

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<u>2,126</u>	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	<u>2,126</u>	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
# 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:

C. Department Fiscal Review: *JF*

All of the Agreements are included in ERM's FY 2010 budget.

III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Dev. and Control Comments:
 A) + B) no fiscal impact C) No Net fiscal impact \$622,225.01 Revenue + Expenditures
 D) Decrease in revenue of \$2,126.03 E) No net fiscal impact
[Signature] *[Signature]* 7/28/10
 OFMB JB 7/28/10 Contract Development and Control

B. Legal Sufficiency: *7/28/10*
[Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director

(Continued from Page 1)

Administration, for agreements less than \$100,000 where no change in match requirements are involved. E) Agreement No. LP6046 with the FDEP was approved on April 4, 2006 (R 2006-0583) to reimburse up to \$1,000,000 for projects under the Lake Worth Lagoon Partnership Grant Program. Additional amendments have been executed to increase the award to \$7,000,000. Delegated authority to sign minor amendments that do not change the scope of work was provided at that time. Amendment No. 4 allows FDEP to redistribute \$136,593 from Amendment No. 1 Funding Plan to Amendment No. 2 Funding Plan to allow for delays in construction attributed to Amendment No. 1 as an internal accounting adjustment. There is no change in the scope of work for any of the projects or change in the award. No ad valorem support is required for this amendment. Countywide (SF)

Background and Justification: N/A

Attachment 1

FWC Grant No. 08265

**AMENDMENT NO. 1
TO
GRANT AGREEMENT
BETWEEN
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
AND
PALM BEACH COUNTY
FOR
ARTIFICIAL REEF MONITORING PROJECT**

THIS AMENDMENT TO THE GRANT AGREEMENT ("Agreement") is entered into by and between the FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("COMMISSION") and PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS ("GRANTEE") and amends that Agreement entered into between the COMMISSION and the GRANTEE dated April 14, 2009 (R2009 0572).

IN CONSIDERATION of the mutual covenants and conditions set forth herein and in the Agreement, the parties agree to amend the Agreement as follows:

1. Paragraph No. 3 of the Agreement is hereby replaced with the following: This Agreement shall begin upon execution by both parties and end on June 1, 2011. The GRANTEE shall not be eligible for reimbursement for services rendered prior to the execution date of this Agreement not after the termination date of the Agreement.

2. Paragraph No. 3 of Attachment A (Scope of Services) at page 12 of the Agreement is hereby replaced with the following: GRANTEE shall provide the COMMISSION with a draft final report on or before February 1, 2011. The COMMISSION shall provide the GRANTEE with written comments, if any, on the draft final report on or before March 1, 2011. The GRANTEE shall provide the COMMISSION with the final report on or before April 1, 2011.

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3. No funds in addition to those provided for in the Agreement are authorized or allocated pursuant to this Amendment.

4. All provisions of the Agreement not specifically amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed the day and year last written below:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

By: Richard E. Wenzel
(Grantee authorized Signatory)

Director, ERM
(Title)

Date: 4/5/10

Approved as to form and legality:

Mona Fox
County Attorney

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

By: [Signature]
Director/Division of Marine Fisheries
Or Designee

Date: 4/22/10

Approved as to form and legality:

Shella Miralza
Commission Attorney

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Attachment 2

**STATE FINANCIAL ASSISTANCE AGREEMENT
DEP AGREEMENT NO. LP6077
PALM BEACH COUNTY
AMENDMENT NO. 4
PURSUANT TO LINE ITEM 1821 OF THE 2006-2007 GENERAL APPROPRIATIONS ACT,
AND
LINE ITEM 1859 OF THE 2007-2008 GENERAL APPROPRIATIONS ACT AND
LINE ITEM 1772C OF THE 2008-2009 GENERAL APPROPRIATIONS ACT**

THIS AGREEMENT as entered into on the 4th day of May, 2006, and amended on the 30th day of April, 2007, the 19th day of May, 2008, and the 13th day of January, 2009, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and PALM BEACH COUNTY (hereinafter referred to as the "Grantee" or "Recipient") is hereby amended.

