Lee County Board Of County Commissioners
Agenda Item Summary
Blue Sheet No. 20050692

1. ACTION REQUESTED/PURPOSE: Authorize proposal for settlement in Lee County v. Hinks, et al., Case No. 02-8386-CA. Also, approve transfer from reserves from Transportation Facilities/Cape/Midpoint surplus in the amount of $12,500 and amend the FY05-09 Capital Improvement Program.

2. WHAT ACTION ACCOMPLISHES: Makes proposals for settlement as authorized by Rule 1.442, Fla. R. Civ. P.

3. MANAGEMENT RECOMMENDATION: Authorize proposals for settlement.

4. Departmental Category: 12 *A 12 A*	5. Meeting Date: *05-31-2005*

6. Agenda:	7. Requirement/Purpose: *(specify)*	8. Request Initiated:
___ Consent	___ Statute	Commissioner ___
X Administrative	___ Ordinance	Department — County Attorney
___ Appeals	___ Admin. Code	Division — Litigation
___ Public	___ Other	By: John J. Renner, Chief Assistant County Attorney
___ Walk-On		

9. **Background:** Lee County condemned Parcel 1574 from Lewis/Martinez for Veteran's Parkway in October, 2002. Lee County's appraised value is $8,500. The parcel is a vacant residential lot on S.W. 17th Avenue. The County attorney recommends making a proposal of settlement in the amount of $12,500. If accepted, the litigation and all associated costs will end. If rejected, and the landowner does not obtain a verdict above $12,500, Lee County will not have to pay the owners' litigation costs incurred after the proposal is rejected.

Funds available in string account: 20460142135.506110

Attachment: Transfer of Funds

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services *UNM 5/19*				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
				JC	*5/19*	*5/18*	*5/1/05*	*5/19/05*	*05-19-05*

11. Commission Action:

___ Approved
___ Deferred
___ Denied
___ Other

CO. ATTY. FORWARDED TO CO. ADMIN. 5/16/05

RECEIVED BY COUNTY ADMIN: *Ro*
5-16-05
10:51 am
COUNTY ADMIN FORWARDED TO:
5-19-05
4:30 pm

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Trans. Fac. - Cape/Midpoint Surplus   **DATE:** 05/13/05   **BATCH NO.** _____

FISCAL YEAR: _____ 2005 _____ **FUND #:** _____ 42135 **DOC TYPE:** _____ YB _____ **LEDGER TYPE:** _____ BA _____

TO: _____ Capital Projects _____   _____ Transportation 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
20460142135.506110	Land	$ 12,500
	TOTAL TO:	$ 12,500

FROM: _____ Non-Departmental _____   _____ Reserves _____
        (DIVISION NAME)   **(PROGRAM NAME)**

ACCOUNT NUMBER	OBJECT NAME	CREDIT
GC5890142135.509910	Reserve for Contingency	$12,500
	TOTAL FROM:	$ 12,500

EXPLANATION Per Blue Sheet 20050692

DIVISION DIRECTOR SIGNATURE   DATE   DEPARTMENT DIRECTOR SIGNATURE   DATE   5/13/05

DBS: APPROVAL   X   DENIAL ____   _Reginald R Kanton_   5/19/05
                                           OPERATIONS ANALYST SIGNATURE   DATE

       APPROVAL   ✓   DENIAL ____   5/19/05
                                     BUDGET OPERATIONS MANAGER SIGNATURE   DATE

CO. ADMIN.: APPROVAL ____   DENIAL ____   _____
                                           CO. ADMIN. SIGNATURE   DATE

BCC APPROVAL DATE _____   _____
                                           BCC CHAIRMAN SIGNATURE

BA NO: _____ AUTH CODE: _____ TRANS DATE: _____

REV. 05/93