## Lee County Board Of County Commissioners Agenda Item Summary

Blue Sheet No. 20060196

- 1. ACTION REQUESTED/PURPOSE: 1. Request Board authorize the creation of a subsidiary account for the immediate use by the County Attorney's Office to secure and employ outside counsel and expert witnesses for any legal action(s) that may be directed by the Board in the future relating to the discharges from Lake Okeechobee.
- 2. Request the transfer of an initial amount of \$250,000.00 into this account from the General Fund Reserves.
- **3.** Authorize previously made expenditures from County Attorney budget as directed by the Board in December, 2005.
- **2. WHAT ACTION ACCOMPLISHES:** Provides the County Attorney's Office with funds to investigate and prepare for potential Board litigation concerning the Lake Okeechobee discharges.
- **3. MANAGEMENT RECOMMENDATION:** Provide the requested funds to initiate the investigation and preparation for litigation if deemed necessary and appropriate by the Board at a later time.

4. De	epartmental Category	AI2D	5. Meeting Date:	28-2006	
6. Agenda:		7. Requirement/Purpose: (specify)	8. Request Initiated:		
	Consent	Statute	Commissioner		
X	Administrative	Ordinance	Department	County Attorney	
	Appeals	Admin. Code	Division		
	Public	Other	By: David M. Owen		
	Walk-On		Cour	ity Afformey	
9. Ba	ickground:				

At its January 31, 2006 regular meeting, the Board directed the County Attorney's Office to investigate and prepare for potential litigation concerning excessive discharges from Lake Okeechobee to the Caloosahatchee River.

Funding is being requested to prepare a case for filing at the future direction of the Board. Because of the nature, complexity and evolving case law in this matter, outside counsel and experts will be necessary to perfect the case.

The amount of \$250,000.00 is being requested as an initial working fund, inasmuch as a case of this magnitude is beyond what is budgeted for litigation by the County Attorney's Office.

10. Review for Scheduling:									
Department Director	Purchasing or Contracts	Human Resources	Other	County Autorney		Budget S			County Manager/P.W. Director
11 0		•		2/14/0	RKAIL	Risk	Chants,	Mgr.	le horit
11. Commission Action: ApprovedDeferredDeniedOther				<b>7</b> [· (			l	CO. ATTER FORMARDED TO CO. ACMIN	I. [

## REQUEST FOR TRANSFER OF FUNDS

FUND NAME: General	Fund DA	TE: February 16, 2006	BATCH NO	D.:		
FISCAL YEAR: <u>05-06</u>	FUND NO.: 00100	DOC. TYPE: <u>YB</u>	LEDGER T	YPE: <u>BA</u>		
TO: County Attorney		Legal Counsel				
	vision Name)		rogram Name)			
NOTE: Please list the acc Business Unit (de (Example: BB 51		in the following order: ad, subfund); Object Acc	count; Subsidia	ry; Subledger		
Account Number	:	Object Name	Ξ	<u>EBIT</u>		
DB5140100100.503120. DB5140100100.504901.		Legal Services Expert Witness Fees		125,000 125,000		
TOTAL TO:			<u>\$</u>	250,000		
FROM: No.	n-Departmental	Reserves				
(Division Name)						
Account Number	2	Object Name	<u>C</u>	<u>REDIT</u>		
GC5890100100.509910	1	Reserve for Contingenc	y \$	250,000		
TOTAL FROM	: :		<u>\$</u>	250,000		
EXPLANATION: For ou Bluesheet #20060196.	ntside legal services p	pertaining to Lake Okee	chobee dischar	ges, per		
DIVISION DIRECTOR	SIGNATURE/DATI	//				
DBO: APPROVAL 🟒	DENIAL	Keginald K	Karter	2/16/00		
-		OPS. ANALYST	SIGNATURE	DATE		
OPS. MGR.: APPROVA	L <u> </u>		ange	2/16/06		
		OPS. MGR. SIGN	ATURE	DATE		
CO. MGR.: APPROVAL	DENIAL	CO. MANAGER	SIGNATURE	DATE		
BCC APPROVAL DATI	3:					
		BCC CHAIRMAN	SIGNATURE	3		
BA. NO.	AUTH (	CODE T	RANS DATE			