

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: September 12, 2006

☒ Consent  
☐ Ordinance

☐ Regular  
☐ Public Hearing

Department: Parks and Recreation

Submitted By: Parks and Recreation Department

Submitted For: Parks and Recreation Department

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to receive and file: First Amendment to Agreement (R2004-2214) with Milagro Foundation, Inc. for the STARS Program.

**Summary:** This fully executed First Amendment to Agreement extends the project term and project completion date of the previously approved Agreement from July 31, 2005, to July 31, 2006. The project was completed within the project time frame, but the extension is needed in order to allow additional time for the reimbursement of all expenses incurred for the project. The Amendment also provides a revised Exhibit "A", page 2 of 3 and page 3 of 3 in order to more accurately reflect costs expended for the project. The Amendment is in accordance with Resolution R2005-1738, authorizing the delegation of authority for amending RAP agreements to the County Administrator or his designee. All other terms of the Agreement remain the same. Funding for the project is from the Recreation Assistance Program (RAP). **District 5 (AH)**

**Background and Justification:** Resolution R2005-1738 was adopted by the Board on September 13, 2005, to streamline the RAP reimbursement process. It establishes terms and conditions for amending RAP projects and delegates authority for the execution of the amendments to the County Administrator or his designee, which is the Director of the Parks and Recreation Department. The criteria for delegated signature of amendments on behalf of the Board include:

- Changes in project scope/elements within the intent of the approved RAP project;
- Adjustments in budgetary line items within the intent of the approved RAP Project which do not change the contractual amount;
- Changes to the approved project time frame including the initiation date and/or project completion date for periods of less than one year; and
- Other miscellaneous modifications approved by the awarding Commissioner within the overall intent of the approved RAP project.

This delegation of authority allows for more efficient and timely reimbursements for RAP projects by streamlining the existing RAP process for amendments to agreements. The attached Amendment meets criteria listed above, and was executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department.

**Attachment:** First Amendment to Agreement

Recommended by: \_\_\_\_\_

  
Department Director

8/16/06  
Date

Approved by: \_\_\_\_\_

  
Assistant County Administrator

8-23-06  
Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009	2010
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_  
Object \_\_\_\_\_ Program \_\_\_\_\_

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no additional financial impact created by this Amendment. Agreement is encumbered with document # KPO 583 PRRP110304\*14.

C. Departmental Fiscal Review: ckopelakis

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Development and Control Comments:

Elizabeth Bleese 8/17/06  
OFMB ms 8/17/06  
Contract Development & Control 8/21/06  
8/21/06

### B. Legal Sufficiency:

Anne Delgant 8/23/06  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

This summary is not to be used as a basis for payment

**FIRST AMENDMENT BETWEEN PALM BEACH COUNTY MILAGRO FOUNDATION, INC.  
FOR THE STARS PROGRAM**

**THIS FIRST AMENDMENT** is entered into on \_\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and Milagro Foundation, Inc., a Florida not-for-profit corporation, authorized to business in the State of Florida, herein referred to as "Milagro".

**WITNESSETH:**

**WHEREAS**, on October 19, 2004, COUNTY entered into an Agreement with Milagro (R-2004-2214), hereinafter referred to as "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$25,000 for the STARS Program, hereinafter referred to as the "Project"; and

**WHEREAS**, Milagro has requested that County extend the project completion date from July 31, 2005 to July 31, 2006, in order to finalize its reimbursement request for this completed project; and

**WHEREAS**, Milagro has also requested that County amend Exhibit "A", page 2 of 3 and page 3 of 3 to said Agreement to more accurately reflect costs expended for the Project; and

**WHEREAS**, the revised Exhibit A reflects costs for the Project within the approved scope and budget of the Project; and

**WHEREAS**, the Project will benefit all citizens of Palm Beach County.

**NOW THEREFORE**, the parties hereby agree as follows:

1. A revised Exhibit "A", page 2 of 3 and page 3 of 3, as attached hereto and incorporated herein by reference shall replace the original Exhibit "A" pages 2 of 3 and 3 of 3 attached to the original Agreement.

