

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

**Meeting Date:** June 3, 2014       **Consent**       **Regular**  
     **Ordinance**       **Public Hearing**

**Department:**      **Facilities Development & Operations**

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: a waiver of the deadline to obtain all required permits under the Tri-Party Agreement (R-2007-0350) with the City of Riviera Beach and Lockheed Martin Corporation to provide public access to the Intracoastal Waterway through construction of a fishing pier and water taxi facility.

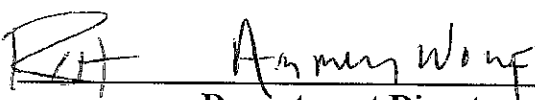
**Summary:** The Tri-Party Agreement was for the development of joint use dock/fishing pier serving Lockheed Martin's facility and the County's adjacent Light Harbor Park. Funding was from a \$1.6M Office of Tourism, Trade, and Economic Development (OTTED) grant, \$400,000 from Lockheed Martin and \$400,000 from the County. The County's funding was to be used for mitigation and construction cost overruns. The project was completed and opened to the public in September of 2011. As indicated in the October 22, 2013 status report on the Waterfront Bond projects, Staff discovered an oversight in the administration of the Tri-Party Agreement. The Agreement provided for automatic termination in the event that all permits for the project were not obtained within 18 months after the effective date, (August 2008). Permitting for this project was extremely complex, several interim permits were obtained before the deadline, but the final Army Corp of Engineers permit was not obtained until July of 2010. This item waives the failure to timely obtain all required permits by August 2008 and allows for final reimbursement to the City of \$400,000. The City has demonstrated mitigation expenses for the project totaled \$400,000 such that the entire \$400,000 in County funding is required for reimbursement of expenditures advanced by the City. **(PREM) District 7 (HJF)**

**Background and Justification:** In November of 2004, the voters approved a \$50 million bond issue to preserve, protect and expand public access to and use of freshwater and saltwater bodies of water and to preserve working waterfronts. On March 1, 2005, the Board directed that \$35 million of the bond issue be allocated to Marinas, Boatyards and Redevelopment Projects. At a joint meeting of the Board of County Commissioners and the City of Riviera Beach City Council on January 24, 2006, Staff was directed to pursue accommodating the development of a fishing pier/water taxi stand in conjunction with the development of the Moroso Park boat ramp and the rebuilding of Lockheed's docks and turning basin. On February 27, 2007, the Board allocated \$400,000 in funding to this project and approved the Tri-Party Agreement.

Continued on page 3

**Attachments:**

1. Location Map
2. Agenda Item 5D-2, February 27, 2007

**Recommended By:**       5/10/14  
    **Department Director**      **Date**

**Approved By:**       5/10/14  
    **County Administrator**      **Date**

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	<u>460,000</u>	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>* 460,000</u>	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes   x   No \_\_\_\_\_

Budget Account No: Fund 3038 Dept 581 Unit P190 Object 9101  
 Program \_\_\_\_\_

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

C. Departmental Fiscal Review: \_\_\_\_\_ *[Signature]* 5/20/14

**III. REVIEW COMMENTS**

A. OFMB Fiscal and/or Contract Development Comments:  
*\* This was reflected in the Original 2017 Agenda Item & is not an additional fiscal impact.*  
 \_\_\_\_\_ *[Signature]* 5/13/14  
 OFMB *[Signature]*  
 \_\_\_\_\_ *[Signature]* 5/19/14  
 Contract Development and Control

