

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

**SUBJECT: SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN
SEMINOLE COUNTY AND THE CITY OF OVIEDO RELATING TO THE
2001 CENT FOR SEMINOLE LOCAL SALES SURTAX**

DEPARTMENT: Public Works DIVISION: Administration

**AUTHORIZED BY: W. Gary Johnson CONTACT: Pam Hastings EXT: 5605
W. Gary Johnson, P.E., Director Pam Hastings, Manager**

Agenda Date 1/10/06 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

Approve and authorize the Chairman to execute the Second Amendment to the Interlocal Agreement between Seminole County and the City Of Oviedo relating to Administration of the City's Share of Funds under the Cent for Seminole Local Sales Surtax for the City's Transportation Improvement Projects as recommended by staff.

BACKGROUND:

In June of 2001, the County entered into a master Interlocal Agreement with the seven municipalities within Seminole County (the Cities of Altamonte Springs, Casselberry, Lake Mary, Longwood, Oviedo, Sanford and Winter Springs) and the Seminole County School Board which relates to transportation and education infrastructure projects to be funded with the 2001 local government infrastructure sales surtax proceeds.

On March 11, 2002, the County and City of Oviedo entered into a second Interlocal Agreement relating to the administration of funding of design through construction of certain City streets. On December 12, 2002, the First Amendment to this Interlocal Agreement was approved by the Board of County Commissioners. The First Amendment revised Exhibit A of this Interlocal Agreement by deleting the Lindsey Lane and North/South One-Way Pairs projects, reallocating funds to the proposed SR 426 widening (from Winter Springs Blvd. to SR 434) and the widening of East CR 419 (from Division Street to SR 434).

The Second Amendment to the Interlocal Agreement between Seminole County and the City of Oviedo being requested by the City again revises Exhibit A of this Interlocal Agreement.

Reviewed by:
Co Atty: HMB
DFS: N/A
Co. Eng: ATK
DCM: [Signature]
CM: [Signature]

File No. CPWA01

These revisions include adding three new projects (Division Street, Oviedo Market Place Blvd., and Parallel Pairs projects) and a reduction in the amount of City Sales Tax funding for the SR 426 and East CR 419 widening projects. Also reflected in the amended Exhibit A is an update to the total amount shown for City projects resulting from increased revenue projections for the City's share of the 2001 Renewed Sales Tax. The City is in the process of completing the necessary amendment procedures; the enclosed amended Exhibit A is scheduled to be approved by the City Council in a public hearing on January 17, 2006. (There are no revisions to Exhibit B, County Cost-Shared Projects With Oviedo, in the amount of \$6.0M for major widenings of SR 426 [from SR 434 to Winter Springs Blvd.] and East CR 419/PH I [from SR 434 to a point east of Division Street]).

RECOMMENDATION:

Projects have been coordinated by the City with the Engineering division, and subject to approval and execution by the City Council on January 17, 2006, with no objections filed from the other signatories of the Master Sales Surtax Interlocal Agreement, staff recommends Board approval of the Second Amendment and authorization for the Chairman to execute.

Attachments: Second Amendment, including Exhibit A as amended
City's Transmittal Letter of December 14, 2005
including underline version of Exhibit A

SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN SEMINOLE COUNTY AND THE CITY OF OVIEDO RELATING TO ADMINISTRATION OF THE CITY'S SHARE OF FUNDS UNDER THE CENT FOR SEMINOLE LOCAL SALES SURTAX FOR THE CITY'S TRANSPORTATION IMPROVEMENT PROJECTS

THIS AMENDMENT TO INTERLOCAL AGREEMENT is made and entered into this ____ day of _____, 2006, by and between **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the "COUNTY", and the **CITY OF OVIEDO**, a Florida municipal corporation, whose address is 400 Alexandria Boulevard, Oviedo, Florida 32765, hereinafter referred to as the "CITY".

WITNESSETH:

WHEREAS, the COUNTY and the CITY have previously entered into an Interlocal Agreement, executed March 11, 2002, (hereafter referred to as the "Agreement"), and revised by Amendment dated December 18, 2002, (hereafter referred to as the "Amendment"), regarding the City's share of the 2001 Local Government Infrastructure Sales Surtax; and,

WHEREAS, the Agreement requires the CITY to hold a public hearing and provide notice thereof to all local governments before adding or dropping projects; and

WHEREAS, the CITY represents that it has complied with the requirements of the agreement for amending the project list attached hereto as Exhibit A; and

WHEREAS, the parties wish to amend the Agreement as hereinafter stated.

NOW, THEREFORE, in consideration of the premises and promises, covenants, agreements and commitments contained herein and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged as the both parties, the parties agree as follows:

Section 1. Exhibit A. Exhibit A to the Agreement is replaced with the attached Exhibit "A".

Section 2. Existing Agreement. Except as herein amended, all terms and conditions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have and made and executed this Agreement for the purposes herein stated on the date first above written.

ATTEST:

CITY OF OVIEDO

BARBARA J. BARBOUR
City Clerk

By: _____
THOMAS G. WALTERS, Mayor

Date: _____

Approved as to form and legal sufficiency.

City Attorney

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of County Commissioners
of Seminole County, Florida

By: _____
Carlton Henley, Chairman

For the use and reliance of Seminole County
only. Approved as to form and legal
sufficiency.

Date: _____

As authorized for execution by the Board
of County Commissioners at their
_____, 2006 regular meeting.

