

**Agenda Item #:**

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

**Meeting Date:** February 6, 2007 ☒ **Consent** ☐ **Regular**  
☐ **Ordinance** ☐ **Public Hearing**

**Department:** Facilities Development & Operations

## **I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:** a Second Amendment to extend the term of the Use Agreement (R2003-0126) dated January 28, 2003 with the Sheriff of Palm Beach County for improved residential property located at 328 Urquhart Street in Lake Worth for five (5) months.

**Summary:** The Sheriff has used and occupied the improved residential property located at 328 Urquhart Street in Lake Worth since 2003 for the purposes of conducting law enforcement activities to support the community revitalization efforts in the area. The initial term of the Agreement was three years ending on January 28, 2006, with two (2) one-year renewals upon mutual agreement. Last year the agreement was amended to extend the term of the Agreement for one (1) year, through January 28, 2007. The Sheriff has determined that it is no longer necessary for the property to be occupied by the Sheriff and should be returned to residential use as anticipated. The sale of the property is expected to take about five months; during that time, the Sheriff has agreed to continue to maintain the property. This amendment will extend the term of the Agreement for five months, through June 28, 2007, in order to allow the Sheriff to provide maintenance of the property prior to its sale. The Sheriff contributed \$66,000 from the Law Enforcement Trust Fund to the County for the acquisition of this property in 2003 which will be returned to the LETF.

**(FDO Admin) District 3 (HJF)**

**Background and Justification:** On January 28, 2003, the Board approved the initial agreement term of three years. This amendment will allow the Sheriff to provide maintenance to the property for an additional five months while the property is being sold.

**Attachments:**

- ## 1. Amendment #2

Recommended By: Anthony Wolf 1/30/07  
Department Director Date

Approved By: [Signature] 2/1/07  
County Administrator Date

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

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

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

There is no fiscal impact associated with this item.

### C. Departmental Fiscal Review: \_\_\_\_\_

## III. REVIEW COMMENTS

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

Jim Doherty 1-23-07  
OFMB  
1/23/07  
1-19-07  
1-18-07

Jim J. Jacobson 1/26/07  
Contract Development and Control  
E. Jones 1/26/07

### B. Legal Sufficiency:

This amendment complies with  
our review requirements.

H. J. [Signature] 1/31/07  
Assistant County Attorney

### C. Other Department Review:

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

## SECOND AMENDMENT TO USE AGREEMENT

This Amendment is made and entered into \_\_\_\_\_ by and between PALM BEACH COUNTY, a political subdivision of the State of Florida ("County") and RIC BRADSHAW, SHERIFF, in his official capacity as the SHERIFF of Palm Beach County, a state constitutional officer ("Sheriff").

WHEREAS, the County and the Sheriff entered into a Use Agreement (R2003-0126) dated January 28, 2003, and a First Amendment to Use Agreement (R2006-0657), for use and occupancy by the Sheriff of the improved residential property located at 328 Urquhart St, Lake Worth Florida, 33461 ("Property") for the purposes of conducting law enforcement efforts to support the community revitalization efforts in the area; and

WHEREAS, the County and the Sheriff agree that the occupancy of the Property by the Sheriff for this purpose is no longer necessary and that the Property should be returned to residential use; and

WHEREAS, the term of the Use Agreement is set to expire on January 28, 2007; and

WHEREAS, the Sheriff is willing to extend the term of the Use Agreement for five months in order to provide maintenance to the Property during the sale process; and

WHEREAS, the County hereby approves the extension of the Use Agreement for the period specified above in order to keep the Property maintained; 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 recitals contained above are true and correct and incorporated herein by reference.
2. The term of Agreement R2003-0126 is hereby extended for a five month period commencing on January 28, 2007 and expiring on June 28, 2007.
3. All other terms of Agreement R2003-0126 remain unmodified, in full force and effect and are hereby ratified by the parties.

This Amendment shall be effective when signed by all parties and approved by the Palm Beach County Board of County Commissioners.

IN WITNESS WHEREOF, the parties have caused this Amendment to be signed on the day and year first above written.

SHARON R. BOCK,  
Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA BY  
ITS BOARD OF COUNTY COMMISSIONERS

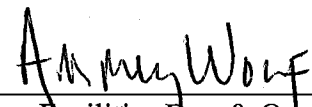
By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Addie L. Greene, Chairperson

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY

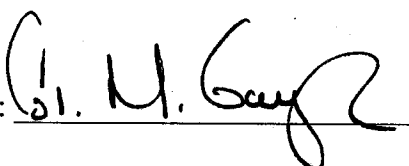
APPROVED AS TO TERMS AND  
CONDITIONS

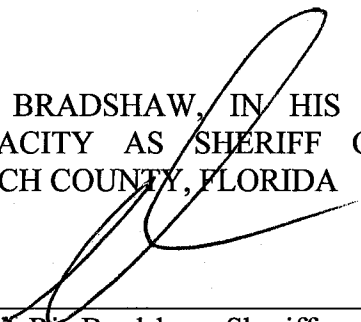
By:  \_\_\_\_\_  
Assistant County Attorney

By:  \_\_\_\_\_  
Director, Facilities Dev & Ops *ADP*

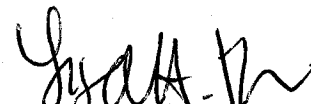
ATTEST:

RIC BRADSHAW, IN HIS OFFICIAL  
CAPACITY AS SHERIFF OF PALM  
BEACH COUNTY, FLORIDA

By:  \_\_\_\_\_

By:  \_\_\_\_\_  
Ric Bradshaw, Sheriff

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY

By:  \_\_\_\_\_  
Police Attorney, PBC Sheriff's Office