

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**AGENDA ITEM SUMMARY** **BLUE SHEET NO: 20030023 -UTL**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Approve final acceptance, by Resolution as a donation for one 6" diameter fire line serving **POLYGARD (AKA BILLY CREEK COMMERCE CENTER, LOTS 159 & 160)**. This is a Developer contributed asset project located on the west side of Zip Drive approximately 400' south of Sutton Ridge Drive.

**WHY ACTION IS NECESSARY:**

To provide fire protection the recently constructed industrial building.

**WHAT ACTION ACCOMPLISHES:**

Places the fire line into operation and complies with the Lee County Utilities Operations Manual.

**2. DEPARTMENTAL CATEGORY: 10 - UTILITIES**  
**COMMISSION DISTRICT #: 2**

C10B

**3. MEETING DATE:** 01-28-2003

**4. AGENDA:**

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

**5. REQUIREMENT/PURPOSE:**

- (Specify)
- STATUTE \_\_\_\_\_
  - ORDINANCE \_\_\_\_\_
  - ADMIN. CODE \_\_\_\_\_
  - OTHER Res \_\_\_\_\_

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER: \_\_\_\_\_
- B. DEPARTMENT: Lee County - Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, Utilities Director

[Signature]

DATE: 1/9/03

**7. BACKGROUND:**

Fire lines do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided. The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing has been completed. Record drawings have been received. Engineer's Certification of Completion has been provided---copy attached. Project Location Map---copy attached. Warranty has been provided---copy attached. Waiver of Lien has been provided---copy attached. Certification of Contributed Assets has been provided---copy attached. Potable water and sanitary sewer service is provided by Lee County Utilities via existing infrastructure located within the right-of-way of Zip Drive. 100% of the water and sewer connection/capacity fees have been paid. No funds required.

SECTION 10    TOWNSHIP 44S    RANGE 25E    DISTRICT #2    COMMISSIONER ST. CERNY

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL**

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
Lavender Date: 1-10-03	N/A Date:	N/A Date:	P.O. T. Osterhout Date: 1-9	[Signature] D. Owen Date: 1/10/03	R.M. 1/13/03	[Signature] 1/13/03	[Signature] 01/13/03	M8 1-13-03	[Signature] Lavender Date: 1-10-03

**10. COMMISSION ACTION:**

- \_\_\_\_\_ APPROVED
- \_\_\_\_\_ DENIED
- \_\_\_\_\_ DEFERRED
- \_\_\_\_\_ OTHER

**Rec. by CoAtty**  
 Date: 1/10/03  
 Time: 1:55 PM  
 Forwarded To:  
 Budget  
 1/10/03 3:50 PM

RECEIVED BY  
 COUNTY ADMIN. AM  
 1-13-03  
 2:45  
 COUNTY ADMIN.  
 FORWARDED TO:  
 1/13 10:00

RESOLUTION NO. \_\_\_\_\_

RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF  
DEVELOPER CONTRIBUTED ASSETS  
IN LEE COUNTY, FLORIDA

WHEREAS, it is the desire of Billy Creek Suncoast Property Group, LLC, owner of record, to make a contribution to Lee County Utilities of water facilities (one 6" diameter fire line), serving "POLYGARD (A/K/A BILLY CREEK COMMERCE CENTER, LOTS 159 & 160)"; and,

WHEREAS, Lee County Utilities requires proof of a Release of Lien, a warranty (one-year) on all labor and materials, an accurate value of contributed assets, and right-of-way and/or easement-indemnity granted for all systems being contributed to Lee County Utilities; and,

WHEREAS, all of the above information has been received and approved as complete by Lee County Utilities; and,

WHEREAS, Lee County Utilities has recommended to the Board of County Commissioners that the above-named system be accepted for ownership, operation, and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the above facilities, for a contributed value of **\$6,700.00** is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner \_\_\_\_\_ who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

- Commissioner Janes \_\_\_\_\_ (1)
- Commissioner St. Cerny: \_\_\_\_\_ (2)
- Commissioner Judah(C): \_\_\_\_\_ (3)
- Commissioner Coy: \_\_\_\_\_ (4)
- Commissioner Albion (V-C): \_\_\_\_\_ (5)

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

ATTEST:  
CHARLIE GREEN, CLERK

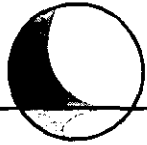
BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
CHAIRMAN

