

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: January 11, 2011

☒ 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: **A) ratify** the signature of the Chair on a State of Florida Department of Environmental Protection (FDEP) Agreement No. CM016 Amendment No. 1; and **B) receive and file** a fully executed State of Florida Department of Environmental Protection Agreement No. CM016 Amendment No. 1 for a \$50,000 Florida Coastal Management Program grant approving a 6-month time extension, and modifying the scope of work.

Summary: On December 2, 2008, the Board authorized submission of a Florida Coastal Partnership Initiative grant application (R2008-2237) for upland improvements at the Zeke's Marina property. The grant was awarded, and on October 20, 2009, a Receive and File agenda item was presented to the Board to enter the Grant Agreement (R2009-1798) into public records and to establish budget for the grant. The Grant Agreement required all improvements to be completed by September 30, 2010; however, due to construction delays, the County requested a 6-month time extension and a modification to the scope of work reducing the proposed sidewalk width from 12 feet to 6 feet. The time extension and modification of the scope of work was approved by FDEP, and Commissioner Aaronson signed the Amendment on behalf of the County. The document is now being presented to the Board to receive and file. District 1 (AH)

Background and Justification: The Florida Coastal Partnership Initiative makes federal funds from the National Oceanic and Atmospheric Administration (NOAA) available to local governments for the protection and effective management of Florida's coastal resources. The grant is administered by FDEP. The grant funds are being used at Zeke's Marina to clear exotic vegetation, plant native vegetation, install a picnic shelter, and construct a 6-foot wide multi-purpose path. Amendment No. 1 to the Grant Agreement provides for a 6-month time extension changing the end date from September 30, 2010, to March 31, 2011, and modifies the project scope to reduce the width of the proposed sidewalk from 12 feet to 6 feet in order to reduce the impact to archaeological resources on site.

Attachment: Amendment No. 1

Recommended by:


Department Director

1/4/2011
Date

Approved by:


Assistant County Administrator

1/10/11
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2011 | 2012 | 2013 | 2014 | 2015 |
|---|------|------|------|------|------|
| 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:


There is no fiscal impact associated with this agenda item.

C. Departmental Fiscal Review: ckopelakers

III. REVIEW COMMENTS

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

OFMB  1/6/2011
12/27 12/14 12/16

Contract Development and Control
 1/7/11
J. Jones 1/7/11

B. Legal Sufficiency: *8/1/6/11*

Anne Delgado 1/10/11
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

DEP AGREEMENT NO. CM016
AMENDMENT NO. 1

THE DEP AGREEMENT No. CM016 entered into on the 1st day of September 2009, between the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS (hereinafter referred to as "Grantee") is hereby amended.

WHEREAS, the Grantee determines that it is necessary to extend the project period ending date to March 31, 2011 and amend the Scope of Work, Project Objectives and Related Tasks and Deliverables and Project Budget Narrative as shown in Attachment A to the original Agreement; and

WHEREAS, the Department, acting as the Florida Coastal Management Program, agrees with the Grantee that the amendment is needed.

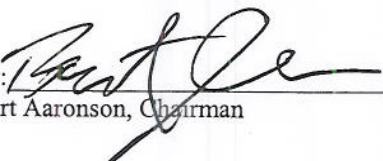
NOW, THEREFORE, DEP Agreement No. CM016 is hereby amended as follows:

1. Section (2) of the Agreement is revised to change the ending date of the Agreement from September 30, 2010, to March 31, 2011.
2. Scope of Work, Project Objectives and Related Tasks and Deliverables and Project Budget Narrative in original Attachment A is hereby deleted in its entirety and replaced with the Revised Scope of Work, Project Objectives and Related Tasks and Deliverables and Project Budget Narrative attached hereto as Attachment A-1 and made part hereof. Any reference to sections of Attachment A shall be replaced by reference to the corresponding sections of Attachment A-1

In all other respects, DEP Agreement No. CM016 and attachments relative thereto, shall remain in full force and effect.

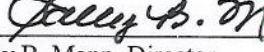
IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed the day and year last written below.

