

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures					
Operating Costs	\$112,500				
External Revenues	(\$112,500)				
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT					

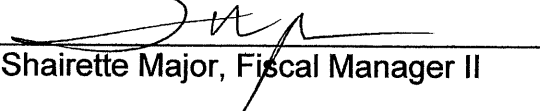
# ADDITIONAL FTE POSITIONS (Cumulative)					
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Is Item Included In Current Budget? Yes X No _____
 Does this Item include the use of Federal funds? Yes X No _____

Fund 1101 Dept. 143 Unit 1431 Object 8101 Program Code/Period BG47J/Various

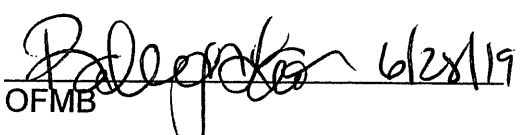
B. Recommended Sources of Funds/Summary of Fiscal Impact:


Approval of this Agenda Item will allocate \$112,500 in CDBG Funds to the South Bay Cox Park/Tanner Park project.

C. Departmental Fiscal Review: 
 Shairrette Major, Fiscal Manager II

III. REVIEW COMMENTS

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

 6/28/19
 OFMB

 for Levin Jacobowitz
 Contract Development and Control
 6/28/19 TW

B. Legal Sufficiency:

 7/1/19
 Assistant County Attorney

C. Other Department Review:

 Department Director

**FIRST AMENDMENT TO GRANT AGREEMENT BETWEEN PALM BEACH COUNTY
AND FAU TECH RUNWAY**

THIS FIRST AMENDMENT, dated MAY 29 2019 by and between Palm Beach County, a political subdivision of the State of Florida, (hereinafter the "COUNTY") and Florida Atlantic University Board of Trustees, a Public Body Corporate, of the State of Florida (hereinafter the "SUBRECIPIENT").

WITNESSETH:

WHEREAS, pursuant to the Grant Agreement between COUNTY and SUBRECIPIENT dated October 16, 2018 (R2018-1680) (the "Agreement"), COUNTY provides \$50,000 in local funding to SUBRECIPIENT for proposed activities as provided in the Agreement for public purposes; and

WHEREAS, the parties desire to amend the Agreement as provided for herein.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for other good and valuable consideration, the receipt of which the parties hereby expressly acknowledge, the parties hereto covenant and agree to the following terms and conditions:

1. The foregoing recitals are true and correct and are hereby incorporated herein by reference and made a part hereof. Terms not defined herein shall have the meaning ascribed to them in the Agreement.

2. The parties agree that the word "Marking" in the first line of ARTICLE 3 – ADVERTISING AND MARKETING, shall be deleted and replaced with "Marketing".

3. The parties agree that the following language shall be added to the end of the second paragraph of ARTICLE 1 – SERVICES TO BE PROVIDED, SCHEDULE, PAYMENTS AND AUDITS:

Pursuant to Section 125.045, Florida Statutes, the SUBRECIPIENT shall submit a report to the COUNTY detailing how COUNTY funds were spent and the result of the SUBRECIPIENT's efforts on behalf of the COUNTY.

4. Except as specifically modified herein, all of the terms and conditions of the Agreement shall remain unmodified and in full force and effect and are hereby ratified and confirmed by the parties hereto.

5. This Amendment shall become effective when signed by both the parties hereto.

(Remainder of page intentionally left blank)

IN WITNESS WHEREOF, the parties hereto have duly executed this Amendment as of the day and year first above written

Signed, sealed and delivered in the presence of two (2) witnesses for COUNTY:

[Signature]
Signature **Jeffrey S. Bolton**

Mari Weyman
Print Name
[Signature]
Signature
Mari Weyman
Print Name

PALM BEACH COUNTY, a political subdivision of the State of Florida

BY: [Signature]
Jonathan Brown, Director
Department of Housing & Economic Sustainability

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

[Signature]
County Attorney

ATTEST:

