

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 16, 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 Interlocal Agreement (R2005-1552) with the City of West Palm Beach for funding of the Grassy Waters Preserve Visitors Pavilion project.

Summary: This Amendment extends the project completion date for the Grassy Waters Preserve Visitors Pavilion project from August 15, 2008, to April 15, 2010, in order to allow for additional time for project completion and submission of reimbursement documentation to the County. All other terms of the Agreement, including the funding amount of \$250,000, remain the same. Funding for the project is from the 2002 \$50 Million Cultural and Recreational Facilities Bond referendum - District 2 and District 6. District 6 (PK)

Background and Justification: On August 16, 2005, the County entered into an Interlocal Agreement with the City of West Palm Beach in an amount not-to-exceed \$250,000 for the design and construction of a Visitors Pavilion at the Grassy Waters Preserve. Project elements include the visitors pavilion, a boardwalk, interpretive signs, native landscaping and amenities; and other miscellaneous site improvements. The Visitors Center will serve as a demonstration/educational building, entry, and welcome center on the south side of the Grassy Waters Preserve. The delay in project completion is due to the design's utilization of Florida Green Building recommendations, which required a lengthy certification process for Leadership in Energy and Environmental Design (LEED) Green Building Rating System designation. The extension of the project completion date until April 15, 2010, will allow sufficient time to accommodate the design delays, subsequent project construction, and the reimbursement process. All other terms of the Agreement remain the same.

The Amendment has been executed by the City of West Palm Beach, and now needs to be approved by the Board of County Commissioners.

Attachment: First Amendment to Interlocal Agreement

Recommended by: 

Department Director

11/20/08
Date

Approved by: 

Assistant County Administrator

12-2-08
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
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 _____

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. The Agreement is currently encumbered for \$250,000 with document # KPO 581 083005*1396.

C. Departmental Fiscal Review: ckopelakis

III. REVIEW COMMENTS

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

atwillhite 12-1-08
 OFMB 10/26/08 11/24/08 5/11/24/08

Dr. J. Jacoby 12/11/08
 Contract Development and Control
E. Jones 12/1/08

B. Legal Sufficiency:

Paul F. J. 12/2/08
 Assistant County Attorney

This amendment complies with
 our review requirements.
The Amendment is
 retroactive in nature.

C. Other Department Review:

 Department Director

REVISED 10/95
 ADM FORM 01

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

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Res 440-08

FIRST AMENDMENT TO AGREEMENT BETWEEN
PALM BEACH COUNTY AND THE CITY OF WEST PALM BEACH FOR FUNDING OF
GRASSY WATERS PRESERVE VISITORS PAVILION PROJECT

THIS FIRST AMENDMENT TO AGREEMENT (R-2005-1552) 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 West Palm Beach, a corporate body politic pursuant to the Constitution of the State of Florida, hereinafter referred to as "MUNICIPALITY".

WITNESSETH:

WHEREAS, on ~~October~~^{August} 16, 2005, COUNTY entered into an Agreement with MUNICIPALITY (R-2005-1552) to provide funding in an amount not-to-exceed \$250,000 for funding of the Grassy Waters Preserve Pavilion Project for the period ~~October~~^{August} 16, 2005, through ~~October~~^{August} 15, 2008; and

WHEREAS, MUNICIPALITY has requested a time extension of the Agreement until April 15, 2010, to complete construction of the Grassy Waters Preserve – Phase I; and

WHEREAS, COUNTY desires to allow for additional project completion time for construction of said project, which will benefit all citizens of Palm Beach County;

WHEREAS, the parties desire to amend the Agreement.

NOW THEREFORE, the parties hereby agree as follows:

1. Section 2.06 of the Agreement shall be amended by deleting "thirty six (36) months from the date of execution of this Agreement by the parties hereto and inserting "until April 15, 2010" in its place.

2. Except as provided herein, each and every other term of the Agreement, as amended, shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

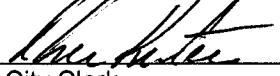
IN WITNESS WHEREOF, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

ATTEST:


SHARON R. BOCK, CLERK &
Comptroller

By: _____
Deputy Clerk

ATTEST:

By: 
City Clerk

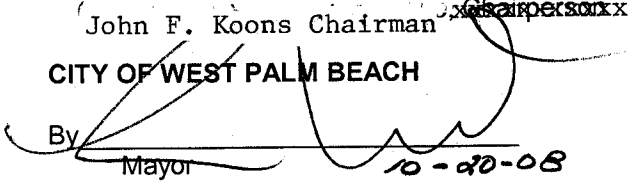
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: 
City Attorney

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

By: _____
John F. Koons Chairman ~~Chairperson~~

CITY OF WEST PALM BEACH

By: 
Mayor 10-20-08

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