Agenda Item #: 3 H-5

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	December 7, 2021	[X] Consent	[] Regular [] Public Hearing				
Department:	Facilities Development	. ,					
	I. EXECUTIVE BRIEF						
#2274, with South	: Staff recommends moti	on to approve: Amen	adment No. 2 to License Agreement Inc. for the continued use of storage ugh December 31, 2022.				
South Florida Farairground to stor 4, 2021 through Dof monthly utilities space as part of its extension. This 2022. The rental aremain unchanged Agreement. This I	ir & Palm Beach County e emergency supplies relate December 31, 2021 with no es. Fire Rescue has request is continued efforts in respo Amendment No. 2 will ext rate and utility cost will rend. Fire Rescue will contin	ed to the COVID-19 en option to extend, at a steed a one (1) year externs to the COVID19 per tend the term from Jannain unchanged. All onue to have administrate exempt from public design.	rate of \$325 per day and \$600 msion as it is still in need of storage andemic. The Fair has agreed to the uary 1, 2022 through December 31, ther terms of the License Agreement ative responsibility for this License isclosure pursuant to Florida Statute astrict 6 (HJF)				
license agreement agreement, as an approximately 708 February 8, 2021, ratified the Licens to store the perso COVID-19 emerge	t during the COVID-19 panended. The County enter 80 SF of storage space in Watto add certain provisions to a Agreement (R2021-0397) and protection equipment a	andemic, the County ered into License Ag Vest Palm Beach. The long qualify for emergency). Fire Rescue needs cand other emergency s	and the immediate necessity for this Administrator approved the license greement #2274 with the Fair for License Agreement was amended on a funds. On April 6, 2021, the Board ontinued use of the warehouse space supplies required in response to the e License Agreement for any reason				
2. Ame	al Map endment No. 2 to License A get Availability Statement	Agreement (2)					
Recommended B		CL Willes ent Director	12/03/2021 Pate/				
Approved By: _	County A	dministrator	Date /				

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

•	•							
Fiscal Years	2022	2023	2024		2025	2026	;	
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County	\$94,125 	\$31,700 		- - -				
NET FISCAL IMPACT	<u>\$94,125</u>	<u>\$31,700</u>		=				
# ADDITIONAL FTE POSITIONS (Cumulative)								
Is Item Included in Current Budget: Yes X No								
Does this item include the use of federal funds? Yes No								
Rent Budget Account No: Fund	1300 Prog	Dept gram	<u>440</u>	Unit	<u>4209</u>	Object	<u>4401</u>	
Utility Budget Account No: Fund	<u>1300</u>	Dept	<u>440</u>	Unit	<u>4209</u>	Object	<u>4301</u>	
B. Recommended Sources of Funds/Summary of Fiscal Impact: The rent will remain at a rate of \$325.00 per day and utilities \$600.00 monthly.								
Fixed Assets Number N/A								
C. Departmental Fiscal Review:								
III. <u>REVIEW COMMENTS</u>								
A. OFMB Fiscal and/or Contract Development Comments: OFMB OF 11/8/2 OFMB OF 11/8/2 OFMB OF 11/8/2								
AP 11/8/21 11-45-21 Tw								

B. Legal Sufficiency:

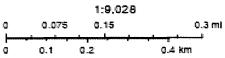
Assistant County Attorney

C. Other Department Review:

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



October 19, 2021



00-42-43-27-05-007-0171

AERIAL MAP



FOR OFFICIAL USE ONLY. The Agreement may be confidential and exempt from disclosure pursuant to Florida Statutes 119.071(3). Prior to copying or distributing the Agreement, the express written permission of the Director of Palm Beach County Division of Emergency Management must be obtained.

AMENDMENT NO.2 TO AGREEMENT

This Amendment No. 2 ("Amendment") to the Agreement is made as of _______, 2021, by and between **South Florida Fair and Palm Beach County Expositions, Inc.**, a Florida non-profit fair association organized under Chapter 616, Florida Statutes ("Fair") and **Palm Beach County**, a political subdivision of the State of Florida ("Licensee").

