

1. **Requested Motion:**

Meeting Date: November 2, 2020

Agreement on TDC Projects to Request for Grant Cycle FY 2021 2022

Why the action is necessary:

TDC Grant Cycle opens January 2021.

What the action accomplishes:

2. **Agenda:**

ADMINISTRATIVE AGENDA

3. **Requirement/Purpose:**

4. **Submitter of Information:**

5. **Background:**

Lee County Tourist and Development Council

In 1982, Lee County citizens voted by referendum to form a tourism organization that would promote Lee County's off-season vacation assets in the United States and abroad. A two-percent tax on short-term accommodations was approved to support the new Lee County Tourist Development Council (TDC) and its promotions. In 1988, an additional one percent tourist tax was levied to a total of three percent to support the Beach & Shoreline Capital Improvement Program.

The Tourist Development Council is a nine-member Council appointed as an advisory committee to the Lee County Board of County Commissioners (BOCC). TDC members oversee the entire tourist development tax fund, provide direction on programs and budget, and review the expenditures of the Lee County Visitor & Convention Bureau (VCB) quarterly.

The TDC appointed seats are comprised of three elected officials, three representatives from accommodations collecting the tourist tax, and three representatives from tourism-related industries, as directed by Florida Statute 125.0104.

Each year the TDC approves funding for the maintenance of Lee County beaches, for beach renourishment projects, and for beach and shoreline capital projects such as piers, boardwalks, parks and re-vegetation.

In 2005, the BOCC approved an additional two percent tourist tax to a total of five percent in order to compete in an ever-changing world and an increasingly competitive travel market. Our beaches and ecology are the main draw of visitors to Lee County, and the beach and shoreline program serves as a great enhancement to these assets with funding provided by the tourist development tax. Utilizing 26.4% of the five-cent bed tax, this program has provided more than \$100 million dollars to variety of county wide projects related to beach maintenance, beach nourishment, and park development. Each of these projects represents a cooperative effort with governmental agencies in Lee County from our local municipalities to the federal government. With the countywide nature of the program, new recreational opportunities are being provided in areas of Lee County that our visitors have not historically frequented, thus encouraging further exploration.

This program provides direct benefit to visitors and residents alike, all with the goal of promoting tourism while preserving and enhancing our beaches and shoreline. Many of these projects have proven to have a major impact on visitor activity.

For more information visit <https://www.leevcb.com/funding-programs/beach-and-shoreline>.

Attachments:

1. Town of Fort Myers Beach TDC Project Requests FY21 22
2. Lee County Ordinance 13-14

3. TDC non-eligible items
4. Beach Shoreline Webinar 2018

Financial Impact:

6. **Alternative Action**

7. **Management Recommendations:**

8. **Recommended Approval:**

Alison Giesen, Director of Cultural, Parks & Recreation
Alison Giesen, Director of Cultural, Parks & Recreation
John R Herin Jr, Town Attorney
Amy Baker, Deputy Town Clerk
Roger Hernstadt, Town Manager

Created/Initiated - 10/29/2020
Approved - 10/29/2020
Approved - 10/29/2020
New - 1/1/1900

Beach and Shoreline projects to submit to Lee County Tourist and Development Council (TDC) for funding

Fiscal Year 2021/2022

Maintenance Project Request:

Beach and Shoreline Maintenance – (Approximately \$950,455 request)

Funding by the Lee County Tourist and Development Council (TDC) provides the Town of Fort Myers Beach the ability to maintain beach and shoreline properties in a clean, attractive and accessible manner. TDC Funding also allows the Town to protect and enhance the natural environment of the beaches and elevate the overall visitor experience.

The Town is requesting funding for the equivalent of seven full-time positions (including overtime), and 34% of Beach Patrol's time to dedicate for beach and shoreline maintenance activities. These activities include litter, waste and recycling removal, landscape maintenance and maintenance to pedestrian pathways that provide visitor access. Funds requested also include maintenance and upkeep of 27 Beach Accesses including repairs to existing boardwalks, Mound House native landscape, 216 Connecticut Street native landscape, Newton Beach Park native landscape and janitorial requirements for the public restroom facilities at Newton Beach Park and Mound House. At various peak times throughout the year, the Town uses contracted labor to supplement staffing in order to maintain a quality beach experience. Out of the 7 full-time employees and 3 part-time employees, 2 full-time equivalent positions maintain the Mound House, 216 Connecticut Street and Newton Beach Park landscapes and public restroom facilities.

The Town of Fort Myers Beach is requesting funds for the repair and maintenance of equipment only used for beach and shoreline operations as well as the costs for trash and recycling removal. It is the Town's intention, in addition to the ongoing maintenance related work, to continue the enhancements to its beach accesses by adding native landscaping, maintaining the natural beauty of the beaches, signage and improving accessibility.

Mound House, Estero Bay (Approximately \$175,750 request)

Located directly off Estero Bay on Fort Myers Beach, Mound House serves thousands of visitors annually who come to fish, boat, kayak the Great Calusa Blueway Paddling Trail, and learn about the site's unique history and ecology as they stroll along the beautifully landscaped shoreline property. To maintain a high quality visitor experience and to help protect the natural surroundings, Mound House is requesting funds to maintain the native landscaping, existing outdoor interpretive signage, and public restroom facilities that are used by visitors on a daily basis. This request also includes maintaining the native landscape at 216 Connecticut Street. The pet-friendly grounds are open every day from sunrise to sunset.

Newton Beach Park, Gulf of Mexico (Approximately \$72,050 request)

Newton Beach Park is located at 4650 Estero Boulevard directly on the Gulf of Mexico and is one of the most popular beach accesses on Fort Myers Beach. This native landscaped property contains several shade structures, areas for recreational activities, public restrooms and a beach shower station. Interpretive signage is located throughout the property that educate visitors about the natural environment and the site's unique history. Free environmental programming is conducted weekly by Mound House interpretive staff to enhance the visitor experience. The Town of Fort Myers Beach is requesting funds to help maintain the native landscape, public restroom facilities, beach shower station and shade structures at this popular beachfront property. Funds awarded will continue to enable the Town to provide a clean, attractive public facility to meet the needs of visitors to Fort Myers Beach.

Capital Projects – Beach and Shoreline
Restroom at Palm Avenue Beach Access

Trailer (approximately \$100,000; \$60,000 for procurement of trailer, \$40,000 for permits, site work etc.)
 Option 1 Trailer: Standard – 3 ADA restrooms total

Beach Nourishment

The project proposes to dredge sand from the ebb shoal borrow area and place the sand along the north and central segments of Estero Island to restore the beach to its post-constructed condition of 2011. Using annual monitoring data, the required beach fill volume was computed equal to 250,000 cubic yards. The borrow area has 1 million cubic yards available. The monitoring has documented that the initial restoration of Estero Island is performing well and there have been no documented adverse impacts. Further, the monitoring has documented that the beaches’ updrift and downdrift of the beach fill have generally been accretional attributed to alongshore spreading of the beach fill and beneficial use of the Matanzas Pass dredging.

FY20/21 Design and Permitting: **\$300,000 (18-Months)**
 FY21/22 Construction: **\$5,847,000 (6 Months)**
 FY21/22 – FY24/25 Long-Term Monitoring: **\$283,000 (3-Years Post-Construction)**

Entity	Cost Share	Cost Allocation
FDEP	50.0%	\$2,923,500
Lee County	45.6%	\$2,666,232
Ft. Myers Beach	4.4%	\$257,268
Total	100%	\$5,847,000

The Project will restore storm damage reduction benefits, enhance recreational use of the beach, and provide nesting habitat for sea turtles and shorebirds. The beach will be widened as sand is imported from outside the system. The added beach width will afford greater recreational opportunities at popular beach parks, pier, and hotels that are heavily used by residents and tourists alike.



Figure 1. Estero Island Location Map.

