

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

Blue Sheet No. 20040883

1. REQUESTED MOTION:

ACTION REQUESTED: Approve Annual Addendum to Interlocal Agreements (ILA) with the Town of Fort Myers Beach for the County to provide necessary animal control services for a fee based on population and service level provided. Authorize Chairman to approve the addendum to the existing agreement as written by the County and approved by the Town .

WHY ACTION IS NECESSARY:

Current agreements end 9/30/2004.

WHAT THE ACTION ACCOMPLISHES:

Provides continuity of services.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT #: ALL *C6F*

3. MEETING DATE:

07-27-2004

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT ANIMAL SERVICES
- C. DIVISION
- BY: _____

7. BACKGROUND:

The County has a five-year agreement to provide animal control and sheltering services. The fees for this service are adjusted each year on the basis of service provided and population, with the approval of the budget for Animal Services. Annual addendums guarantee accuracy in proportion of budget to be paid by each entity. Tentative budget has been approved by the County Manager for Animal Services and appropriate fees have been calculated for municipalities so they may proceed with their budget processes.

8. MANAGEMENT RECOMMENDATIONS:

Approve the Agreements as written by the County.

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Operations				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i> 7/21/04	N/A	N/A		<i>[Signature]</i> 7/7/04	<i>CA</i> 7/7/04	<i>OM</i> 7/7/04	<i>or</i> 7/8/04	<i>GC</i> 7/11/04	<i>[Signature]</i> 7/15/04 <i>[Signature]</i> 11/14/04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: <i>7/7/04</i>
Time: <i>9:25 AM</i>
Forwarded To: <i>[Signature]</i>

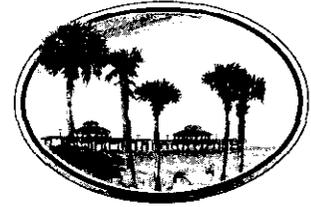
RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
<i>7/7/04</i>
<i>11:30 AM</i>
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i>
<i>7-7-04</i>
<i>3:30 PM</i>

PW

Bluesheet #

20040883

Town of Fort Myers Beach



Bill Thomas
Mayor

Garr Reynolds
Vice-Mayor

Don Massucco
Seat 1

Howard Rynearson
Seat 3

Bill VanDuzer
Seat 5

June 30, 2004

Mr. Scott Trebatoski
Director
Lee County Animal Services
5600 Banner Drive
Fort Myers, FL 33931

Dear Mr. Trebatoski:

Enclosed, please find three (3) originals of the interlocal agreement between Lee County and the Town of Fort Myers Beach providing animal control services. They have been executed by the Mayor, Town Attorney and the Town Clerk. I understand that once approved by the BOCC, we will receive a fully executed original agreement.

Sincerely,

Michelle Mayher
Executive Assistant

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN
LEE COUNTY AND THE TOWN OF FORT MYERS BEACH REGARDING
ANIMAL CONTROL SERVICES**

THIS AMENDMENT to the Interlocal Agreement is made and entered into this _____ day of _____, 2004, by and between LEE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the "County" and the TOWN OF FORT MYERS BEACH, a municipal corporation of the State of Florida, hereinafter referred to as the "Town."

WITNESSETH:

WHEREAS, the County, pursuant to Section §163.01, Florida Statutes, has the authority to enter into agreements for sharing of certain governmental powers and obligations; and

WHEREAS, the Parties previously entered into an Interlocal Agreement for animal control and animal sheltering services on September 23, 2003; and

WHEREAS, Sections FOUR and FIVE of the Agreement required the recalculation of proportionate shares of the Animal Services budget to establish annual fees for services based on service and population;

NOW, THEREFORE, in consideration of the foregoing, and of mutual covenants and conditions hereinafter set forth, the Town and the County, intending to be legally bound, hereby agree to this First Amendment, as follows:

1. **SECTION FIVE: COMPENSATION AND METHOD OF PAYMENT** - [New language reflected by underlining]

5.1 From October 1, 2004 through September 30, 2005, the Town agrees to pay the County the sum of \$30,940.00 based on a year-end analysis of the percentage of the population of the Town as a proportion of the population of all areas where Lee County Animal Services provide services and a factor for comprehensive services provided to the Town (the formula for calculation of fees from this point forward shall be based on service statistics for field operations and proportionate population for all other areas), for and in

consideration of the services described in Exhibit "A", said sum shall be paid in equal monthly installments of \$2578.33 to be paid no later than forty five (45) days after services have been provided. Late payments shall be subject to a one percent (1%) administrative fee. The Town and the County agree to meet and negotiate for the renewal of this Agreement for any additional years no later than ninety (90) days prior to its expiration of the entire agreement on September 30, 2008.

2. All other terms of the Interlocal Agreement remain the same.
3. This Amended Interlocal Agreement shall become effective on the date written above. This Agreement, and any subsequent Amendments thereto, shall be filed with the Clerk of the Circuit Court for Lee County.

IN WITNESS WHEREOF, the parties hereto have caused these presence to be executed by their duly authorized officers and their official seals hereto affixed, on the day and year as first written above.

ATTEST:

By: _____

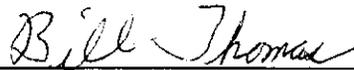
City Clerk



Town Of Fort Myers Beach

By: _____

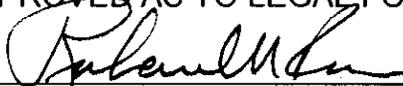
Mayor



APPROVED AS TO LEGAL FORM:

By: _____

Town Attorney



ATTEST:

CHARLIE GREEN, CLERK

By: _____

Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA**

By: _____

Chairman

APPROVED AS TO LEGAL FORM:

By: _____

Lee County Attorney's Office