

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Termination of Interlocal Agreement between Seminole County Government and the Seminole County School Board

DEPARTMENT: Public Works **DIVISION:** Administration

AUTHORIZED BY: *W. Gary Johnson* **CONTACT:** *Pamela Hastings* **EXT.** 5604
W. Gary Johnson, PE Director Pamela Hastings, Manager

Agenda Date <u>10/28/2003</u>	Regular <input checked="" type="checkbox"/>	Consent <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input type="checkbox"/>		Public Hearing – 7:00 <input type="checkbox"/>	

MOTION/RECOMMENDATION:

Approve the Termination of Interlocal Agreement between Seminole County Government and the Seminole County School Board, including authorization for the Chairman to execute upon receipt of an executed original from the School Board; and execute Budget Amendment Request.

BACKGROUND:

As previewed during the Board of County Commissioners (BCC) meeting of September 23, 2003, County and School District representatives have discussed a change in the funding source historically used for School/Safety Sidewalk projects. Under this change, the 2001 Renewed Sales Tax would be substituted for the Transportation Fund's \$446,500 sales and use tax annual revenues (formerly known as "pari-mutuel" receipts). The monies freed up under the Transportation Fund can then be re-directed to Stormwater Projects, pursuant to Board discussion and direction during the County Manager's report of September 9.

To avoid future confusion regarding uses of the "pari-mutuel" funds, termination of the existing Interlocal Agreement between the County and School Board is advisable. Accordingly, a proposed Termination Agreement was developed with review and input from School District Administrators, and is being presented to the School Board for approval on October 21, 2003. Subject to School Board official action, County staff recommends BCC approval of the attached Termination Agreement. Three Budget Adjustments to implement corresponding changes in sidewalk and stormwater project funding are presented under the enclosed Budget Amendment Request.

Attachments: Termination Agreement including Exhibit A
Budget Amendment Request with Back-up

Reviewed by: <u><i>[Signature]</i></u>
Co Atty: <u><i>[Signature]</i></u>
DFS: N/A
Other: N/A
DCM: <u><i>[Signature]</i></u>
CM: <u><i>[Signature]</i></u>
File No. <u>CPWA02</u>

TERMINATION OF INTERLOCAL AGREEMENT

THIS TERMINATION OF INTERLOCAL AGREEMENT is made and entered into this ____ day of _____, 2003, 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 (hereafter referred to as the "COUNTY") and the **SCHOOL BOARD OF SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is 400 East Lake Mary Boulevard, Sanford, Florida 32773 (hereafter referred to as "SCHOOL BOARD").

WITNESSETH:

WHEREAS, the COUNTY and the SCHOOL BOARD entered into an Interlocal Agreement dated July 29, 2002 (actually executed by SCHOOL BOARD on July 16, 2002) relating to the use of certain COUNTY funds for the SCHOOL BOARD's Pre-K Early Intervention Program (the "Agreement"); and

WHEREAS, the COUNTY and the SCHOOL BOARD have cooperatively addressed certain school – related infrastructure safety improvements such as, by way of example, School Circulation Projects under the Seminole County Traffic Operations/Safety component of the 1% Local Government Infrastructure Sales Surtax program; and

WHEREAS, the COUNTY has similarly agreed to undertake and complete the remaining sidewalk projects shown on Exhibit "A"; and

WHEREAS, the COUNTY has agreed to continue to include a sidewalk and pedestrian circulation program in its capital/maintenance budget; and

WHEREAS, the parties wish to terminate the Agreement.

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

1. The Agreement shall be and is hereby terminated, effective upon the date the last party signs this document.

2. This termination does not affect any rights, duties or obligations which accrued before the date of termination.

IN WITNESS WHEREOF, the parties have caused this Termination of Interlocal Agreement to be executed on the day and year first written above.

ATTEST:

SEMINOLE COUNTY SCHOOL BOARD

DR. BILL VOGEL,
Superintendent

By: _____
SANDY ROBINSON, Chairman

Date: _____

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

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

By: _____
DARYL G. MCLAIN, Chairman

Date: _____

For the use and reliance of
Seminole County only. Ap-
proved as to form and legal
sufficiency.

As authorized for execution by the Board
of County Commissioners at its _____,
2003, regular meeting.

