

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 1, 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 (R2009-1011) with the Town of Lantana for operational costs for the Lantana Sports Complex to extend the project completion date from July 31, 2009, to August 31, 2009.

**Summary:** This fully executed First Amendment to Agreement extends the project completion date for the completed Lantana Sports Complex project in order to allow the County to continue with the reimbursement process. The reimbursement request was received before the deadline date of October 31, 2009, but the project end date needs to be extended to allow for reimbursement of all eligible project expenses. All other terms of the Agreement, including the funding amount of \$14,000, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 3 Funds. District 7 (AH)

**Background and Justification:** Resolution R2005-1738 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

10-30-09  
Date

Approved by:   
Assistant County Administrator

11/9/09  
Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2010	2011	2012	2013	2014
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>
<b>NET FISCAL IMPACT</b>	<u>-0-</u> <i>See below</i>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<u>0</u>				

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_  
Object \_\_\_\_\_ Program \_\_\_\_\_

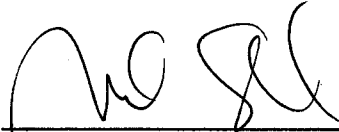
**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

\* This Amendment is for a project completion time extension only, and has no additional fiscal impact to Palm Beach County. The budget account number for the original Agreement is 3600-583-R913-002-8101 (KPO 583 PRRP070609\*78).

C. Departmental Fiscal Review:                     ckopelakis                    

**III. REVIEW COMMENTS**

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

  
OFMB  
*11/4/09*  
*11/04/09*  
*11/16/09*

  
Contract Development & Control  
*11/5/09*

**B. Legal Sufficiency:**  
  
Anne DelFante 11/6/09  
Assistant County Attorney

**C. Other Department Review:**  
  
\_\_\_\_\_  
Department Director

REVISED 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  
THE TOWN OF LANTANA FOR OPERATIONAL COSTS FOR THE LANTANA  
SPORTS COMPLEX**

**THIS AMENDMENT** is entered into on October 27, 2009, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and the Town of Lantana, a Florida Municipal Corporation, herein referred to as "Lantana".

**WITNESSETH:**

**WHEREAS**, on June 16, 2009, County entered into an Agreement ( R-2009-1011) with Lantana, hereinafter referred to as the "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$14,000 to assist Lantana with operational costs for the Lantana Sports Complex, hereinafter referred to as the "Project"; and

**WHEREAS**, Lantana has requested that County change the completion date of the project from July 31, 2009, to August 31, 2009 in order to allow for the reimbursement of all project expenses; and

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

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

1. Section 10 of the Agreement is amended to read "Lantana shall complete the project by August 31, 2009, and invoices and checks and/or proof of payments submitted for reimbursement must be dated within the Project time frame of April 1, 2009, through August 31, 2009. Lantana shall provide its final reimbursement request(s), including a project completion statement and reimbursement documentation as indicated in Section 2 above on or before October 31, 2009."

2. 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:**

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

Alexander W. Young  
Terencia Kennett

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

**ATTEST:**

**TOWN OF LANTANA**

Crystal A. Gibson  
City Clerk

By: Daryl Seal  
Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

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