

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

Blue Sheet No. 20050715

1. ACTION REQUESTED/PURPOSE:

Request Board approve interlocal agreement with the City of Bonita Springs and Lee County to provide fixed route bus service in Bonita Springs. Funding will be received from the City of Bonita Springs in the amount of \$102,067.95.

2. WHAT ACTION ACCOMPLISHES:

The City of Bonita Springs and Lee County share the cost to provide bus service within the City limits of Bonita Springs. The City of Bonita Springs provides funding to LeeTran for this service in the amount of \$102,067.95. The service is offered free to the passengers.

3. MANAGEMENT RECOMMENDATION: Recommend Approval of the interlocal agreement.

4. Departmental Category: <u>CL6A</u>		5. Meeting Date: <u>06-07-2005</u>
6. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute	<input type="checkbox"/>
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>
	<input type="checkbox"/> Other	<input type="checkbox"/>
		8. Request Initiated: Commissioner <u>District #3</u> Department <u>Independent Division</u> Division <u>Lee Tran</u> By: <u>Steven L. Myers, Director</u>

9. Background:

The City of Bonita Springs requested Lee County Transit to provide a proposal for "no fare" fixed route bus service in Bonita Springs. The route will remain within the City of Bonita Springs midday and two connecting stops both in the a.m. and p.m. will connect to the Route 140 on south US 41 in San Carlos Park. The total cost of the service is \$237,464.21. The City of Bonita Springs funds \$102,067.95, which is 50% of the cost to operate within the City of Bonita Springs and Lee County funds \$135,396.26. This interlocal is effective October 1, 2004 through September 30, 2005.

Revenue and expense was budgeted in FY05 budget.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<u>Steven Myers</u> 5/18/05	N/A	N/A	N/A		Analyst <u>P.M. 5/25/05</u>	Risk <u>5/25/05</u>	Grants <u>N/A 5/25/05</u>	Mgr. <u>5/25/05</u>	<u>HS 5/25/05</u>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
Date: <u>5/25/05</u>
Time: <u>11:00</u>
Forwarded To: <u>5/25/05</u>

RECEIVED BY COUNTY ADMIN: <u>PM</u>
<u>5-25-05</u>
<u>8:30 am</u>
COUNTY ADMIN FORWARDED TO: <u>PH</u>
<u>5-25-05</u>
<u>1:30 PM</u>

INTERLOCAL AGREEMENT TO PROVIDE TRANSIT SERVICE FOR THE CITY OF BONITA SPRINGS

THIS AGREEMENT is made and entered into this _____ day of _____, 2004, by and between LEE COUNTY (hereinafter "County"), a political subdivision of the State of Florida whose address is P.O. Box 398, 2115 Second Street, Fort Myers, FL 33902 and the City of Bonita Springs (hereinafter "City") whose address is P. O. Box 367029, 9220 Bonita Beach Road, Suite 111, Bonita Springs, FL 34135.

WHEREAS, the City desires transit service to provide transportation opportunities, to reduce traffic congestion and to increase the availability for means of transportation other than by motor car; and

WHEREAS, transit service provides an alternative mode of transportation to the City; and

WHEREAS, the City desires to contribute \$102,067.95 to the cost of fixed route bus service within the City; and

WHEREAS, the City and the County have agreed to work in partnership to ensure successful transit service to the City by entering into the agreement set forth below:

NOW THEREFORE, IN CONSIDERATION of the terms, conditions and covenants set forth herein the parties hereby agree as follows:

1. Purpose: This Agreement is made pursuant to Florida Statutes Section 163.01, The Florida Interlocal Cooperation Act of 1969. The purpose of the Agreement is to set forth the terms and conditions by which Lee County and the City will provide a program of transit service to the citizens of Bonita Springs.
2. Terms: This Agreement will commence on October 1, 2004 through September 30, 2005. If the parties execute the Agreement after October 1, 2004, the Agreement will be retroactive with all terms and conditions having an effective date of October 1, 2004.
3. Operating Requirements: County will provide vehicles suitable for mass transit service. The City will provide suitable locations for the placement of bus stops within the City. The County will market the route to promote ridership.
4. Monitoring: The County will monitor, inspect and evaluate and direct the transit service.
5. Route: The County will control the route which will operate from approximately 6:00 a.m. to 5:45 p.m. Monday through Friday, except New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. The route will

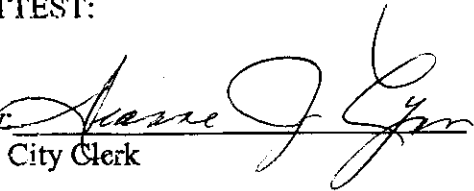
remain within the City of Bonita Springs midday and two connecting stops both in the a.m. and p.m. will connect to the Route 140 on south U.S. 41.

