

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: November 17, 2009

☒ Consent      ☐ Regular  
☐ Public Hearing

Department:

Submitted By: Administration

Submitted For: Administration

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve:

- A) Modification Number Two to a Federally funded grant agreement (FEMA Project No. 1561-076-R) (R2007-0443) with the Florida Division of Emergency Management to increase the amount of the grant for the design of drainage improvements as part of the Hazard Mitigation Grant Program
- B) A Budget Amendment of \$35,208 in the Capital Outlay Fund to recognize the increase in the grant from FEMA and allocate it to the Grove Street Outfall project.

**Summary:** FEMA has approved an increase to the Phase I grant resulting in an approved grant amount of \$111,944 for the design of a drainage system serving the Grove Street area located along Military Trail between Southern Blvd. and Belvedere Rd. The grant requires a 25% cost share with the County, meaning the total amount granted to the County for the design cost is \$83,958. Additionally, a Phase II grant for construction of the drainage facilities has tentatively been approved. The Phase II approval will be brought back to the Commission at the conclusion of the Phase I contract. As part of the approval for modification of the Phase I project, the grant time frame has been extended to January 31, 2010.

District: 6 MJ

**Background and Justification:** See Page 3

**Attachments:**

- 1. FEMA Modified Agreement (5 Copies)
- 2. Location Map
- 3. Budget Amendment Sheet

Recommended by: Benneth S. Todd, Jr.      10/28/09  
Department Director      Date

Approved By: [Signature]      10/28/09  
County Administration      Date

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	\$46,944	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	(\$35,208)	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$11,736	-0-	-0-	-0-	-0-

No. ADDITIONAL FTE POSITIONS (Cumulative) N/A

Is Item Included In Current Budget? Yes \_\_\_\_\_ No   x  

#### Budget Account No.:

Fund 3900      Dept 361      Unit 1124      Object 6505

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

Capital outlay Fund  
Grove Street Outfall

	Initial Grant	Revised Grant	Increase
Federal Share	\$48,750	\$ 83,958	\$35,208
Local Share	\$16,250	\$ 27,986	\$11,736
Project Cost	\$65,000	\$111,944	\$46,944

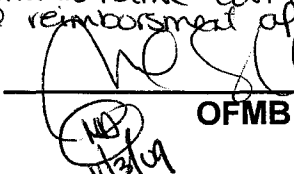
Additional match is already budgeted in the project.

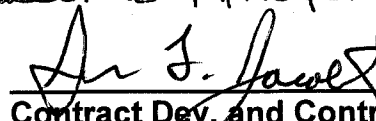
### C. Departmental Fiscal Review:

## III. REVIEW COMMENTS

#### A. OFMB Fiscal and/or Contract Dev. and Control Comments:

\* Administrative cost allowance increased to \$1,170 for a potential total reimbursement of \$86,128.

  
OFMB 11/3/09  
10/13/09 11/2/09

  
Contract Dev. and Control 11/4/09

#### B. Legal Sufficiency:

  
Assistant County Attorney 11/5/09

This Modification complies with our review requirements.

#### C. Other Department Review:

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

**(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)**

**Background and Justification:** In 2001 the Town of Haverhill requested the County help alleviate flooding in the Briarwood Subdivision located within the Town of Haverhill. The Town believed that runoff generated within the area near Grove St. in unincorporated County was contributing to severe flooding that had occurred within the Subdivision after several severe storms. The County agreed to work with the Town to develop a plan to control the runoff into the Subdivision from the unincorporated county. After Hurricanes Francis and Jeanne had passed through the area, a presidential disaster was declared for Palm Beach County enabling the County to become eligible for FEMA grant funding for projects that would correct a recurring flooding situation. County staff applied for a grant to construct drainage facilities to collect runoff from an approximate 22 acre area within the unincorporated county to help control runoff into the Briarwood Subdivision. These drainage facilities were one item of a multi-faceted plan devised by several Agencies involved to help reduce the flooding within the Briarwood Subdivision. Phase I of the grant relates to the design of the facilities and Phase II of the grant relates to construction of the facilities.

Agreement Number: 07HM-6@-10-60-01-047

Project Number: 1561-76-R

**MODIFICATION TO SUBGRANT AGREEMENT BETWEEN  
THE DIVISION OF EMERGENCY MANAGEMENT AND  
PALM BEACH COUNTY**

This Modification Number Two is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and Palm Beach County ("the Recipient") to modify DEM Contract Number 07HM-6@-10-60-01-047, dated June 6, 2007 ("the Agreement").

WHEREAS, the Agreement expired on June 26, 2008; and

WHEREAS, the Division and the Recipient desire to reinstate, extend the term of the Agreement and increase funds.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Agreement is hereby reinstated as though it had never expired.
2. Paragraph 3 of the Agreement is hereby amended to read as follows:

This Agreement shall begin on June 6, 2007, and shall end January 31, 2010 unless terminated earlier in accordance with the provisions of paragraph (12) of this Agreement.

