Agenda Item #: 3#-5

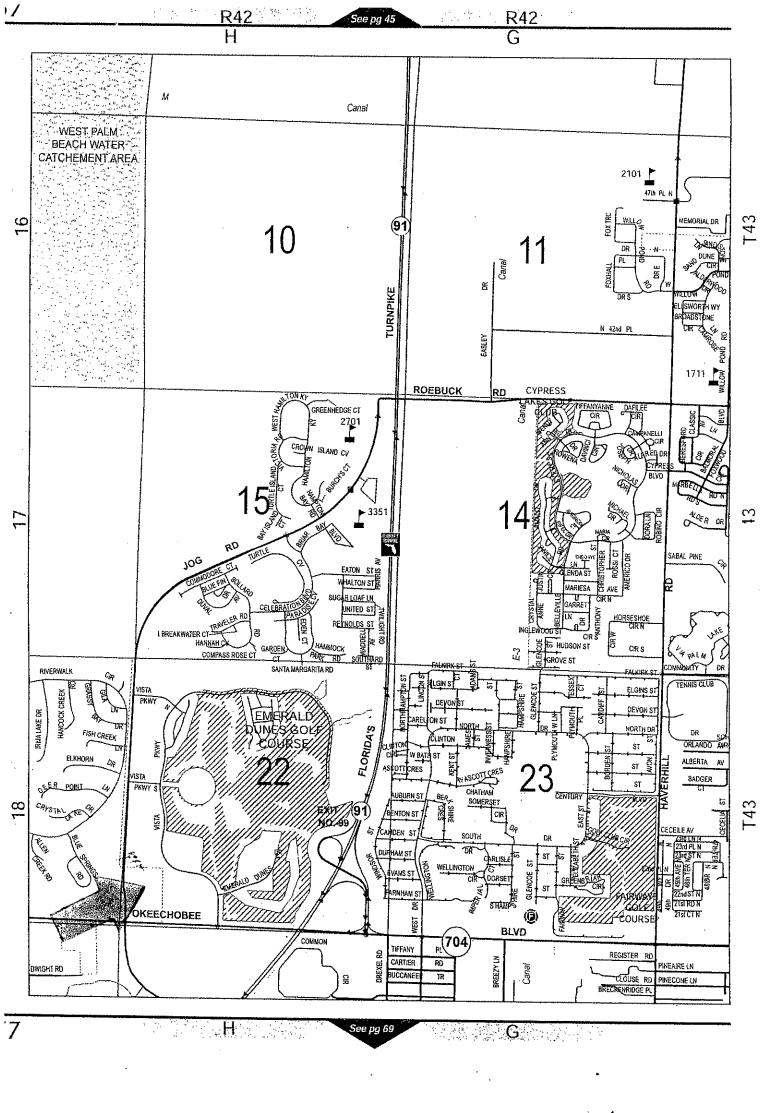
PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	December 20, 2011	[X] Consent	[] Regular				
		[] Ordinance	[] Public Hearing				
Department:	Department: Facilities Development & Operations						
I. EXECUTIVE BRIEF							
Motion and Title: Staff recommends motion to approve: a Third Amendment to License Agreement (R2009-1216) with The United States Department of Homeland Security Federal Emergency Management Agency (FEMA) extending the term to June 30, 2012.							
Summary: The License Agreement, which provides the terms and conditions under which FEMA uses four (4) modular open air work stations on the second floor of the Vista Center Office Building located at 2300 North Jog Road for general office purposes, expires on December 31, 2011. This Third Amendment to License Agreement: (i) extends the term of the License Agreement until June 30, 2012; (ii) provides FEMA with the right to terminate the License Agreement upon 15 days prior written notice; and (iii) updates the non-discrimination provision. All other terms of the License Agreement remain unchanged. There are no rent or other charges associated with this License Agreement. (PREM) District 2 (HJF)							
Background and Justification: On July 21, 2009, the Board approved the License Agreement with FEMA which expired on April 20, 2010. On October 5, 2010, the Board approved the First Amendment to License Agreement (R2010-1534) retroactively extending the term until December 31, 2010, and on February 1, 2011, the Board approved the Second Amendment to Lease Agreement (R2011-0120) retroactively extending the term until December 31, 2011.							
	ion Map . Amendment to License Agi	reement					
Recommended By Approved By:	Departme UBak	ent Director dministrator	11(23(1) Date 12/14/1/ Date				

