

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: November 21, 2006

☒ Consent  
☐ Ordinance

☐ Regular  
☐ Public Hearing

Department: Parks and Recreation

Submitted By: Parks and Recreation Department

Submitted For: Parks and Recreation Department

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I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: First Amendment to Agreement (R2005-1734) with New Hope Charities, Inc. for the construction of a community basketball court and purchase of equipment.

**Summary:** This Amendment is to extend the completion date for this project from March 12, 2007, to March 12, 2008. All other terms of the Agreement remain the same. Funding was approved on September 13, 2005, in the amount of \$30,000 from the Park Improvement Fund – Glades Needs. District 6 (AH)

**Background and Justification:** New Hope Charities, Inc. is a not-for-profit agency that provides programs and services to underprivileged children and families living predominantly in Pahokee, Canal Point, and Belle Glade. Programs and services provided include an after school program, teenage pregnancy prevention program, health education classes, homework tutoring, and recreational activities. The basketball court will be made available to the public during non-program times and will also allow the opportunity for children and youth attending New Hope Charities' after school programs to play regulation basketball.

The project was delayed due to the recent active hurricane seasons, and New Hope Charities, Inc. has requested that the project completion date be extended by one year in order to complete construction and submit project reimbursement documentation to the County on a timely basis.

The Amendment has been executed by New Hope Charities, Inc., and now needs to be approved by Palm Beach County.

**Attachment:** First Amendment to Agreement

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

  
Department Director

10/27/06  
Date

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

  
Assistant County Administrator

11-8-06  
Date

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2007	2008	2009	2010	2011
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 N/A

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

There is no additional fiscal impact created by this Amendment. Agreement is encumbered with document # KPO 581 PRCP110805\*0.

C. Departmental Fiscal Review: ckopelakis

## III. REVIEW COMMENTS

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

11-2-06  
OFMB  
11/1/06  
B. Legal Sufficiency: ms 11/1/06 PM 11-106 11/3/06  
11-106 11/3/06  
Contract Development and Control  
11/6/06

This amendment complies with  
our review requirements.

Anne Delmont 11/8/06  
Assistant County Attorney

### C. Other Department Review:

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

REVISED 10/95  
ADM FORM 01

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**FIRSTAMENDMENT BETWEEN PALM BEACH COUNTY AND NEW HOPE CHARITIES, INC.  
FOR DESIGN COSTS FOR THE CONSTRUCTION OF A COMMUNITY BASKETBALL  
COURT AND PURCHASE OF EQUIPMENT**

**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 New Hope Charities, Inc., a not-for-profit corporation authorized to do business in the State of Florida, hereinafter referred to as "New Hope Charities".

**WITNESSETH:**

**WHEREAS**, on September 13, 2005, COUNTY entered into an Agreement with New Hope Charities (R-2005-1734), hereinafter referred to as "Agreement", to provide funding in an amount not-to-exceed \$30,000 for the construction of a community basketball court and purchase of equipment to be completed on or before March 12, 2007, hereinafter referred to as the Project; and

**WHEREAS**, due to delays because of active hurricane seasons, construction efforts for this project have been delayed, New Hope Charities has requested that the project completion date be amended to March 12, 2008; and

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

**NOW THEREFORE**, in consideration of the covenants and promises contained herein, the parties hereby agree as follows:

1. Paragraph 11 of the Agreement shall be amended by deleting "New Hope Charities shall complete the Project and shall provide its final reimbursement request(s) and final accounting data to County for the completed project on or before eighteen (18) months, commencing upon the date of execution of this Agreement by the parties hereto. Upon written notification to County at least ninety (90) days prior to that date New Hope Charities may request an extension beyond this period for the purpose of completing the Project. County shall not unreasonably deny New Hope Charities' request for said extension." and inserting "New Hope Charities shall complete the Project and shall provide its final reimbursement request(s) and final accounting data to County for the completed project on or before March 12, 2008. Upon written notification to County at least ninety (90) days prior to that date New Hope Charities may request an extension beyond this period for the purpose of completing the Project. County shall not unreasonably deny New Hope Charities' request for said extension." in its place.

2. 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.

**ATTEST:**

**SHARON R. BOCK, Clerk &  
Comptroller**

By: \_\_\_\_\_  
Deputy Clerk

**WITNESSES:**

Susan N. Yager  
Veronica Kinnell

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

By: \_\_\_\_\_  
~~Tommy Mastaglio, Chairman~~  
Addie L. Greene, Chairperson

**NEW HOPE CHARITIES, INC.**

FEI # 65-0128327

Lillian  
By: "Luanne" Arqueta  
Name (Type or Print)

Executive Director  
Title \_\_\_\_\_  
Signature [Signature]

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: Anne Helgerson  
County Attorney

**APPROVED AS TO TERMS AND CONDITIONS**

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