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PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>				
Meeting Date: Department	January 13, 2009	(X) Consent () Ordinance	 () Regular () Public Hearing 	
S	ubmitted By:Environmental Resources Managementubmitted For:Environmental Resources Management			

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) approve a Project Agreement with Florida Inland Navigation District (FIND) that requires FIND to reimburse the County an estimated amount of \$2,257,187 to cover the majority of the costs of the Juno Dunes FIND MSA 614B Project (Project), which include engineering, surveying, and permitting services, contractor procurement and construction oversight, construction of public use facilities and mitigation and restoration projects, and monitoring of the mitigation area;

B) approve a Grant Agreement (Grant Agreement) with the Metropolitan Planning Organization (MPO) to provide \$100,000 for the design and construction of water taxi docking facilities at the Project site, expiring April 1, 2009;

C) approve a Budget Transfer in the MPO Fund from Palm Beach County Water Taxi Facilities to transfer to the Environmental Resources Capital Projects Fund in the amount of \$100,000;

D) approve a Budget Amendment in the Environmental Resources Capital Projects Fund in the amount of \$2,357,187 to recognize the Revenue from the Project Agreement with FIND and the transfer from the MPO Fund for the Project; and

E) authorize the County Administrator, or his designee, to sign all future time extensions, task assignments, certifications and other documents associated with the Project and Grant Agreements and any necessary minor amendments to those documents that do not change the scope of work or terms and conditions of the Project and Grant Agreements.

(Continued on page 3)

Attachments:

- 1. Project Agreement
- 2. Grant Agreement
- 3. Budget Transfer (1360)
- 4. Budget Amendment (3654)

Recommended by:	Ribert E- Walnuty Department Director	/ z/18/08 Date
Approved by:	County Administrator	1/ 8/09 Date

Agenda Item #: 348

II. FISCAL IMPACT ANALYSIS

A. **Five Year Summary of Fiscal Impact: Fiscal Years** 2009 2010 2011 2012 2013 **Capital Expenditures** \$2,495,340 **Operating Costs External Revenues** <u><\$2,357,187></u> **Program Income (County) In-Kind Match (County) NET FISCAL IMPACT # ADDITIONAL FTE** <u>\$138,153</u> **POSITIONS (Cumulative)** Is Item Included in Current Budget? Yes No Х Budget Account No.: Fund____ Department___ _ Unit___ Object ____ Program Β. **Recommended Sources of Funds/Summary of Fiscal Impact FIND** \$2,257,187 (3654) MPO \$ 100,000 (3654) PBC Environ. Restoration <u>\$ 138,153</u> (3900-381-E111) \$2,495,340 Future management and monitoring will be supported by the Natural Areas Fund. С. **Department Fiscal Review: III. REVIEW COMMENTS OFMB Fiscal and /or Contract Administrator Comments:** А. The net-fiscal impact for repairing the facility during the 10-year term of the Grant Agreement and for assuring that operators use the facility in a safe manner is indeterminable at this time. 1-6-09 In đ tacol 6/09 OFMB MINY Contract Administrator 1/2/09 5#11/209 These A greements comply with our neuroen Legal Sufficiency: veguerements. **Assistant County Attorney** С. **Other Department Review:**

Department Director

(Continued from Page 1):

Summary: On August 19, 1997 the County entered into a management lease with FIND for this property for an initial term of 25 years, with options to renew for additional 10-year terms (R97-1047D). This Project Agreement will provide for funding from FIND to cover the costs for the mitigation and enhancement project elements, management and maintenance of the mitigation area, and construction of public use and recreational facilities. FIND will provide \$2,257,187 on a reimbursement basis for the construction of a boat basin, creation of mangrove habitat, vegetation restoration and public use facilities, including water taxi docking facilities so that the Project site can be used as a destination for public water taxi service. The MPO has approved a \$100,000 grant award to the County for this purpose with no match requirement. In addition to FIND and MPO funding, the County will contribute an estimated \$138,153 from the allocation for Environmental Restoration in support of the Project. District 1 (SF)

Background and Justification: Under a recently expired project agreement (R2001-1162), the County has provided preliminary engineering, surveying, and permitting services for the mitigation project to acquire the required permits.

The \$100,000 MPO grant for the water taxi docking facilities is provided by the U.S. Department of Transportation's Ferry Boat Discretionary Program and dispersed through the Florida Department of Transportation. The grant is part of the first phase of the development of a countywide system to link cities via an integrated water taxi system. The County is responsible for ensuring that the facilities will be open and accessible to the public and used as a water taxi docking facility for a period of no less than ten (10) years. The Grant Agreement also requires that the facilities be completed and open to the public within two (2) years of execution of the Grant Agreement. The County will be responsible for covering the costs to repair the facility during the 10-year term of the Grant Agreement and for assuring that the water taxi operators use the facility in a safe manner to minimize injury and damage.