

3H-1

Agenda Item #:

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: January 9, 2007

☒ Consent

☐ Regular

☐ Ordinance

☐ Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: First Amendment to the Internal Memorandum of Understanding (R2006-0548) between the Facilities Development & Operations Department (FD&O) and the Library Department (Library) that provides for the Library to use and occupy space in the Gymnasium at the Cherry Road Facility.

Summary: The Library is using space in the Gymnasium at the Cherry Road Facility to store and stage library expansion materials and furniture. Since the Library has no need for the space inside the Gymnasium's locker rooms but does desire the use of the Gymnasium's lobby for access and security purposes, the boundaries of the space being used by the Library is being amended to reflect the subtraction of the locker rooms and the addition of the lobby. (FDO Admin) District 2 (LMB)

Background and Justification: The Library would like to alter the boundaries of the space in the Gymnasium being used to store and stage library expansion materials and furniture.

Attachments:

1. First Amendment

Recommended by: Amy Wolf 12/15/06
Department Director Date

Approved by: [Signature] 1/8/07
County Administrator 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>11,678</u>	<u>12,234</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues <small>From Library Dept</small>	<u>(11,678)</u>	<u>(12,234)</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)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Is Item Included in Current Budget? Yes X No

Budget Account No: Fund 1180 Department 320 Unit 3200 Object 4410
Reporting Category

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

All rental payments to Facilities during the term of the agreement shall be deposited in the Cherry Road Improvement Capital Project Account to support on-going improvements and redevelopment of the property (PUBLIC BLDG IMPROV FUND 3804) The original balance of 2nd yr of annual rent, 162,612, and 3rd yr annual rent 173,675.

C. Departmental Fiscal Review:

Lynne D. Gardner

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Development & Control Comments: 347,000 was paid out during FY 2006.

CA Elizabeth Blair
OFMB
1/5/2007

Ann J. Jacobson 1/5/07
Contract Dev. and Control
1/5/07

B. Legal Sufficiency:

Dana Burke
Assistant County Attorney

This amendment complies with
our review requirements.

C. Other Department Review:

James Kelly

AMENDMENT TO INTERNAL MEMORANDUM OF UNDERSTANDING

THIS AMENDMENT to Agreement R2006-0548 ("Agreement"), dated April 4, 2006, is made as of _____, by and between Palm Beach County Facilities Development and Operations Department, an administrative department of Palm Beach County (the "Department"), and the Palm Beach County Library Department, an administrative department of Palm Beach County (the "Library"), and approved by the Palm Beach County Board of County Commissioners (the "Board").

WHEREAS, the Department uses and occupies the improved property known as the Cherry Road Facility ("Property") through an MOU with the Department of Airports (R2005-2163), dated November 1, 2005; and

WHEREAS, the Library currently occupies 17,783 square feet of space in the Gymnasium on the Property; and

WHEREAS, the Library desires to occupy an additional 795 square feet of space in the Gymnasium; and

WHEREAS, the Department has agreed to provide the additional space for use by the Library; and

WHEREAS, the Library agrees to pay rent to the Department for the additional space; and

NOW THEREFORE, in consideration of the mutual terms and conditions contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The "Premises", originally 17783 square feet and identified on Exhibit A to the Agreement, shall be modified to comprise 18,578 square feet. The original Exhibit A to the Agreement shall be deleted and replaced in its entirety by the Exhibit A attached hereto.
2. Section 5 of the Agreement shall be deleted in its entirety and replaced with the following:

The Library shall pay the Department \$347,418 within thirty (30) days of the effective date of this MOU for the improvements to the roof of the Gymnasium to be performed by the Department. The Library shall receive credit toward its first and second year of annual rent in the amount of \$347,418 for the improvement costs. The Library shall pay the Department the balance of the second year of annual rent, \$174,290, by the first anniversary of the effective date of this MOU and pay \$285,909 for the third year of annual rent on the second anniversary of the effective date of this MOU.
3. All other terms of Agreement R2006-0548 remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the Department and Library have made and executed this Amendment the day and year above written.