Funding History

Previous Year TDC Approved Funding

Total Request for FY 21/22

\$7,728,255 (\$6,430,000 nourishment)

FY20/21

\$1,267,625

FY19/20

\$1,135,230

\$127,038 (Out of cycle request) Additional funds for Newton Beach Park Restroom Renovation

FY18/19

\$1,340,970

FY17/18

\$955,400

LEE COUNTY ORDINANCE NO. 13-14

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, REPEALING AND REPLACING IN THE ENTIRETY LEE COUNTY ORDINANCE NO. 07-28, AS AMENDED BY LEE COUNTY ORDINANCE NO. 09-01, AS AMENDED BY LEE COUNTY ORDINANCE NO. 10-31, AS AMENDED BY LEE COUNTY ORDINANCE NO. 13-07, WHICH LEVIED, IMPOSED AND SET A FIVE PERCENT (5%) TOURIST DEVELOPMENT TAX THROUGHOUT LEE COUNTY PURSUANT TO THE "LOCAL OPTION TOURIST DEVELOPMENT ACT", SECTION 125.0104, FLORIDA STATUTES; PROVIDING FOR RECITALS, PURPOSE, RESTATEMENT AND REPEALER; PROVIDING FOR A TITLE; PROVIDING FOR APPLICATION AND DEFINITIONS; PROVIDING FOR THE COLLECTION OF SAID TAX, RELATING TO A TAX ON EACH WHOLE AND MAJOR FRACTION OF EACH DOLLAR OF THE TOTAL RENTAL CHARGED EVERY PERSON WHO RENTS, LEASES OR LETS FOR CONSIDERATION ANY LIVING QUARTERS OR ACCOMMODATIONS IN ANY HOTEL, APARTMENT HOTEL, MOTEL, RESORT MOTEL, APARTMENT, APARTMENT MOTEL, ROOMINGHOUSE, TOURIST AND TRAILER CAMP, MOBILE HOME PARK, RECREATIONAL VEHICLE PARK, CONDOMINIUM, REAL PROPERTY OR TIMESHARE RESORT FOR A TERM OF SIX (6) MONTHS OR LESS; PROVIDING THAT THE REVENUES SO RAISED BE UTILIZED TO IMPLEMENT THE LEE COUNTY TOURIST DEVELOPMENT PLAN, RELATING TO BEACH PARK FACILITIES AND BEACH RELATED IMPROVEMENTS; PROVIDING FOR THE ADOPTION OF THE LEE COUNTY TOURIST DEVELOPMENT TAX; PROVIDING FOR COMPOSITION OF THE LEE COUNTY TOURIST DEVELOPMENT COUNCIL; PROVIDING AN EXCEPTION TO GENERAL LAW RELATING TO THE COMPOSITION OF THE LEE COUNTY TOURIST DEVELOPMENT COUNCIL; PROVIDING FOR THE TERMS, QUALIFICATIONS AND POWERS OF THE MEMBERS OF SAID COUNCIL; PROVIDING FOR PENALTIES FOR FAILURE TO COLLECT THE TAX LEVIED; PROVIDING FOR REPEAL OF THE TAX BY REFERENDUM ELECTION; PROVIDING FOR LOCAL ADMINISTRATION OF THE TAX SO AS TO HAVE COLLECTION AND ADMINISTRATION DUTIES PERFORMED BY THE INTERNAL AUDIT DEPARTMENT OF THE CLERK OF COURT AND TO HAVE THE ENFORCEMENT AND AUDIT RESPONSIBILITIES PERFORMED BY THE LEE COUNTY CLERK OF COURT INTERNAL AUDIT DEPARTMENT; PROVIDING FOR SEVERABILITY OF ORDINANCE PROVISIONS, CONFLICTS OF LAW, CODIFICATION, INCLUSION IN CODE AND SCRIVENORS ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 125.0104, Florida Statutes, provides for the levy of a "Local Option Tourist Development Tax" by any county; and

WHEREAS, under the provisions of Section 125.0104, Florida Statutes, the Board of County Commissioners, Lee County, Florida, did on June 2, 1982, adopt a Resolution establishing and appointing the members of the Lee County Tourist Development Council; and

WHEREAS, said Tourist Development Council has presented to the Board of County Commissioners its plan for tourist development; and

WHEREAS, it is the intent of this Ordinance that the Tourist Development Tax be used to stabilize the tourist-related economy of Lee County on a year-round basis.

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

SECTION ONE: RECITALS

The above recitals are hereby incorporated by reference as if set out herein at length.

SECTION TWO: PURPOSE, RESTATEMENT AND REPEALER

It is the intent of this Ordinance to repeal and replace in the entirety Lee County Ordinance No. 07-28, as amended by Ordinance No. 09-01, as amended by Ordinance No. 10-31, and as amended by Ordinance No. 13-07. Accordingly, upon adoption of this Ordinance Lee County Ordinance Nos. 07-28, 09-01, 10-31 and 13-07 are hereby duly repealed and replaced.

SECTION THREE: TITLE

This Ordinance shall be known and may be cited as the "Lee County Tourist Development Ordinance".

SECTION FOUR: APPLICATION; DEFINITIONS

A. Application - The provisions contained in Florida Statutes, Chapter 212, as may be amended, apply to the administration of any tax levied pursuant to this Ordinance.

B. Definitions – Pursuant to Florida Statutes, Chapter 125.0104, as may be amended, and for purposes of this section:

1. "Promotion" means marketing or advertising designed to increase tourist-related business activities.
2. "Tourist" means a person who participates in trade or recreation activities outside the county of his or her permanent residence or who rents or leases transient accommodations as described in paragraph (3)(a).

SECTION FIVE: TAXABLE PRIVILEGES; LEVY; RATE

A. There is hereby levied and imposed and set a tourist development tax throughout Lee County, Florida, at a rate of three percent (3%) of each whole and major fraction of each dollar of the total rental charged every person who rents, leases or lets for consideration any living quarters or accommodations in any hotel, apartment hotel, motel, resort motel, apartment, apartment motel, roominghouse, tourist and trailer camp, mobile home park, recreational vehicle park, condominium, real property or timeshare resort for a term of six (6) months or less. When receipt of consideration is

by way of property other than money, the tax shall be levied and imposed on the fair market value of such non-monetary considerations.

B. In addition to the three percent (3%) tax rate imposed in Paragraph A., the County hereby levies, imposes, and sets an additional one percent (1%) tax pursuant to Section 125.0104(3)(d), Florida Statutes, on the exercise of privilege described in Paragraph A.

C. In addition to the original three percent (3%) tax rate imposed and the one percent (1%) tax imposed under Paragraph B., the County hereby levies, imposes and sets an additional one percent (1%) tax pursuant to Section 125.0104(3)(n), Florida Statutes, on the exercise of the privilege described in Paragraph A.

D. The Tourist Development Tax shall be in addition to any other tax imposed pursuant to Chapter 212, Florida Statutes, and in addition to all other taxes, fees and the considerations for the rental or lease.

E. The Tourist Development Tax shall be charged by the dealer receiving the consideration for the lease or rental, and it shall be collected from the lessee, tenant, or customer at the time of payment of the consideration for such lease or rental.

F. The dealer receiving the consideration for such rental or lease shall receive, account for, and remit the tax to the Lee County Clerk of the Circuit Court at the time and in the manner provided for dealers who collect and remit taxes under Section 212.03, Florida Statutes. The same duties and privileges imposed by Chapter 212, Florida Statutes, upon dealers in tangible property, respecting the collection and remission of tax, the making of returns, the keeping of books, records and accounts, and compliance with the rules of the Florida Department of Revenue in the

administration of said chapter shall apply to and be binding upon all dealers who are subject to the provisions of this Act.

G. Collections received by the said Clerk less costs of administration of this Ordinance shall be paid and returned, on a monthly basis to Lee County for use by the County in accordance with the provisions of this Ordinance and shall be placed in the County tourist development trust fund in accordance with the Tourist Development Plan in Section Four hereof.

H. The effective date of the levy and imposition of the additional one percent (1%) of each dollar above the tax rate of two percent (2%) of each dollar, as previously set by Section Three hereof, shall be the first day of March, 1988. The proceeds of the additional levy shall be used for the purposes set forth in Section Four hereof.

I. The effective date of the levy and imposition of the additional two percent (2%) of each dollar above the tax rate of three percent (3%) of each dollar, as previously set out in Section Five A. hereof, shall be the first day of January 2006. The proceeds of the additional levy shall be used for the purposes set forth in Section Six A., B., and C. hereof. See also Section Six A., B., and C.

SECTION SIX: TOURIST DEVELOPMENT PLAN

A. The tax revenues received pursuant to this Ordinance shall be used to fund the Lee County Tourist Development Plan, which is hereby adopted as follows:

1. The two percent (2%) Tourist Development Tax was levied throughout Lee County beginning the first day of the month following the referendum. An additional one percent (1%) was levied in March of 1988. The additional two percent (2%) was

levied in January 2006. The Tourist Development Tax for Lee County is to strengthen our local economy and advance tourism by investing the revenue in the following priority:

- a) Fifty-three and six-tenths percent (53.6%) of the receipts of the Tourist Development Tax shall be placed into a trust fund to be used for tourist advertising and promotion for Lee County.
- b) Twenty percent (20%) of the receipts of the Tourist Development Tax shall be placed into the trust fund to be used to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate or promote one or more publicly-owned and operated convention centers, sports stadiums, sports arenas, (including funding Sports Development and the Development's tourism related activities) coliseums, auditoriums or museums (funds will not be used for any museum general maintenance) within the boundaries of the County and for those other lawful purposes authorized by Sections 125.0104(5)(a) 1.,2.,3., and (b), 125.0104(3)(1), Florida Statutes, except as noted in Subparagraph c) below.
- c) Twenty-six and four tenths percent (26.4%) of the receipts of the Tourist Development Tax shall be placed into the trust fund to be used for beach park facilities and beach-related improvements to include but not limited to, beach

improvements, fishing piers, maintenance, re nourishment, restoration and erosion control, including shoreline protection, enhancement, clean-up or restoration of inland lakes and rivers to which there is public access as those uses relate to the physical preservation of the beach, shoreline, or inland lake or river.