County Attorney
SPL10/9/03

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Exhibit A

School Safety Sidewalk Projects (fka Pari-mutuel A/B List)

Remaining Projects:County to Complete**	Lineal Feet
Citrus Road	3,825
Mellonville*	5,260
20th Street*	2,000
Summerlin Ave.*	10,500
Linneal Beach	11,140
Lake Ann/Lake Howell	6,300
Eagle Circle	760
Northern Way*	5,925
Shetland Ave.*	2,400
E.E. Williamson Sidewalk & Bridge Ped Xing	4,790
Dyson Drive	15,800
Total	68,700

*Inside municipality.

**All projects are within a two-mile radius of a public school. All projects are specifically programmed in Seminole County's FY2003/04 - 2007/08 5-year CIP update.

2003-R-

BUDGET AMENDMENT REQUEST

TO: Seminole County Board of County Commissioners
 FROM: Department of Fiscal Services
 SUBJECT: **Budget Amendment Resolution**
 Department: **Public Works**
 Fund(s): **Stormwater (13000)**
Transportation Trust (10101)
2001 Renewed Sales Tax (11541)

DFS Recommendation	
Analyst <i>Crocket Hunter</i>	Date <i>10/16/03</i>
Director <i>LB</i>	Date <i>10/16/03</i>

PURPOSE: Related to the approval of a Termination of Interlocal Agreement presented on the 10/28/03 BCC Agenda, this FY03/04 budget amendment request shows the three actions necessary to allocate \$446,500 annually to fund Stormwater Projects. (See attached back-up).

ACTION: Approval and authorization for the Chairman to execute Budget Amendment Resolution.

In accordance with Section 129.06(2), Florida Statutes, it is recommended that the following accounts in the County budget be adjusted by the amounts set forth herein for the purpose described.

Sources:

Account Number	Account Title	Amount
(See attached)	Transportation Trust Fund 10101	\$446,500
(See attached)	Stormwater Fund 13000	\$446,500
(See attached)	2001 Renewed Sales Tax 11541	\$346,500
Total Sources		1,239,500

Uses:

Account Number	Account Title	Amount
(See attached)	Transportation Trust Fund 10101	\$446,500
(See attached)	Stormwater Fund 13000	\$446,500
(See attached)	2001 Renewed Sales Tax 11541	\$346,500
Total Uses		1,239,500

BUDGET AMENDMENT RESOLUTION

This Resolution, 2003-R-_____ approving the above requested budget amendment, was adopted at the regular meeting of the Board of County Commissioners of Seminole County, Florida _____ as reflected in the minutes of said meeting.

Attest:

 Maryanne Morse, Clerk to the
 Board of County Commissioners

By: _____
 Daryl G. McLain
 Chairman

Date: _____

Date: _____

Entered by County Finance Department

Date: _____

Transportation Trust Fund (# 10101)

This specific action removes all of the School Safety Sidewalk Projects budgeted under the FY 03/04 Transportation Fund, and allocates the monies to a transfer to the Stormwater Fund. Currently, \$100,000 of the sales and use tax revenues formerly known as pari-mutuel funds is committed in FY 03/04 to the School Pre-K program; to establish a full year's amount for Stormwater projects, \$100,000 of Transportation Reserves has been substituted on a one time basis. The balance in the Transportation Fund Reserve after this transfer would be \$900,000. Should the \$100,000 payment budgeted to the Pre-K program not be needed, those monies will be turned to the Reserve.

Sources:

Account Number	AS400 CIP#	PENT CIP#	Account Title	Amount
10101 077501-56067000	1149-07	PE50036X	Construction-Lake Ann-Lake Howell	\$126,000
10101 077501-56067000	1149-16	PE50037X	Construction-Citrus Road	\$76,500
10101 077501-56067000	1149-08	PE50038X	Construction-Shetland Ave	\$48,000
10101 077501-56067000	1149-09	PE50039X	Construction-20th Street	\$40,000
10101 077501-56067000	1149-17	PE50041X	Construction-Dyson Drive	\$56,000
10101 999902-59099994	N/A		Reserve for Capital Improvements	\$100,000
Total Sources				\$446,500

Uses:

Account Number	AS400 CIP#	PENT CIP#	Account Title	Amount
10101 014002-59091130	N/A	N/A	Transfer Out to Stormwater Fund 13000	\$446,500
Total Uses				\$446,500

Stormwater Fund (# 13000)

This specific action recognizes a transfer of certain monies from the Transportation Fund as revenue to the Stormwater Fund, and appropriates these monies to seven projects from the candidate list previously discussed with the BCC during the September 9, 2003 Board meeting.

