

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 19, 2009

☒ 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 receive and file: First Amendment to Agreement (R2008-1909) with Community Resource Center of Coleman Park, Inc. for the Youth MIC Night variety shows to expand the project scope and to extend the project completion date from December 31, 2008, to September 30, 2009, and the term of the Agreement from March 31, 2009, to December 30, 2009.

Summary: This fully executed First Amendment to Agreement expands the project scope for the Youth MIC Night shows to allow the shows to be held at any Palm Beach County school instead of only at Roosevelt Middle School. It also extends the project completion date to September 30, 2009, and the term of the Agreement to December 30, 2009, in order to allow additional time to complete the programs and accommodate dates of payments. All other terms of the Agreement, including the funding amount of \$5,000, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

Background and Justification: Resolution R-2005-1738 was adopted by the Board on September 13, 2005, to streamline the RAP reimbursement process. It establishes terms and conditions for amending RAP projects and delegates authority for the execution of the amendments to the County Administrator or his designee, which is the Director of the Parks and Recreation Department. The criteria for delegated signature of amendments on behalf of the Board include:

- Changes in project scope/elements within the intent of the approved RAP project;
- Adjustments in budgetary line items within the intent of the approved RAP Project which do not change the contractual amount;
- Changes to the approved project time frame including the initiation date and/or project completion date for periods of less than one year; and
- Other miscellaneous modifications approved by the awarding Commissioner within the overall intent of the approved RAP project.

This delegation of authority allows for more efficient and timely reimbursements for RAP projects by streamlining the existing RAP process for amendments to agreements. The attached Amendment meets criteria listed above, and was executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department.

Attachment: First Amendment to Agreement

Recommended by: _____

Department Director

Date

4/30/09

Approved by: _____

Assistant County Administrator

Date

5/13/09

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2009 | 2010 | 2011 | 2012 | 2013 |
|--|------------|------------|------------|------------|------------|
| Capital Expenditures | -0- | -0- | -0- | -0- | -0- |
| Operating Costs | -0- | -0- | -0- | -0- | -0- |
| External Revenues | -0- | -0- | -0- | -0- | -0- |
| Program Income (County) | -0- | -0- | -0- | -0- | -0- |
| In-Kind Match (County) | -0- | -0- | -0- | -0- | -0- |
| NET FISCAL IMPACT | -0- | -0- | -0- | -0- | -0- |
| # ADDITIONAL FTE POSITIONS (Cumulative) | 0 | | | | |

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 project scope expansion and time extension only, and has no additional fiscal impact to Palm Beach County. The budget account number for the original Agreement is 3600-583-R907-163-8201 (KPO 583 PRRP111308*25).

C. Departmental Fiscal Review: Chopelakis

III. REVIEW COMMENTS

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

OFMB 285/6/09

Dr. J. Law 5/11/09
Contract Development & Control

B. Legal Sufficiency:

Anne Welyant 5/13/09
Assistant County Attorney

C. Other Department Review:

Department Director

REVISÉD 10/95
ADM FORM 01

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

**FIRST AMENDMENT TO AGREEMENT BETWEEN PALM BEACH COUNTY AND
COMMUNITY RESOURCE CENTER OF COLEMAN PARK, INC. FOR YOUTH MIC NIGHT
VARIETY SHOWS**

THIS AMENDMENT is entered into on 4/23/09, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and Community Resource Center of Coleman Park, Inc., a Florida not-for-profit corporation, herein referred to as "Resource Center".

WITNESSETH:

WHEREAS, on October 21, 2008, COUNTY entered into an Agreement (R-2008-1909) with Resource Center, hereinafter referred to as "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$5,000 to assist with the Youth MIC Night Variety Shows held by Palm Beach County at Roosevelt Middle School, hereinafter referred to as the "Project"; and

WHEREAS, Resource Center has requested that County amend the Agreement to allow for the program to be held at available Palm Beach County Schools instead of at Roosevelt ~~Elementary~~ ^{Middle / 1st} School, since Roosevelt ~~Elementary~~ ^{Middle / 1st} School facilities have become unavailable for the Youth MIC Night Variety shows; and

WHEREAS, Resource Center has also requested that County extend the project completion date and term of the Agreement to allow for additional time to complete the project and submit project reimbursement documentation; and

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

NOW THEREFORE, the parties hereby agree as follows:

1. The third "Whereas" clause of the Agreement is amended to read "Resource Center provides opportunities to approximately eighty (80) to one hundred and fifty (150) youth to display their talents and win prizes for performances in dance, comedy, poetry, song, etc., at Youth MIC Night Variety Shows held at Palm Beach County School facilities.
2. Section 8 of the Agreement shall be amended to read "The term of this Agreement shall be until December 30, 2009".
3. The first two sentences of Section 11 of the Agreement are amended to read "Resource Center shall complete the Project by September 30, 2009, and invoices and checks submitted for reimbursement must be dated within the project time frame of December 15, 2007, through September 30, 2009. Resource Center shall provide its final reimbursement request(s), including a project completion statement and reimbursement documentation as indicated in Section 2 above on or before December 30, 2009.
4. 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.

WITNESSES:

[Signature]
Susan W. Yinger
Veronica Kinneth

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

By: *[Signature]*
Dennis L. Eshleman, Director
Parks and Recreation Department

WITNESSES:

[Signature]
Susan W. Yinger

**COMMUNITY RESOURCES CENTER OF
COLEMAN PARK, INC.**

By: *Donald E. Gibson*
Name (Type or Print)
Executive Director
Title
Donald E. Gibson
Signature

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: *Anne Delgado*
County Attorney