B. The above and foregoing Tourist Ordinance may be enacted by an affirmative vote of a majority plus one additional member of the Board of County Commissioners.

C. The Plan and Tax shall continue until amended or repealed according to this Ordinance and Section 125.0104, Florida Statutes. Appropriations of the Tourist Development Tax shall be budgeted and approved by the Board of County Commissioners.

D. The revenues to be derived from the Tourist Development Tax may be used as authorized herein and Section 125.0104, Florida Statutes. In the event bonds are issued by the County for any of the purposes enumerated by the Tourist Development Plan, the amount of Tourist Development Tax receipts used to pay debt service on such bonds may exceed the percentages provided for the purpose for which such bonds were issued; provided, however, the annual debt service on such bonds (less any projected federal direct subsidy payments), together with any other obligations of the County which were issued to finance improvements for the same purpose and which are secured by the Tourist Development Tax, must not exceed in each fiscal year in which bonds and other obligations are outstanding, the amount of Tourist

Development Tax receipts provided in the Tourist Development Plan for such purpose which are projected by the County to be received in each such fiscal year and, in the case of a facility described in Section Six.A.1.b) hereof, the revenues projected to be received by the County from the use of such facility in each such fiscal year and the amount of moneys anticipated to be received from the State of Florida in each fiscal year pursuant to Sections 288.11621, 288.1162 and 212.20, Florida Statutes. For purposes of performing the calculations described in this paragraph, the amount of Tourist Development Tax receipts shall take into account any projected increase or decrease in such receipts, plus, if the levy of such tax was increased prior to the date of sale of the bonds, an amount equal to the monies the County would have received if the tax increase had been in effect during the entire period in question. The above projections shall be certified by the County Manager at the time of sale of the bonds and shall be conclusive evidence of satisfaction of the provisions of this Section Six D.

E. Trust funds in the amount of 6.6% deposited in the beach and shoreline portion of the Tourist Development Tax on December 9, 2008, and thereafter until the adoption of this Ordinance shall be transferred to the Stadium/Attractions Trust Fund

SECTION SEVEN: THE LEE COUNTY TOURIST DEVELOPMENT COUNCIL

A. There is hereby established, pursuant to the provisions of Section 125.0104, Florida Statutes, and Chapter 2013-258, Laws of Florida, an advisory council to be known as the "Lee County Tourist Development Council". The Council shall be composed of nine (9) members who shall be appointed by the Board of County Commissioners of Lee County. The Chair of the Board of County Commissioners of Lee County or another member as designated by the Chair shall serve on the Council.

Two (2) members of the Council shall be elected municipal officials, one of whom shall be from one of the two municipalities that generated the highest revenues from the tourist tax in the previous two (2) fiscal years and these two (2) municipalities shall rotate membership every two (2) years. The second elected municipal official shall be from one of the remaining municipalities and the second municipal seat shall also rotate every two (2) years. Elected municipal officials appointed to those two (2) seats on the Council shall serve for terms of two (2) years. Six (6) members of the Council shall be persons who are involved in the tourist industry and have demonstrated an interest in tourist development, of which members, not less than three (3) no more than four (4) shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the County and subject to the tax. All members of the Council shall be electors of the County. The changes in the composition of the membership of the Lee County Tourist Development Council mandated by this act are effective July 1, 2013. The changes in composition of the membership of the Lee County Tourist Development Council mandated by the act shall not cause the interruption of the current term of any person who is a member of the Lee County Tourist Development Council, except the two (2) municipal members appointed on July 1, 2013. The governing Board of the County shall have the option of designating the Chair of the Council or allowing the Council to elect a Chair. The Chair shall be appointed or elected annually and may be re-elected or reappointed. The members of the Council shall serve for staggered terms of four (4) years.

B. The Council hereby established shall, from time to time, make recommendations to the Board of County Commissioners for the effective operation of the special projects or uses of the Tourist Development Tax revenue raised by the tax hereby levied and may perform such other duties or functions as hereinafter may be prescribed by Ordinance or Resolution.

C. The Council shall continuously review all expenditures of revenues from the tourist development trust fund and shall receive, at least quarterly, expenditure reports from the Board of County Commissioners or its designee. Expenditures which the Council believes to be unauthorized shall be reported to the Board of County Commissioners. The Board of County Commissioners shall review the Council's findings and take such administrative or judicial action as it sees fit to insure compliance with this Ordinance and the provisions of Section 125.0104, Florida Statutes.

D. The members of the Council may be appointed or reappointed as authorized by Section 125.0104, Florida Statutes, and Chapter 2013-258, Laws of Florida.

SECTION EIGHT: **LOCAL COLLECTION ADMINISTRATION, AUDIT AND ENFORCEMENT OF THE TAX**

A. Notwithstanding any provisions hereof to the contrary, it is the intent of the County to be exempt from those requirements of Section 125.0104, Florida Statutes, that the tax collected be remitted to the Department of Revenue before being returned to the County. It is the intent of the County to provide for the collection and administration of the tax on a local basis.

B. Definitions – Pursuant to Section 212.06, Florida Statutes, as may be amended, and for purposes of this Ordinance section:

1. “Dealer” means any person who leases, or grants a license to use, occupy, or enter upon, living quarters, sleeping or housekeeping accommodations in hotels, apartment houses, roominghouses, tourist or trailer camps, or real property. The term “dealer” also means any person who has leased, occupied, or used or was entitled to use any living quarters, sleeping or housekeeping accommodations in hotels, apartment houses, roominghouses, tourist or trailer camps, or real property and who cannot prove that the tax levied by this Ordinance has been paid to the vendor or lessor on any such transactions.

C. Collection of the tax shall continue to be made in the same manner as the tax imposed under Part I of Chapter 212, Florida Statutes and as the applicable statute may be subsequently amended from time to time. Lee County, in assuming such responsibility, agrees it shall be bound by all rules promulgated by the Department of Revenue pursuant to Section 125.0104, as well as those rules pertaining to the sales and use tax on transient rentals imposed by Section 212.03. The County may use any power granted in this Section 125.0104, Florida Statutes, to the department to determine the amount of tax, penalties, and interest to be paid by each dealer and to enforce payment of such tax, penalties, and interest.

D. The Lee County Clerk of Court, (hereinafter "Clerk of Court") Internal Audit Department shall be responsible for the collection, audit, enforcement and administration of the tax. The dealers receiving the consideration for such rental or lease shall receive, account for, and remit the tax to the Lee County Clerk of Court. The Clerk of Court, Internal Audit Department, or their successor department or division, shall keep appropriate records of said funds. The same duties and privileges imposed by Chapter 212, Florida Statutes, and as the applicable statute may be subsequently amended from time to time, upon dealers in tangible property, respecting the collection and remission of tax; the making of returns, the keeping of books, records and accounts, the payment of a dealer's credit in compliance with the rules of the Lee County Clerk of Court in the administration of said Chapter shall apply to and be binding upon all dealer who are subject to the provisions of this Ordinance.

E. The Clerk of Court may promulgate rules, prescribe and publish the forms necessary to effectuate this Ordinance. The rules may include guidelines for registration and reporting requirements that are consistent with the provisions of Chapter 212, Florida Statutes.

F. In accordance with Chapter 125.0105, Florida Statutes, the Clerk of Court may adopt a service fee not to exceed the service fees authorized under Section 832.08(5) or five percent (5%) of the fact amount of the check, draft, or order, whichever is greater, for the collection of a dishonored check, draft, or other order for the payment of tax under this Ordinance. The service fee shall be in addition to all other penalties imposed by law. Proceeds from this fee, if imposed, shall be retained by the Lee

County Clerk of Court.

G. The Lee County Clerk of Court, Internal Audit Department, or their successor department or division, shall perform the enforcement and audit functions associated with the collection and remission of this tax, including, without limitation, the following:

1. For the purpose of enforcing the collection of the tax levied by this Chapter, the Internal Audit Department of the Clerk of Courts is hereby specifically authorized and empowered to examine at all reasonable hours the books, records, and other documents of all dealers, charged with the duty to report or pay a tax under this Ordinance, in order to determine whether they are collecting the tax or otherwise complying with this Ordinance. In the event said dealer refuses to permit such examination of its books, records, or other documents by the department as aforesaid, it is guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082 or Section 775.083, Florida Statutes. The Clerk shall have the right to proceed in Circuit Court to seek a mandatory injunction or other appropriate remedy to enforce its right against the offender, as granted by this section, to require an examination of the books and records of such dealer.
2. Each dealer, as defined in Section 212.06, Florida Statutes, and this Ordinance shall secure, maintain, and keep for a period of three (3) years a complete record of rooms or other lodging, that

was leased, rented, or granted license to use, occupy or enter upon living quarters, sleeping or housekeeping accommodations in hotels, apartment houses, roominghouses, tourist or trailer camps or real property, by said dealer, together with gross receipts from such sales, and other pertinent records and documents as may be required by the Clerk of Court for the reasonable administration of this Ordinance; and all such records which are located or maintained in this state shall be open for inspection by the Internal Audit Department of the Clerk of Court at all reasonable hours at such dealer's place of business located in Lee County. Any dealer who maintains such books and records at a point outside this County must make such books and records available for inspection by the Internal Audit Department of the Clerk of Courts in Lee County, Florida. Any dealer subject to the provisions of this Ordinance, who violates these provisions, is guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082 or Section 775.083, Florida Statutes.