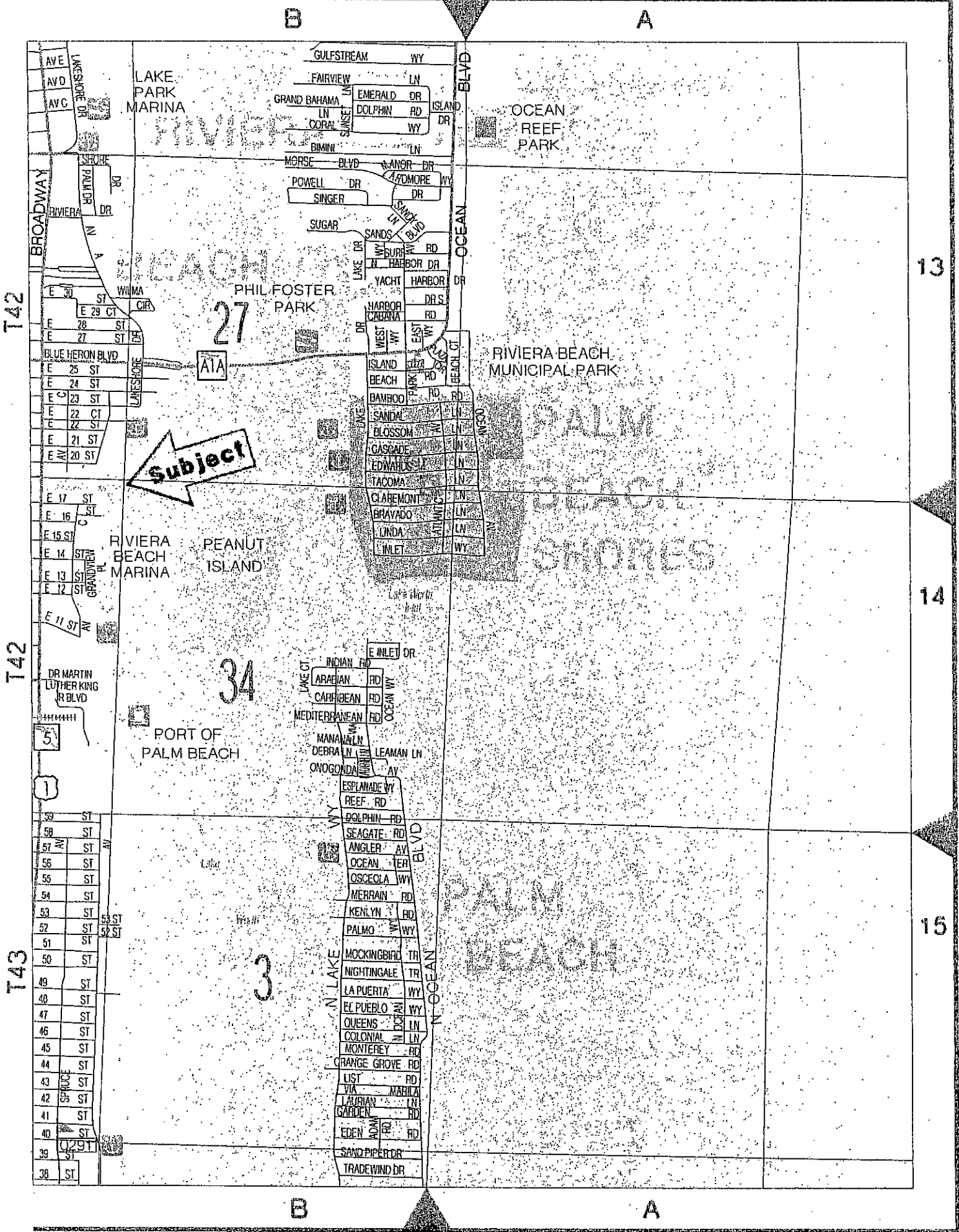
B. Legal Sufficiency:  
 \_\_\_\_\_ *[Signature]* 5/20/14  
 Assistant County Attorney

C. Other Department Review:  
 \_\_\_\_\_  
 Department Director

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

**Background and Justification Continued:** Lockheed specializes primarily in unmanned maritime systems for the Department of Defense. The benefit of the project was twofold. First, it allowed for Lockheed to expand its facility and as a result allowed them to compete directly for contracts which resulted in the creation of fifty-five additional highly skilled jobs. Second, it increased water front access for the public generally and created a wider channel providing improved access to the ramps at Moroso Park by ensuring that no slips will be constructed on the north side of dock. This dock also provides additional staging for the ramps at Moroso Park. The City was responsible for project development and managing all aspects of the construction including advertising for bids, awarding contracts, complying with reporting requirements to OTTED, permitting, construction and mitigation. OTTED assisted the City with the expedited permitting process to facilitate timely responses from all permitting agencies.

The budget for this project was 2.06 million, not including mitigation costs. A major element of the project was to dredge the channel to Lockheed's facility and under the pier. Mitigation for that dredging was a difficult issue in permitting the project. The initial estimate of mitigation costs was \$100,000. As ultimately permitted, the cost of mitigation increased to \$400,000.



LOCATION MAP



Agenda Item #:  
**PALM BEACH COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**AGENDA ITEM SUMMARY**

**5 D-2**  
K/M 6-0  
R2007-035  
  
Lockheed file  
Waterfront  
bond file

**Meeting Date:** February 27, 2007       Consent       Regular  
    Ordinance       Public Hearing

**Department:** Facilities Development & Operations

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to:**

- A) approve a Tri-Party Agreement with the City of Riviera Beach and Lockheed Martin Corporation to provide public access to the Intracoastal Waterway through construction of a fishing pier and water taxi facility; and
- B) adopt a Resolution authorizing expenditure of up to \$400,000 for construction contingencies and mitigation costs in connection with the construction of the Project.