APPROVED AS TO FORM

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



# EAST BAY GROUP, LLC

11000 Metro Parkway, Suite 27 • Fort Myers, Florida 33912 • 941-936-5222 • 941-936-7228 Fax

November 8, 2002

Lee County Utilities, Division of Engineering  
Post Office Box 398  
Fort Myers, FL 33902

*Attn: Thom Osterhout RE: Lots 159 & 160 Billy Creek C.C. HAND DELIVERED*

## LETTER OF COMPLETION

Dear Sirs:

This is to certify that the water distribution system and or sewage collection system located in :

SEC. 10, TWP. 44, RGE. 25, LEE COUNTY FLORIDA; known as "Lots 159 & 160 Billy Creek Commerce Center Bldgs.," was designed by me and have been constructed in conformance with:


- the approved plans
- the revised plans
- and:
- the approved specifications
- the revised specifications

Upon completion of the work, we observed the following successful tests of the facilities:

- pressure test of water distribution system
- infiltration test of gravity sewage collection system
- pressure test of sewage transmission system
- video inspection of utility lines
- lift station final inspection
- lift station start up

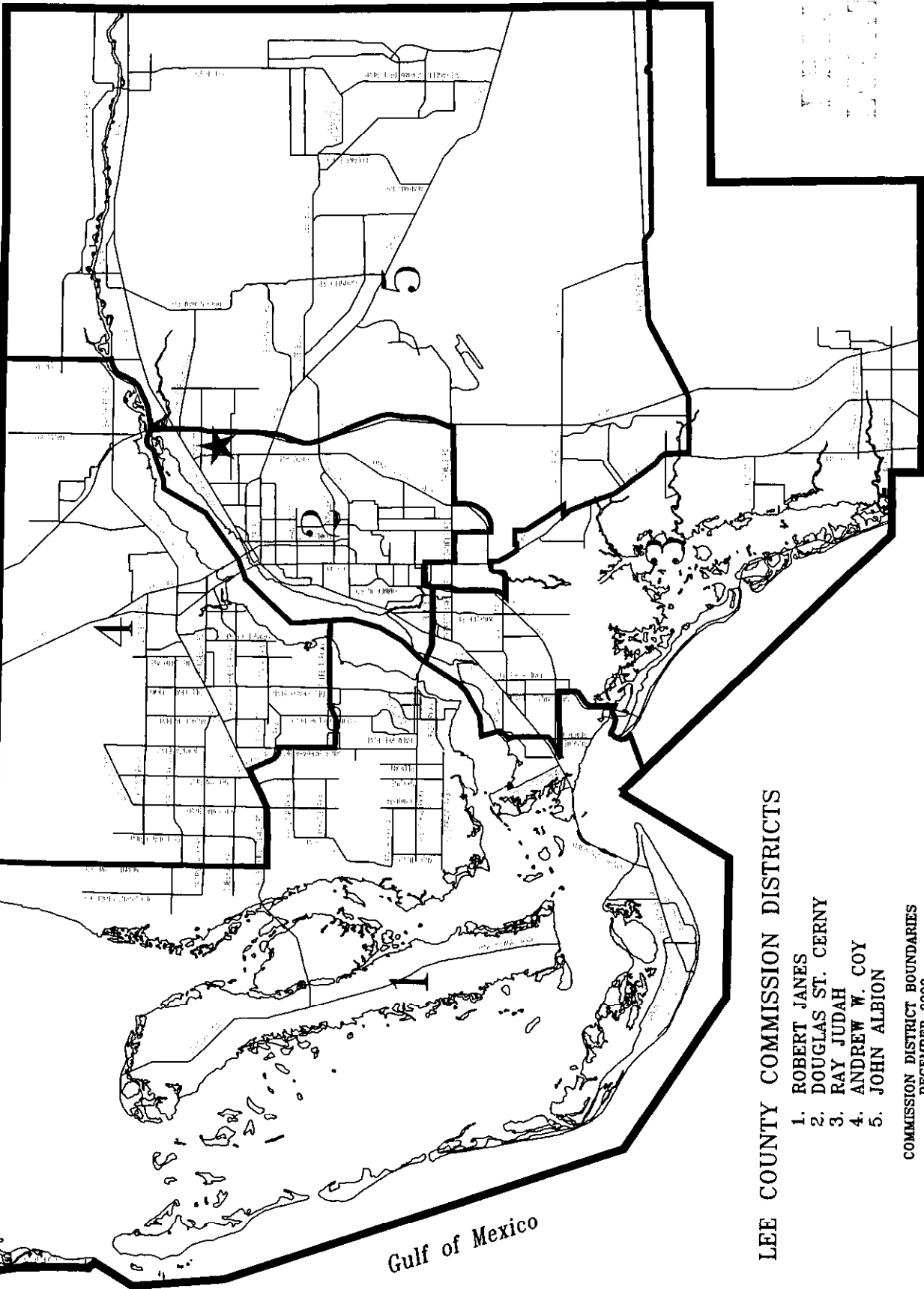
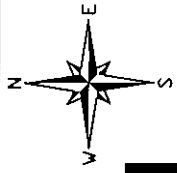
Sincerely,