WHEREAS, the Grantee has requested an extension of the term of the Agreement in order to complete the project as planned; and,

WHEREAS, the Grantee understands that certification forward of State Fiscal Year 2006-2007, State Fiscal Year 2007-2008, and State Fiscal Year 2008-2009 funds supporting this Amendment beyond June 30th of each year is subject to the approval of the Governor's Office; and,

WHEREAS, the Grantee has requested an end date that extends beyond the current authorized funding period; and,

WHEREAS, the Grantee understands that if the Governor's Office does not approve the Department's request to certify the funds forward, the Grantee will not be eligible for reimbursement for the activities covered by the remaining unpaid State Fiscal Year 2006-2007, State Fiscal Year 2007-2008, and State Fiscal Year 2008-2009 funds, and

WHEREAS, additional changes to the Agreement are necessary.

NOW, THEREFORE, the parties hereto agree as follows:

1. Section 2. is hereby revised to change the completion date of the Agreement from December 31, 2010, to December 31, 2011, and to include the following language as a separate paragraph.

The Grantee understands and agrees that certification forward of the State Fiscal Year 2006-2007, State Fiscal Year 2007-2008, and the State Fiscal Year 2008-2009 funds supporting this Agreement beyond June 30th of each year is subject to the approval of the Governor's Office.

2. Attachment A, Project Work Plan, is hereby amended to extend the date of completion for the project to December 31, 2011.

In all other respects, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.

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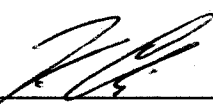
This Amendment 4 to State Financial Assistance Agreement LP6077 shall be executed in two or more counterparts, either of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the State Financial Assistance Agreement to be executed on its behalf by the Deputy Director of the Department and the Grantee has caused this amendment to be executed on its behalf by its Authorized Representative. The effective date of this amendment shall be as set forth below by the Deputy Director of the Department of Environmental Protection, Division of Water Resource Management.

PALM BEACH COUNTY

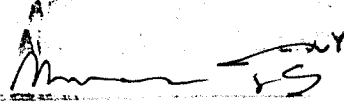
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

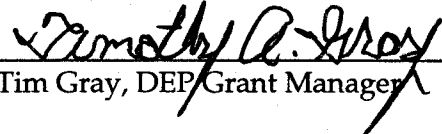
By: 
Chairperson

By: 
Assistant Director
Southeast District

Date: 4/13/10

Date: 04/16/10

BY 
County Attorney


Tim Gray, DEP Grant Manager

*For Agreements with governmental boards/commissions: If someone other than the Chairman signs this Amendment, a resolution, statement or other document authorizing that person to sign the Amendment on behalf of the Grantee must accompany the Amendment.

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Attachment B

R2007-0812

**Florida Department of Environmental Protection
Task Assignment Notification Form for PALM BEACH COUNTY**

Contract No. GC680 Task No. 04 Amendment No. _____ Date 06/04/2010

Performance Period: Effective the date of execution of this Task Assignment or July 1, 2010, whichever is later, and shall remain in effect until June 30, 2011.

Description: (Additional Pages May be Utilized)

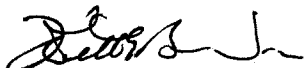
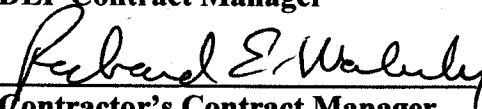


Contractor will perform inspections for all reported discharges, installations, closures, involving regulated storage tank systems. Contractor will also perform all re-inspections as necessary to confirm compliance. CONTRACTOR will conduct routine compliance inspections for at least 90% of the facilities listed in Exhibit #1, Contractor's Facilities Inventory List (provided via email) in the following priority order: facilities that have not met the December 31, 2009 upgrade requirements, facilities that were not inspected last fiscal year, and facilities with open SNC violations. Exhibit #2 (1 page) identifies the number of regulated tanks as of April 15, 2010, and the funding allotment for FY 10-11 as indicated below. CONTRACTOR will perform all Enforcement Actions in accordance with Guidance Document F (Level of Effort). The Department will use its judgment to determine whether the CONTRACTOR is satisfactorily pursuing resolution of these violations. The CONTRACTOR shall not allocate funding to non-program activities outside the scope of the contract or Task Assignment. The CONTRACTOR acknowledges that the provisions of Section 376.3071, F.S., prohibit the use of Inland Protection Trust Fund money for purposes other than those specified in that section.