**Summary:** Lockheed Martin Corporation operates Lockheed Martin Undersea Systems at 100 East 17<sup>th</sup> Street, in Riviera Beach. Lockheed has proposed an expansion to its work dock which was destroyed by Hurricanes Francis and Jeanne, and related dredging to facilitate the expansion of its facility. Staff was directed to pursue accommodating the development of a fishing pier/water taxi facility in conjunction with the development of Lockheed's project and Moroso Park (a/k/a Light Harbor). This Tri-Party Agreement is for the development of a 500' dock/public fishing pier/water taxi facility to be used by Lockheed and the County and the dredging of the submerged land east of Lockheed's facility to a depth of 15'. The total cost of the project is currently estimated to be \$2.06 million, not including mitigation. The City has obtained a grant for \$1.6 million from the Office of Tourism, Trade, and Economic Development (OTTED) and Lockheed will contribute \$400,000 toward the cost of the project. The County will fund up to \$400,000 to be used for construction contingencies and mitigation costs. The Agreement leverages Lockheed's expansion to provide increased public access to the waterfront and to provide a wider channel to access Moroso Park. The 500' x 16' foot dock will serve two purposes: 1) to allow Lockheed to dock its work boats on the south side of the dock; and 2) to provide public access on the north side of the dock. In addition to the public access, the terminus of the dock will serve as a water taxi staging dock. A security fence will divide the dock/pier equally and will run the entire length. General public pedestrian access will be provided through Moroso Park which is north of and adjacent to Lockheed's facility. (PREM) District 7 (JMB)

**Background and Policy Issues:** In November of 2004, the voters approved a \$50 million bond issue to preserve, protect and expand public access to and use of freshwater and saltwater bodies of water and to preserve working waterfronts. On March 1, 2005, the Board directed that \$35 million of the bond issue be allocated to Marinas, Boatyards and Redevelopment Projects. On January 24, 2006, the Board reviewed the potential projects identified by Staff and allocated funding to certain projects. At a joint meeting of the Board of County Commissioners and the City of Riviera Beach City Council on November 22, 2005, Staff was directed to pursue accommodating the development of a fishing pier/water taxi stand in conjunction with the development of the Moroso Park boat ramp and the rebuilding of Lockheed's docks and turning basin.

**CONTINUED ON PAGE 3**

**Attachments:**

1. Location Map
2. Tri-Party Agreement
3. Resolution
4. Budget Availability Statement

**Agenda item is more than 50 pages;  
may be viewed in Administration.**

**Recommended By:** [Signature]      2/12/07  
   **Department Director**      **Date**

**Approved By:** [Signature]      2/20/07  
   **County Administrator**      **Date**

## II. FISCAL IMPACT ANALYSIS

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	<u>400,000</u>	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b><u>\$400,000</u></b>	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes  No

Budget Account No: Fund 3038 Dept 581 Unit P198 Object 8101  
 Program \_\_\_\_\_

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

**DESCRIBE SOURCE OF FUNDS**

**C. Departmental Fiscal Review: \_\_\_\_\_**

## III. REVIEW COMMENTS

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

[Signature] 2/15/07  
 OFMB  
 2/15/07

[Signature] 2/20/07  
 Contract Development and Control

**B. Legal Sufficiency:**

[Signature] 2/21/07  
 Assistant County Attorney

This Contract complies with our contract review requirements.

*At the time of CDC's review, the contract was not executed.*

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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

### **Background and Policy Issues, continued:**

Lockheed specializes primarily in unmanned maritime systems for the Department of Defense. The benefit of the project is two fold. First, it allows for Lockheed to expand its facility and as a result allow them to compete directly for contracts which will result in the creation of fifty-five additional highly skilled jobs. Second, it will increase water front access for the public generally and will create a wider channel providing improved access to the ramps at Moroso Park by ensuring that no slips will be constructed on the north side of dock. This dock will also provide additional staging for the ramps at Moroso Park. The City will be responsible for project development and will manage all aspects of the construction including advertising for bids, awarding contracts, complying with reporting requirements to OTTED, permitting, construction and mitigation. OTTED is assisting the City with the expected permitting process to facilitate timely responses from all permitting agencies

The County recently obtained zoning and site plan approvals from the City for development of Moroso Park, which will include 3 boat ramps, 72 trailer parking spaces, 21 car parking spaces, a pavilion, and restrooms. Access to the fishing pier and water taxi staging area will be provided through Moroso Park. The County will be responsible for removal of garbage and debris on a weekly basis and will maintain the structural integrity of the area of the Pier north of the security fence. Both parties will be responsible for repairing any damages caused to Pier by its respective uses. In the event the Pier is destroyed by Force Majeure and the damage estimates are less than 80%, all parties agree to negotiate in good faith to repair and rebuild. In the event that damages are above 80% no party shall be obligated to repair or rebuild. Lockheed and the County will be jointly responsible for the structural integrity and minor repairs of the dock/pier with debris and garbage removal for each side of the dock.

Construction of Moroso Park is expected to start in the third quarter of 2007 and be completed by the fourth quarter of 2008.

The established budget for this project is 2.06 million, not including mitigation costs. Initial estimates prepared by Lockheed's engineer are that mitigation costs will be approximately \$100,000.

The funding profile for this project is comprised of \$1,653,538 of EDTF (Economic Development Transportation Fund) grant, \$400,000 of funding from LCM and up to \$400,000 from Palm Beach County. Palm Beach County's funds are specifically designated for contingencies and mitigation cost that exceed the project budget of \$2.06 million.