

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 5, 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: Second Amendment to Agreement (R2006-0246) with the Town of Palm Beach Shores for Palm Beach Shores Inlet Park Improvements – Phase III.

**Summary:** This fully executed Second Amendment to Agreement restores the amount of Recreation Assistance Program (RAP) funding allocated to the Town of Palm Beach Shores for the Inlet Park Improvements Phase III project from \$27,945 to the originally allocated \$30,000. The reduction of \$2,055 was previously needed in order to accommodate an immediate funding need in the District 1 RAP account for a different project. On June 20, 2006, the Board approved the First Amendment to Agreement (R2006-1142) allowing for the reduction of \$2,055 and the reallocation of the \$2,055 to the Town of Palm Beach Shores at a later date subject to budget availability. 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. The modification was made at the request of the District 1 Commissioner. All other terms of the Agreement remain the same. District 1 (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:** Second Amendment to Agreement

Recommended by:   
Department Director

11/13/06  
Date

Approved by:   
Assistant County Administrator

11/22/06  
Date

**II. FISCAL IMPACT ANALYSIS**

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

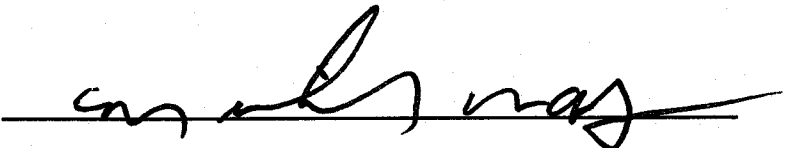
Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>2,055</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</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>
<b>NET FISCAL IMPACT</b>	<u><b>2,055</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>	<u><b>-0-</b></u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No \_\_\_\_\_  
 Budget Account No.: Fund 3600 Department 583 Unit R901  
 Object 8101 Program N/A

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

Recreation Assistance Program

District 1                      3600-583-R901-029-8101                      \$2,055

C. Departmental Fiscal Review: 

**III. REVIEW COMMENTS**

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

Elizabeth Blessen 11/16/06  
 OFMB  
 11/15/06  
 B. Legal Sufficiency: ms 11/15/06 AM 11-14-06

Dr. J. Jacobson 11/17/06  
 Contract Development & Control  
 Jones 11/17/06

Anne Delgant 11/20/06  
 Assistant County Attorney

C. Other Department Review:  
 \_\_\_\_\_  
 Department Director

REVISED 10/95  
 ADM FORM 01

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

**SECOND AMENDMENT BETWEEN PALM BEACH COUNTY AND THE TOWN OF PALM BEACH SHORES FOR INLET PARK IMPROVEMENTS – PHASE III**

**THIS SECOND AMENDMENT** is entered into on 10/26/06, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and the Town of Palm Beach Shores, a Florida municipal corporation, herein referred to as "Palm Beach Shores".

**WITNESSETH:**

**WHEREAS**, on February 7 2006, County entered into an Agreement with Palm Beach Shores (R-2006-0246), hereinafter referred to as "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$30,000 for Inlet Park Improvements – Phase III, hereinafter referred to as the Project; and

**WHEREAS**, the Agreement was amended on June 20, 2006, to reduce the project amount to \$27,945 in order to allow use of \$2,055 for a different purpose; and

**WHEREAS**, the County desires to reallocate \$2,055 to Palm Beach Shores for the Inlet Park Improvements – Phase III; and

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

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

1. Section 1 of the Agreement, as amended, is amended to state "County agrees to fund an amount not to exceed \$30,000 to Palm Beach Shores to assist with funding for the construction of the Phase III Inlet Park redevelopment to include public fishing and viewing piers, educational/regulatory signs, landscaping/irrigation, engineering/project management, waterfront boardwalk/trails, shoreline stabilization/stormwater retention, picnic facilities, drinking fountain, beach access, and bollard lighting, as specifically set forth in Exhibit "A", attached hereto and incorporated herein, hereinafter referred to as the "Project"."
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.

**WITNESSES:**

Susan W. Yager  
Veronica Bennett

**PALM BEACH COUNTY, FLORIDA, ON BEHALF OF ITS BOARD OF COUNTY COMMISSIONERS**

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

**ATTEST:**

By: Carl Pagan

**THE TOWN OF PALM BEACH SHORES**

By: Thomas R. Griffin  
Mayor

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

By: Anne Delgent  
County Attorney