Payment schedule: Payments 1 - 11, \$ 51,852.08
Payment 12, \$ 51,852.13

Task Managers:

DEP Task Manager: Stephen E. Brown Phone: (561) 681-6668
Contractor Task Manager: Richard E. Walesky Phone: (561) 233-2400

Authorization:

	<u>9 Jun 10</u>
DEP Contract Manager	Date
	<u>6/17/10</u>
Contractor's Contract Manager	Date
	<u>6/10/10</u>
DEP Budget Representative	Date
	<u>6/10/10</u>

Funding

ORGANIZATION CODE	EO	OBJECT CODE	MODULE	SPECIAL CATEGORY	YR	AMOUNT
37450402000	TH	132500	4562	IPTF 100029	10 11	\$ 622,225.01

Notes:

CC: DEP Contracts (MS 93)
Finance & Accounting, Contracts Disbursement Section (MS 78) - 2 Copies
DEP Task Manager
Contractor Task Manager

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Attachment B

**Florida Department of Environmental Protection
Task Assignment Notification Form for PALM BEACH COUNTY**

Contract No. GC680 Task No. 04 Amendment No. _____ Date 06/04/2010

Performance Period: Effective the date of execution of this Task Assignment or July 1, 2010, whichever is later, and shall remain in effect until June 30, 2011.

Description: (Additional Pages May be Utilized)

Contractor will perform inspections for all reported discharges, installations, closures, involving regulated storage tank systems. Contractor will also perform all re-inspections as necessary to confirm compliance. CONTRACTOR will conduct routine compliance inspections for at least 90% of the facilities listed in Exhibit #1, Contractor's Facilities Inventory List (provided via email) in the following priority order: facilities that have not met the December 31, 2009 upgrade requirements, facilities that were not inspected last fiscal year, and facilities with open SNC violations. Exhibit #2 (1 page) identifies the number of regulated tanks as of April 15, 2010, and the funding allotment for FY 10-11 as indicated below. CONTRACTOR will perform all Enforcement Actions in accordance with Guidance Document F (Level of Effort). The Department will use its judgment to determine whether the CONTRACTOR is satisfactorily pursuing resolution of these violations. The CONTRACTOR shall not allocate funding to non-program activities outside the scope of the contract or Task Assignment. The CONTRACTOR acknowledges that the provisions of Section 376.3071, F.S., prohibit the use of Inland Protection Trust Fund money for purposes other than those specified in that section.

Payment schedule: Payments 1 - 11, \$ 51,852.08
Payment 12, \$ 51,852.13

Task Managers:

DEP Task Manager: Stephen E. Brown Phone: (561) 681-6668
Contractor Task Manager: Richard E. Walesky Phone: (561) 233-2400

Authorization:

Stephen E. Brown 9 Jun 10
DEP Contract Manager Date

Contractor's Contract Manager Date
Richard E. Walesky 6/10/10
DEP Budget Representative Date

S. Lee 6/10/10

Funding

ORGANIZATION CODE	EO	OBJECT CODE	MODULE	SPECIAL CATEGORY	YR	AMOUNT
37450402000	TH	132500	4562	IPTF 100029	10	\$ 622,225.01
					11	

Notes:

CC: DEP Contracts (MS 93)
Finance & Accounting, Contracts Disbursement Section (MS 78) - 2 Copies
DEP Task Manager
Contractor Task Manager

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**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

BY *Richard E. Walesky*



Florida Department of Agriculture and Consumer Services
CHARLES H. BRONSON, Commissioner
The Capitol - Tallahassee, FL 32399-0800
www.doacs.state.fl.us

FDACS CONTRACT # ^{Page 1 of 1}
014972

CONTRACT AMENDMENT

Please Respond To: Angela Weeks-Samanie, ES III
BEPC, Mosquito Control Program
1203 Governors Sq Blvd, Ste 300
Magnolia Center I
Tallahassee, FL 32301

March 23, 2010

Ed Bradford, Director
Palm Beach County Mosquito Control
9011 West Lantana Road
Lake Worth, Florida 33467

RE: Amendment of Contract # 14972 dated 10/01/09.

