

9. **CONSENT AGENDA**

- e. Approval of a grant from TDC for facility/beach maintenance in the amount of \$1,079,210 and authorize the City Manager to execute same (Acceptance of this grant increases the fiscal year 2008-2009 budget by \$1,079,210)

**AGREEMENT FOR TOURIST DEVELOPMENT TAX FUNDING**

THIS AGREEMENT is entered into by and between LEE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the “**COUNTY**” and the City of Sanibel, a municipality incorporated in the State of Florida, hereinafter referred to as “**RECIPIENT**”, for funding provided by Lee County pursuant to its Tourist Development Plan.

**WITNESSETH:**

**WHEREAS**, pursuant to Florida Statutes §125.0104 and Lee County Ordinance No. 07-28 or as may be amended from time to time, Lee County collects tourist development tax; and

**WHEREAS, COUNTY** and **RECIPIENT** acknowledges that the tourist development tax may only be spent in accordance with the Tourist Development Plan adopted by Lee County; and

**WHEREAS**, the **COUNTY** has approved the **RECIPIENT’S** request for funding under its Tourist Development Tax Plan for implementation of the following project:

NAME: Sanibel Facility/Beach Maintenance

NUMBER: 401656

**NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:**

1. The **RECIPIENT** will perform the work as outlined in the project description and submit a detailed invoice to the **COUNTY**. The **COUNTY** will then reimburse the **RECIPIENT** for the amount not to exceed \$1,079,210 during the **COUNTY'S** fiscal year 2009.
2. Funding is solely limited to the project as described in the forms submitted by the **RECIPIENT** to the Tourist Development Council. **RECIPIENT** may not make any major alterations, changes or substitutions to the project description without obtaining prior approval from the Tourist Development Council and **COUNTY**. Minor changes, alterations and/or substitutions may be approved by the Director of the Visitor Convention Bureau or her designee.
3. This Agreement is subject to the **RECIPIENT** complying with the following Special Conditions: The **RECIPIENT** shall not submit an invoice to the **COUNTY**, and the **COUNTY** shall not reimburse the **RECEPIENT** for the Picnic Tables, Maintenance Shed, Boat Ramp Dredge or Boat Ramp Repairs included on the **RECIPIENT'S** Request Form (Exhibit "A").
4. **RECIPIENT** shall provide to **COUNTY** evidence of substantial activity within eighteen (18) months at the beginning of the fiscal year.
5. Unspent or unencumbered revenue remaining at the end of the fiscal year may be carried over into the next fiscal year, contingent upon approval of the Board of County Commissioners.
6. Accurate records of all expenditures shall be maintained by the **RECIPIENT**,

and these records shall be made available at all reasonable times for inspection, review or audit by the **COUNTY**. Records shall be kept for a period of at least three (3) years following the end of the funding period.

7. **RECIPIENT** will submit quarterly reports to the **COUNTY**. Expenditure reports must be accompanied by sufficient supporting invoices and documentation to support pre-audit and post-audit review. The sufficiency of said documentation shall be determined by the Clerk of the Circuit Court, who may seek additional information as the circumstances require.
8. The **COUNTY** shall not be liable to any person, firm or corporation that contracts with the **RECIPIENT** to provide goods and services associated with the project conducted with the funding. Nor shall the **COUNTY** be liable to any person, firm or corporation for claims against the **RECIPIENT** or debts incurred by the **RECIPIENT**.
9. The **RECIPIENT** shall reimburse the Lee County Tourist Development Tax Trust Fund for any sums adjudged by a court of competent jurisdiction to be an unauthorized expenditure.
10. The **RECIPIENT** covenants to the **COUNTY** that it has lawful authority to enter into this agreement and has authorized the execution of this agreement by its authorized representative.
11. This agreement may not be modified, amended or extended orally. This agreement may be amended only by written agreement executed by the governing bodies of both parties.

