

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

Blue Sheet No. 20060735

1. ACTION REQUESTED/PURPOSE:

Adopt the attached resolution indicating the Board's intent to designate the portion of the future CR 951 Extension within Lee County as a limited access facility in accordance with F.S. Chapter 338.

2. WHAT ACTION ACCOMPLISHES: Puts everyone on notice as to the Board's intentions in regard to the level of access management for the future CR 951 Extension.

3. MANAGEMENT RECOMMENDATION: Adopt the resolution.

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| 4. Departmental Category: <u>C9C</u> | | 5. Meeting Date: <u>6-20-2006</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 checked="" type="checkbox"/> Statute | |
| | <input type="checkbox"/> Ordinance | |
| | <input type="checkbox"/> Admin. Code | |
| | <input type="checkbox"/> Other | |
| | | 8. Request Initiated: Commissioner <u>Judah</u> Department <u>Transportation</u> Division _____ By: <u>Scott M. Gilbertson</u> Director |

9. Background:
 At the May 16th BOCC meeting, Commissioner Judah raised the question about whether the Board had already designate the future CR 951 Extension as a "controlled access arterial". At Board direction the corridor is currently being evaluated as a limited access facility, and possibly a toll road, in the Project Development & Environmental Study process, but the Board has not taken formal action to designate the road as controlled or limited access. Although the County has designated four roadways as controlled access arterials, a limited access designation similar to what was established on Veterans Memorial Parkway is viewed as a higher degree of access control (an expressway, with interchanges at the major connections). The Board directed staff to bring back a resolution indicating the Board's intent to limit access on the future CR 951 Extension, and staff has drafted the attached resolution modeled on the language that designated the Veterans Memorial Parkway as a limited access facility.

10. Review for Scheduling:

| Department Director | Purchasing or Contracts | Human Resources | Other | County Attorney | Budget Services | | | | County Manager/P.W. Director |
|---|-------------------------|-----------------|-------|------------------------------|------------------|---------------------|------------------------------|------------------------------|---|
| | | | | | Analyst | Risk | Grants | Mgr. | |
| <u>S. Gilbertson</u> Date: <u>6/5/06</u> | | | | <u>[Signature]</u> 6/5/06 | <u>RK</u> 6/5 | <u>JT</u> 6/6/06 | <u>[Signature]</u> 6/6/06 | <u>[Signature]</u> 6/7/06 | <u>J. Lavender</u> Date: <u>6/5/06</u> |

11. Commission Action:

Approved
 Deferred
 Denied
 Other

| | |
|---|---|
| RECEIVED BY COUNTY ADMIN: <u>[Signature]</u> 6-5-06 4:35 PM COUNTY ADMIN FORWARDED TO: <u>[Signature]</u> 6/5/06 | Rec. by County Date: <u>6/5/06</u> Time: <u>2:50 PM</u> Forwarded To: 4:15 PM 6/5/06 |
|---|---|

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA INDICATING INTENT TO DESIGNATE AND ESTABLISH THE COUNTY ROAD (CR) 951 EXTENSION AS A LIMITED ACCESS FACILITY IN ACCORDANCE WITH F.S. CHAPTER 338.

WHEREAS, the Board of County Commissioners is considered the transportation authority in Lee County by virtue of the power granted in F.S. Sec. 125.01(m) to provide and regulate roads; and

WHEREAS, the Board, as the transportation authority, has the power to establish, designate and regulate limited access facilities in accordance with F.S. Sec. 338.01; and

WHEREAS, the CR 951 Extension from Immokalee Road in Collier County to Alico Road in Lee County is currently subject to the Project Development and Environmental (PD&E) Study process; and

WHEREAS, the CR 951 Extension is viewed as a critical north-south roadway that will serve as a reliever to Interstate 75; and

WHEREAS, as an Interstate 75 reliever and critical roadway, the PD&E Study is evaluating the corridor as a limited access facility, and potentially a toll road, with assumed interchange connections limited to a few existing and planned public roadways; and

WHEREAS, a definitive determination of future connection points and configurations will be made at the design stage for the various segments of the CR 951 Extension; and

WHEREAS, establishing the CR 951 Extension in Lee County as a limited access facility with fixed access points will be in the best interests of the public;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that:

1. It is the intent of the Board to designate the CR 951 Extension as a limited access facility in accordance with Florida Statutes Section 338.01. The formal designation will occur after appropriate notice by resolution of the Board upon completion of the design phase for the various segments of the roadway in Lee County.

2. At the time of the designation as a limited access facility, the resolution will identify the authorized access points in an exhibit to the resolution.

3. It is the intention of the Board that once designated, no public or private road, driveway, or other type of access may connect to the CR 951 Extension without the prior approval of the Board expressed by a supermajority vote. Board approval will be expressed by amendment of the resolution designating the CR 951 Extension as a limited access facility. The Board will only approve amendments if the public interest will be served thereby.

The foregoing resolution was adopted by the Lee County Board of Commissioners by a motion by Commissioner _____, and seconded by Commissioner _____ and, when put to a vote, the result was as follows:

| | |
|----------------------|-------|
| JOHN E. ALBION | _____ |
| TAMMARA HALL | _____ |
| ROBERT P. JANES | _____ |
| RAY JUDAH | _____ |
| DOUGLAS R. ST. CERNY | _____ |

DULY PASSED AND ADOPTED this ____ day of _____, 2006.

ATTEST:
CHARLIE GREEN

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Chairwoman

APPROVED AS TO FORM:

BY: _____
County Attorney's Office