Agenda Item #3.M.6.

PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date:		[X] Consent [] Ordinance	[] Regular [] 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 approve: a Second Amendment to the Recreation Facility Rental Agreement with the Young Men's Christian Association of the Palm Beaches, Inc. (YMCA) for the use of the swimming pool and other recreation facilities at the Club Managers Association of America Therapeutic Recreation Complex (TR Complex) in John Prince Park. This Amendment exercises the second renewal option retroactively for the period of May 1, 2024 through April 30, 2025 with the annual rent of \$67,536.

Summary: On April 12, 2022, the Board of County Commissioners (BCC) approved a Rental Agreement (R2022-0362) with the Young Men's Christian Association of the Palm Beaches, Inc. (YMCA) for the use of the swimming pool and other recreation facilities at the Club Managers Association of America Therapeutic Recreation Complex (TR Complex) in John Prince Park. The term of the agreement was for the period of May 1, 2022 to April 30, 2023, with two (2) one (1) year renewal options. On May 16, 2023, the BCC approved a First Amendment (R2023-0688), which exercised the first renewal option retroactively for the period May 1, 2023 through April 30, 2024. This Second Amendment exercises second and final renewal option of the rental agreement for the period of May 1, 2024 through April 30, 2025. The renewal of this agreement allows for the County to expand on its partnership with the YMCA for year round aquatic programming at the TR Complex and increase the overall number of classes and services offered to the general public. District 3 (AH)

Background and Justification: On January 12, 2021, the BCC approved a Lease Agreement with the YMCA for five acres of land in Lake Lytal Park to relocate their existing Branch located in Palm Springs. While waiting for their new facility to be constructed within Lake Lytal Park, the YMCA and Parks have collaborated on a partnership that will allow the YMCA to offer expanded services to their members and the general public and reduce operational costs to the County. The YMCA is the nation's largest provider of aquatic training and drowning prevention programs in addition to the variety of classes, camps and services they offer. These expanded services will be provided without increasing Ad Valorem funding. All other terms and conditions remain. The Amendment has been executed on behalf of the YMCA, and now needs to be approved by the BCC.

Attachments:

- 1. Second Amendment to Recreation Facility Rental Agreement
- 2. Letter from the YMCA

Recommended by: _	Junip & Cuillo	4/30/24
	Department Director	Date
		11-1
Approved by:	To Mater	413024
	Assistant County Administrator	Date

Assistant County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County	(28,140)	<u>(39,396)</u>			
NET FISCAL IMPACT	<u>(28,140)</u>	<u>(39.396)</u>	0		<u> -0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current Budget: Does this item include use of Federal Funds? Does this item include use of State Funds?		?	Yes <u>X</u> Yes Yes	No No No	X

Budget Account No.:

Fund <u>0001</u> Department <u>580</u> Unit <u>5204/5307</u> Object <u>Various</u> Program <u>4735</u>

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

The annual rent will be \$67,536 (\$5,628/monthly) for the agreement period May 1, 2024 through April 30, 2025.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. QFMB Fiscal and/or Contract Development and Control Cpp OFMB MD 4/22 Contract Development and Control **B. Legal Sufficiency:**

Assistant County Attorney

C. Other Department Review:

Department Director

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

G:\Agenda Item Summary\05-14-24\05-14-24 Second Amendment to Lease with YMCA -TR Pool.docx

SECOND AMENDMENT TO RECREATION FACILITY RENTAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE PALM BEACHES, INC.

THIS SECOND AMENDMENT to Recreation Facility Rental Agreement R2022-0362, dated April 12, 2022 is made and entered into on ______ day of ______, by and between the Board of County Commissioners of Palm Beach County, Florida, hereinafter referred to as "COUNTY," and The Young Men's Christian Association of the Palm Beaches, Inc., a Florida not for profit corporation, authorized to conduct business in the State of Florida, hereinafter referred to as "RENTER".

WITNESSETH:

WHEREAS, on April 12, 2022, COUNTY and RENTER entered into an Agreement (R2022-0362), which granted RENTER the use of the swimming pool and other recreation facilities at the Club Managers Association of America Therapeutic Recreation Complex (TR Complex) in John Prince Park for the period May 1, 2022 to April 30, 2023 with two (2) one (1) year renewal options; and

WHEREAS, on May 16, 2023, COUNTY and RENTER executed the First Amendment to Recreation Facility Agreement (R2023-0688), which extended the term of the Agreement to April 30, 2024; and

WHEREAS, RENTER has provided COUNTY with written notice that RENTER wishes to exercise the second of two (2) available one (1) year renewal options; and

WHEREAS, COUNTY and RENTER desire to amend this Agreement.

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

- Section 1 of the Agreement is hereby amended to state: This Agreement is effective May 1, 2022, the date RENTER enters the recreation facility property, and will terminate on April 30, 2025, the date RENTER is to complete vacating the recreation facility property. The number of days the Term of this Agreement is effective includes, without proration, any partial day's use and occupancy of the Recreation Facility.
- 2. Section 3 of the Agreement is hereby deleted in its entirety.
- 3. 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.

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Page 1 of 2

Revised 1/30/2023

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

ATTEST:

Deputy Clerk

WITNESS

Signatur

trinQ

ELIA

Clerk of the Circuit Court & Comptroller

Date

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS:

Maria Sachs, Mayor

RENTER – THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE PALM BEACHES, INC.

By: 3-19-2024 Date Signature h Timothy G. Coffield Print

CEO

Title

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Senior Assistant County Attorney

Miragun-Stern

APPROVED AS TO TERMS & CONDITIONS:

Department Director

4-18 Signaty Date

Jennifer E. Cirillo

Page 2 of 2

Revised 1/30/2023

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	AGEN	CY CUSTOMER ID: YOUNMEN-05			
ACORD [®] ADDITIONAL	L REMA	RKS SCHEDULE Page 1 of 1			
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POLICY NUMBER		dba YMCA of the Palm Beaches 2085 S Congress Ave West Palm Beach FL 33406			
CARRIER	NAIC CODE				
	1.	EFFECTIVE DATE:			
THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACC FORM NUMBER:	JRD FORM, F LIABILITY II	ISURANCE			
		der the auto liability policy subject to the terms and conditions of the policy.			
A waiver of subrogation is provided in favor of the Palm Beach Cou agreement, subject to the terms and conditions of the policy.	unty Board of	County Commissioners under the general liability when required by written			
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FOR YOUTH DEVELOPMENT® FOR HEALTHY LIVING FOR SOCIAL RESPONSIBILITY

March 21, 2024

Jennifer Cirillo, MBA, CPRE Director Parks & Recreation Palm Beach County Parks and Recreation 2700 6th Avenue South Lake Worth Beach, Florida 33461

Dear Ms. Cirillo,

Pursuant to the terms of our Recreation Facility Rental Agreement with Palm Beach County Parks and Recreation Department (R-2022-0362), dated April 12, 2022, this letter serves as notice the YMCA of the Palm Beaches is hereby executing its option to extend the Agreement for an additional year.

We greatly appreciate the opportunity to partner with Parks and Recreation through this agreement and look forward to another year of serving the community together.

With Gratitude,

Timothy G. Corfield, Ph.D.

President & CEO

YMCA OF THE PALM BEACHES 2728 Lake Worth Road, Lake Worth Beach, FL 33461 P 561.968.9622 F 561.968.2972 ymcapalmbeaches.org

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