Sources:

<u>Account Number</u>	<u>AS400 CIP#</u>	<u>PENT CIP#</u>	<u>Account Title</u>	<u>Amount</u>
13000 38110101	n/a	n/a	Transfer in from Transportation Trust Fund (10101)	\$446,500
Total Sources				\$446,500

Uses:

<u>Account Number</u>	<u>AS400 CIP#</u>	<u>PENT CIP#</u>	<u>Account Title</u>	<u>Amount</u>
13000 077600 56068000	2291-06	PC69209X	Paradise Point Subdivision	\$67,500
13000 077600 56065000	2291-07	PC69211X	Lake Seminole Restoration	\$54,000
13000 077600 56068000	2291-08	PC69212X	Mullet Lake Park Rd. St Johns Basin Area Sub-basin	\$150,000
13000 077600 56068000	2291-09	PC69213X	Pearl Lake/Prairie Lake Outfall to SR 436	\$55,000
13000 077600 56068000	2291-10	PC69216X	Line Drive at SR436	\$40,000
13000 077600 56068000	2291-11	PC69214X	First Street/Chuluota	\$30,000
13000 077600 56068000	2291-12	PC69215X	North Street/Raymond	\$50,000
Total Uses				\$446,500

NEIGHBORHOOD DRAINAGE PROJECTS

	LOCATION	PROBLEM	DIST	FUNDING IN FY 03/04	FUTURE PHASES/ YEARS BEYOND FY 03/04
1	Waverly/Windsor	Reconstruct roadway swales/driveway; Add underdrain	4	Const \$50,000	
2	Center Drive east of Florida Road	Settlement of roadway due to muck deposit; Reconstruct with light weight fill	2	Const \$220,000	
3	Baymeadow Road	Replace existing 36" pipe with 2-48" pipes	4	Design \$40,000 Const \$60,000	
4	Alexander Avenue	Pipe existing ditch due to safety hazard from 20th Street to 18th Street	5	Design \$20,000 Const \$70,000	
5	West 27th Street/Park Avenue South & Magnolia Avenue	Redesign roadway drainage system	5	Design \$30,000 Const \$60,000	
Subtotal (Projects 1-5) Already included in Budget at 2nd Adoption Hearing				\$550,000	
6	Paradise Point Subdivision	Evaluate ground water condition to alleviate flooding	3	Design \$67,500	Const \$230,000
7	Lake Seminole Restoration	Lake enhancement project	4	Const \$54,000	N/A
8	SR 426 at Aloma Woods Sub-basin Evaluation	Canal over tops	1	Pre Eng Underway as a rebudget from FY02/03	\$350,000 Est. Des/Const.
9	Mullet Lake Park Rd. St John Basin Area Sub-basin	Mullet Lake Retreat Road floods	2/5	Pre Eng Underway Partial Des \$150,000	\$1,500,000 Est. Des/Const.
10	Pearl Lake/Prairie Lake Outfall to SR 436	Pipe Ditch/Acquire easement	4	Design \$55,000	Const \$140,000
11	Line Drive at SR 436	Road floods due to Border Lake level; elevate Line Drive	3	Pre Eng \$20,000 Design \$20,000	Const \$130,000
12	First Street Chuluota	Landlocked area, localized flooding septic tanks inundation	1	Pre Eng \$30,000	Pending Completion of Pre-Eng
13	North Street/Raymond	Address long-term solution for lake flooding	4	Pre Eng \$50,000	Pending Completion of Pre-Eng
Subtotal (Projects 6-13) Proposed for Addition to Budget 10/28/03				\$446,500	

