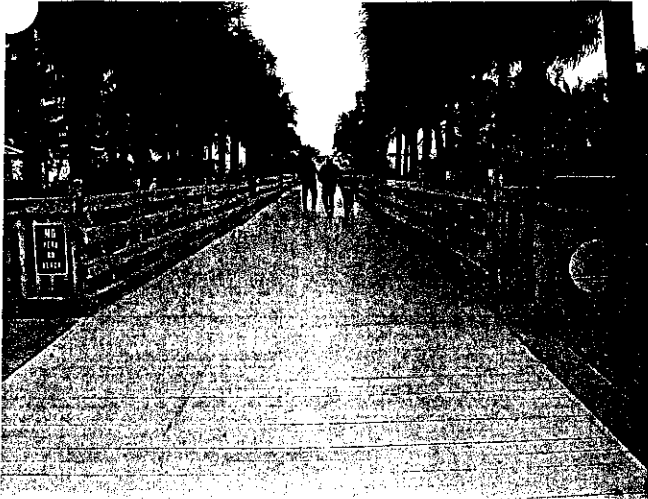


Nailhead popping up



Severe deck deterioration

These photos are of the existing wood bridge at Lovers Key State Park



These photos from Bowdich Point show a similar type of material used for the walkways.

The two photos at the bottom show an ADA accessible observation deck similar to our proposed deck. There are very few of these available in Lee County.