3. Enforcement investigations include the examination of documents from any of the following, including but not limited to:
 - a) any person;
 - b) any community;
 - c) any condominium association;
 - d) any homeowner association; and

- e) any property management company that are relevant to transient renters and rental activities. Relevant documents include but are not limited to:
 - f) association approval of guests to rent or lease;
 - g) guest gate entry passes;
 - h) guest golf and/or tennis membership records, and
 - i) other guest amenity records such as pool and community center passes.
4. The Internal Audit Department of the Clerk of Courts shall send written notification, at least thirty (30) days prior to the date an auditor is scheduled to begin an audit, informing the dealer of the audit. The Internal Audit Department of the Clerk of Courts is not required to give thirty (30) days prior notification of a forthcoming audit in any instance in which the dealer requests an emergency audit.
5. Such written notification shall contain:
- a) The proximate date on which the auditor is scheduled to begin the audit.
 - b) A reminder that all of the records, receipts, invoices, and related documentation of the taxpayer must be made available to the auditor.

c) Any other requests or suggestions the Internal Audit Department may deem necessary.

6. Only records, receipts, invoices and related documentation which are available to the auditor when such auditor begins shall be deemed acceptable for the purposes of conducting such audit.

H. All taxes collected under this Ordinance shall be remitted to the Internal Audit Department of the Clerk of Court. In addition to criminal sanctions, the Clerk is empowered, and it shall be its duty, when any tax becomes delinquent or is otherwise in jeopardy under this Ordinance, to issue a warrant for the full amount of the tax due or estimated to be due, with the interest, penalties, and cost of collection, directed to all and singular the sheriffs of the state, and shall record the warrant in the public records of the County, and thereupon the amount of the warrant shall become a lien of any real or personal property of the taxpayer in the same manner as a recorded judgment. The Internal Audit Department of the Clerk may issue a tax execution to enforce the collection of taxes imposed by this Ordinance and deliver it to the Sheriff. The Sheriff shall thereupon proceed in the same manner as prescribed by law for executions and shall be entitled to the same fees for his services in executing the warrant to be collected. The Clerk may also have a writ of garnishment to subject any indebtedness due to the delinquent dealer by a third person in any goods, money, chattels, or effects of the delinquent dealer in the hands, possession, or control of the third person in the manner provided by law for the payment of the tax due. Upon payment of the execution, warrant, judgment, or garnishment, the department shall satisfy the lien of record within thirty (30) days.

I. Pursuant to Section 213.24(3) and Section 125.0104, Florida Statutes, a fee shall be imposed to offset the extraordinary costs incurred by the Clerk of Court for enforcement, administration and payment agreements incurred due to late payment of a collection event.

1. "Collection Event" means failure by a taxpayer to:
 - a) timely file a complete return;
 - b) timely pay the full amount of tax reported on a return;
 - c) timely pay the full amount due resulting from an audit after all appeal rights have expired or the result has been finally determined; or
 - d) respond to attempts to contact the dealer.

The fee shall be equal to ten percent (10%) of the total amount of tax, penalty, and interest which remains unpaid after ninety (90) days. The fee shall be imposed in addition to the taxes, fees, penalties, and interest prescribed by law.

J. Tax revenues may be used only in accordance with the provision of Section 125.0104, Florida Statutes.

K. A total of three percent (3%) of said tax collected each month herein shall be retained by the Clerk of the Circuit Court for costs of administration by the Clerk of Courts. The remainder of the tax collected shall be distributed to the County on a monthly basis.

L. The County assumes responsibility for auditing the records and accounts of dealers and assessing, collecting, and enforcing payment of delinquent Tourist Development Taxes. The County adopts any and all powers and authority granted to

the State of Florida in Section 125.0104, Florida Statutes, and Chapter 212, Florida Statutes, and as further amended or incorporated therein to determine the amount of the tax, penalties and interest to be paid by each dealer and to enforce payment of such tax, penalties, and interest by, but not limited to, distress warrants, writ of garnishments and criminal penalties as provided in Chapter 212, Florida Statutes.

M. An action may not be brought to contest an assessment of any tax, interest or penalty assessed under this Ordinance more than sixty (60) days after the date the assessment becomes final. An action may not be brought to contest a denial of refund of any tax, interest or penalty paid under this Ordinance more than sixty (60) days after the date the denial becomes final.

SECTION TEN: PERSONAL LIABILITY

Any dealer who exercises a taxable privilege hereunder and who willfully fails or refuses to charge and collect from the person paying any rental or lease the taxes herein provided, either by himself or through his agents or employees, shall be, in addition to being personally liable for the payment of the tax, guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082, Section 775.083, or Section 775.084, Florida Statutes.

Any dealer who willfully makes a false or fraudulent return, fails to file six (6) consecutive returns, attempts in any manner to evade the tax, and/or diverts or converts tax monies to their own use or the benefits of others shall be, in addition to being personally liable for the payment of the tax, guilty of a misdemeanor or felony, punishable as provided in Sections 212.12, 775.082, and 775.083, Florida Statutes.

Any dealer who, after the Clerk's delivery of a written notice to the dealer's last known address specifically alerting the dealer of the requirement to register the dealer's business as a dealer, intentionally fails to register the business; and any dealer who, after the clerk's delivery of a written notice to the dealer's last known address specifically alerting the dealer of the requirement to collect tax on specific transactions, intentionally fails to collect such tax, shall, in addition to the other penalties provided by law, be liable for a specific penalty of one hundred percent (100%) of any unreported or any uncollected tax or fee and, upon conviction, for fine and punishment as provided in Section 775.082 or 775.083, Florida Statutes. Delivery of written notice may be made by certified mail, or by the use of such other method as is documented as being necessary and reasonable under the circumstances. The civil and criminal penalties imposed herein for failure to comply with a written notice alerting the dealer of the requirement to register the business as a dealer or to collect tax on specific transactions shall not apply if the dealer timely files a written challenge to such notice in accordance with procedures established by the department by rule or the notice fails to clearly advise that failure to comply with or timely challenge the notice will result in the imposition of the civil and criminal penalties imposed herein.

The rental property owner is ultimately responsible to ensure the required filing of tax returns and payment of taxes owed regardless of any agreement with an agent to collect, report and/or remit the tax.

SECTION ELEVEN: REFUSAL TO COLLECT TAX

No dealer shall advertise or hold out to the public in any manner, directly or indirectly, that he will absorb all or any part of the tax, or that he will relieve the person paying the rental of the payment of all or any part of the tax, or that the tax will not be added to the rental or lease consideration, or when added, that it or any part thereof will be refunded or refused, either directly, or indirectly, by any method whatsoever. Any dealer who willfully violates any provision of this subsection shall be guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082, Section 775.083, or Section 775.084, Florida Statutes.

SECTION TWELVE: SEVERABILITY

Upon petition of fifteen percent (15%) or more of the electors of Lee County, the Board of County Commissioners shall cause an election to be held for the repeal of this Ordinance and the Tourist Development Tax levied subject only to any outstanding revenue bonds for which the tax has been pledged.

SECTION THIRTEEN: INVALID OR UNCONSTITUTIONAL SECTIONS

It is declared to be the intent of the Board of County Commissioners that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provisions not been included herein.

SECTION FOURTEEN: CONFLICTS OF LAW

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements shall apply.

SECTION FIFTEEN: CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lee County code; and that sections of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section", "article", or other such appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this Ordinance may be renumbered or relettered and typographical errors which do not affect the intent may be authorized by the County Manager or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the Clerk of Circuit Court.

SECTION SIXTEEN: EFFECTIVE DATE

This Ordinance will take effect July 1, 2013, and upon its filing with the Office of the Secretary of the Florida Department of State, with a certified copy hereof being furnished to the State of Florida, Department of Revenue.

Commissioner Hall made a motion to adopt the foregoing ordinance, seconded by Commissioner Pendergrass. The vote was as follows:

JOHN E. MANNING	<u>AYE</u>
CECIL L PENDERGRASS	<u>AYE</u>
LARRY KIKER	<u>AYE</u>
TAMMARA HALL	<u>AYE</u>
FRANK MANN	<u>AYE</u>

DULY PASSED AND ADOPTED THIS 25th day of June, 2013.