II. FISCAL IMPACT ANALYSIS

A.	A. Five Year Summary of Fiscal Impact:					
Fisca	l Years	2012	2013	2014	2015	2016
Oper Exter Progr	tal Expenditures ating Costs rnal Revenues ram Income (County) ind Match (County			vitamination in the control of the c		
NET FISCAL IMPACT See below						
# ADDITIONAL FTE						
Is Ite	m Included in Current Bud	get: Yes	N	o		
Budg		Dept ogram		nit	Object	
B. Recommended Sources of Funds/Summary of Fiscal Impact:						
C.	Departmental Fiscal Revie	•w:	scal Impact. W COMMEN	NTS		
A. .	OFMB Fiscal and/or Continue Extension only OFMB	2/6/11	de j	nts: 2011 to Jun Jores Open Topment and (112115,	2 [[[
В.	Legal Sufficiency: /// /// Assistant County Attorney	5/11_	This am our revi	endment complies sw requirements.	with	
C.	Other Department Review	7:				
	Department Director					

This summary is not to be used as a basis for payment.



LOCATION MAP



THIRD AMENDMENT TO LICENSE AGREEMENT

THIS THIRD AMENDMENT	to License Agreement R2009-1216, dated July 21, 2009, as	
amended by R2010-1534 and R20	11-0120 (collectively referred to herein as the "Agreement") is	
made as of	, by and between Palm Beach County, a political subdivision	
of the State of Florida, ("County	") and The United States Department of Homeland Security	
Federal Emergency Management Agency ("Licensee").		

In consideration of the mutual promises contained herein, the County and Licensee agree as follows:

- 1. Section 1.03 of the Agreement is hereby modified so that the Term of the Agreement shall be extended to June 30, 2012.
- 2. Section 3.05 of the Agreement is hereby modified to include non-discrimination against any individual on the basis of their familial status.
- 3. The Agreement is hereby modified by adding Section 10.08 as follows:
 - <u>Section 10.8 Termination</u>. Notwithstanding anything contained in this Agreement to the contrary, Licensee may terminate this Agreement for any reason upon fifteen (15) days prior written notice to the County.
- 4. Except as modified by this Third Amendment, the Agreement remains unmodified and in full force and effect and the parties hereby ratify, confirm, and adopt the Agreement, as amended, in accordance with the terms thereof.
- 5. This Third Amendment shall become effective when signed by all parties and approved by the Palm Beach County Board of County Commissioners.

(remainder of page intentionally left blank)

IN WITNESS WHEREOF, the parties have caused this Third Amendment to be executed as of the day and year first above written.

ATTEST:	PALM BEACH COUNTY, a political subdivision of the State of Florida		
SHARON R. BOCK CLERK & COMPTROLLER			
By:	By:		
By: Deputy Clerk	Shelley Vana, Chair		
APPROVED AS TO FORM	APPROVED AS TO TERMS AND		
AND LEGAL SUFFICIENCY	CONDITIONS		
n DA	A har labor in		
By:	By: Audrey Wolf, Director		
Assistant County Attorney	Facilities Development & Operations		
	racinities Development & Operations		
WHEN TO GO	FEDERAL EMERGENCY MANAGEMENT		
WITNESS:	AGENCY		
Jusa Compley Sm	By: Shell		
Witness Signature	Name/Time PA Branch Director		
	Ph Dianon Urector		
Usa Campbell-Shier			
Print Witness Name			