

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: 6/21/2011 [X] Consent [] Regular
[] Public Hearing

Department

Submitted By: COUNTY ATTORNEY
Submitted For:

I. EXECUTIVE BRIEF

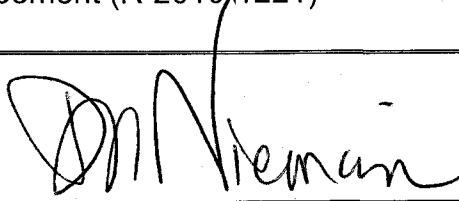
Motion and Title: Staff recommends motion to approve: Amendment No. 1 to the Agreement (R-2010-1221) with the law firm of Nabors Giblin & Nickerson, P.A. ("Attorney"), to provide disclosure counsel and related legal services for the not to exceed \$30 Million Taxable Public Improvement Revenue Bonds, Series 2012 (Convention Center Hotel) and the not to exceed \$45 Million Public Improvement Revenue Bonds, Series 2011 (Ocean Avenue Bridge & Max Planck Projects) (the "Bonds").

Summary: The law firm was selected as disclosure counsel for the above financings by the Board at the May 17, 2011 meeting. This Amendment No. 1 confirms that selection by amending the existing Agreement for disclosure counsel and related services between Palm Beach County and the law firm. Payment for the legal services in connection with the bond issuance will be as provided for the Agreement. Countywide (PFK).

Background and Justification: Legal services are required by the County from the law firm for the above-referenced financing.

Attachments:

- 1. Amendment No. 1 to Agreement (R-2010-1221)

Recommended by:  6/3/11
County Attorney Date

Approved by: N/A
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	*	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Department _____ Unit _____ Object _____

Reporting Category _____

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

C. Departmental Fiscal Review: * Attorneys fees and costs will paid from the proceeds of the sale of the bonds and cannot be estimated at this time.

III. REVIEW COMMENTS

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

[Signature]
 6/6/11 OFMB chg
 6/13/11

[Signature]
 Contract Development and Control

B. Legal Sufficiency:
[Signature] 6/2/11
 Assistant County Attorney

This amendment complies with our review requirements.
At the time of our review, the Amendment was not executed.

C. Other Department Review:

 Department Director

**AMENDMENT NO. 1
TO AGREEMENT BETWEEN PALM BEACH COUNTY
AND NABORS GIBLIN & NICKERSON, P.A.
FOR DISCLOSURE COUNSEL AND RELATED LEGAL SERVICES**

This Amendment No. 1, dated _____, amends Agreement R-2010-1221 dated August 17, 2010, ("Agreement"), by and between Palm Beach County ("County") and Nabors Giblin & Nickerson, P.A. ("Attorney"), as follows:

Attorney agrees to provide disclosure counsel and related legal services for the not to exceed \$30 Million Taxable Public Improvement Revenue Bonds, Series 2012 (Convention Center Hotel) and the not to exceed \$45 Million Public Improvement Revenue Bonds, Series 2011 (Ocean Avenue Bridge and Max Planck projects) (the "Bonds"). Attorney will be compensated as provided in the Agreement.

Except as provided above, the Agreement remains in full force and effect.

ATTEST:

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

Sharon R. Bock, Clerk & Comptroller

By: _____
Deputy Clerk

By: _____
Karen T. Marcus, Chair

WITNESS:

ATTORNEY:
NABORS GIBLIN & NICKERSON, P.A.

Tammy L. Keith
(Signature)

By: _____

Tammy L. Keith
Name (Type or Print)

Junior D. Brown III
Name (Type or Print)

Shareholder

Title

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Paul F. [Signature]
County Attorney