



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(____)	(____)	(____)	(____)	(____)
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No X  
 Budget Account No.: Fund \_\_\_ Department \_\_\_ Unit \_\_\_ Object \_\_\_ Program \_\_\_  
 Does this item include the use of federal funds? yes \_\_\_ NO X

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**  
 This item will have no Fiscal Impact for the County.

**C. Department Fiscal Review:** *S. Neary*

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and /or Contract Dev. and Control Comments:**

*Jose Ponce 8/27/18*  
 OFMB *8/27*  
*Ann J. Jacobson 8/31/18*  
 Contract Development and Control *8/31/18*

**B. Legal Sufficiency:** *Jim 8/27*

*Anne Delgent 9/4/18*  
 Assistant County Attorney

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

**EXTENSION OF MEMORANDUM OF AGREEMENT  
BETWEEN  
SOUTHFLORIDA WATER MANAGEMENT DISTRICT  
AND  
PALM BEACH COUNTY  
AND  
MARTIN COUNTY**

**THIS EXTENSION OF MEMORANDUM OF AGREEMENT** ("Extension") is to become effective the 1<sup>st</sup> day of October 2018, by SOUTH FLORIDA WATER MANAGEMENT DISTRICT, a governmental entity created pursuant to Chapter 373, Florida Statutes, its successors and assigns ("District"), PALM BEACH COUNTY, a political subdivision of the State of Florida, its successors and assigns ("PBC") and MARTIN COUNTY, a political subdivision of the State of Florida, its successors and assigns ("Martin"). The District, PBC and Martin may be collectively referred to herein as the "Parties"

**RECITALS**

**WHEREAS**, the Parties executed that certain Memorandum of Agreement having an effective date of October 1, 2013 concerning an access easement over property running from Indiantown Road in Palm Beach County to that portion of the Cypress Creek Project Area located in Martin County (the "MOA").

**WHEREAS**, the MOA contemplated the grant of an Access Easement and Release of Easement Agreement that has been executed by the Parties and recorded in Official Records Book 26392, page 927, Palm Beach County, Florida, public records and in Official Records Book 2686, page 1243, Martin County, Florida, public records (the "Easement").

**WHEREAS**, paragraph 7 of the MOA provides that the "MOA shall commence upon the Effective Date and shall continue for a period of five (5) years, with four (4) five (5) year options to extend the MOA, by mutual agreement".

**WHEREAS**, the Parties desire to exercise their first renewal option under the MOA by extending the term of the MOA to September 30, 2023.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, the Parties agree as follows:

**TERMS**

1. **Recitals and Defined Terms.** The foregoing Recitals are true and correct and are incorporated herein by this reference. All capitalized terms used but not otherwise defined herein shall have the meanings set forth for them in the MOA.

2. **Extension of MOA.** The MOA is hereby extended to September 30, 2023, with three (3) five (5) year options to extend the MOA remaining.

3. **Reaffirmation of MOA and Easement.** Except for the extension of the MOA to September 30, 2023, all terms and provisions of the MOA and Easement are reaffirmed and ratified; including, without limitation, the District's authority to issue Special Use Licenses to provide the public vehicular access to the Cypress Creek Project Area from Indiantown Road. In

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the event of any conflict between the terms of the MOA and the terms of this Extension, the terms of this Extension shall govern and control.

4. Counterparts. This Extension may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same instrument. A PDF copy containing scanned signatures shall be effective for purposes of this Extension.

**IN WITNESS WHEREOF**, the Parties have duly executed this Extension to become effective on the 1<sup>st</sup> day of October 2018.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

LEGAL FORM APPROVED:  
Office of Counsel

\_\_\_\_\_  
Name: \_\_\_\_\_  
District Counsel

ATTEST:  
SHARON R. BOCK, CLERK &  
CONTROLLER

By: \_\_\_\_\_  
Deputy Clerk

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


By: \_\_\_\_\_  
Name: Melissa McKinlay  
Title: Mayor

Date: \_\_\_\_\_

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

By: \_\_\_\_\_  
Name: Anne Helfant  
Asst. County Attorney

APPROVED AS TO TERMS AND CONDITIONS:

By:   
By: Deborah Drum  
Title: Director, Department of Environmental Resources  
Management

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ATTEST:

BOARD OF COUNTY COMMISSONERS  
MARTIN COUNTY, FLORIDA

\_\_\_\_\_  
Carolyn Timmann, Clerk of the  
Circuit Court and Comptroller

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

APPROVED AS TO FORM AND CORRECTNESS:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_