

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|-------|-------|-------|-------|-------|
| Capital Expenditures | -0- | _____ | _____ | _____ | _____ |
| Operating Costs | -0- | _____ | _____ | _____ | _____ |
| External Revenues | -0- | _____ | _____ | _____ | _____ |
| Program Income (County) | -0- | _____ | _____ | _____ | _____ |
| In-Kind Match (County) | -0- | _____ | _____ | _____ | _____ |
| NET FISCAL IMPACT | * -0- | ===== | ===== | ===== | ===== |
| # ADDITIONAL FTE POSITIONS (Cumulative) | -0- | _____ | _____ | _____ | _____ |

Is Item Included in Current Budget: Yes _____ No _____

Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
 Program _____

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

* There is no fiscal impact associated with this Amendment Number 3 – Funding was provided under the \$50M Waterfront Access Bond and was encumbered by the original Interlocal Agreement (R2007-0349).

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Susan Neary 10/18/13
 OFMB *RW* *AS/MS*
5/17

Dr. J. Jacobson 10/18/13
 Contract Development and Control
 At the time of our review, the Amendment was not executed.

B. Legal Sufficiency:

[Signature] 10/18/13
 Assistant County Attorney
 Amendment not executed at time of CAO review

C. Other Department Review:

 Department Director

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

**AMENDMENT NUMBER 3 TO INTERLOCAL AGREEMENT BETWEEN
PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR FUNDING
OF THE EXPANSION AND RENOVATION OF THE RIVIERA BEACH MARINA**

THIS AMENDMENT TO INTERLOCAL AGREEMENT is made and entered into on _____, 2013, by and between PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", and the City of Riviera Beach, a Florida municipal corporation, hereinafter referred to as "MUNICIPALITY".

W I T N E S S E T H:

WHEREAS, MUNICIPALITY owns property located at 200 E 13 Street in Riviera Beach; and

WHEREAS, on November 2, 2004, a bond referendum was passed by the voters of Palm Beach County for the issuance of general obligation bonds for the purpose of financing the acquisition, construction, and/or improvements to waterfront access in Palm Beach County, in the principal amount of \$50 Million ("the \$50 Million Waterfront Access Bond"); and

WHEREAS, the COUNTY allocated MUNICIPALITY \$5 Million Dollars for expansion and renovation of the City Marina; and

WHEREAS, COUNTY and MUNICIPALITY entered into an Interlocal Agreement dated February 27, 2007 (R-2007-0349) which established the \$5 Million Dollar grant to MUNICIPALITY, defined the scope of the project, and set forth the terms and conditions upon which the grant funds would be expended; and

WHEREAS, Amendment Number 1 to the Interlocal Agreement dated November 17, 2009 (R-2009-2012), changed the scope of the project and extended the time for completion of the project until October 1, 2011; and

WHEREAS, Amendment Number 2 to the Interlocal Agreement dated July 10, 2012 (R-2012-1032), changed the scope of the project and extended the time for completion of the project until December 31, 2012; and

WHEREAS, MUNICIPALITY has completed construction of the project and the project was open to the public by December 31, 2012; however, not all invoices were received and paid by that date, therefore additional time is needed to allow for full and final reimbursement for the project.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties hereto agree as follows:

1. Section 2.06 of the Interlocal Agreement is hereby amended to extend the completion date for Phase 1 of the Project to December 31, 2013. This extension is solely to allow additional time for processing of reimbursement.
2. Terms not defined herein shall have the same meaning in this Amendment Number 3 as in the Interlocal Agreement.
3. Except as specifically modified by Amendment Number 1, Amendment Number 2 and this Amendment Number 3, all other terms, covenants and conditions of the Interlocal Agreement remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment Number 3 to Interlocal Agreement to be executed on the day and year first above written.

ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Steven L. Abrams, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

APPROVED AS TO TERMS AND
CONDITIONS:

By: _____
County Attorney

By: _____
Department Director

WITNESSES:

CITY OF RIVIERA BEACH

Signature

By: _____
Mayor

Print Name

Signature

Print Name

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Municipality Attorney

**AMENDMENT NUMBER 3 TO INTERLOCAL AGREEMENT BETWEEN
PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR FUNDING
OF THE EXPANSION AND RENOVATION OF THE RIVIERA BEACH MARINA**

THIS AMENDMENT TO INTERLOCAL AGREEMENT is made and entered into on _____, 2013, by and between PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", and the City of Riviera Beach, a Florida municipal corporation, hereinafter referred to as "MUNICIPALITY".

WITNESSETH:

WHEREAS, MUNICIPALITY owns property located at 200 E 13 Street in Riviera Beach; and

WHEREAS, on November 2, 2004, a bond referendum was passed by the voters of Palm Beach County for the issuance of general obligation bonds for the purpose of financing the acquisition, construction, and/or improvements to waterfront access in Palm Beach County, in the principal amount of \$50 Million ("the \$50 Million Waterfront Access Bond"); and

WHEREAS, the COUNTY allocated MUNICIPALITY \$5 Million Dollars for expansion and renovation of the City Marina; and

WHEREAS, COUNTY and MUNICIPALITY entered into an Interlocal Agreement dated February 27, 2007 (R-2007-0349) which established the \$5 Million Dollar grant to MUNICIPALITY, defined the scope of the project, and set forth the terms and conditions upon which the grant funds would be expended; and

WHEREAS, Amendment Number 1 to the Interlocal Agreement dated November 17, 2009 (R-2009-2012), changed the scope of the project and extended the time for completion of the project until October 1, 2011; and

WHEREAS, Amendment Number 2 to the Interlocal Agreement dated July 10, 2012 (R-2012-1032), changed the scope of the project and extended the time for completion of the project until December 31, 2012; and

WHEREAS, MUNICIPALITY has completed construction of the project and the project was open to the public by December 31, 2012; however, not all invoices were received and paid by that date, therefore additional time is needed to allow for full and final reimbursement for the project.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties hereto agree as follows:

1. Section 2.06 of the Interlocal Agreement is hereby amended to extend the completion date for Phase 1 of the Project to December 31, 2013. This extension is solely to allow additional time for processing of reimbursement.
2. Terms not defined herein shall have the same meaning in this Amendment Number 3 as in the Interlocal Agreement.
3. Except as specifically modified by Amendment Number 1, Amendment Number 2 and this Amendment Number 3, all other terms, covenants and conditions of the Interlocal Agreement remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment Number 3 to Interlocal Agreement to be executed on the day and year first above written.

ATTEST:
SHARON R. BOCK,
CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Steven L. Abrams, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

APPROVED AS TO TERMS AND
CONDITIONS:

By: _____
County Attorney

By:  _____
Department Director

WITNESSES:

CITY OF RIVIERA BEACH

Signature

By: _____
Mayor

Print Name

Signature

Print Name

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Municipality Attorney