2. The sixth Whereas clause of the Agreement is amended to state: "Milagro Center has requested \$25,000 to pay for STARS program costs for the period of August 1, 2004, through July 31, 2006, for program coordinator and artist salaries, supplies, activity costs, transportation, special events (costumes, stage set-up, decorations, etc.), and other miscellaneous expenses related to the Project; and"

3. Section 1 of the Agreement is amended to state: "County agrees to fund an amount not to exceed \$25,000 to Milagro Center for the STARS program for program coordinator and artist salaries, supplies, activity costs, transportation, special events (costumes, stage set-up, decorations, etc.), and other miscellaneous expenses related to the Project, as specifically set forth in Exhibit "A", attached hereto and incorporated herein, hereinafter referred to as the "Project"."

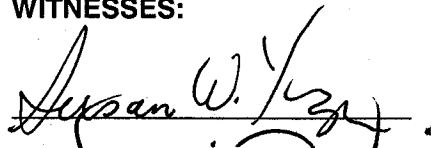
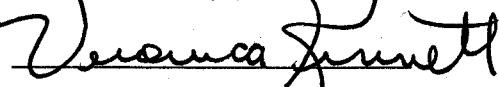
4. Section 8 of the Agreement is amended to state: The term of this Agreement shall be until July 31, 2006, commencing upon the date of execution by the parties hereto."

5. Section 11 of the Agreement shall be amended to state: "Milagro Center shall complete the Project and shall provide its final reimbursement request(s) and final accounting data to County for the completed project on July 31, 2006."

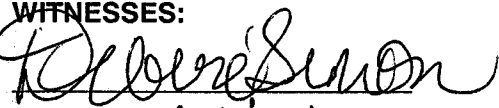
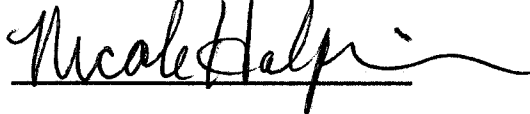
6. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

**IN WITNESS WHEREOF**, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.


**WITNESSES:**

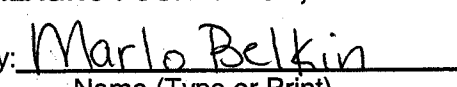
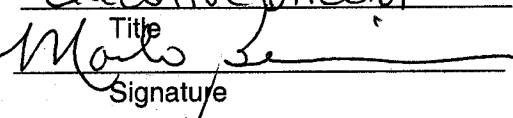
**WITNESSES:**

**PALM BEACH COUNTY, FLORIDA, BY:  
ITS BOARD OF COUNTY COMMISSIONERS**

By:   
Dennis L. Eshleman, Director  
Parks and Recreation Department

**MILAGRO FOUNDATION, INC.**

By:   
Name (Type or Print)  
Executive Director  
Title  
  
Signature

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
County Attorney

**MILAGRO FOUNDATION, INCORPORATED**  
**STARS PROGRAM BUDGET**  
 (Standing Together Achieving Recognition & Success)  
 August 1, 2004 to July 31, 2006

Categories	Line Items	Justification	
<b>Personnel</b>			
	<b>Salaries</b>		
	Position 1	Program Coordinator (1)	
	Position 2	Program Coordinator (2)	
	Position 3	Artists Fees	
	<b>Wages/Taxes</b>		
		FICA (Social Security)	
		Workers Compensation	

<b>Other</b>			
	<b>Supplies</b>		
		Purchase of art supplies, paint, brushes, paper	
	<b>Activities</b>		
		Enrichment activities for students off-site: Theater, art museums, performance, recreational activities, etc.	
	<b>Transportation</b>		
		Funds for transportation of kids to field trips, special events	
	<b>Special Events</b>		
		Performance funds for alternate locations, costumes, stage setup, decorations, etc.	
	<b>Miscellaneous Expenses</b>		
<b>Total</b>			<b>\$25,000.00</b>