3. The Agreement is amended to increase the federal funds by \$35,678.00, so that the total maximum amount payable under the Agreement is Eighty Five Thousand Seven Hundred Twenty Eight and No/100 Dollars (\$85,728.00).
4. The Budget and Scope of Work, Attachment A to the Agreement, are hereby modified as set forth in Revised Attachment A to this Modification, a copy of which is attached hereto and incorporated herein by reference.
5. All provisions of the Agreement being modified and any attachments in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.
6. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.
7. Quarterly reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

Attachment # 1

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IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

**RECIPIENT: PALM BEACH COUNTY**

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

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**DIVISION OF EMERGENCY MANAGEMENT**

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

Name and Title: Ruben D. Almaguer, Interim Director

Date: \_\_\_\_\_

Approved as to Terms  
and Conditions

By: Ben Todd

Attachment # 1

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**Attachment A (Revised)**

**Budget and Scope of Work**

As a Hazard Mitigation Grant Program project, the Recipient, Palm Beach County, proposes to improve the drainage of the Woodland and Briarwood Subdivision located in the Town of Haverhill, Palm Beach County, Florida. A Phase I study will be conducted to determine modifications needed to improve and upgrade the existing drainage system. The completed construction project will minimize recurring flooding and reduce repetitive flood loss to properties. Phase I will provide funding for completion of design, permitting and geotechnical surveying process for this proposal.

The Phase I deliverables should:

- Have an engineer's plan that clearly shows the engineer's estimate of the pre and post-mitigation effects of the proposed project and the relationship of the damages to be mitigated (commensurate with the level of funding requested). This includes, but is not limited to, the existing and proposed hydrology and hydraulics for the level of event being mitigated.
- Demonstrate mitigation effectiveness, in part, by showing the physical location(s) and elevation(s) of the infrastructure/structures that is being damaged and the Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas on the same plan.
- Meet all required environmental laws and policies. All environmental permits and approvals/concurrences must be obtained. A public notice must be published to notify interested parties of the proposed activity. Notices must be published in a manner that anyone that may be affected or interested in this project has access to the posting. The comment period expired and all comments addressed prior to initiating any construction activities.
- Refine the cost estimate. A new Benefit Cost Analysis will be performed using the revised information.
- Provide a set of Community Approved, State reviewed construction plans (sealed) for review and comment including milestones and timelines for completion of the final phase of the project and bid documents/award.

Phase I of this project is approved with the condition that the above list of deliverables will be submitted for review and approval by the State and FEMA before Phase II is considered. No construction work may begin until Phase II is approved.

This is FEMA project 1561-76-R, funded under 1561-DR-FL.

The Period of Performance for this project ends on January 31, 2010.

**Schedule of Work**

Design:	6 Months
Permitting:	3 Months
State Contract Negotiations:	3 Months
Total Period of Performance:	12 Months

**Line Item Budget\***

	Project Cost	Federal Share	Local Share
Engineering, Design,			
Environmental Permitting:	\$111,944.00	\$83,958.00	\$27,986.00
Sub-total:	\$111,944.00	\$83,958.00	\$27,986.00
Administrative Cost:	\$ 0.00	\$ 1,770.00	\$ 0.00
Total:	\$111,944.00	\$85,728.00	\$27,986.00

*\* Any line item amount in this Budget may be increased or decreased 10% or less without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.*

**Funding Summary**

Federal Share: \$ 83,958.00 (75%)  
Local Share: \$ 27,986.00 (25%)  
Total Project Cost: \$111,944.00 (100%)

Recipient Administrative Allowance up to \$1,770.00.

Attachment # 1  
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# Grove Street Drainage Study

Figure 1 - Study Area





2010- 0111

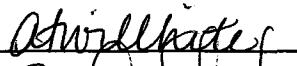
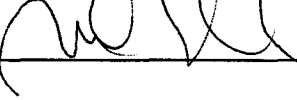

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**BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY  
BUDGET Amendment**

FUND Capital Outlay

BGRV 102109-41  
BGEX 102109-195

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 10/21/09	REMAINING BALANCE
<b><u>REVENUES</u></b>								
<b><u>GROVE STREET OUTFALL (BRIARWOOD)</u></b>								
3900-361-1124-3149	Fed Grant Other Transportation	48,750	48,750	35,208	0	83,958		
<b>TOTAL RECEIPTS &amp; BALANCES</b>		40,744,166	40,744,166	35,208	0	40,779,374		
<b><u>EXPENDITURES</u></b>								
<b><u>GROVE STREET OUTFALL (BRIARWOOD)</u></b>								
3900-361-1124-6551	Road & Street Improvements	48,925	48,925	35,208	0	84,133	0	84,133
<b>TOTAL APPROPRIATIONS &amp; EXPENDITURES</b>		40,744,166	40,744,166	35,208	0	40,779,374		

	<b>SIGNATURE</b>	<b>DATE</b>	<b>By Board of County Commissioners</b>
Engineering & Public Works	<u></u>	<u>10/21/09</u>	At Meeting of <u>11/17/09</u>
Administration / Budget Approval	<u></u>	<u>11/3/09</u>	
OFMB Department – Posted	<u></u>		

11/3/09

**Deputy Clerk to the  
Board of County Commissioners**