EAST BAY GROUP, LLC

  
James D. Ottensmann, P.E.  
(seal)



BILLY CREEK COMMERCE CENTER LOTS 159 AND 160  
10-44-25-10-00000.1590 AND 10-44-25-10-00000.1600  
COMMISSION DISTRICT # 2 - DOUGLAS ST. CERNY



LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

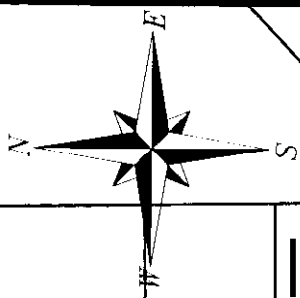
COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2000

PROPERTY

COPY

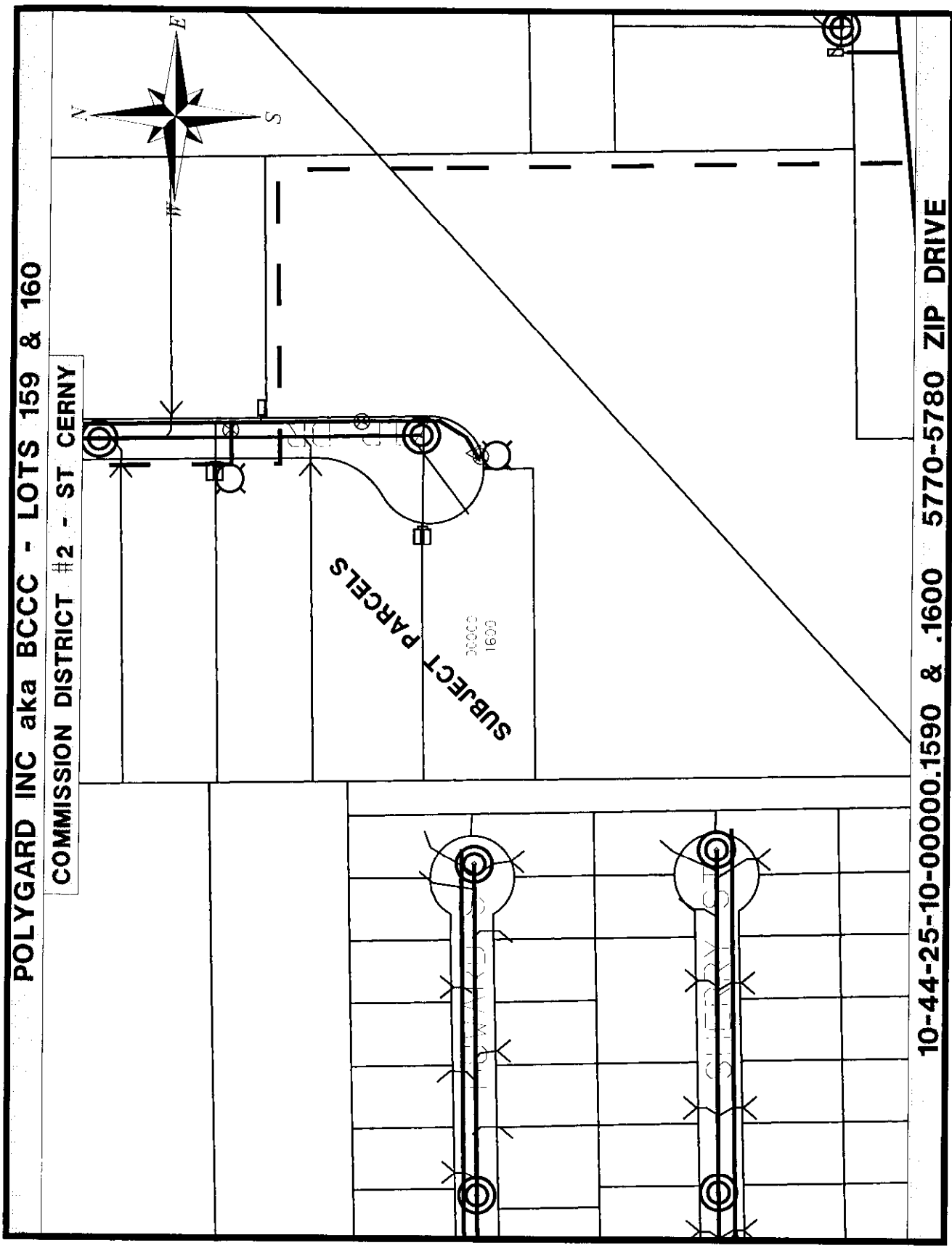
POLYGARD INC aka BCCC - LOTS 159 & 160

COMMISSION DISTRICT #2 - ST CERNY



SUBJECT PARCELS  
30000  
1600

10-44-25-10-00000.1590 & .1600 5770-5780 ZIP DRIVE



**WARRANTY**

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the **water and sewer** systems of (Name of Development): **POLY GARD LOTS 159 & 160 STRAP# 10-44-25-10.00000.1600** to be free from defects in material and workmanship for a period of one (1) year from the date of acceptance by the Lee County Board of County Commissioners. The undersigned parties further agree that they will, at their own expense, repair and replace all such defective work and all other work damaged by said defective work under this Warranty-Guaranty

It is furthermore understood that the consideration for the giving of this warranty and/or guaranty is the requirement by the General Conditions and Specifications under which the contract was let that such warranty and/or guaranty would be given.

**CHRISTO, INCORPORATED**

(NAME OF OWNER OR CONTRACTOR)

BY: *Robert A. Keiling*  
(SIGNATURE & TITLE) **ROBERT A. KEILING-PRESIDENT**

STATE OF FLORIDA )  
 ) SS:  
COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 4<sup>TH</sup> day of

NOVEMBER, 20 02 by ROBERT A. KEILING who has produced  
(Print or Type Name)

PERSONALLY KNOWN TO ME as identification, and who (did) (did not) take an oath.  
(Type of Identification and Number)

*Mark K. Nottingham*  
Notary Public Signature