ATTEST:

SHARON R. BOCK,
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Addie L. Greene, Chairperson

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

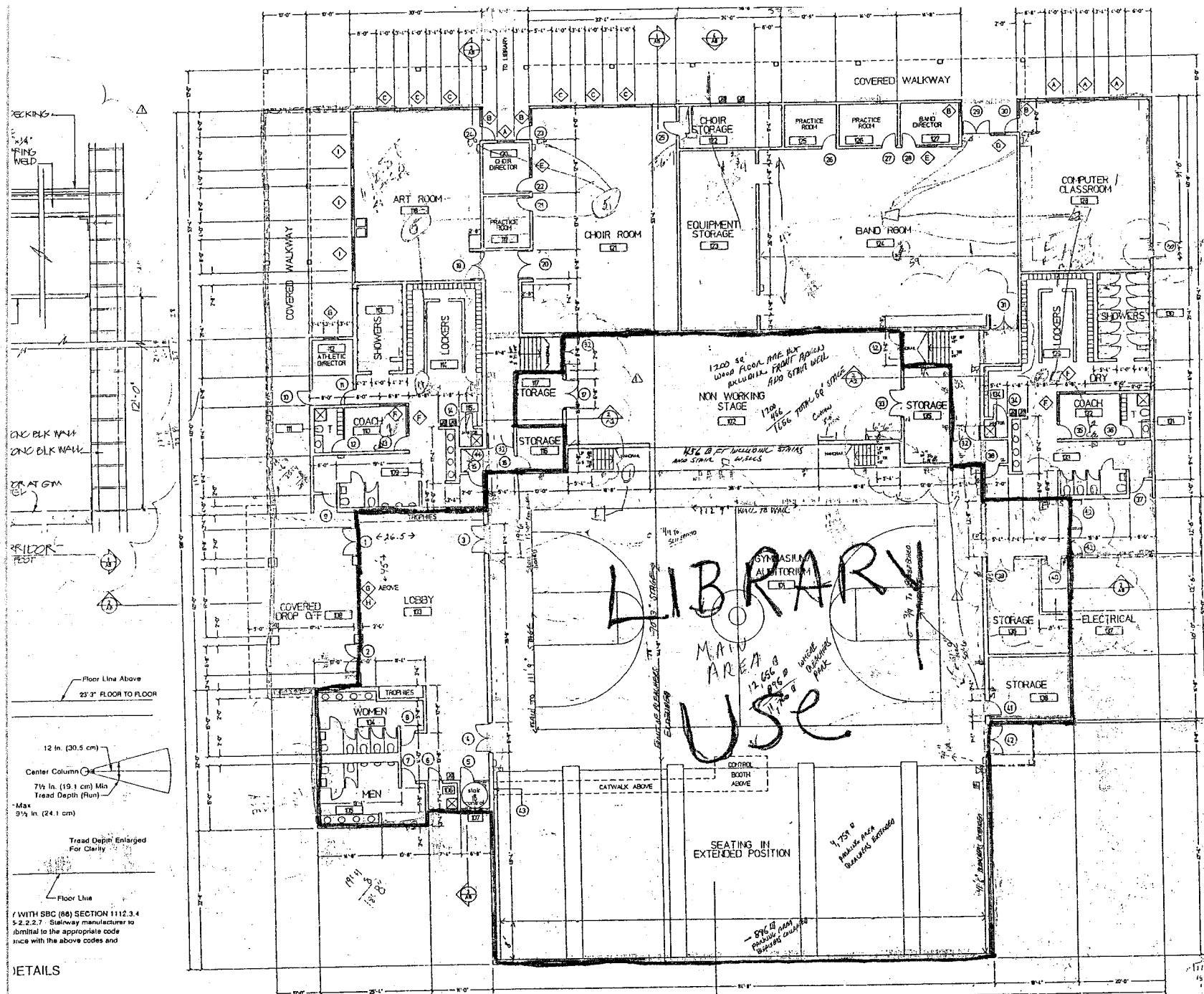
APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Assistant County Attorney