PALM BEACH COUNTY BOARD OF
COUNTY COMMISSIONERS

By: 
Burt Aaronson, Chairman

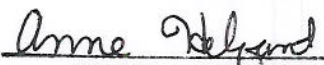
Date: 9/28/2010

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By: 
Sally B. Mann, Director
Intergovernmental Programs

Date: 9/30/10

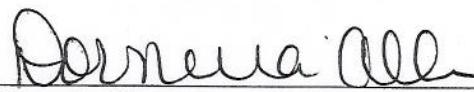
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY


COUNTY ATTORNEY

Approved as to Terms & Conditions:

By: 

Eric Call, Director, Parks & Recreation


Dornecia Allen
DEP Grant Manager

APPROVED as to form and legality:


DEP Coastal Management Program Attorney

ATTACHMENT A-1
PROJECT WORK PLAN
FY 09-10

DEP Agreement # CM016

Project Title: Zeke's Marina Upland Restoration and Development

Grantee

Organization Name: Palm Beach County Board of County Commissioners

Chief Elected Official or Agency Head: Burt Aaronson, Chairman

Title: Chairman, Board of County Commissioners

Address: 301 N. Olive Avenue

City: West Palm Beach, Florida

Zip Code: 33401

Area Code and Telephone Number: 561-355-2030

Area Code and Facsimile Machine Telephone Number: 561-355-3928

E-Mail Address: ~~XXXXXX@pbcgov.org~~ BAaronso@pbcgov.org

Project Manager

Organization Name: Palm Beach County Board of County Commissioners

Name: Jean Matthews

Address: 2700 6th Ave. South

City: Lake Worth

Zip Code: 33461

Area Code and Telephone Number: (561) 966-6652

Area Code and Facsimile Machine Telephone Number: 561-963-6747

E-Mail Address: jmatthew@pbcgov.org

Mailing Address for Warrant (if other than the Grantee address):

County in which project is located: Palm Beach Project is Statewide: _____

Scope of Work Information

Abstract Description: Briefly but completely describe the problem to be addressed and the project solution to the problem. Please limit to one page.

Zeke's Marina is a unique waterfront property located on Jupiter Inlet at the southern end of the Indian River Lagoon in Palm Beach County. The property was part of the DuBois pioneer homestead, site of the oldest structure in the County – a pineapple packing house. Restoration and development of Zeke's Marina is an appropriate way to provide for the needs of park patrons and to preserve the natural environment – the site is heavily covered in exotic vegetation and in need of park facilities. Palm Beach County will use FCMP funds to:

- 1) remove exotic species and replant using salt tolerant native vegetation in order to provide habitat for coastal species;
- 2) construct a 6'-wide paved multi-purpose path that will connect with the Jupiter Riverwalk that will link marinas, restaurants, natural areas, the DuBois Park and Loxahatchee River to the project site; and
- 3) install park facilities – picnic shelters, tables and grills, bike racks and trash receptacles.

The County will provide non-federal matching funds towards this project from costs for exotic vegetation/native revegetation, park facilities and the multi-purpose path.

Project Objectives and Related Tasks and Deliverables: List project objective(s) and tasks that will accomplish each objective. Deliverables or work products must be listed.

Objective 1: Restoration and development of Zeke's Marina

Task 1: Removal of exotic vegetation

Task 2: Plant salt tolerant native landscape, including a 1/3 acre native buffer along the western edge of the site.

Task 3: Construct a 6' wide paved multi-purpose path through the project site that will connect with the Jupiter Riverwalk.

Deliverables: Photos of before and after exotic species removal, salt tolerant native landscape and multi-purpose path.

Project Budget Schedule: Type dollar amounts only in applicable categories (round to the nearest dollar; no cents) and leave other categories blank. If your grant Agreement requires match, it must equal the FCMP funds requested, or one hundred percent (100%). Prior written approval from the Department's Grant Manager shall be required for changes between budget categories up to 10% of the total budget. The DEP Grant Manager will transmit a copy of the written approval and revised budget to the DEP Contracts Disbursements Office for inclusion in the Agreement file. Changes greater than 10% will require a formal amendment to the Agreement.

| <i><u>Budget Category</u></i> | <i><u>FCMP Funds</u></i> | <i><u>MATCH Funds</u></i> |
|--------------------------------------|---------------------------------|----------------------------------|
| 1. Salaries | <u> </u> | <u> </u> |
| 2. Fringe Benefits | <u> </u> | <u> </u> |
| 3. Travel | <u> </u> | <u> </u> |
| 4. Equipment Purchases | <u> </u> | <u> </u> |
| 5. Supplies | <u> </u> | <u> </u> |
| 6. Contractual Services | <u> </u> | <u> </u> |
| 7. Other Expenses | <u>50,000</u> | <u>50,000</u> |
| 8. Indirect Charges | <u> </u> | <u> </u> |
| FCMP Total | <u>50,000</u> | |
| Match Total | | <u>50,000</u> |
| NOAA Project Total | <u>100,000</u> | |
| Total Project Cost: | <u>\$100,000</u> | |

Project Budget Narrative: Describe line items for each applicable budget category shown on the budget schedule. Provide sufficient detail to show cost relationship to project activities. Complete for both FCMP and match items, if applicable. If in-kind match is being provided by a third party, a letter from that party confirming the amount and type of that match must be included with this project work plan. **Note:** Indirect costs are not allowed as match.

