

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

Blue Sheet No. 20061717-UTL

1. Action Requested/Purpose:

Developer Contributed Asset: Approve final acceptance, by Resolution, as a donation of one 10" diameter master meter assembly, to provide potable water service and fire protection to *Bayshore Commons*, a recently constructed multi-family residential development. This is a Developer Contributed asset project located along the southwest corner of Bayshore Road (SR 78) and Donald Road.

2. What Action Accomplishes:

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Operations Manual.

3. Management Recommendation:

Approval.

4. Departmental Category: 10 – Utilities **CIOI** **5. Meeting Date:** JAN 16 2007

6. Agenda:	7. Requirement/Purpose (specify)	8. Request Initiated:	
		<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Statute
		<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance
		<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code
		<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Other Approval
<input type="checkbox"/> Walk-On		Commissioner _____ Department <u>Public Works</u> Division <u>Utilities</u> By: <i>[Signature]</i> <u>12-22-2006</u> Douglas L. Meurer, P.E., Director	

9. Background:

The Board granted permission to construct on 01-31-06, Blue Sheet #20051787. The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing has been completed. Record drawings have been received. Engineer's Certification of Completion has been provided—copy attached. Project Location Map—copy attached. Warranty has been provided—copy attached. Waiver of Lien has been provided—copy attached. Certification of Contributed Assets has been provided—copy attached. 100% of the connection fees have been paid. LCU preferred the on-site water system remain under private ownership and this was achieved by constructing one 10" master meter connecting to existing infrastructure located within the right-of-way of Bayshore Road. Sanitary sewer service is provided by North Fort Myers Utilities. No funds required.

SECTION 31 TOWNSHIP 43S RANGE 25E DISTRICT # 4 COMMISSIONER HALL

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.	
<i>[Signature]</i> Lavender Date: 12-20-06	N/A	N/A	T.O. T. Osterhout Date: 12/22	<i>[Signature]</i> S. Covert Date: 1/3/07	RK for EW 1/3/07	MR 1/3/07	AW 1/3/07	<i>[Signature]</i> 1/3/07	<i>[Signature]</i> Lavender Date: 12-20-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

REC'D
by CO. ATTY.
12/28/06
2:24 pm
CO. ATTY.
FORWARDED TO:
1/3/07
9:02 am

RECEIVED BY
COUNTY ADMIN:
1/3
11 am
COUNTY ADMIN
1/4/07
9:40 am

RESOLUTION NO.

RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF
DEVELOPER CONTRIBUTED ASSETS
IN LEE COUNTY, FLORIDA

WHEREAS, it is the desire of "KB Home Fort Myers, LLC ", owner of record, to make a contribution to Lee County Utilities of water facilities ("one 10" diameter master meter assembly"), serving "BAYSHORE COMMONS"; and,

WHEREAS, Lee County Utilities requires proof of a Release of Lien, a Warranty (one-year) on all labor and materials, an accurate value of contributed assets, and right-of-way and/or easement-indemnity granted for all systems being contributed to Lee County Utilities; and,

WHEREAS, all of the above information has been received and approved as complete by Lee County Utilities; and,

WHEREAS, Lee County Utilities has recommended to the Board of County Commissioners that the above-named system be accepted for ownership, operation, and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the above facilities, for a contributed value of \$22,653.00 is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner _____ who moved for its adoption. The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

- Commissioner Bob Janes: _____ (1)
- Commissioner Brian Bigelow: _____ (2)
- Commissioner Ray Judah: _____ (3)
- Commissioner Tammara Hall: _____ (4)
- Commissioner Frank Mann: _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, 2007.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
DEPUTY CLERK

By: _____
CHAIR

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

BS 20061717-UTL

COPY
LETTER OF COMPLETION

DATE: 11/09/2006

Department of Lee County Utilities
Division of Engineering
Post Office Box 398
Fort Myers, FL 33902

Gentlemen:

This is to certify that the **water distribution** located in
Bayshore Commons
(Name of Development)

were designed by me and have been constructed in conformance with:
the approved plans and the approved specifications.