**IN WITNESS WHEREOF**, the parties hereto have caused this agreement to be executed by the undersigned officials, as duly authorized this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

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

BY: \_\_\_\_\_  
CHAIRMAN

APPROVED AS TO FORM

BY: \_\_\_\_\_  
COUNTY ATTORNEY'S OFFICE

ATTEST:  
CITY CLERK

CITY OF SANIBEL, FLORIDA

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

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

APPROVED AS TO FORM

BY: \_\_\_\_\_  
CITY ATTORNEY'S OFFICE

**BEACH & SHORELINE PROJECT REQUEST FORM**  
**FISCAL YEAR 2008-2009**

Requesting Agency Information

Requesting Agency **City of Sanibel**

Project Manager **Gates D. Castle** Phone Number **239-472-6397**

Email Address **gates.castle@mysanibel.com** Fax Number **239-472-6041**

Project Information

Project Name **Facility/Beach Maintenance**

Project Type  Beach Nourishment  Capital Project  Maintenance Project

Other (please describe) \_\_\_\_\_

Funding Request

FY 08-09 TDC Beach & Shoreline Funding Request \$ **1,125,110**

If this project will be phased over more than one fiscal year, identify the anticipated future request(s) for TDC funding by fiscal year below:

FY 09-10	FY 10-11	FY 11-12	FY 12-13
\$ <b>903,000</b>	\$ <b>908,000</b>	\$ <b>913,000</b>	\$ <b>918,000</b>

If this project has received previous TDC funding, list the fiscal year(s) and funding amount(s):  
FY 06-07 - \$495,000    FY 07/08 - \$845,000  
FY 05-06 - \$440,000  
FY 04/05 - \$390,000

Other Funding Sources

Are any funds other than Beach & Shoreline Funds being requested for the construction or maintenance of this project? *This includes funds provided by your own agency, grants or revenues generated by the facility/activity.*  Yes  No

Has other funding already been approved?  Yes  No

If yes, list the approved amount: \$ \_\_\_\_\_

If other funding has not been approved, list the amount you have requested, the agency you requested funding from and the anticipated approval date:

Approximately \$2,400,000 to be requested in FY 08/09 Budget Request

# EXHIBIT "A"

Please attach a Request Narrative to this form.

The following information must be included in the Narrative for this request to be considered:

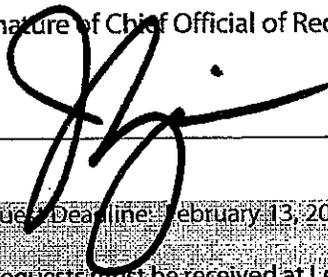
- I. Project Summary - one to two sentences
- II. Project Abstract (three pages maximum) to include:
  - A. Project Description
  - B. Overall Context - if this request is part of a larger project, describe the larger project and how this component is integrated
  - C. Relationship to Beach/Shoreline - include a detailed description of how this project relates to the beach/shoreline; if this is a shoreline protection project, describe your agency's shoreline protection plan
  - D. Impact on Tourism
  - E. Project Timeline - include estimates for design, permitting and construction
- III. Maps - mark the location of your site on the map provided and submit a site map indicating the project's relationship to the beach/shoreline
- IV. Budget Information
  - A. Budget for the Project
  - B. Facility Maintenance Budget - if this is a capital project, provide (1) a description of **who will operate and maintain the facility**, (2) the anticipated first full year of operating and maintenance costs, and (3) the funding source for these expenses

Request Narrative

Official  
Signature

Signature of Chief Official of Requesting Agency:

Date:



2/19/08

Submittal Information

Request Deadline: February 13, 2008

All requests must be received at Lee County Visitor & Convention Bureau (12800 University Drive, Suite 550, Fort Myers, FL 33907) by 5 p.m. on Monday, February 13, 2008.

Requesting agencies must provide 30 copies of each request with back-up, three-hole punched, on 8.5" x 11" paper. Please do not bind, as all requests will be placed in a three-ring binder.