ATTEST: LINDA DOGGETT
CLERK OF COURTS

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature]
Chair



APPROVED AS TO FORM:

BY: [Signature]
Office of the County Attorney



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 8, 2013

Honorable Linda Doggett
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Attention: Lisa L. Pierce, Deputy Clerk

Dear Ms. Doggett:

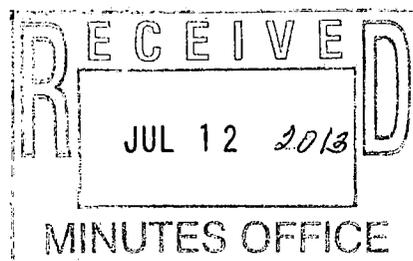
Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated July 3, 2013 and certified copy of Lee County Ordinance No. 13-14, which was filed in this office on July 8, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr



Items ineligible for funding by TDC Beach & Shoreline Program

Beach access security cameras¹

Bike paths¹

Concessionaires

Facilities not open to the public¹

Fencing / Gates

General law enforcement¹

Parking lots / Pavement¹

Picnic tables¹

Playground equipment

Privately owned facilities¹

Volleyball court

Travel related items (Tolls, etc)²

Communication devices (cell phones, radios)²

Indirect Costs²

Uniforms²

Insurance premiums²

Unless otherwise noted the items on this list are excluded from funding based on Lee County Attorney's Office interpretations of Attorney General Opinions.

¹ Items were expressly discussed in Attorney General Opinions

² Items listed were directed to be excluded based on TDC motion effective 2/13/09

<p>Please note: This list is intended to serve as a guideline only. All requests are subject to a legal review by the Lee County Attorney's Office.</p>



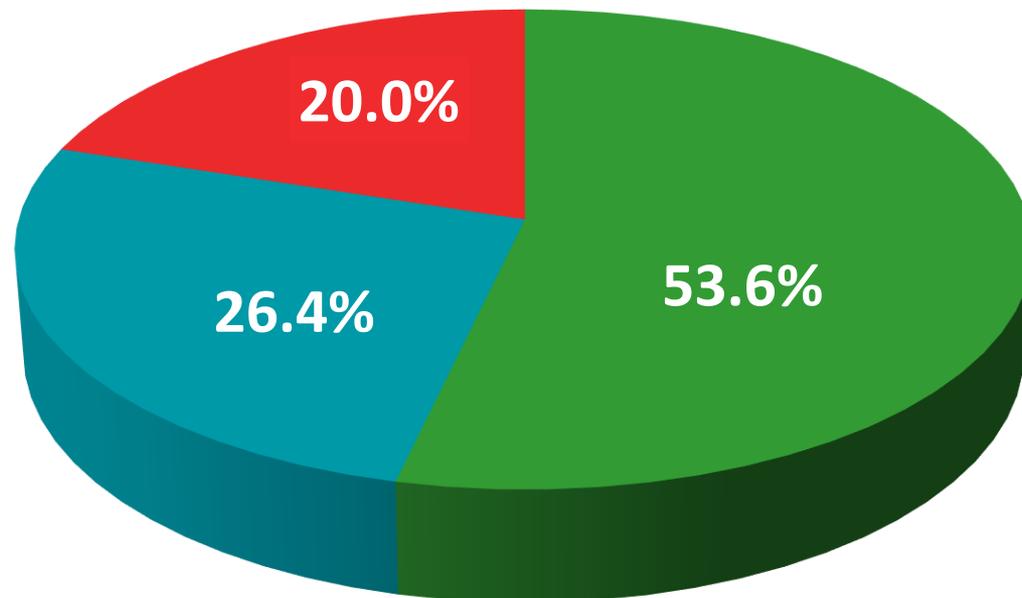
TDC Beach & Shoreline Funding Request Workshop



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Tourist Development Tax



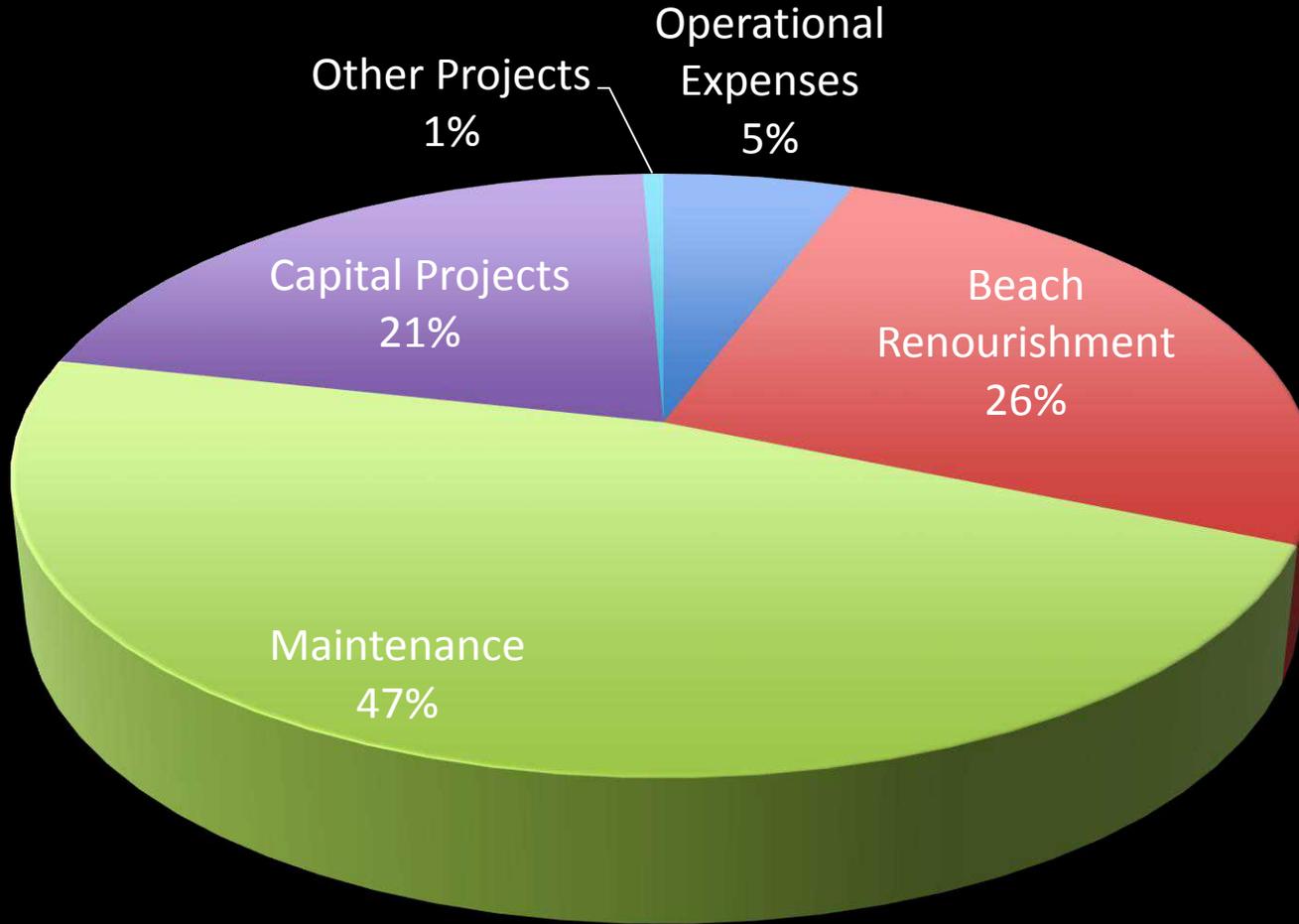
■ Advertising/Promotions

■ Beach & Shoreline

■ Stadium Facilities

Source: Lee County Ordinance 13-14

TDC Beach & Shoreline Funding Allocations Fiscal Year 2000-2018



TOTAL: \$123,039,295

FY18-19 Timeline

Application Timeline for Lee County Beach & Shoreline Project Funding Fiscal Year 2018-2019

Date	Activity
Thursday, January 18	Application & guidelines webinar - 3:00 p.m.
Friday, February 23	Funding request deadline - 5:00 p.m. all requests must be submitted online: www.leevcb.com
February 26-March 9	Lee County staff / attorney review
Monday, March 26	*Coastal Advisory Council Workshop 9:00 a.m.
Wednesday, April 25	*TDC Review Workshop* 2:00-4:00 p.m.
Thursday, May 10	TDC formalizes recommendations 9:00 a.m.
September, 2018	Board of County Commissioners formalizes funding
October, 2018	VCB forwards inter-local agreement to requesting agencies

An aerial photograph of a coastline, showing a large body of water on the right and a landmass on the left. The landmass has a textured, possibly forested or agricultural appearance. The entire image is overlaid with a semi-transparent teal color. The text is centered in the upper half of the image.

