

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 14, 2017

Consent Regular
 Workshop Public Hearing

Department:

Submitted By: Department of Airports

Submitted For:

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

(A) adopt a resolution approving a Termination Agreement with the Florida Department of Transportation (FDOT) in the amount of \$91,847 for Land Acquisition at Palm Beach County Glades Airport (Pahokee); and


(B) approve a Budget Amendment of \$91,847 in the Airports' Improvement and Development Fund to terminate a grant from the FDOT, reduce project cost by \$114,808, and add \$22,961 to Reserves.

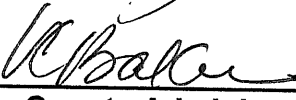
Summary: On April 5, 2016, the Board adopted a resolution (R-2016-0426 and R-2016-0427) approving a Joint Participation Agreement (JPA) with the FDOT in the amount of \$91,847 for Land Acquisition at Pahokee. The grant expiration date is May 31, 2018. It has been determined that this JPA is no longer needed for this project, therefore, the FDOT has provided a Termination Agreement relieving both parties of any obligations under this agreement. **Countywide (AH)**

Background and Justification: The above funding was to provide for the acquisition of properties in the Runway Protection Zone (RPZ) on the north end of Runway 17-35 at Pahokee. After several attempts, the Department of Airports has been unsuccessful in obtaining an acceptance of the offer to purchase the property and it is unclear whether or not the County will ever be successful in acquiring this property. As such, the Department of Airports feels it is in the best interest of the County to terminate this agreement and to seek to reallocate the funding to other projects in the future. Discussions with FDOT have indicated their continued efforts to retain these funds for possible future application to other projects undertaken by the Department of Airports.

Attachments:

- 1. Resolution – (3 originals)
- 2. Termination Agreement – (3 originals)
- 3. Budget Amendment

Recommended By:  11/23/17
Department Director Date

Approved By:  2/14/17
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	(\$114,808)				
Operating Costs					
External Revenues (Grants)	\$ 91,847				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(\$ 22,961)				
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in the Proposed Budget? Yes No
 Budget Account No: Fund 4111 Department 121 Unit A187 Object 6101
 Reporting Category _____

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

Termination of this funding will result in an increase in Reserves in the amount of \$22,961. This represented local match that was budgeted in the Budget Amendment that recognized the grant (16-0665).

C. Departmental Fiscal Review: CM Swine

III. REVIEW COMMENTS

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

[Signature]
 OFMB
 1/25/17

[Signature] 1127117
 Contract Dev. and Control
 1/26/17

B. Legal Sufficiency:

Anne Delgado 1.27.17
 Assistant County Attorney

C. Other Department Review:

 Department Director

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, APPROVING A TERMINATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LAND ACQUISITION AT PALM BEACH COUNTY GLADES AIRPORT.

WHEREAS, Palm Beach County, Florida (the "County") through its Department of Airports requested funding for Land Acquisition (the "Project") at Palm Beach County Glades Airport (the "Airport"); and

WHEREAS, the Florida Department of Transportation (FDOT) agreed to participate in the funding of the Project for the Airport; and

WHEREAS, the FDOT provided a Joint Participation Agreement reflecting their commitment of funding in the amount of Ninety One Thousand Eight Hundred Forty Seven Dollars (\$91,847) or 80% of the eligible project costs, whichever is less; and

WHEREAS, It has been determined that funds under this Joint Participation Agreement are no longer needed for this project; and

WHEREAS, It is in the best interest of the County to enter into this Termination Agreement relieving both parties of any obligations under this agreement.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the Termination Agreement between Palm Beach County and The Florida Department of Transportation, a copy of which is attached hereto and made a part hereof, is hereby approved and the Mayor of the Palm Beach Board of County Commissioners and the Clerk of the Board are authorized to sign same on behalf of the Board.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and being put to a vote, the vote was as follows:

Commissioner Paulette Burdick, Mayor	-
Commissioner Melissa McKinlay, Vice Mayor	-
Commissioner Hal R. Valeche	-
Commissioner Dave Kerner	-
Commissioner Steven L. Abrams	-
Commissioner Mary Lou Berger	-
Commissioner Mack Bernard	-

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2017.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller
Palm Beach County

By: Anne Delgant
County Attorney

By: _____
Deputy Clerk

Attachment # 1

JOINT PARTICIPATION AGREEMENT TERMINATION

This agreement made and entered into this ____ day of _____ by and between the State of Florida Department of Transportation, an agency of the State of Florida, hereinafter called the Department and Palm Beach County hereinafter called the Agency.

WITNESSETH

WHEREAS, the parties have determined that the performance of the Joint Participation Agreement entered into between the parties on April 29, 2016 is not in their best interests.

NOW, THEREFORE, in consideration of the premises it is agreed that the above described agreement is terminated and each party relieves the other of any obligations.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed.

AGENCY

FDOT

By: _____
Paulette Burdick

Approved As To FORM, LEGALITY

Title: Mayor

Sharon R. Bock, Clerk & Comptroller
Palm Beach County

Legal Review
Department of Transportation

ATTEST _____


Department of Transportation
Director of Transportation Development

Title: Deputy Clerk

Approved As To FORM, LEGALITY

By: _____
County Attorney

Approved AS To Terms and Conditions

By:  _____
Director of Airports

17-0368

BUDGET AMENDMENT
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

Fund 4111 Airport Improvement & Development Fund

Advantage Document Numbers:
 BGRV 011917/227
 BGEX 011917/694

Use this form to provide budget for items not anticipated in the budget.

ACCT.NUMBER	ACCOUNT NAME	ADOPTED BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 01/19/2017	REMAINING BALANCE
Revenues								
121-A187-3404	State Grant Capital-Transport	91,847	91,847	0	91,847	0		
	Total Receipts and Balances	<u>172,449,342</u>	<u>156,856,799</u>	0	91,847	<u>156,764,952</u>		
Expenditures								
121-A187-6101	Land	10,414,551	4,288,645	0	114,808	4,173,837	341,841	3,831,996
121-A900-9909	Reserves Improvement Program	25,514,393	16,203,144	22,961	0	16,231,105	0	16,231,105
	Total Appropriations & Expenditures	<u>172,449,342</u>	<u>156,856,799</u>	22,961	0	<u>156,764,952</u>		

Signatures

Date

By Board of County Commissioners

Airports

INITIATING DEPARTMENT/DIVISION

cm Sumner 1/19/17
J. A. W. 1/26/17

At Meeting of

March 14, 2017

Administration/Budget Department Approval

Deputy Clerk to the Board of County Commissioners

OFMB Department - Posted