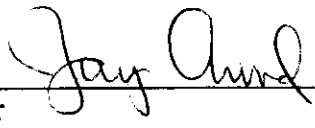
6. Schedules: The County will provide printed schedules for distribution to the media and public at locations throughout the County.
7. Insurance: County will furnish insurance coverage in an amount not less than One Million Dollars (\$1,000,000).
8. Advertising: Lee County has the right and sole responsibility for the sale of advertising space on the buses. All revenues derived from advertising will accrue to the County (Lee Tran).
9. Ridership/Fares: Lee County will not collect a fare on this route through September 30, 2005 to encourage and promote ridership of the Bonita route.
10. Termination: Either party may terminate this agreement for any reason by giving the non-terminating party sixty (60) days written notice of its intent to terminate. In addition, if either party fails to share the cost of transit service as contemplated herein, service will be eliminated.
11. Cost of Service: The amount of the subsidy for the term of this Agreement is \$102,067.95. Billing will occur quarterly in advance of bus service, commencing on October 1, 2004. This Agreement will require \$102,067.95 in funding from the City.
12. Modifications: Modifications to this Agreement must be in writing and signed by both parties with the same formality as contained herein.
13. Funding Source: The City of Bonita Springs agrees to use a legally available funding source to pay for the transit services. If a court of competent jurisdiction determines that a payment was not legal, the City agrees to reimburse the County from an alternative funding source.
14. Audit: All cost records and accounts will be subject to audit by representative(s) of the City or the County, during normal work hours and upon reasonable notice. The records and accounts will be made available at the respective party's offices at a location in Lee County, Florida.
15. Notices: All notices must be in writing and delivered personally or by certified mail, return receipt requested or by deposit within Federal Express or other nationally recognized carrier.
16. Effectiveness: This agreement and any subsequent amendment to this agreement will be filed with the Clerk of the Circuit Court of Lee County.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized offices, have caused this Agreement to be executed in their names and their seals to be affixed hereto as of the day and year first written above.

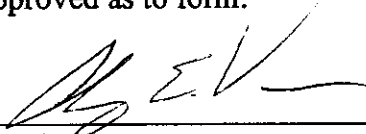
ATTEST:

CITY OF BONITA SPRINGS

By: 
City Clerk

By: 
Mayor

Approved as to form:


City Attorney

ATTEST

LEE COUNTY FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

CHARLIE GREEN, CLERK

By: _____
Deputy Clerk

~~John Albion~~, Chairman

APPROVED AS TO FORM
LEE COUNTY ATTORNEY'S OFFICE

By: _____
Assistant County Attorney

FY05

**Bonita Springs Fixed Route Bus Service
FY05**

Proposal C	Operating Hours	Cost Per Hour	*Days	Total Cost
Annual	14.25	\$ 65.61	254	\$ 237,464.21
US 41 Hours	2	\$ 65.61	254	\$ 33,328.31
Shared Project Cost	12.25	\$ 65.61	254	\$ 204,135.90
Bonita's Cost (50% of 12.25 hours)	6.125	\$ 65.61	254	\$ 102,067.95
LeeTran's Cost	8.125	\$ 65.61	254	\$ 135,396.26
Total	14.25			\$ 237,464.21

*Mon thru Fri except 6 holidays

<i>FY05 Budget Estimate</i>	<i>Amount</i>	<i>Cost Per Hour</i>
<i>Operating Budget</i>	\$ 13,772,867	\$ 72.87
<i>Less Admin Salaries</i>	\$ (516,963)	
<i>Less Admin Exp</i>	\$ (124,458)	
<i>Less Indirect & IGS</i>	\$ (694,932)	
<i>Less Rural Paratransit</i>	\$ (36,000)	
<i>Total Deduction</i>	\$ (1,372,353)	
<i>Adjusted Budget</i>	\$ 12,400,514	
 <i>Estimated Operating Hours</i>	\$ 189,012	
 <i>Adjusted Cost Per Hour</i>	\$ 65.61	\$ 65.61