This letter, upon execution by both parties and attachment to the original contract shall serve to amend said contract. The contract shall be amended as follows:

Amend the CONTRACTUAL SERVICES AGREEMENT as follows:

Paragraph nine, sentence one, page three of ten(3 of 10)
An amount not to exceed \$36,873.37, payable in equal quarterly installments upon receipt of required reports submitted to the Department within statutory deadlines.

Exhibit 1, section 5 titled SUBJECT TO SECTION 215.97, FLORIDA STATUTES,
line three titled: Project Amount, page ten of ten(10 of 10)
Not to exceed \$36,873.37

NO OTHER PROVISIONS OF THIS CONTRACT ARE AMENDED OR OTHERWISE ALTERED BY THIS AMENDMENT.

Mike Gresham
Director of Administration
Department of Agriculture
and Consumer Services

(Date)

(Signature)
Director
(Title)

(Company)

(Date)

AS TO FORM
LEGAL SUFFICIENCY //

BY
County Attorney



Attachment 5

STATE FINANCIAL ASSISTANCE AGREEMENT
DEP AGREEMENT NO. LP6046
PALM BEACH COUNTY
AMENDMENT NO. 4
PURSUANT TO LINE ITEM 1821 OF THE 2006-2007 GENERAL APPROPRIATIONS ACT,
AND
LINE ITEM 1859 OF THE 2007-2008 GENERAL APPROPRIATIONS ACT AND
LINE ITEM 1772C OF THE 2008-2009 GENERAL APPROPRIATIONS ACT

THIS AGREEMENT as entered into on the 27th day of April, 2006, and amended on the 20th day of November, 2006, the 13th day of January, 2008, and the 16th day of December, 2008, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and PALM BEACH COUNTY (hereinafter referred to as the "Grantee" or "Recipient") is hereby amended.

WHEREAS, due to revision to the project work plan and reallocation of the budget; and,

WHEREAS, the Grantee understands that certification forward of State Fiscal Year 2006-2007, State Fiscal Year 2007-2008, and State Fiscal Year 2008-2009 funds supporting this Amendment beyond June 30th of each year is subject to the approval of the Governor's Office; and,

WHEREAS, additional changes to the Agreement are necessary.

NOW, THEREFORE, the parties hereto agree as follows:

1. **Attachment A**, Project Work Plan, is hereby amended to include **Attachment A-4**, Revised Project Work Plan, attached hereto and made a part of the Agreement. All references in the Agreement to **Attachment A**, Project Work Plan, shall hereinafter refer to **Attachment A**, Project Work Plan, **Attachment A-1**, Revised Project Work Plan, **Attachment A-2**, Revised Project Work Plan, **Attachment A-3**, Revised Project Work Plan, and **Attachment A-4**, Revised Project Work Plan.

In all other respects, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.

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Construction End: May 2008
Project Completion: July 2008

2. City of West Palm Beach: 23rd, 26th, and 33rd Streets Pollution Control Device Project

The City's recent Storm Water Master Plan outlines several measures to be taken to reduce pollutants discharged to the Lagoon via the City's storm water runoff. These measures include installation of pollution control devices (Suntree Nutrient Separating Baffle Box), drainage and sanitary pipe replacements, exfiltration systems and lake detention systems. This project includes the installation of storm water Pollution Control Devices (PCD's; Suntree Nutrient Removal Baffle Box) on three of the City's primary drainage system pipes (23rd, 26th, and 33rd Streets) that outfall directly to the Lake Worth Lagoon.