For additional information, please contact Tamara Pigott, Deputy Director, Lee County Visitor & Convention Bureau at (239) 338-3500 or [tpigott@leegov.com](mailto:tpigott@leegov.com)

## EXHIBIT "A"

### NARRATIVE Facility/Beach Maintenance City of Sanibel

#### I. Project Summary

This request is for the maintenance of all beach related facilities made available to the general public. These funds are earmarked for personnel services, repair and maintenance, contractual services, utilities, upgrading signage, replacement of walkways and walkovers, machinery and equipment, etc. for upkeep of the beach facilities utilized by thousands of annual visitors.

#### II. Project Abstract

##### A. Project Description

Same as Project Summary above.

##### B. Overall Context

N/A

##### C. Relationship to Beach/Shoreline

The facilities being maintained are in parks, which abut either the Gulf of Mexico or San Carlos Bay

##### D. Impact on Tourism

The City of Sanibel is devoted to maintaining the public facilities to meet the needs of the thousands of visitors who come to the beaches annually. Properly maintained facilities are critical for visitors to enjoy the beaches and to leave with a safe and pleasant experience.

##### E. Estimated Project Timeline

N/A

#### III. Maps

The attached location map shows the various beach facilities both with respect to the County overall as well as the beach/shoreline.

#### IV. Budget Information

# EXHIBIT "A"

## A. Budget for Project (Revised)

In-house labor (including overtime)		\$370,000	
Professional Services			
Bowman's Beach Bridge Inspection	\$1,500		1,500
Other Contractual Services:			
Restroom Cleaning	50,000		
Solid Waste Removal	30,000		
Native Plantings	40,000		
Port-o-lets Rentals (Emergencies)	1,000		
Vegetative Trimming/Removal	25,000		
Boat Ramp Dredging	25,000		
Environmental Maintenance	<u>40,000</u>		
			211,000
Travel			
Transponder Reimbursement	2,400		
Replacement Transponders	<u>100</u>		
			2,500
Communications			
Cell Phones (5 @ \$40/mo & 1 @ \$45/mo)	2,940		
Replacement Cell Phones	<u>160</u>		
			3,100
Utility Services			30,000
Insurance (Wind & Flood)			20,000
Repair & Maintenance			
Boardwalk/Fences	5,000		
Vehicles & Equipment	5,000		
Signage (Replacement)	1,500		
Lift Station/Utility Repairs	3,000		
Trail Maintenance	5,000		
Structure Repairs			
- Fishing Pier	40,000		
- Bowman's Beach Bridge	70,000		
Boat Ramp Repairs	10,000		
Turner Beach Restroom Repairs	5,000		

**EXHIBIT "A"**

Bowman's Beach Restroom Repairs	<u>10,000</u>	154,500
Other Current Charges		
Indirect Cost Charges *		161,610
Operating Supplies		
Supplies (Institutional, Chemicals, etc.)	15,000	
Fuel	12,000	
Oil/Tires	500	
Uniforms	3,000	
Tools	2,000	
Bike Racks	1,000	
Picnic Tables	900	
Restroom Equipment	1,500	
Grills	900	
Paint for Restrooms	500	
Water Main for Pier	600	
Animal Proof Trash/Recycling Bins (4)	4,000	
Lumber for Benches	1,000	
Bollards & Ropes	4,000	
New Signage	<u>4,000</u>	
		50,900
Buildings		
Replacement Maintenance Shed		10,000
Machinery & Equipment		
Utility Vehicle	13,000	
Small Loader	60,000	
Pickup Truck	23,000	
Mower	10,000	
Dump Body for Pickup	<u>4,000</u>	
		110,000
		Total = \$1,125,110