Approval Criteria Ineligible Items

Approval Criteria

- Must meet the legal requirements set forth in FS 125.0104 and Lee County Ordinance 13-14. Applicant shall clearly delineate the project's proximity to and enhancement of the beach or shoreline.
- Must demonstrate a direct and quantifiable benefit in enhancing the Lee County tourism product. Consideration will be given to projects that diversify the destination in terms of tourism assets spread throughout Lee County.
- Applicant must provide assurances that all other appropriate funding sources have been explored. Priority will be given to capital projects that have matching funds. The requesting agency must provide information on the source(s) for future operating and maintenance cost. The total project cost must be identified in the initial request. The project must also be scheduled to reflect phased costs if the design and construction cross more than one fiscal year.
- Must have a well-defined scope of work that demonstrates the project is feasible and permitable through all required regulating agencies within a specified time frame. The project itself and a breakdown of costs must be thoroughly described. Evaluation will be based on clearly presented information regarding project description, feasibility and cost breakdown.

Here are the links:

[Florida Statute #125.0104](#)

[Lee County ordinance 13-14](#)

TDC Beach & Shoreline Program Items ineligible for funding

Beach access security cameras¹

Concessionaires

Facilities not open to the public¹

Fencing / Gates

General law enforcement¹

Picnic tables¹

Recreational Equipment/Playgrounds

Privately owned facilities¹

Travel related items (Tolls, etc)²

Communication devices (cell phones, radios)²

Indirect Costs²

Uniforms²

Insurance premiums²

Unless otherwise noted the items on this list are excluded from funding based on Lee County Attorney's Office interpretations of Attorney General Opinions.

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² items listed were directed to be excluded based on TDC motion effective 2/13/09

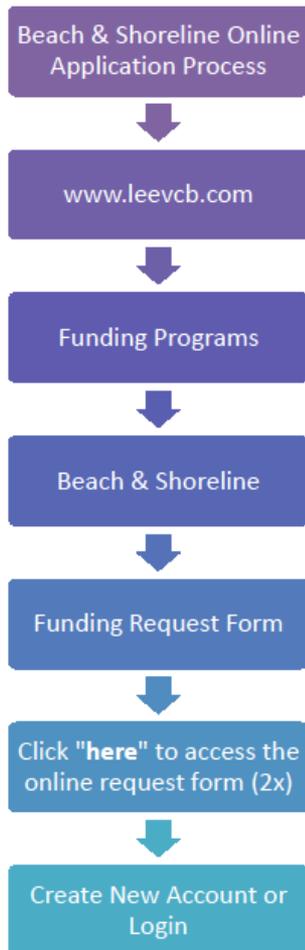
revised 1/2017

Please note:
This list is intended to serve as a guideline only.
All requests are subject to a legal review by the
Lee County Attorney's Office.



THE BEACHES OF
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Online Application Process



www.leevcb.com



Beach & Shoreline Funding Request 2018-19

Lee County Visitor & Convention Bureau

Project Name*

Name of Project

Character Limit: 100

Project Summary*

One or two sentence summary of the request.

Character Limit: 1000

FY 18-19 Funding Request*

Enter amount requested.

Character Limit: 20

Project Type*

Choices

Beach Nourishment

Maintenance

Capital

Other

If Other

Please describe

Character Limit: 100

Project Priority*

Agencies with more than one request must prioritize their requests.

Choices

NA

#1

#2

#3

#4

#5

#6

#7

Funding Request

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

Please note: Future funding is subject to TDC/BOCC approval in the appropriate cycle.

FY 19-20

Character Limit: 20

FY 20-21

Character Limit: 20

Previous TDC Funding*

If this project has received previous TDC funding, list the fiscal year(s) and funding amount(s).
If not applicable, please write N/A.

Character Limit: 1000

Other Funding Sources

Other Funds*

What other sources of funding are being requested for the construction and/or maintenance of this project?

Choices

None

Agency Name

Has other funding already been approved?

Choices

Yes

No

If yes, list the source(s) and approved amount(s)

Character Limit: 200

If no,

if other funding has been applied for, but not yet approved, list the amount you have requested, the agency you requested funding from and the anticipated approval date:

Character Limit: 200

Request Narrative

Project Description*

Briefly describe your project.

Character Limit: 1000

Overall Context

If this request is part of a larger project, describe the larger project and how this component is integrated

Character Limit: 1000

Relationship to Beach/Shoreline*

Include a detailed description of how this project relates to **the repair, protection or enhancement of the beach/shoreline**; if this is a shoreline protection project, describe your agency's shoreline protection plan

Character Limit: 1000

Impact on Tourism*

Elaborate on the benefits this project will have on the visitor experience and/or positive impact on the tourism economy.

Please note: You may also upload supporting documents below. If you have multiple documents combine into one file before uploading.

Character Limit: 1000 | File Size Limit: 3 MB

File Size Limit: 3 MB

Project Design/Timeline*

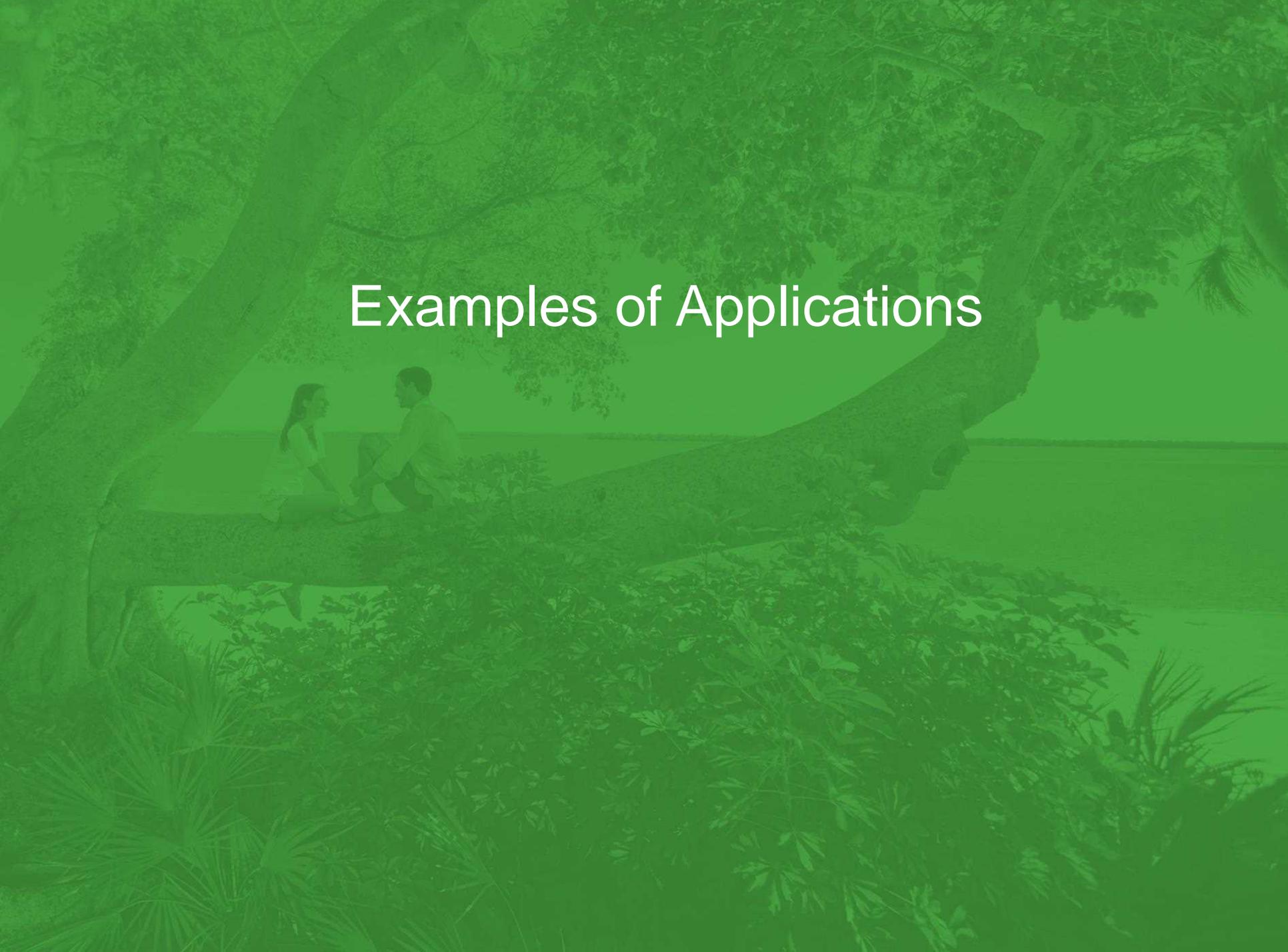
Include estimates for design, permitting and construction as well as project timeline.

Please note: You may also upload supporting documents below. If you have multiple documents combine into one file before uploading.

Character Limit: 1000 | File Size Limit: 3 MB

File Size Limit: 3 MB

Examples of Applications

The background of the slide is a green-tinted photograph. In the center, a man and a woman are sitting on a large, horizontal log that spans across a body of water. They are facing each other, appearing to be in conversation. The foreground is filled with dense, leafy green plants, possibly ferns or similar foliage. The overall scene is peaceful and natural.