Mark K. Nottingham  
Printed Name of Notary Public

CC900356 Jan. 6, 2004  
Notary Commission Number

**MARK K. NOTTINGHAM**  
Notary Public, State of Florida  
My comm. exp. Jan. 6, 2004  
Comm. No. CC900356

(NOTARY SEAL)



**WAIVER OF LIEN**

KNOW ALL MEN BY THESE PRESENTS, that ROBERT A. KEILING

as PRESIDENT, of Christo, Incorporated

for and in consideration of Six thousand seven hundred dollars and no/ cents (\$ 6700.00 )

and other good and valuable considerations, lawful money of the United States of America, to me in hand paid, the receipt whereof is hereby acknowledged, does hereby waive, release, remiss, and relinquish any and all right to claim any lien or liens for work performed or material furnished, or any kind or class of lien whatsoever on the following described property:

**POLY GARD LOTS 159 & 160**

**5780 ZIP DRIVE FORT MYERS, FL**

**STRAP# 10-44-25-10.00000.1600**

(Please provide full name and location of development and a description of the utility system constructed).

12" X 6" HOT TAP, 22 LF 6" DIP WITH 6" DOUBLE DETECTOR  
CHECK ASSY. TO PROVIDE 6 FIRE LINE TO NEW COMM. BLDG

Christo, Incorporated

4461-B Hancock Bridge Pkwy.

N. Fort Myers, Florida 33903

NAME & ADDRESS OF FIRM OR CORPORATION

BY:

Robert A. Keiling

AUTHORIZED REPRESENTATIVE  
ROBERT A. KEILING-PRESIDENT

STATE OF Florida )  
 ) SS:  
COUNTY OF Lee )

The foregoing instrument was signed and acknowledged before me this 4<sup>TH</sup> day of

November, 20 02 by ROBERT A. KEILING

who has produced PERSONALLY KNOWN TO ME as identification, and who (did) (did not) take an oath.

Mark K. Nottingham  
Notary Public Signature

MARK K. NOTTINGHAM  
Notary Public, State of Florida  
My comm. exp. Jan. 6, 2004  
Comm. No. CC900356

Mark K. Nottingham  
Printed Name of Notary Public

CC900356 Jan 6, 2004  
Notary Commission Number

(NOTARY SEAL)