B. Facility Maintenance Budget

N/A

\* Indirect Cost Summary attached

# EXHIBIT "A"

CITY OF SANIBEL, FULL COST PLAN - FYE 9/30/07  
Summary of Allocated Costs

Summary Page: 6

Departments	Total Expenditures	Cost Adjustments	Total Allocated
BLDG USE ALLO	48,612		
EQUIP USE ALLO	41,610		
INSURANCE	354,149		
PW DIR/GARAGE	1,902,769	-23,303	
CITY ATTORNEY	682,673	-353,429	
PUB FACILITIES	564,124	-6,180	
MGMT INFO SYS	525,682	-2,465	
FINANCE	804,325	-1,070	
POLICE ADMIN	3,528,214	-47,599	
PKS & REC ADM	874,240	-27,100	
CITY MANAGER	855,972	-37,914	
			491,644
DONEK FACILITY			9,029
WULFERT FAC			161,609
BEACH MAINT			305,726
BEACH ENFORCE			442
SSS CAP IMP			4,680
SEW PH I EXP			3,013
SEW PH II 453			1,544
SEW PH II 456			5,874
SEW PH II 457			6,440
SWR PH II 459			21,045
SW PH IIIA 454			28,295
SW PH IIIB 460			546
SW PH IV 461			264
SW PH V 462			5,357
SEW REUSE PROJ			253,382
LEGISLATIVE			316,409
PLANNING			708,879
POLICE SVCS			123,457
BUILDING			4,529
SEMP			847
GARBAGE			82,079
NAT RES MGMT			500,636
PW - STREETS			91,610
SENIORS PROG			8,949
BIG ARTS FAC			1,327
INTERFUND TRAN			593
FNDN GRANT			32,689
VEH WGT PERMIT			169
FRDAP			169
FIRESAFE GRANT			173,360
HIST COMMITTEE			5,997
REC CTR DONAT			1,422
ENV DEFENSE			2,608
HURRIC WILMA			856
HURRIC CHARLEY			76
NRCS FUND 116			

**EXHIBIT "A"**

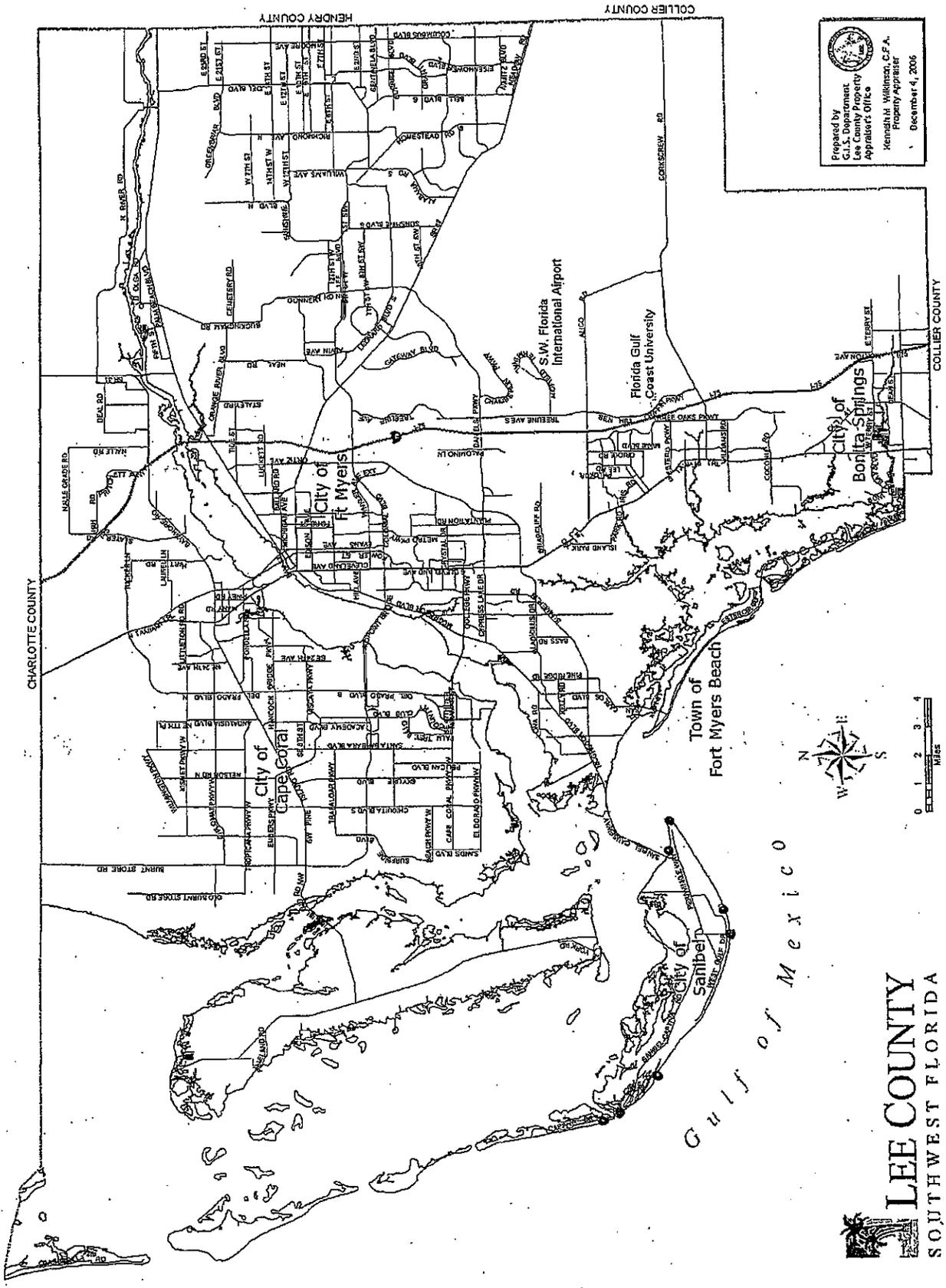
CITY OF SANIBEL, FULL COST PLAN - FYE 9/30/07  
 Allocated Costs by Department  
 Consolidated

