

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 6, 2022

Consent    Regular  
 Ordinance    Public Hearing

Department: Parks and Recreation

Submitted By: Parks and Recreation Department

Submitted For: Parks and Recreation Department

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to receive and file: an executed Second Amendment to the Independent Contractor Agreement with Stephen VanCoppennolle, Adult Water Aerobics Program, North County Aquatic Complex, to increase the amount of the agreement (R2021-1835, amended R2021-1835), by \$1,000 for a total amount not to exceed \$6,250 for the period of October 1, 2021 through September 30, 2022.

**Summary:** The Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator and Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168, 2017-0822 and 2021-2049. The Department is now submitting this Amendment in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. District 1 (AH)

**Background and Justification:** A resolution providing authority to execute Independent Contractor Agreements with recreation instructors and sports officials (Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822) was adopted by the BCC to streamline the hiring process. The BCC granted the Director of Parks and Recreation authority to execute Independent Contractor Agreements and Amendments with recreation instructors and sports officials up to \$10,000, with contracts of \$10,000 or more requiring the County Administrator's approval.

The Amendment attached has been executed on behalf of the BCC by the County Administrator and the Director of the Parks and Recreation Department in accordance with the authority delegated by the BCC, and are now being submitted to the BCC to receive and file.

**Attachment:** Second Amendment to Independent Contractor Agreement

Recommended by:   
Department Director

11/14/2022  
Date

Approved by:   
Assistant County Administrator

11/29/22  
Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____
Is Item Included in Current Budget:		Yes	<u>X</u>	No	_____
Does this item include use of federal funds?		Yes	_____	No	<u>X</u>

Budget Account No.: Fund 0001 Department 580 Unit 5305  
 Object 3422 Revenue Source 4724 Program \_\_\_\_\_

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


Contractor	FY2022		% Split
	Revenue	Expense	
Stephen VanCoppennolle	8,439	5,907	70/30
<b>Totals</b>	<b>\$8,439</b>	<b>\$5,907</b>	

The revenue and expenses were recorded in FY2022. The revenue and expenses were recorded in FY2022.

C. Departmental Fiscal Review: 

**III. REVIEW COMMENTS**

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

 11/17/2022  
 OFMB 7A 11/15 MB-11/16

 11/21/22  
 Contract Development & Control

**B. Legal Sufficiency:**

Anne Delmont 11-22-22  
 Assistant County Attorney

**C. Other Departmental Review:**

\_\_\_\_\_  
 Department Director

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

**SECOND AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT BETWEEN  
PALM BEACH COUNTY AND STEPHEN VANCOPPENOLLE.**

**THIS SECOND AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT**, is made and entered into on September 19, 2022, by and between the Board of County Commissioners of Palm Beach County, Florida, hereinafter referred to as "COUNTY," and Stephen VanCoppennolle, an Independent Contractor, hereinafter referred to as "CONTRACTOR".

**WITNESSETH:**

**WHEREAS**, on September 13, 2021, COUNTY and CONTRACTOR entered into an Agreement (R2021-1835) for the provision of providing a Water Aerobics Program for Adults at North County Aquatics Complex; hereinafter referred to as the "Agreement"; and

**WHEREAS**, On July 17, 2022 COUNTY and CONTRACTOR amended the Agreement to increase the not to exceed amount by One Thousand Dollars (\$1,000) for the total not to exceed contract amount of Five Thousand Two Hundred Fifty Dollars (\$5,250) for the Water Aerobics program instructor services; and

**WHEREAS**, CONTRACTOR's fee is the sum of 70% of the paid enrollment fees for the Program; and

**WHEREAS**, the program has exceeded revenue projections of Eight Thousand Nine Hundred Twenty-Nine Dollars (\$8,929); and

**WHEREAS**, the total not to exceed amount required to be paid to CONTRACTOR needs to be increased by One Thousand Dollars (\$1,000.00); and

**WHEREAS**, COUNTY and CONTRACTOR desire to amend this Agreement.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements expressed herein, the COUNTY and CONTRACTOR hereby agree as follows:

1. Section 3 sentence 1 of the Agreement is hereby deleted in its entirety and replaced with the following: "The total amount payable by COUNTY under this Agreement for the services to be performed hereunder is not to exceed Six Thousand Two Hundred Fifty Dollars (\$6,250).
2. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

**REMAINDER OF PAGE LEFT INTENTIONALLY BLANK**

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date first written above.

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS:**

By: Eric Lee 9-19-22  
Signature Date  
Director / Assistant Director  
Palm Beach County Parks and Recreation Department

**If Agreement Value Exceeds \$10,000.00:**

**County Administrator**

\_\_\_\_\_  
Signature Date

**WITNESS**

Craig Perry 9-3-22  
Signature Date  
Craig Perry  
Print

**CONTRACTOR - Stephen VanCoppennolle**

By: Stephen VanCoppennolle 9-1-22  
Signature Date  
Stephen VanCoppennolle  
Print  
WATER Aerobic INSTRUCTOR  
Title

**APPROVED AS TO  
FORM AND LEGAL SUFFICIENCY:**

**County Attorney**

Anne Delgard 9/14/22  
Signature Date

**APPROVED AS TO  
TERMS & CONDITIONS:**

**Division Director**

Janice Paul 9-19-22  
Signature Date

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
8/2/2021

**PRODUCER**  
Sports & Fitness Insurance  
212 Key Drive  
Madison, MS 39110

**INSURED**  
Stephen VanCopenolle,  
1230 12th Court  
Jupiter, FL 33477

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.**

INSURERS AFFORDING COVERAGE	NAIC#
INSURER A: General Insurance Company of America	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Professional  GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	LPF-9621040L	9/1/2021	9/1/2022	EACH OCCURRENCE 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) 1,000,000 MED EXP (Any one person) 10,000 PERSONAL & ADV INJURY 1,000,000 GENERAL AGGREGATE 2,000,000 PRODUCTS - COME/OP AGG 2,000,000
		<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG
		<b>EXCESS/UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION				EACH OCCURRENCE AGGREGATE
		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTR-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT
		<b>OTHER</b>				

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS**

Certificate holder is additional insured.

**CERTIFICATE HOLDER**

Board of County Commissioners  
Palm Beach County  
P.O. Box 4036  
West Palm Beach, FL 33402

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
8/6/2022

<b>PRODUCER</b> Sports & Fitness Insurance 212 Key Drive Madison, MS 39110	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	<b>INSURERS AFFORDING COVERAGE</b>	<b>NAIC #</b>
<b>INSURED</b> Stephen VanCoppennolle, 1230 12th Court  Jupiter, FL 33477	INSURER A: General Insurance Company of America	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

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AUTHORIZED REPRESENTATIVE