The purpose of the Pollution Control Devices is to reduce the amount of trash, oils, greases and suspended solids entering the Lagoon in an attempt to reverse the adverse impacts caused by decades of untreated stormwater runoff. Each of these project sites will be surveyed to determine the appropriate locations for these devices. It is anticipated that the devices will be located near the outfall discharge point of each drainage system and within the City's right of way for easy access and cleaning. Required pipe relocations and or replacements/improvements immediately upstream of the structures and downstream to the outfall discharge point are also included in the project scope of work. The project will enhance water quality of runoff from a 389.2-acre watershed before it enters Lake Worth Lagoon. Pollution Control Devices have been reported to have the following treatment efficiencies: 75-90% removal of total suspended solids, 45-70% removal of nutrients (phosphorous and nitrogen) and 75-90 % removal of heavy metals. The City will estimate the pollutant load reduction of the installed storm water improvements in accordance with accepted design methods.

Project Start: June 2006
Construction Start: September 2006
Construction End: September 2008
Project Completion: December 2008

3. Town of Hypoluxo: Sewering of Hypoluxo Shores

The Town of Hypoluxo is located on Lake Worth Lagoon and directly impacts the water body. There are 28 residential lots located east of US Highway 1 that use septic tanks for wastewater treatment. The septic systems are more than 50 years old and some are located within close proximity to Lake Worth Lagoon, in some cases, 10 feet from the edge of water. By removing the aging septic system, septic loading to the lagoon from these residences will be eliminated.

Project Start: October 2006
Construction Start: August 2007
Construction End: February 2008
Project Completion: May 2008

4. Boynton Beach/Ocean Ridge Mangrove Planter/Revetment

The proposed mangrove planter/revetment project is designed to protect an approximate 30 acre mangrove area, including a 2,400 foot mangrove fringe that has slowly eroded by boat wakes. The project will consist of the placement of approximately 6,400 tons of limestone boulders along the mangrove fringe and, where practical, construction of a linear mangrove planter between the rock and existing mangroves consisting of filter fabric filled with sand and soil amendments and planted with red mangroves and Spartina. These mangroves provide important habitat for many species of fish and wildlife and improve water quality. The rock revetment, by nature of its makeup and location, will serve not only as fortification of the mangroves but also act as a shallow water artificial reef that is conducive as substratum for oysters and other attaching organisms.

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Project Start: July 2006
 Construction Start: January 2008
 Construction End: October 2008
 Project Completion: November 2008

5. Lake Worth Lagoon Monitoring

The continuing Lake Worth Lagoon Monitoring Project will consist of various sub-projects with the overall objective being to determine whether the Lagoon's environmental health is improving based on the implementation of construction projects designed to benefit the Lagoon's habitat and water quality. The subprojects for State Fiscal Year 2006-2007 will include:

- Continuation of USGS Sediment Transport Study;
- Sediment Sourcing and Sediment Management Study;
- Substrate Characterization Study;
- Sea Turtle Netting Survey; and
- Fishery Survey.

Project Start: January 2007
 Project Completion: June 2009

6. Grant Administration

Administrative functions provided by County staff for the Lake Worth Lagoon Restoration and Enhancement Projects include the following:

- Preparation and administration of subgrants associated with individual projects;
- Site inspections to track compliance with the terms of subgrantees contracts;
- Review of subgrantees invoices, progress reports and site inspection reports, consistent with individual contracts and Scopes of Services;
- Prepare Grant Manager and Engineer Certifications;
- Preparation of reports submitted to the Department on project status and funding; and
- Preparation of project modifications to the Scope of Services as may be appropriate and coordination of contract modifications with the Department and subgrantees.

Project Start: January 2007
 Project Completion: June 2009

IV. PROJECT MILESTONES:

If the scope of work includes construction:
 Estimated Construction start date: June 2006
 Estimated scope of work completion date: June 2009

V. LOCAL MATCH & OTHER GRANT FUNDS:

List the sources and amounts for all funds being used to fund this project.

SOURCE	AMOUNT(\$)
2006-2007 LP grant	\$1,863,407
2006-2007 Match:	
PBC Gas tax Reserves - District 2 (Project 1)	\$400,000
Storm Water Bond Fund (Project 2)	\$500,000
Town of Hypoluxo Reserves (Project 3)	\$400,000
PBC Vessel Registration Fees, PBC Annual Restoration Funds (Project 4)	\$466,575
In-Kind (Lake Worth Lagoon Monitoring)	\$200,000
Ad-Valorem (Grant Administration)	\$33,425
Total Project Cost	\$3,863,407

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