RECITALS

WHEREAS, the parties hereto have previously entered into that certain Agreement for storage and staging effective December 29, 2020, Fair License Agreement #2274, as amended by Amendment No.1 to Agreement (R2021-0397), dated April 6, 2021 (collectively the "Agreement"); and

WHEREAS, the parties to the Agreement believe it to be in each of their best interests to extend the Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties hereto agree as follows:

- 1. The above recitals are true and correct and incorporated herein.
- 2. <u>TERM EXTENSION</u>. This Amendment extends the Agreement from January 1, 2022 through December 31, 2022. Notwithstanding anything herein to the contrary, at any time the Licensee, through the County Administrator or its designee, may terminate this Agreement for any reason upon thirty (30) days prior written notice to the Fair.
- 3. <u>AGREEMENT</u>. Except as amended by this Amendment, the Agreement shall be and remain in full force and effect, unamended, unaltered and unmodified in any way or manner whatsoever, and each of the parties hereto ratifies and confirms the Agreement in all respects.
- 4. <u>COUNTERPARTS</u>. This Amendment may be executed in one or more counterparts and each counterpart shall, for all purposes, be deemed an original, but all such counterparts shall together constitute but one and the same instrument.

[Signatures on following page]

FOR OFFICIAL USE ONLY. The Agreement may be confidential and exempt from disclosure pursuant to Florida Statutes 119.071(3). Prior to copying or distributing the Agreement, the express written permission of the Director of Palm Beach County Division of Emergency Management must be obtained.

[Signature page for Amendment]

IN WITNESS WHEREOF, the parties have executed this Amendment effective as set forth above.

ATTEST:	COUNTY:
Joseph Abruzzo, Clerk of the Circuit Court and Comptroller	PALM BEACH COUNTY, a political subdivision of the State of Florida
By:	By:
Deputy Clerk Rob	ert S. Weinroth Mayor
APPROVED AS TO LEGAL SUFFICIENCY	APPROVE AS TO TERMS AND CONDITIONS
By: Chief Asst. County Attorney	By: Department Director
WITNESS:	FAIR: SOUTH FLORIDA FAIR AND PALM
By: ** ** 10/14/20	BEACH COUNTY EXPOSITIONS, INC. By: Vicki Chouris, Pres., and CEO

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BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 10/20/21	1 REQUESTED BY: Della M. Lowery				PHONE: (561) 233-0239 FAX: (561) 233-0210		
PROJECT TITLE:	Fire Rescue Tempora	ary Storage at Fa	ir Grounds	N/A			
Fiscal Years	2022	2023	2024	2025	2026		
Capital Expenditures Operating Costs External Revenues Program Income (County In-Kind Match (County	\$94,125 	\$31,700 					
NET FISCAL IMPACT	<u>\$94,125</u>	<u>\$31,700</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>		
# ADDITIONAL FTE POSITIONS (Cumulativ	e)						
** By signing this BAS your dep BAS by FD&O. Unless there is							
BUDGET ACCOUNT NUMB	ER 10/22	/21					
<u>RENT</u> FUND: <u>1300</u> DEPT: <u>44</u>	O Unit: A	209 OB	ı: <u>440/</u>	SUB OBJ:			
ELECTRIC FUND: <u>/300</u> DEPT: <u>4</u>	<u>10</u> unit: <u>4</u>	.209 OB.	ı: <u>430/</u>	SUB OBJ:			
IS ITEM INCLUDED IN CU	RRENT BUDGET:	: YES	NO				
DENTIFY FUNDING SOUR Ad Valorem (source/type: Non-Ad Valorem (source/type Grant (source/type: Park Improvement Fund (sou General Fund	rce/type: Operat)			
Department: Fire Rescu	ie Vala			4.000 40.04.6	2010		
BAS APPROVED BY: ENCUMBRANCE NUMBER:_	for order		D	ATE: 10-21-2	2018		