Continued: Example 1: Lighthouse Pier (Capital)



City of Sanibel Beach and Shoreline Funding 2015 - 2016



Shade Structure on the Fishing Pier is weathered and deteriorating.



Fish cleaning station and deteriorating lumber.



City of Sanibel Beach and Shoreline Funding 2015 - 2016

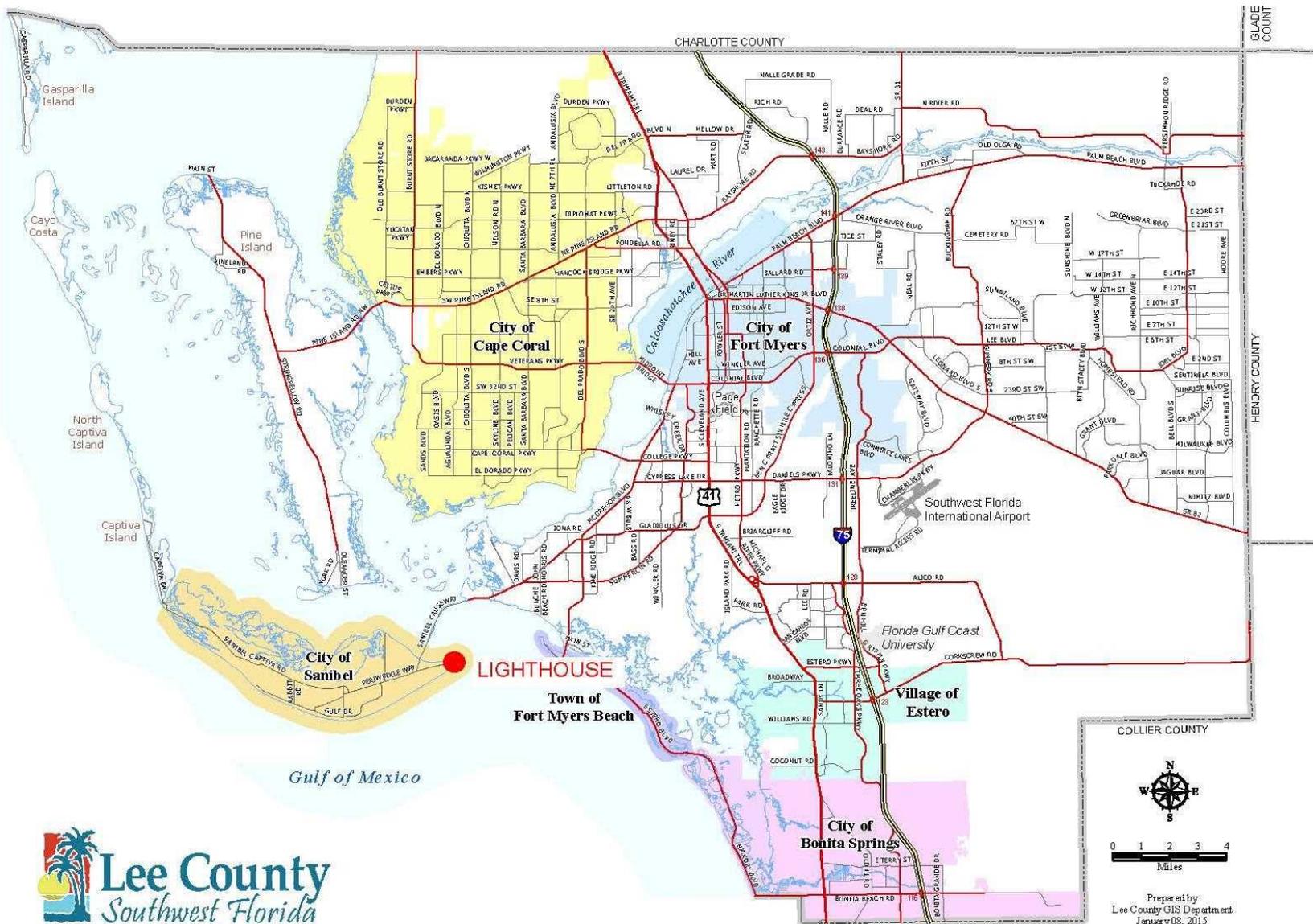


Nuts are corroded off on railing bolts and the lumber is deteriorating.



The Fish cleaning stations are deteriorating.

Continued: Example 1: Lighthouse Pier (Capital)



Prepared by:
Lee County GIS Department
January 08, 2015

Continued: Example 1: Lighthouse Pier (Capital)



LOCATION MAP - LIGHTHOUSE BEACH PARK



 City of Sanibel 800 Dunlop Road Sanibel, FL 33957	LIGHTHOUSE BEACH PARK		
	DRAWN BY: JMH DATE: 1/29/15	APPROVED BY: KEITH L. WILLIAMS PROJECT NO. TIC FY16	CHECKED BY: SBK SCALE: 1"=200' SHEET_2_OF_2_

Example: Budget Form

BUDGET BREAKDOWN

Project Name:

Maintenance of Beach & Bay Accesses FY17/18

	TDC Request	Agency Match	Total
Personnel			
In-house Labor	\$340,000.00	\$107,567.40	\$447,567.40
Contract Labor	\$120,000.00		\$120,000.00
Total	\$460,000.00	\$107,567.40	\$567,567.40
Contracted Services			
Janitorial Services	\$35,000.00		\$35,000.00
Landscape Maintenance	\$39,000.00		\$39,000.00
Total	\$74,000.00		\$74,000.00
Travel			
Bridge Tickets & Passes (Transponders)			\$0.00
Total			\$0.00
Communications			
Cellular Phones/Pagers		\$5,000.00	\$5,000.00
Radios			\$0.00
Total		\$5,000.00	\$5,000.00
Repairs & Maintenance			
Building Maintenance	\$6,850.00		\$6,850.00
Maintenance Materials	\$131,000.00		\$131,000.00
Vehicle Maintenance	\$20,000.00		\$20,000.00
Equipment Maintenance	\$9,250.00		\$9,250.00
Equipment Repair Parts	\$3,500.00		\$3,500.00
Total	\$170,600.00		\$170,600.00
Other Charges & Obligations			
Indirect Cost			\$0.00
Total			\$0.00
Operating Supplies			
Fuel & Lubricants	\$14,000.00		\$14,000.00
Uniforms		\$10,000.00	\$10,000.00
Janitorial Supplies	\$10,000.00		\$10,000.00
Maintenance Supplies	\$10,000.00		\$10,000.00
Signage	\$27,500.00		\$27,500.00
Total	\$61,500.00	\$10,000.00	\$71,500.00
Utilities			
Electric	\$10,300.00		\$10,300.00
Water & Sewer	\$22,500.00		\$22,500.00
Solid Waste Removal	\$41,000.00		\$41,000.00
Total	\$73,800.00		\$73,800.00
Insurance			
Insurance Premiums			\$0.00
Total			\$0.00
Equipment			
Equipment	\$65,500.00		\$65,500.00
Vehicles	\$50,000.00		\$50,000.00
Total	\$115,500.00		\$115,500.00
Construction - Capital Projects Only			
Architect & Engineering Services			
Permits			
Site Preparation			
Construction			
Contingency			
Total			\$0.00
TOTAL	\$955,400.00	\$122,567.40	\$1,077,967.40

This budget form must be completed by ALL requestors.

Notes: 1. Buildings must be open to the public in order to be eligible for funding.

2. Equipment must be 100% assigned to the project in order to be 100% eligible for funding.



THE BEACHES OF
**FORT MYERS
AND SANIBEL**

Example: Maintenance Detail Budget Form

MAINTENANCE REQUEST DETAIL BUDGET BREAKDOWN FISCAL YEAR 2017

PROJECT NAME: Newton Beach Park Maintenance

REQUESTOR NAME: James Steele, Town Manager, Fort Myers Beach

	FY17/18 Budget Request	Sub-Total Budget Request
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**Note: Some examples are provided for you. Add other proposed expenses as needed.*

SALARIES

In-house Labor (including overtime)	\$ 15,000.00	
Contract Labor	\$ 5,000.00	
		\$ 20,000.00

PROFESSIONAL SERVICES

Landscaping	\$ 8,000.00	
Pest Control	\$ 1,000.00	
		\$ 9,000.00

OTHER CONTRACTUAL SERVICES

Janitorial Services	\$ 12,000.00	
Native Plantings	\$ 2,000.00	
		\$ 14,000.00

FREIGHT

Trash / Recycling Containers	\$ 2,000.00	
Trash Bags	\$ 500.00	
		\$ 2,500.00

UTILITY SERVICES

Electric	\$ 2,500.00	
Water & Sewer	\$ 5,000.00	
Solid Waste Removal	\$ 1,000.00	
		\$ 8,500.00

