

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

**Blue Sheet No. 20020403**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve Addendum to Memorandum of Agreement with the Florida Department of Transportation to amend the interest free loan to \$1,500,000 from the Toll Facilities Revolving Trust Fund. Also, approve Authorizing Resolution and budget amendment Resolution for the Chairman to execute on behalf of the BOCC.

**WHY ACTION IS NECESSARY:** Requires BOCC approval for agreements and resolutions.

**WHAT ACTION ACCOMPLISHES:** Allows Department of Transportation interest free money for the design of the Sanibel Toll Facility Rehabilitation and the Cape Coral Toll Facility Rehabilitation.

**2. DEPARTMENTAL CATEGORY:  
COMMISSION DISTRICT #**

*C9C*

**3. MEETING DATE:**

*05-21-2002*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE APPEALS
- PUBLIC WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:  
(Specify)**

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT Transportation
- C. DIVISION Administration
- BY: Scott M. Gilbertson, Director

**7. BACKGROUND:**

On April 9, 2002, the BOCC approved a Memorandum of Agreement with the Florida Department of Transportation for \$1,000,000 from the Toll Facilities Revolving Trust Fund. The Addendum is for an additional \$500,000. The interest free loans will be utilized for the design of the Cape Coral and Sanibel Toll Facilities Rehabilitation Projects.

Funds should be posted upon appropriation as follows:

- 20581642142.506510 - \$1,000,000
- 20581542142.506510 - \$ 500,000

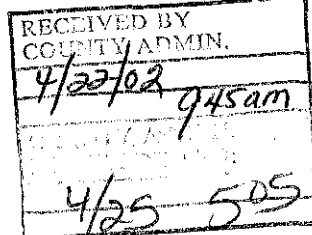
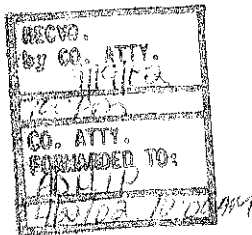
**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>4/17/02</i>	<i>4/17/02</i>	NA	<i>4/19/02</i>	<i>4/22/02</i>	OA	OM	Risk	GC	<i>4-19-02</i>
					<i>4/22/02</i>	<i>4/22/02</i>	<i>4/22/02</i>	<i>4/22/02</i>	

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER



LEE COUNTY RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING LEE COUNTY TO ENTER  
INTO A MEMORANDUM OF AGREEMENT ADDENDUM  
WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION**

THIS IS A RESOLUTION of the Board of County Commissioners, Lee County, Florida, a political subdivision of the State, authorizing the execution of a Memorandum of Agreement Addendum with the Florida Department of Transportation.

WHEREAS, Lee County, Florida, has the statutory authority to enter into an Agreement with the Florida Department of Transportation in accordance with Section 338.251, Florida Statutes.

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

1. The Memorandum of Agreement for an interest free loan from the Toll Facilities Revolving Trust Fund in the sum of One Million Five Hundred Thousand Dollars (\$1,500,000) for the rehabilitation of the Cape Coral and Sanibel Toll Plazas is hereby approved.
2. The Chairman of, and the Clerk to the Board of Lee County Commissioners are hereby authorized to execute said Agreement.
3. The Clerk of the Circuit Court is hereby authorized and directed to transmit one (1) certified copy of this Resolution to the Florida Department of Transportation along with the executed Agreements.

DONE AND ADOPTED with a quorum present and voting on this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

ATTEST: CHARLIE GREEN  
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of the County Attorney

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**TOLL FACILITIES REVOLVING TRUST FUND**  
**MEMORANDUM OF AGREEMENT - ADDENDUM**

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Financial Project No.: 413120-1

Contract No.: AL651

CSFA No.: 55.019

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**THIS ADDENDUM**, made and entered into this \_\_\_th day of \_\_\_\_\_ 2002, by and between **LEE COUNTY**, hereinafter called the "**ENTITY**", and the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, hereinafter called "**DEPARTMENT**" to the Memorandum of Agreement dated \_\_\_\_\_, 2002 between the **DEPARTMENT** and **ENTITY**.

**WITNESSETH:**

**WHEREAS**, by and in accordance with the provisions of Section 338.251, Florida Statutes, and Rule Chapter 14-88, Florida Administrative Code (F.A.C.), the **ENTITY** has requested a supplemental loan for the project.