NEIGHBORHOOD DRAINAGE PROJECTS

	LOCATION	PROBLEM	DIST	FUNDING IN FY 03/04	FUTURE PHASES/ YEARS BEYOND FY 03/04
14	Willingham Road Outfalls	Evaluate Cross drains along Willingham Road/erosion control to Econ River	1		Pre Eng \$60,000 Design \$80,000 Const \$280,000
15	East Lanark Street from Lake Avenue to Sanford Avenue	Evaluate localized flooding concerns; Wetlands also involved	5		Pre Eng \$20,000 Design \$30,000 Const \$60,000
16	Howell Creek Tributary/Eagles Landing Subdivision	Erosion control along creek	2		Design \$70,000 Const \$250,000
17	Red Bug Road at Howell Creek Bridge	Evaluate erosion control Red Bug Road to Tuskawilla Road	1		Design \$70,000 Const \$180,000
18	East Settlers Loop/Landfill Outfalls	Will need donated easements	5		Design \$60,000 Const \$110,000
19	Wekiva Park Drive at Katies Landing and 3 other outfalls	Reconstruct Outfall to Wekiva River due to erosion	5		Design \$80,000 R/W \$100,000 Const \$350,000
20	Washington Heights Erosion Control	Pipe existing ditch due to erosion and safety concerns	1		Design \$40,000 Const \$160,000
21	Midway	Evaluate remaining drainage problems and dirt roads improvement	5		Pre Eng \$40,000
22	Lake Tony Outfall - North of Lake Dr.	Vienna Dr. area localized flooding	2		Pre Eng \$60,000
23	North Lake Hayes Road Area including East Beasley Rd. and Beverly St.	Landlocked area, localized flooding	1		Pre Eng \$40,000
24	Rainbow Trail	Evaluate flooding caused by Oakhurst Subdivision	2		Pre Eng \$30,000
25	North Maryland Street/Astor Farms to Michigan Avenue	Evaluate localized flooding caused by Astor Farms	5		Pre Eng \$40,000
26	Bear Gully Lake Outfall	Tuskawilla Rd to Bear Gully Canal 4,000 Linear Feet	2		Pre Eng \$60,000
27	Lake Nixon-Sub-Basin	Evaluate flooding of homes	1		Pre Eng \$50,000

2001 Renewed Sales Tax (# 11541)

This specific action establishes all of the affected Sidewalk projects programmed in FY03/04 under the 2001 Renewed Sales Tax Fund. For the record, a corresponding minor clarification to the official County Sidewalk Program Scope described in official exhibits for the Sales tax Program is attached. The balance remaining in Reserves after this action is \$4,527,220.

Sources:

<u>Account Number</u>	<u>AS400 CIP#</u>	<u>PENT CIP#</u>	<u>Account Title</u>	<u>Amount</u>
11541 999941-59099994	n/a	n/a	Reserves for Capital Improvements	\$346,500
Total Sources				\$346,500

Uses:

<u>Account Number</u>	<u>AS400 CIP#</u>	<u>PENT CIP#</u>	<u>Account Title</u>	<u>Amount</u>
11541 077541-56067000	1925-35	PE51331Z	Construction-Lake Ann-Lake Howell	\$126,000
11541 077541-56067000	1925-36	PE51332Z	Construction-Citrus Road	\$76,500
11541 077541-56067000	1925-37	PE51333Z	Construction-Shetland Ave	\$48,000
11541 077541-56067000	1925-38	PE51334Z	Construction-20th Street	\$40,000
11541 077541-56067000	1925-39	PE51335Z	Construction-Dyson Drive	\$56,000
Total Uses				\$346,500

Exhibit C

1% Local Government Infrastructure Sales Surtax

County Sidewalk Program		Preliminary Cost Estimate
Project	Proposed Scope	
Program based on Seminole County Sidewalk Inventory Needs Assessment Report (Berryman & Henigar, 2000)	<p>A. Address sidewalk gaps that are within a 2-mile school radius along Countywide Arterial/Collector/Local Roadways; including inside Cities and along Local Unincorporated Area Roads.</p> <p><u>Arterial/Collector</u>, ~167 Lineal miles @ ~ \$24M</p> <p>Intended Examples (including inside cities): North/Charlotte St. - CR427 to Raymond; W. Lake Brantley - SR436 to Marty Blvd.; Dike Rd. - Bassin Lane to Princess Gate Blvd.; Raymond Ave. - North St. to SR434; Old Lake Mary Rd. - Palmetto St. to Airport Blvd.; Longwood Hills Rd. - Lake Emma Rd. to CR427; <u>Citrus Rd., 20th St., Summerlin Ave.</u></p> <p>B. Address sidewalk gaps along other Unincorporated Local Roadways, primarily Non-Subdivision; ~182 lineal miles @ ~\$16M (~25% of total need)</p> <p>Intended Examples: Fairview Ave. - Spring St. to North St.; Lake Reservoir Lane - Live Oak Blvd. to dead end; Magnolia Dr. - Alm Dr. to Manor Ave.; Railroad Ave. - SR434 to dead end.</p>	\$40 M

This Exhibit Update For Seminole County Valid As Of October 28, 2003. Changes for this update are denoted by underline and strikethrough.	Sem. Co. Review/Approval Initials: DPW CM OR BCC CHAIR <i>Psh</i>
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