

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

Blue Sheet No. 20040636

1. REQUESTED MOTION:

ACTION REQUESTED: Approve and authorize Chairman to execute an interlocal agreement between Lee County and the City of Bonita Springs for the Lee County Tourist Development Council Beach & Shoreline CIP project, Lovers Key Roadside Park. Approve budget transfer of \$105,000 and amend the FY 2003-04/2007-08 Capital Improvement Program budget accordingly.

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

WHAT ACTION ACCOMPLISHES: Provides a mechanism to fund the Lovers Key Roadside Park with TDC beach and shoreline capital improvement program funds.

2. DEPARTMENTAL CATEGORY: 1

COMMISSION DISTRICT #: 3

CIA

3. MEETING DATE:

06-15-2004

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 *Visitor & Conv. Bureau*
- C. DIVISION *[Signature]*
- BY: D.T. Minich, Executive Director

7. BACKGROUND:

The Tourist Development Council (TDC) recommended additional funding in the amount of \$315,000 to cover the costs associated with the Lovers Key Roadside Park project at the TDC meeting on March 5, 2004. The TDC indicated that \$105,000 should come from reserves in Fiscal Year 2003-04, and agreed to budget an additional \$105,000 each year during fiscal years 2004-05 and 2005-06.

The attached interlocal agreements authorize the reimbursement of the City of Bonita up to \$210,000 for the City's contribution to the project (\$105,000 in FY05 and \$105,000 in FY06).

The funds for FY 2004-05 will be available in account number 20188430101.508150, Capital Projects, Lovers Key Roadside Park, Capital Improvement Fund, Tourist Tax, Grants and Aids to Local Governments.

- Attachments: 1. Request for Transfer of Funds
2. Agreement for Tourist Tax Funding (three originals)

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <i>5/26/04</i>			G County Manager
					OA	OM	Risk	GC
<i>DM</i> <i>5-18-04</i>	<i>[Signature]</i>	<i>N/A</i>		<i>[Signature]</i>	<i>[Signature]</i> <i>5-26-04</i>	<i>[Signature]</i> <i>5/26/04</i>	<i>[Signature]</i> <i>5/26/04</i>	<i>[Signature]</i> <i>5/26/04</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Approved by County
Date: *5/21/04*
Time: *3:30 pm*
Forwarded to Budget
5/24/04 9:30 am

RECEIVED BY
COUNTY ADMIN: *[Signature]*
5/24/04
2:30 pm
COUNTY ADMIN
FORWARDED TO: *[Signature]*
5-26-04
nun

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Capital Improvement - TDC Beach Projects DATE: 05/17/04 BATCH NO. _____

FISCAL YEAR: 03/04 FUND #: 30101 DOC TYPE: YB LEDGER TYPE: BA


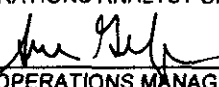
TO: Capital Projects Capital Projects
 (DIVISION NAME) (PROGRAM NAME)

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
20188430101.508150	Grants & Aids to Local Governments	\$105,000
TOTAL TO:		\$ 105,000

FROM: <u>Non-Departmental</u> (DIVISION NAME)	<u>Reserves</u> (PROGRAM NAME)	CREDIT
ACCOUNT NUMBER	OBJECT NAME	CREDIT
GC5890130101.509930	Res. for Future Capital Outlay	\$ 105,000
TOTAL FROM:		\$ 105,000

EXPLANATION: *Transfer funds from TDC beach & shoreline program reserves to Lovers Key Roadside Park, project #201884.*

DIVISION DIRECTOR SIGNATURE	DATE	DEPARTMENT DIRECTOR SIGNATURE	DATE
DBS: APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/> <i>skw</i>		 Emma K. Wolf	5-18-04
APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/>		 BUDGET OPERATIONS MANAGER SIGNATURE	5/26/04
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

AGREEMENT FOR TOURIST DEVELOPMENT TAX FUNDING

THIS AGREEMENT is entered into by and between **LEE COUNTY**, a Charter County and a political subdivision of the State of Florida, hereinafter referred to as the "COUNTY" and the **CITY OF BONITA SPRINGS**, a municipality incorporated in the State of Florida, 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. 03-18, 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 Roadside Park

NUMBER: 201884

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

1. The **COUNTY**, through the Tourist Development Council (TDC) has allocated a total of \$620,000.00 toward this Project. Of which \$305,000.00 was originally awarded in fiscal year 2002. This Agreement addresses the

additional amount not to exceed \$315,000.00 awarded by the TDC in February and March 2004.

2. The TDC will contribute an amount not to exceed \$105,000.00 to the project immediately. The **COUNTY** will then refund the **RECIPIENT** for the amount not to exceed \$105,000.00 during the **COUNTY'S** fiscal year 2005 and an additional \$105,000 during the **COUNTY'S** fiscal year 2006.
3. For this project the **RECIPIENT** will provide the **COUNTY** with funds in the amount of \$320,000. Of this \$320,000, the **RECIPIENT** is contributing \$80,000.00; advancing the **COUNTY** \$210,000, to be refunded as described above; and providing the **COUNTY** with private donations received in the amount of \$30,000. Based on a presentation before the TDC, it is understood that the rest of the funding for this Project will be contributed by the State of Florida in the amount of \$100,000.00 and Lee County Department of Transportation in the amount of \$70,000.00.
4. 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.
5. 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 _____, 2004.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

BY: _____
DEPUTY CLERK

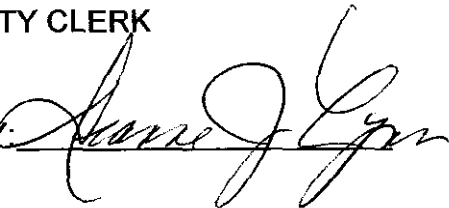
BY: _____
CHAIRMAN

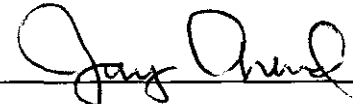
APPROVED AS TO FORM

BY: _____
LEE COUNTY ATTORNEY'S OFFICE

ATTEST:
CITY CLERK

CITY OF BONITA SPRINGS, FLORIDA

BY:  _____

BY:  _____

APPROVED AS TO FORM

BY: _____
CITY ATTORNEY'S OFFICE