By: Anthony Wolf
Director Facilities Dev & Operations *AW*

By: [Signature]
Director, Library Department

By: [Signature]
Director, Department of Airports



12 in. (30.5 cm)
 7 1/4 in. (19.1 cm) Min
 Tread Depth (Run)
 Max
 9 1/4 in. (24.1 cm)
 Tread Depth Enlarged
 For Clarity
 Floor Line
 (WITH SBC (88) SECTION 1112.3.4
 5.2.2.2.7. Stairway manufacturer to
 submit to the appropriate code
 since with the above codes and

FLOOR PLAN
 SCALE: 1/32" EQUALS 1 FOOT

INTERPLAN INC.
 501 NORTH HIGHWAY A1A
 JUPITER, FLORIDA 33477
 407/744 0445

PLAN REVIEW CHANGES	DATE

- PROVIDE 1.5" DIAMETER EPOXY PAINTED OR STAINLESS STEEL HANDRAILS AT ALL STAIRS AS INDICATED ON FLOOR PLANS
 - METAL STAIRS AT PLUMBING CHASE WALLS TO BE 20 GA. GALVANIZED STEEL AT MIN. 16" O.C. - PROVIDE SUPPORT FRAMING FOR ATTACHMENT OF ALL FIXTURES, CHAB BARS, ACCESSORIES, PARTITION SCREENS, MIRRORS, VANITIES, ETC - PROVIDE 6 MIL POLY VAPOR BARRIER BEHIND 1/2" CEMENT TILE BACKER BOARD IN TILE AREAS AND ROCK LATH WITH PLASTER IN NON TILE AREAS
 - SEE SPECIFICATIONS FOR TOILET PARTITION AND SHOWER PARTITION CONSTRUCTION - SUPPLIER TO PROVIDE DETAILED SHOP DRAWINGS
 - CABINETRY IN CLASSROOMS SHOWN ON DRAWINGS IS BY OWNER
 - SPIRAL STAIRWAY TO BE STEEL CONSTRUCTION WITH CHECKERPLATE TREADS, 1.5" DIA. STEEL CONTINUOUS HANDRAIL WITH 1" SQUARE STEEL PICKETS, 3/16" CHECKERPLATE STEEL PLATFORM, AT TOP. SPIRAL STAIRWAY SUPPLIER TO PROVIDE COMPLETE DESIGN AND SHOP DRAWINGS TO COMPLY WITH STANDARD BUILDING CODE (SBC) AND SPECIFIC JOB REQUIREMENTS. ALL STAIRWAY COMPONENTS TO HAVE ZINC CHROMIATED RED BROWN RUST INHIBITIVE PRIMER OVER A CHEMICALLY CLEAN SURFACE. FINAL PAINTING TO BE IN FIELD.
 - TOILET PARTITIONS TO BE FLOOR MOUNTED PLASTIC LAMINATED.
 - SHOWER PARTITIONS TO BE FLOOR MOUNTED WITH DOORS. CONSTRUCT OF SOLID PLASTIC OR PHOTOLIC VENEER
- The King's Academy Gymnasium
 Addendum to Drawings
 September 6, 1991
1. Handicap Accessibility to stage area will be provided by a portable lift that is stored in Room 116
 2. Telescopic bleachers and seats to be designed in accordance with NFPA-102 Sec 5-2.4 and SBC (88) Section 1112.3.4. Manufacturer to supply drawings for submittal and approval by the appropriate code authorities to comply with 5-2.4 above and NFPA-102 Sec 5-6 prior to installation.
 3. Tapeline evacuation system per NFPA-101 Sec 8.3.4.3.4 shall be provided.
 4. Visual fire alarm per ANSI 4.2.1 shall be provided.
 5. Area increase per SBC 402.4.4 of 50% to allow 36,000 square feet Type IV construction. Minimum separation between buildings (enclosed) is 18 feet.

THE KING'S ACADEMY
 NEW GYMNASIUM
 425 CHERRY ROAD
 WEST PALM BEACH, FLORIDA

FLOOR PLAN

Construction Documents	DATE	BY
HANSEN	1 MAY 91	HANSEN
HANSEN	9/20	HANSEN

A2

Exhibit 'A' - Gymnasium