REPAIR AND MAINTENANCE

Boardwalk / Fences	\$ 500.00	
Vehicles and Equipment	\$ 250.00	

Pathway Repairs	\$ 5,000.00	
Chickee Hut Repairs	\$ 1,000.00	
		\$ 6,750.00

OPERATING SUPPLIES

Supplies (Institutional, Chemical, Etc.)	\$ 500.00	
Tools	\$ 500.00	
Bike Racks	\$ 1,000.00	
Restroom Equipment	\$ 5,000.00	
Signage	\$ 1,000.00	
Lumber for benches		
Mulch	\$ 2,500.00	
Trash Bags	\$ 1,000.00	
Washed Shell	\$ 3,000.00	
		\$ 14,500.00

FUELS, OILS, & LUBRICANTS

Fuels	\$ -	
Oils	\$ -	
Lubricants	\$ -	
		\$ -

MACHINERY & EQUIPMENT

Vehicles	\$ -	
Trash / Recycling Bins	\$ 2,000.00	
		\$ 2,000.00

TOTAL FY17 BUDGET REQUEST	\$	77,250.00
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Example: Maintenance Budget by facility

FY 15 TDC SUMMARY BY SITE BASED ON CURRENT LEVEL OF SERVICE

Facility	Operating Expenses	Agency Match
Alison Hagerup Beach Park	200	300
Andy Rosse Lane	100	300
Blueways	53,800	24,000
Bonita Beach Access #1	3,800	8,000
Bonita Beach Accesses - all other	3,000	8,800
Bonita Beach Park	60,000	41,500
Bowditch Point Park	55,000	38,000
Bunche Beach	19,500	11,000
Causeway Islands	103,000	23,700
Crescent Beach Family Park	26,500	13,300
Dog Beach	5,600	8,300
Estero Island Beach Access	2,000	1,500
Frizzell-Kontinos (Punta Rassa) Boat Ramp	42,500	17,000
Imperial River Boat Ramp	8,100	6,800
Lavender's Landing	2,000	300
Little Hickory Island Beach Park	12,000	8,600
Lynn Hall Memorial Park	120,000	38,000
Main Street Parking	1,800	1,000
Matanzas Pass Preserve	25,400	6,200
Matlacha Boat Ramp	2,900	4,800
Pine Island Commercial Marina (PICM)	9,600	11,000
Shoreline staff (incl in salaries)		
Beach temps (incl in salaries)		
Manatee temps (incl in salaries)		
Ranger salaries		125,000
Total Operating	\$556,800	\$397,400
Plus Salaries & Benefits	\$1,158,500	
Total Current Expenses	\$1,715,300	

FY 15 Total Requests **\$1,715,300**



THE BEACHES OF
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AND SANIBEL

Review Process Begins:

- VCB Review/Site Visits
- County Attorney Review
 - * ***Legal Determination***
- Coastal Advisory Council Review
 - * ***Workshop - March 26***
- Tourist Development Council Review
 - * ***Workshop - April 25***



FY 2017-2018 Beach and Shoreline Funding Request Determination Spreadsheet

Organization Name	Project Name	Project Priority	FY 17/18 Funding Request	Determination	County Attorney Comments	CAC Comments 03/20/17
Gasparilla Island State Park	J - Maintenance - Cayo Costa State Park Polaris Ranger 6x6	#2	\$15,000.00	TDC to determine legislative finding*	If the Polaris Ranger 6x6 is found, by legislative finding to primarily serve the purpose of "beach improvement, maintenance, renourishment, restoration, and erosion control," tourist development tax revenues may be used for their purchase.	No discussion
Barrier Island Parks Society, Inc.	K - Capital - Gasparilla Island Lighthouses Visitor Transportation	NA	\$44,000.00	TDC to determine legislative finding*	Clarification was provided from BIPS regarding lack of parking at the Gasparilla Island Lighthouse beach park location. TDC must make a legislative finding that this project is related to tourism and primarily promotes that purpose	Mr Evans stated that the State continues to have their budget cut then subsequently they come back to the County for funding. *NM-This is a request from the Barrier Island Park Society, not the state of Florida.
City of Sanibel	L - Capital - Bowman's Beach Park Dune Walkover Repairs	#3	\$80,000.00	Eligible	Tourist development tax revenues may be used to replace the existing dune walkover, as this project protects the physical shoreline.	No discussion
City of Sanibel	M - Capital - Shoreline Stabilization at Turner Beach Park	#4	\$30,000.00	Eligible	Tourist development tax revenue may be used for beach erosion control. Per the letter from CEPD it is recommended the City of Sanibel obtain CEPD approval before proceeding.	Kathy Rooker noted the CEPD had jurisdiction over all erosion control projects on Captiva. She also noted that there has been fill placed on Captiva Island without permission from the Board of the CEPD. CAC is supportive of the project with the condition that CEPD grants approval.
Gasparilla Island State Park	N - Capital - Cayo Costa Restroom Project	#1	\$620,000.00	Eligible	A restroom at a public beach is considered a beach park facility and therefore is eligible for funding.	Mr. Campbell doesn't see a clear relationship between this project and the beach and shoreline. Kate Gooderham stated that any other beach facility needed to have parking available and this seems there are inconsistent requirements.



FY 2017-18 TDC Beach & Shoreline Funding Recommendations

pending budget approval by BoCC in September

		Amount Requested	Amount Ineligible	Amount Eligible	TDC Recommendation
FY2017-18 Estimated Funding Available					\$10,805,597
1-BN	LCNR - Beach Renourishment Trust Fund	\$2,200,000		\$2,200,000	\$ 2,200,000
2-BN	City of Sanibel - Beach and Shoreline Erosion Survey*	\$40,000		\$40,000	\$ 40,000
A	City of Cape Coral - Beach Park Facility Maintenance	\$184,500		\$184,500	\$ 184,500
B	City of Sanibel - Facility Beach Maintenance	\$1,468,600	\$1,600	\$1,467,000	\$ 1,467,000
C	CEPD - Captiva Beach Park Maintenance	\$26,280		\$26,280	\$ 26,280
D	Town of Fort Myers Beach - Beach & Shoreline Maintenance	\$955,400		\$955,400	\$ 955,400
E	LCPR - Operation Beach & Shoreline Maintenance	\$1,933,438	\$139,334	\$1,794,104	\$ 1,794,104
F	LCPR - Lynn Hall Memorial Park Restroom Remodel ¹	\$125,000		\$125,000	\$ 125,000
G	LCPR - Countywide Emergency Beach Cleanup	\$100,000		\$100,000	\$ 100,000
H	LC Facilities Const. & Mgmt - Capitalized Beach Front Park Maintenance	\$174,029		\$174,029	\$ 174,029
I	LC Facilities Const. & Mgmt - Matanzas Pass Boardwalk Replacement*	\$35,000		\$35,000	\$ 35,000
J	Gasparilla Island State Park - Cayo Costa State Park Polaris Ranger 6X6*	\$15,000		\$15,000	\$ 15,000
K	Barrier Island Parks Society - Gasparilla Island Lighthouses Visitor Transportation*	\$44,000		\$44,000	\$ 44,000
L	City of Sanibel - Bowman's Beach Park Dune Walkover Repairs	\$80,000		\$80,000	\$ 80,000
M	City of Sanibel - Shoreline Stabilization at Turner Beach Park	\$30,000		\$30,000	\$ 30,000
N	Gasparilla Island State Park - Cayo Costa Restroom Project	\$620,000		\$620,000	\$ 620,000
O	LC Facilities Const. & Mgmt - Lynn Hall Memorial Park Dune Improvements	\$423,540		\$423,540	\$ 423,540
P	Town of Fort Myers Beach - Newton Beach Park Public Restroom Renovation	\$70,000		\$70,000	\$ 70,000
Q	Town of Fort Myers Beach - Beach Access Environmental Interpretive Signage*	\$14,892		\$14,892	\$ 14,892
TOTAL		\$8,539,679	\$140,934	\$8,398,745	\$8,398,745
Approved by Tourist Development Council on May 11, 2017					\$ 2,406,852

*Legislative finding needed by TDC

	BEACH NOURISHMENT PROJECTS
	CAPITAL PROJECTS

	MAINTENANCE PROJECTS
--	----------------------

¹-reviewed as a Capital Project

Status Reports

Deadline: Project Status due March 15, 2018

Beach & Shoreline Status Report

- Status Report Fillable Form available on LeeVCB.com
- Please forward via email in March & September to Nancy MacPhee (nmacphee@leegov.com) & Lisa Harmer (lharmmer@leegov.com) It is recommended they be submitted with invoices as well.
- To access the Status Form please click the link below:
- <https://www.leevcb.com/funding-programs/beach-and-shoreline/status-reports>

*Please provide a status update by March 15, 2018



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Deadlines

- Project Requests: February 23, 2018
- Project Status Report: March 15, 2018
- Click the link below to access application form:
- <https://www.grantinterface.com/Common/LogOn.aspx?eqs=rnkDWIzN7QTOKE-f-xhGMA2>

THANK YOU!



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