

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: 3/6/2012 Consent Regular
 Public Hearing
 Department _____
 Submitted By: COUNTY ATTORNEY
 Submitted For: _____

I. EXECUTIVE BRIEF

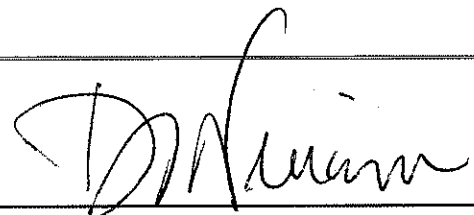
Motion and Title: Staff recommends motion to approve: Amendment No. 1 to the Agreement (R-2010-1219) with the law firm of Bryant Miller Olive P.A. (“Attorney”), to provide bond counsel and related legal services for the refinancing of the \$16,200,000 Bond Anticipation Note due June 1, 2012.

Summary: The law firm was selected as bond counsel for the above financing by the County Financing Committee at the February 14, 2012 meeting. This Amendment No. 1 confirms that selection by amending the existing Agreement for bond 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 in 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-2010-1219)

Recommended by:  2/17/12
County Attorney Date

Approved by: N/A _____
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>~0~</u> * see below	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes ___ No ___

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

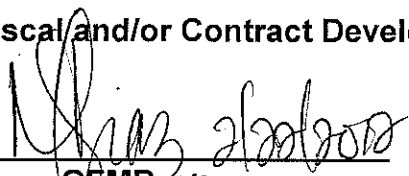
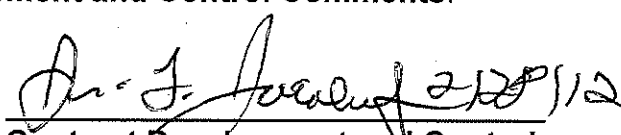
Reporting Category _____

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:



 WS 2-21-12 OFMB VA 2/25/12 2/17/12 Contract Development and Control 2-27-12 B. Whelan

B. Legal Sufficiency:


 Assistant County Attorney 2/14/12

This amendment complies with our review requirements.

At the time of our review the Amendment was not executed. County Attorney's office is obtaining updated insurance.

C. Other Department Review:

Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

**AMENDMENT NO. 1
TO AGREEMENT BETWEEN PALM BEACH COUNTY
AND BRYANT MILLER OLIVE P.A.
FOR BOND COUNSEL AND RELATED LEGAL SERVICES**

This Amendment No. 1, dated _____, 2012, amends Agreement R-2010-1219 dated August 17, 2010, ("Agreement"), by and between Palm Beach County ("County") and **BRYANT MILLER OLIVE P.A** ("Attorney"), as follows:

Notwithstanding anything to the contrary in the Agreement, Attorney shall serve as Bond Counsel for the refinancing of the \$16,200,000 BAN due June 1, 2012. Attorney shall be compensated as provided for in the Agreement.

Paragraph 15 NOTICES shall be amended as follows as to Attorney:

"if sent to Attorney, the notice shall be mailed to:

JoLinda L. Herring, Esq.
Bryant Miller Olive P.A.
1 SE 3rd Avenue, Suite 2200
Miami, Florida 33131"

This amendment shall be effective as of February 14, 2012.

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

ATTEST:

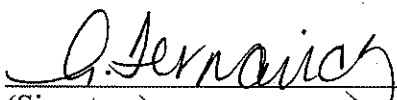
Sharon R. Bock, Clerk & Comptroller

By: _____
Deputy Clerk

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

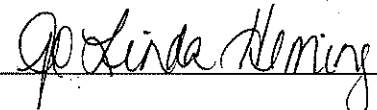
By: _____
Shelley Vana, Chair

WITNESS:


(Signature)

Aileen Fernandez
Name (Type or Print)

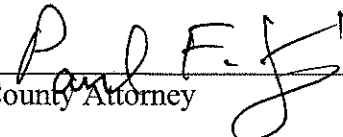
ATTORNEY:
BRYANT MILLER OLIVE, P.A.

By: 

JoLinda Herring
Name (Type or Print)

Shareholder
Title

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: 
County Attorney

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ATTEST:

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

Sharon R. Bock, Clerk & Comptroller

By: _____
Deputy Clerk

By: _____
Shelley Vana, Chair

WITNESS:

ATTORNEY:
BRYANT MILLER OLIVE, P.A.

Aileen Fernandez
(Signature)

By: *JoLinda Herring*

Aileen Fernandez
Name (Type or Print)

JoLinda Herring
Name (Type or Print)

Shareholder
Title

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: *Paul F. Jr*
County Attorney



January 5, 2012

Bryant Miller Olive PA
101 North Monroe Street
Suite 900
Tallahassee, FL 32301

To Whom It May Concern:

CONFIRMATION OF INSURANCE

We hereby confirm that Bryant Miller Olive has Professional Liability Coverage under Policy ALA#1943 with an annual limit of \$20,000,000 per claim and \$40,000,000 in the aggregate with the right, under stated conditions, to purchase extended reporting rights upon termination of such Policy by ALAS.

The self-insured retention under such Policy is \$250,000 each claim up to an aggregate of \$500,000 and \$100,000 each claim thereafter.

The Policy effective date is from January 1, 2012 to January 1, 2013.

Such Policy is subject to the terms, conditions, limitations and exclusions stated therein.

**ATTORNEYS' LIABILITY ASSURANCE SOCIETY, INC.,
A RISK RETENTION GROUP**By: Nancy J. Montroy Date: 1/5/2012

Nancy J. Montroy
Vice President - Director of Underwriting

311 South Wacker Drive, Suite 5700
Chicago, IL 60606-6829

tel 312-697-6900 fax 312-697-6901 Web site alas.com