FCMP Funds:
Other Expenses \$50,000

Clear exotic vegetation \$4,000: A Palm Beach County annual contractor will be hired to mechanically remove approximately 1/3 acre of exotic vegetation. The exotic vegetation removal will take approximately one week to complete at a cost of \$8,000, of which \$4,000 is charged to FCMP funds.

Plant native vegetation \$20,200
The project site will be replanted with salt tolerant native landscape plants by an annual contractor. The replanting project will take approximately three weeks to complete.

Proposed Plant List

| Qty | Botanical Name | Common Name | Description | Price per Plant | Total |
|--------------|-------------------------------|-------------------------|--|-----------------|---------|
| 3 | <i>Quercus virginiana</i> | Live Oak | 14' OA 3" caliper | 337.00 | \$1,011 |
| 6 | <i>Bursera simaruba</i> | Gumbo Limbo | 14' OA | 275.00 | 1,650 |
| 22 | <i>Coccoloba diversifolia</i> | Pigeon Plum | 10' OA X 3.5' SPR | 260.00 | 5,720 |
| 47 | <i>Serona repens</i> | Saw Palmetto | 3 gal., 10"hgt x 10" spd. | 12.00 | 564 |
| 49 | <i>Argusia Graphalodes</i> | Sea Lavender | 4" pots | 10.00 | 490 |
| 47 | <i>Sabal palmetto</i> | Cabbage Palm | 10'-15' ct hurricane cut | 135.00 | 6,345 |
| 3 | <i>Coccoloba uvifera</i> | Seagrape | 25 gallon | 225.00 | 675 |
| 75 | <i>Coccoloba uvifera</i> | Seagrape | 3 gal, 24" ht. x 18" spr., | 7.00 | 525 |
| 15 | <i>Concarpus erectus</i> | Green Buttonwood | 2.0" CAL 10' OA X 3.5' | 225.00 | 3,375 |
| 67 | <i>Chrysobalanus icaco</i> | Green Cocoplum | 3 gal., 18" ht. x 12" spr., | 7.00 | 469 |
| 191 | <i>Tripsacum floridana</i> | Dwarf Fakahatchee Grass | 3 gallon | 7.00 | 1,337 |
| 136 | <i>Sophora tomentosa</i> | Necklace Pod | 3 gallon | 7.00 | 952 |
| 14 | <i>Eugenia foetida</i> | Spanish Stopper | 6' OA | 135.00 | 1,890 |
| 71 | <i>Psychotria nervosa</i> | Wild Coffee | 3 gallon | 7.00 | 497 |
| | Sod | | 4000 sq ft @ \$0.25 | .25 | 1,000 |
| | Landscape berm | | | | 6,000 |
| | Irrigation | | | | 8,000 |
| Total | | | \$40,400** of which \$20,200 is charged to FCMP funds | | |

An annual contractor will be hired to complete the construction. The Palm Beach County Parks and Recreation Department's Construction Project Specialist will oversee the project. \$25,800

| Item | Quantity | Cost per Item | Total |
|----------------------------|----------------|----------------|-------------------|
| 10' x 16' Picnic Shelter | 1 | \$19,000 | \$19,000 |
| Picnic Tables | 5 | 2,000 | 10,000 |
| Grills | 4 | 600 | 2,400 |
| Bike Rack | 1 | 1,000 | 1,000 |
| 6' wide multi-purpose path | 550' linear ft | 35.00 per L.F. | 19,200 |
| Total | | | \$51,600** |

*** of which \$25,800 is charged to FCMP funds

Match Funds:**Other Expenses \$50,000****Clear exotic vegetation \$4,000**

A Palm Beach County annual contractor will be hired to mechanically remove approximately 1/3 acre of exotic vegetation. The exotic vegetation removal will take approximately one week to complete at a cost of \$8,000, of which \$4,000 is covered by matching funds.

Plant native vegetation \$20,200

The project site will be replanted with salt tolerant native landscape plants by an annual contractor. The replanting project will take approximately three weeks to complete.

Plant List

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