Summary Page: 1

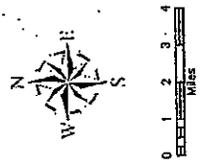
	DONEX FACILITY	WULFERT FAC	BEACH MAINT	BEACH ENFORCE	SSS CAP IMP	SEW PH I EXP	SEW PH II 453
Central Service Departments							
BLDG USE ALLO	1,067						
EQUIP USE ALLO							
INSURANCE	64,498		7,295	16,146			
PW DIR/GARAGE	144,017		24,718	2,855			
CITY ATTORNEY	28,567						
PUB FACILITIES	10,647						
MGMT INFO SYS	37,276		13,440	19,040			
FINANCE	95,204	9,029	74,119	104,995	442	4,680	3,013
POLICE ADMIN				103,137			
PKS & REC ADM							
CITY MANAGER	110,348		42,037	59,553			
Total Allocated	491,644	9,029	161,609	305,726	442	4,680	3,013

	SEW PH II 456	SEW PH II 457	SWR PH II 459	SW PH IIIA 454	SW PH IIIB 460	SW PH IV 461	SW PH V 462
Central Service Departments							
BLDG USE ALLO							
EQUIP USE ALLO							
INSURANCE				912	912		
PW DIR/GARAGE				5,428	5,428		
CITY ATTORNEY							
PUB FACILITIES							
MGMT INFO SYS							
FINANCE	1,544	5,874	6,440	9,450	16,700	546	264
POLICE ADMIN							
PKS & REC ADM							
CITY MANAGER				5,255	5,255		
Total Allocated	1,544	5,874	6,440	21,045	28,295	546	264

EXHIBIT "A"



Prepared by  
 G.L. Department  
 of Property  
 Appraiser's Office  
 Herndon M. Wilkins, C.F.A.  
 Property Appraiser  
 December 4, 2006



**LEE COUNTY**  
 SOUTHWEST FLORIDA