County Attorney

12/21/05
Attachment: Exhibit A

EXHIBIT A
Cent For Seminole Local Sales Surtax

OVIEDO

Transportation Projects	Proposed Scope	Preliminary Cost Estimate	
INTENDED PROJECTS: IN PRIORITY ORDER			
PD&E Study CR 419/SR 426	Funds to cover cost of portion of PD&E Study not available from the First Generation if other Projects exceed original estimates.	\$2.0 M	
Franklin Street/Division Street/CR 426	Construction of Franklin Street – SR 434 to the intersection of Division Street and CR 426, and reconstruct Division Street from the same intersection to CR 419. Also, improvements to the intersection.	\$3.162 M	
Parallel Pairs	The milling, repaving, signing, signalization and pavement marking of Railroad Street, Station Street, a portion of SR 434 (from the intersection of Station Street North to just north of Railroad Street) and a portion of 426 (from 60 W Broadway to 110 E Broadway). Project is being completed to assist in alleviating some of the congestion in the SR 434/SR 426 intersections in conjunction with the Franklin Street and Division Street Projects.	\$.47 M	
CANDIDATE PROJECTS: IN PRIORITY ORDER			
SR 426 Widening	Construct two additional lanes from SR 434 to Winter Springs Boulevard (including purchasing for offsite retention/detention). Total Project Cost Estimate for both SR 426 and CR 419: \$40 M, which includes match (up to \$6M) from the County/City Cost – Shared Projects component of the Major Road System Program shown in Exhibit B of the 2001 Transportation and Education Infrastructure Plan Interlocal Agreement.	\$1.8203 M	
East CR 419 Widening	Phase I; Construct two additional lanes from a point east of Division Street to SR 434 (including purchasing for offsite retention/detention). Total Project Cost Estimate for both SR 426 and CR 419: \$40 M, which includes match (up to \$6M) from the County/City Cost – Shared Projects component of the Major Road System Program shown in Exhibit B of the 2001 Transportation and Education Infrastructure Plan Interlocal Agreement.	\$.8417 M	
Division Street	Construct Division Street as a two lane roadway between Mitchell Hammock Road and CR 419.	\$4.0 M	
Oviedo Market Place Boulevard	Extension from SR 426 to Aulin Street.	\$.217 M	
PROJECTS TOTAL		\$12.511 M	
City Revenue Share relating to funding of the above projects.	Per Section 2(d) and Exhibit D of the 2001 Transportation and Education Infrastructure Plan Interlocal Agreement.	<i>Distribution Year 1</i>	2.019201958%
		<i>Beginning Distribution Year 2</i>	2.019181388%
Per Section 2(e) of the 2001 Transportation and Education Infrastructure Plan Interlocal Agreement, if any local government successfully appeals the results of the 2000 Census figures as published by the Census Bureau, the distribution shall be recalculated to reflect the adjustments made in the 2000 Census results by the Census Bureau. Any such change shall be effective at the start of the distribution year following the adjustment. In conjunction with County issuance of such recalculation, an update to this Exhibit shall be entered into the public record.			
Other Candidate Projects may be undertaken if revenues and/or actual costs on the projects identified above allow. Specific priorities are: widening of East CR 419 from Lockwood Blvd to a point east of Division Street (Phase II; \$4 M total cost estimate); West Mitchell Hammock widening/improvements (\$7 M total cost estimate); East Mitchell Hammock widening/improvements (\$8 M total cost estimate). These projects are also eligible for match from the Cost – Shared Projects component of the Major Road System Program shown in Exhibit B of the 2001 Transportation and Education Infrastructure Plan Interlocal Agreement.			
Projects may be added or deleted pursuant to the provisions of Section 3 (a) of the 2001 Transportation and Education Infrastructure Plan Interlocal Agreement. In conjunction with County approval of such project change(s), an update to this Exhibit shall be entered into the public record.	Scopes may be expanded, reduced, or otherwise altered pursuant to the provisions of Section 3(b) of the 2001 Transportation and Education Infrastructure Plan Interlocal Agreement. In conjunction with County concurrence in such scope change(s), an update to this Exhibit shall be entered into the public record.	Costs are provided as estimates only. Changes to costs do not require a formal update to this Exhibit to be issued, unless a project or scope revision is also involved.	
This Exhibit For The City Of Oviedo Valid As Of _____, 2006.		Sem. Co. Review/Approval Initials: DPW _____ CM OR BCC CHAIR _____	



CITY OF OVIEDO FLORIDA

400 ALEXANDRIA BOULEVARD • OVIEDO, FLORIDA 32765 • (407) 977-6000
www.ci.oviedo.fl.us TDD LINE (407) 977-6340

RECEIVED

DEC 16 2005

SEMINOLE COUNTY
COUNTY MANAGER

VIA Certified Mail

December 14, 2005

J. Kevin Grace
County Manager
Seminole County
1101 East First Street
Sanford, FL 32771

Dear Mr. Grace:

The City of Oviedo wishes to amend the interlocal agreement addressing the use of Infrastructure Sales Tax proceeds for local projects. Pursuant to Section 3(a) of the *Seminole County Transportation and Education Infrastructure Plan Interlocal Agreement*, please find attached a certified copy of a proposed change to Exhibit "A" to the March 4, 2002, *Interlocal Agreement between Seminole County and City of Oviedo Relating to Administration of the City's Share of Funds Under the Cent for Seminole Local Sales Surtax for the City's Transportation Improvement Projects*.

The proposed changes to Exhibit "A" will be presented to our City Council at our January 17, 2006, regular meeting. The meeting will be held in our City Hall located at 400 Alexandria Blvd., Oviedo, Florida and the meeting will commence at 7:00 p.m. As a party to this agreement, you are welcome to attend and present any comments at that time.

Sincerely yours,

Gerald J. Seeber
City Manager

Attachments: The Proposed and Original Exhibit "A"
cc: City Council

cb/cml

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