Florida Atlantic University Board of Trustees

By: [Signature]
Miriam Campo
Assistant Vice President
Office of Sponsored Programs *5/22/2019*

(Seal)

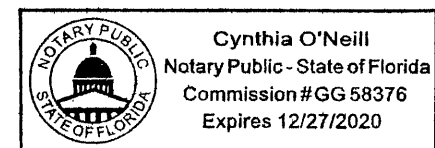
Signed, sealed and delivered in the presence of two witnesses for FAU TECH RUNWAY:

[Signature]
Witness Signature
Lori J. DeMartino
(Typed or Printed)
[Signature]
Witness Signature
TRACY YUONG
(Typed or Printed)

APPROVED AS TO FORM AND LEGALTY
[Signature]
General Counsel
Florida Atlantic University *5/22/19*

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me this 22 day of, May, 2019, by Miriam Campo, as Assistant Vice President of Research Office of Sponsored Programs for the Florida Atlantic University Board of Trustees, who is personally known to me, or who has produced _____ as identification and who did/did not take an oath.



(NOTARY SEAL ABOVE)

Signature: [Signature]
Notary Name: Cynthia O'Neill
Notary Public - State of Florida

**AMENDMENT 003 TO THE AGREEMENT
WITH
CITY OF SOUTH BAY**

Amendment 003 entered into on May 7 2019 by and between **Palm Beach County** and the **City of South Bay**.

WITNESSETH:

WHEREAS, Palm Beach County entered into an Agreement (R2016-0567) on May 3, 2016, with the City of South Bay, as amended by Amendment 001 (R2017-1816) on December 5, 2017, and Amendment 002 (R2018-1573) on October 1, 2018, to provide \$791,101 of Community Development Block Grant (CDBG) funds for the design and construction of improvements to Cox Park and Tanner Park; and

WHEREAS, the City has requested \$112,500 in additional CDBG funds to accommodate additional improvements at Tanner Park; and

WHEREAS, both parties desire to amend the original Agreement in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, and various other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

A. INCORPORATION OF RECITALS

The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Agreement.

B. SECTION 6: MAXIMUM COMPENSATION

Replace "\$791,101" with "903,601" and replace "June 30, 2019" with "September 30, 2019".

C. SECTION 7: TIME OF PERFORMANCE

Replace "June 30, 2019" with "September 30, 2019".

D. EXHIBIT A-1: SECTION 1-G: MONTHLY PERFORMANCE REQUIREMENTS

Replace "June 30, 2019" with "September 30, 2019"; and revise the performance requirements below to read as follows:

50% of Funds Expended by:	April 2019
Construction Complete by:	July 2019
85% CDBG Funds Expended by:	July 2019
Submit Final Reimbursement by:	September 2019
100% of Funds Expended by:	September 2019

E. EXHIBIT A – SECTION 2 - A

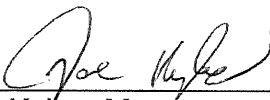
Replace "\$791,101" with "903,601".

Except as modified by this Amendment 003, as amended, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof. This Amendment 003 is expressly contingent upon the approval of the County and shall become effective only when signed by all parties.

IN WITNESS WHEREOF, the Municipality and the County have caused this Amendment 003 to be executed on the date first above written.

(MUNICIPALITY SEAL BELOW)


CITY OF SOUTH BAY

By: 
Joe Kyles, Mayor

By: 
Leondrae Camel, City Manager

By: 
Attorney for Municipality (Optional)

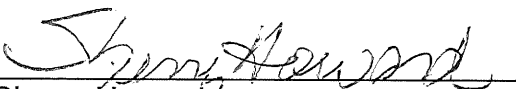
**PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida
For its BOARD OF COUNTY COMMISSIONERS**

By: 
Jonathan B. Brown, Director
Department of Housing & Economic Sustainability

Approved as to Form and
Legal Sufficiency

Approved as to Terms and Conditions
Department of Housing & Economic Sustainability

By: 
James Brako
Assistant County Attorney

By: 
Sherry Howard
Deputy Director