

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 20, 2008

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 approve: First Amendment to Agreement (R2007-2107) with the City of Pahokee for the Pahokee Lake Island preliminary study.

**Summary:** This Amendment extends the project completion date from March 1, 2008, to July 15, 2008, and the project term date from June 1, 2008, to September 30, 2008, in order to allow additional time to complete this project and to accommodate dates of payment and completion of the reimbursement process. All other terms of the Agreement, including the funding amount of \$50,000, remain the same. District 6 (AH)

**Background and Justification:** On November 20, 2007, the Board approved an Agreement for funding in an amount not-to-exceed \$50,000 from the Park Improvement Fund for the Pahokee Lake Island Project preliminary study. The study will determine the most efficient and effective manner to construct environmental barrier islands within the city limits of Pahokee in Lake Okeechobee. The islands will serve as a breakwater for the levee and create recreational and educational opportunities for residents of Palm Beach County, as well as generate additional tourism for the Glades area.

While the study is nearing completion, the City requested that the funding Agreement be extended until July 15, 2008, in order to complete the study and that the project term be extended until September 30, 2008, in order to submit the final reimbursement request to the County. The First Amendment has been executed on behalf of the City of Pahokee, and now needs to be approved by the Board of County Commissioners.

**Attachment:**

- 1. First Amendment to Agreement

Recommended by:

Department Director

4/25/08  
Date

Approved by:

Assistant County Administrator

5-7-08  
Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2008	2009	2010	2011	2012
Grant 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>
<b>NET FISCAL IMPACT</b>	<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:**

This Amendment is for a time extension only, and has no additional fiscal impact to Palm Beach County.

C. Departmental Fiscal Review: ckopelakis

**III. REVIEW COMMENTS**

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

atwillhite 5-5-08  
 OFMB 9/5/08 ST 4/20/08 CW 4/29/08  
5/5/08 5/5/08  
 Contract Development and Control

**B. Legal Sufficiency:**

Anne Delgant 5/6/08  
 Assistant County Attorney

**This amendment complies with our review requirements.**

**C. Other Department Review:**

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

**FIRST AMENDMENT TO AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF PAHOKEE FOR FUNDING OF THE PAHOKEE LAKE ISLAND PROJECT PRELIMINARY STUDY**

**THIS 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 the City of Pahokee, a Florida Municipal Corporation, herein referred to as "Pahokee".

**WITNESSETH:**

**WHEREAS**, on November 20, 2007, COUNTY entered into an Agreement (R-2007-2107) with Pahokee, hereinafter referred to as "Agreement" to provide an amount not-to-exceed \$50,000 to offset costs for the Pahokee Lake Island Project Preliminary Study, hereinafter referred to as the "Project"; and

**WHEREAS**, Pahokee has requested that County extend the project completion date and the term of the Agreement to allow for additional time to finish this substantially complete project and submit project reimbursement documentation to County; and

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

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

1. Section 7 of the Agreement is amended to read "The term of this Agreement shall be until September 30, 2008; and"
2. Section 10 of the Agreement is amended to read "Pahokee shall complete the Project by July 15, 2008, and invoices and checks submitted for reimbursement must be dated within the project time frame of October 1, 2007, through July 15, 2008. Pahokee shall provide its final reimbursement request(s), including a project completion statement and reimbursement documentation as indicated in Section 2 above on or before September 30, 2008. Upon written notification to County at least ninety (90) days prior to that date Pahokee may request an extension beyond this period for the purpose of completing the Project. County shall not unreasonably deny Pahokee's request for said extension.
3. 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.

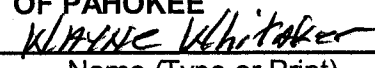
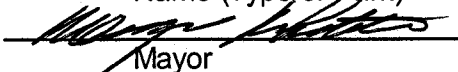
**ATTEST:**  
**SHARON R. BOCK, Clerk & Comptroller**

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

**ATTEST**  
  
\_\_\_\_\_  
City Clerk

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

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

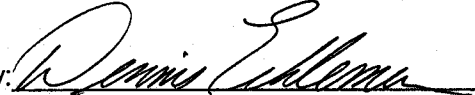
**CITY OF PAHOKEE**  
By:   
\_\_\_\_\_  
Name (Type or Print)  
  
\_\_\_\_\_  
Mayor

Signature

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

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

**APPROVED AS TO TERMS AND CONDITIONS**

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