Upon completion of the work, we observed the following successful tests of the facilities:

Pressure Test(s) – Water Main, Pressure

Bacteriological Test

Walk Through Inspection (Waterline Only)

Backflow Prevention Test

Very truly yours,

Carl A. Barraco, P.E.
(Owner or Name of Corporation)



(Signature)

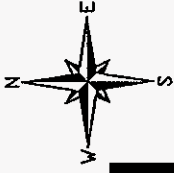
President
(Title)

11-13-06
BARRACO & ASSOC.
2271 McGARSON BLVD
Fort Myers, FL 33901
PE 38536

(Seal of Engineering Firm)

 LEE COUNTY
SOUTHWEST FLORIDA
(Forms - Letter of Completion - Revised 08/2003)

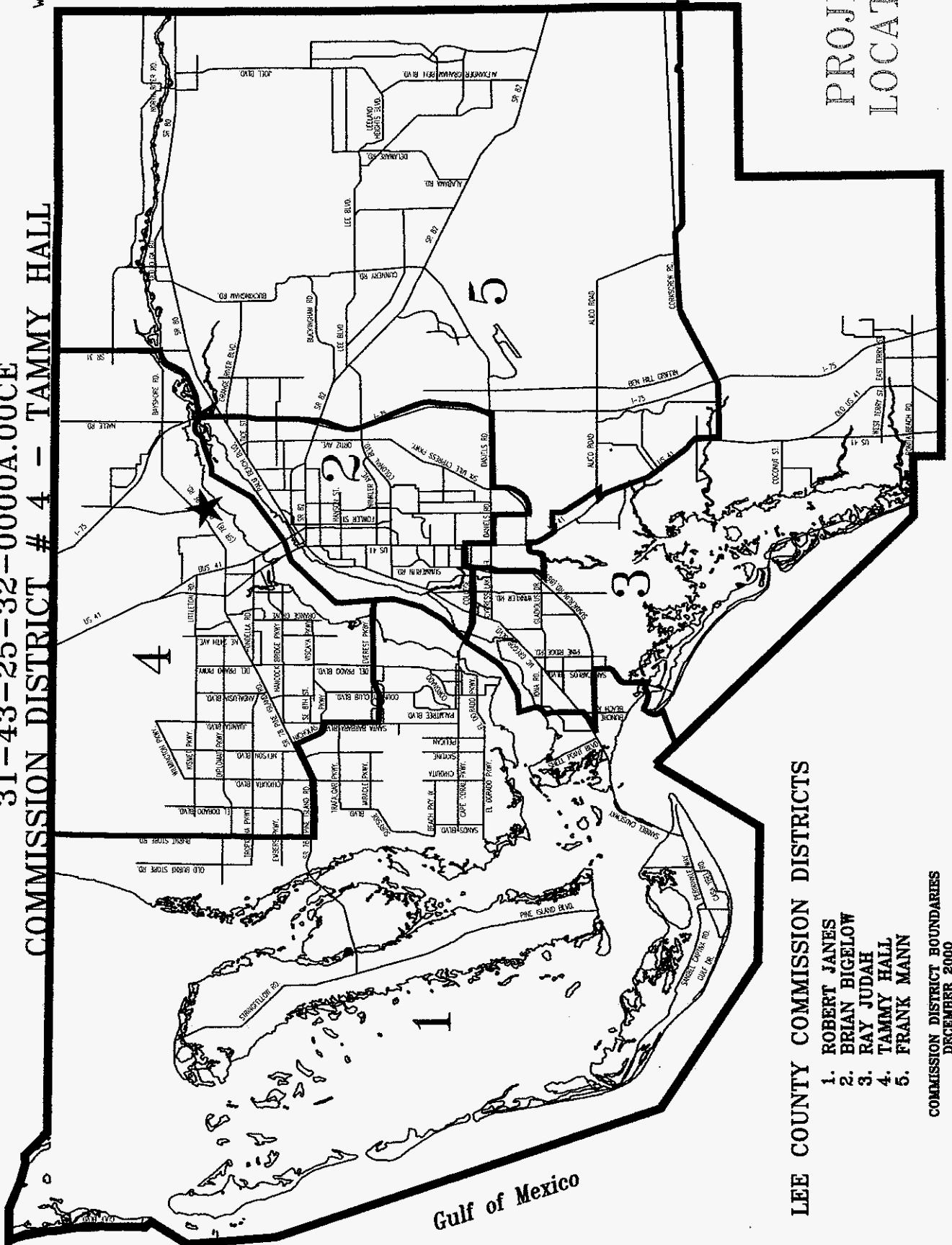
FL CERT OF AUTHORIZATION 7995



COPY

PROJECT LOCATION

**BAYSHORE COMMONS
31-43-25-32-0000A.00CE
COMMISSION DISTRICT # 4 - TAMMY HALL**



LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. BRIAN BIGELOW
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. FRANK MANN

