

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

Meeting Date: **January 4, 2022** Consent Regular
 Ordinance Public Hearing

Department: **Housing and Economic Development**

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Amendment 001 to Agreement R2020-1885 with the Village of Palm Springs for the construction of sidewalk improvements to create an interconnected Park pathway system along Davis Road, from Greenbrier Drive South to Lakewood Road in Palm Springs funded under the Community Development Block Grant (CDBG) Program to extend construction completion date from October 31, 2021 to March 31, 2022 and Final Reimbursement request from December 31, 2021 to April 30, 2022.

Summary: The attached document has been executed on behalf of the Board of County Commissioners by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 31-2, as approved by the BCC on, December 15, 2020.

In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** District 3 (HJF)

Background and Justification: The Village of Palm Springs, has executed an Inter-local Agreement with Palm Beach County to participate in the CDBG Program as funded by the U.S. Department of Housing and Urban Development.

Attachment(s):
1 Amendment 001 with the Village of Palm Springs

Recommended By:  12/9/2021
 Department Director Date

Approved By:  12/29/2021
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures					
Operating Costs	\$73,406				
External Revenues	(\$73,406)				
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT	-0-				

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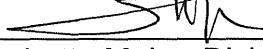
Is Item Included In Current Budget? Yes X No _____
 Does this Item include the use of Federal funds? Yes X No _____

Budget Account No.:

Fund: 1101 Dept. 143 Unit 1431 Object 8101 Program Code/Period BG187C2/GY20


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

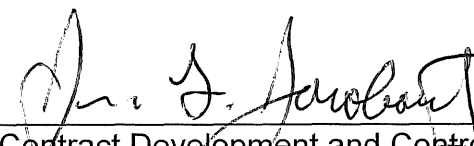
No Fiscal Impact

C. Departmental Fiscal Review: 
 Shairette Major, Division Director II

III. REVIEW COMMENTS

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

 12/10/21
 OFMB MB 12/10/21
 MB 12/10/21

 12/28/21
 Contract Development and Control
 12-28-21 JA

B. Legal Sufficiency:

 12/28/21
 Assistant County Attorney for H.E.

C. Other Department Review:

 Department Director

**AMENDMENT 001 TO THE AGREEMENT
WITH
VILLAGE OF PALM SPRINGS**

Amendment 001 with an effective date of November 1, 2021, by and between **Palm Beach County** and the **Village of Palm Springs**.

WITNESSETH:

WHEREAS, Palm Beach County entered into an Agreement (R2020-1885) with the Village of Palm Springs on October 1, 2020, to provide \$154,205 of Community Development Block Grant (CDBG) funds for the construction of sidewalk improvements to create an interconnected pathway system in the Village of Palm Springs; and

WHEREAS, the Village has requested to modify the project completion date and corresponding performance requirements; 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 "December 31, 2021" with "April 30, 2022".

C. SECTION 7: TIME OF PERFORMANCE

Replace "December 31, 2021" with "April 30, 2022".

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

Replace Monthly Performance Requirements and dates with the following:

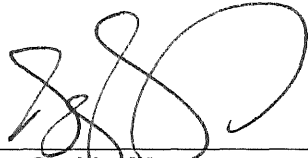
Complete Construction by:	March 2022
Request 100% Reimbursement of CDBG Funds by:	April 30, 2022

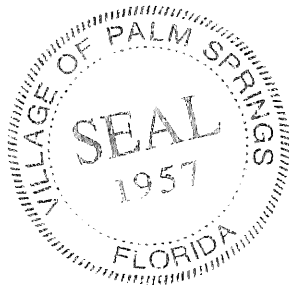
Except as modified by this Amendment 001, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof. This Amendment 001 is expressly contingent upon the approval of the County and shall become effective only when signed by all parties.

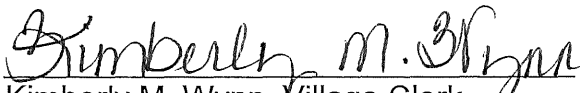
IN WITNESS WHEREOF, the Subrecipient has hereunto set its hand the day and year above written and caused this Amendment 001 to be executed.


(SUBRECIPIENT SEAL BELOW)

VILLAGE OF PALM SPRINGS

By: 
Bev Smith, Mayor



By: 
Kimberly M. Wynn, Village Clerk

By: 
Attorney for Subrecipient
(Signature Optional)

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment 001 on behalf of the County.

**PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida**

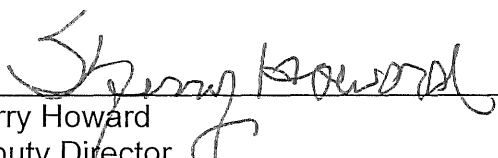
For its BOARD OF COUNTY COMMISSIONERS

By:  **DEC 01 2021**
Jonathan B. Brown, Director
Dept. of Housing & Economic Development

**Approved as to Form and
Legal Sufficiency**

By: 
Howard J. Falcon III
Chief Assistant County Attorney

**Approved as to Terms and Conditions
Dept. of Housing & Economic Development**

By: 
Sherry Howard
Deputy Director

RESOLUTION NO. 2021-42

A RESOLUTION OF THE COUNCIL FOR THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO ENTER INTO AMENDMENT NO. 1 TO THE COMMUNITY BLOCK GRANT (CDBG) AGREEMENT WITH PALM BEACH COUNTY TO EXTEND THE TERMS OF THE AGREEMENT TO APRIL 30, 2022, TO ENSURE THAT THE VILLAGE WILL BE IN COMPLIANCE WITH THE PERFORMANCE REQUIREMENTS SET BY THE INITIAL AGREEMENT FOR THE PATHWAY PARK CONNECTOR PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village of Palm Springs ("Village") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes;

WHEREAS, the Village has determined that it is in the best interest of the community to undertake the Pathway Park Connector Project ("Project") which is a village-wide trail system that is planned to connect nine (9) of the Village's ten (10) parks with a wide sidewalk (where possible) enhanced with pedestrian amenities, such as benches, water fountains, distance markers, trail information boards, etc. The proposed project includes 6.7 miles of interconnected, enhanced sidewalks. The recommended project consists of construction and installation of improvements with pathways that are ADA-compliant to service those in the Village with special needs, as well as our senior population; and

WHEREAS, the Project falls within two of the three categories of eligible activities as defined by HUD, in as much as the Project:

- (1) will benefit low and moderate income persons; and
- (2) it is a public access in need of repair, including ADA and accessibility improvements; and

Resolution No. 2021-42 CDBG Pathway Park – Amendment No. 1– Extension of Agreement to April 30, 2022

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	✓		
GARY READY, VICE MAYOR	✓		
DOUG GUNTHER, MAYOR PRO TEM	✓		
JONI BRINKMAN, COUNCIL MEMBER	✓		
PATTI WALLER, COUNCIL MEMBER			✓

The Mayor thereupon declared this Resolution duly passed and adopted this _____ day of November 18, 2021.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____

BEV SMITH, MAYOR

ATTEST:

BY: _____

KIMBERLY M. WYNN, VILLAGE CLERK

APPROVAL AS TO FORM AND LEGAL SUFFICIENCY

BY: _____

GLEN J. TORCIVIA, VILLAGE ATTORNEY