**WHEREAS**, the **ENTITY** by Resolution # \_\_\_\_\_ dated the \_\_\_\_\_ day of \_\_\_\_\_ 2002, a copy of which is attached hereto and made a part hereof, has authorized the execution of this Addendum.

**NOW, THEREFORE**, in consideration of the premises and covenants contained herein, the parties agree as follows:

1. The **DEPARTMENT** will provide a supplemental loan in the amount of five hundred thousand dollars (\$500,000) to the **ENTITY** for a total of \$1,500,000 for the project as described in Exhibit II of the Memorandum of Agreement and the attached supplemental application, incorporated and made a part hereof.

2. The **ENTITY** agrees to comply with Section 338.251, Florida Statutes and Rule Chapter 14-88, F.A.C. in the performance of the project and repayment of the loan as described in the attached supplemental application.

3. The **ENTITY** further agrees that as part of its commitment to repay the supplemental loan and associated investment interest to the Toll Facilities Revolving Trust Fund, the repayment will be from revenues of the Transportation Facilities of Lee County or if insufficient, from other lawfully available county revenues.

4. Except as hereby modified, all provisions of the Memorandum of Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed the day and year first written.

**STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION**

\_\_\_\_\_  
WITNESS:

BY: \_\_\_\_\_  
**Thomas F. Barry, Jr., P.E.**  
**SECRETARY of TRANSPORTATION**

\_\_\_\_\_  
WITNESS:

ATTEST: \_\_\_\_\_  
**EXECUTIVE SECRETARY**

Office of the Comptroller  
By: \_\_\_\_\_

Legal Review  
By: \_\_\_\_\_

**LEE COUNTY**

\_\_\_\_\_  
WITNESS:

BY: \_\_\_\_\_  
**CHAIRPERSON**

\_\_\_\_\_  
WITNESS:

ATTEST: \_\_\_\_\_  
**SEAL**

**LEE COUNTY**

**Supplemental Application for  
Toll Facilities Revolving Trust Funds**

# RESOLUTION #

Amending the Budget of Transportation Fac.-FDOT Loan-Fund 42142 to incorporate the unanticipated receipts into Estimated Revenues and Appropriations for the fiscal year 2001-2002.

**WHEREAS**, in compliance with the Florida Statutes 129.06(2), it is the desire of the Board of County Commissioners of Lee County, Florida, to amend the Transportation Fac.-FDOT Loan-Fund 42142 budget for \$500,000 of the unanticipated revenue from State of Florida and an appropriation of a like amount for construction costs and;

**WHEREAS**, the Transportation Fac.-FDOT Loan-Fund 42142 budget shall be amended to include the following amounts which were previously not included.

<b>ESTIMATED REVENUES</b>		
Prior Total:		\$1,000,000
Additions		
20581542142.384000.9004	State of Fl-Revolving Trust	500,000
Amended Total Estimated Revenues		\$1,500,000

<b>APPROPRIATIONS</b>		
Prior Total:		\$1,000,000
Additions		
20581542142.506540	Improvements Construction	500,000
Amended Total Appropriations		\$1,500,000

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Lee County, Florida, that the Transportation Fac.-FDOT Loan-Fund 42142 budget is hereby amended to show the above additions to its Estimated Revenue and Appropriation accounts.

Duly voted upon and adopted in Chambers at a regular Public Hearing by the Board of County Commissioners on this \_\_\_\_ day of \_\_\_\_\_, 2002.

ATTEST:  
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
DEPUTY CLERK

\_\_\_\_\_  
CHAIRMAN

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

DOC TYPE YA  
LEDGER TYPE BA

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**TOLL FACILITIES REVOLVING TRUST FUND**  
**MEMORANDUM OF AGREEMENT - ADDENDUM**

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DEPARTMENT OF TRANSPORTATION

WITNESS: \_\_\_\_\_

BY: \_\_\_\_\_  
Thomas F. Barry, Jr., P.E.  
SECRETARY of TRANSPORTATION

WITNESS: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
EXECUTIVE SECRETARY

Office of the Comptroller  
By: \_\_\_\_\_

Legal Review  
By: \_\_\_\_\_

LEE COUNTY

WITNESS: \_\_\_\_\_

BY: \_\_\_\_\_  
CHAIRPERSON

WITNESS: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
SEAL



**LEE COUNTY**

**Supplemental Application for  
Toll Facilities Revolving Trust Funds**