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system of Bayshore Commons to be free from defects in material and workmanship for a period of one (1) year from the date of acceptance by the Lee County Board of County Commissioners. The undersigned parties further agree that they will, at their own expense, repair and replace all such defective work and all other work damaged by said defective work under this Warranty-Guaranty

It is furthermore understood that the consideration for the giving of this warranty and/or guaranty is the requirement by the General Conditions and Specifications under which the contract was let that such warranty and/or guaranty would be given.

Mitchell & Stark Const. Co., Inc.
(Contractor/Company Name)

Dennis K. Short, Project Manager
(Authorized Representative, Title)

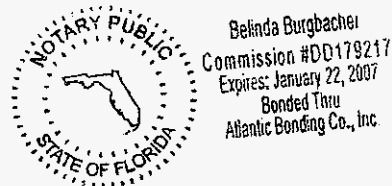
BY: *Dennis K. Short*
(Signature)

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 6 th day of December, 2006 by Dennis Short who is personally known to me - _____, and who did not take an oath.

Belinda Burgbacher
Notary Public Signature

Belinda Burgbacher
Printed Name of Notary Public



(Notary Seal & Commission Number)

COPY

WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of Twenty Two Thousand Six Hundred Fifty Three Dollars (\$22,653.00) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to KB Home Fort Myers, LLC on the job of Bayshore Commons to the following described property:

Bayshore Commons
(Name of Development/Project)

Water /or Sewer Service(s)
(Facilities Constructed)

Bayshore Commons
Southwest Corner of Bayshore Road and Donald Road
(Location)

31-43-25-32-0000A.00CE
(Strap # or Section, Township & Range)

Dated on: December 18, 2006

By: [Signature]
(Signature of Authorized Representative)

Mitchell & Stark Const. Co., Inc.
(Name of Firm or Corporation)

By: Dennis Short
(Print Name of Authorized Representative)

6001 Shirley Street
(Address of Firm or Corporation)

Title: Project Manager

Naples, FL 34109-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)597-2165 Ext.12

Fax#: (239)566-7865

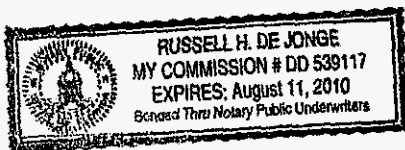
STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 18 th day of December, 2006 by Dennis Short who is personally known to me, and who did not take an oath.

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

(Printed Name of Notary Public)



CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Bayshore Commons

STRAP NUMBER: 31-43-25-32-0000A.00CE

LOCATION: Southwest Corner of Bayshore Road and Donald Road

OWNER'S NAME: (as shown on Deed) KB Home Fort Myers, LLC

OWNER'S ADDRESS: 4470 Fowler Street

OWNER'S ADDRESS: Fort Myers, FL 33901-

OWNER'S TELEPHONE #: (239) 931-6184

TYPE UTILITY SYSTEM: Potable Water
(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES
Please list each element of the system from the drop-down list provided.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
CL-50 DIP	10"	59.0	LF	\$35.00	\$2,065.00
TAPPING SLEEVE W/VALVE	10"	1.0	EA	\$6,588.00	\$6,588.00
SINGLE WATER SERVICE/COMPLETE	10"	1.0	EA	\$14,000.00	\$14,000.00
TOTAL					\$22,653.00

(If more space is required, use additional forms(s).)

I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING:

X *Dennis Short*
(Signature of Certifying Agent)

Dennis Short, Project Manager
(Name & Title of Certifying Agent)

Mitchell & Starke Const. Co., Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34013 -

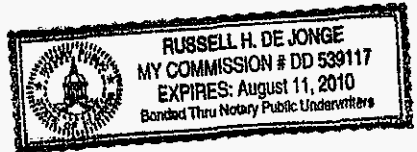
STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 18 th day of December, 2006 by Dennis Short who is personally known to me - _____, and who did not take an oath.

Russell H. De Jonge
Notary Public Signature

Printed Name of Notary Public

Notary Commission Number



(NOTARY SEAL)