Agenda Item: 3L-1

## PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

### **AGENDA ITEM SUMMARY**

Meeting Date:	October 7, 2025	(X) Consent ( ) Workshop	()Regular ()Public Hearing				
Department:	Environmental Resources Management						
I. EXECUTIVE BRIEF							
Number 4 to Lease (FIND), for the occi construction staging Lake Worth Lagoo	Agreement (Amendme upancy and use of the l g site for storage of ma	ent), with the Florida II Material Storage Area aterials for the U.S. A es Program, Section	and file: Amendment nland Navigation District a 617-C (Premises) as a rmy Corps of Engineers 1135 Project (USACE 5 to August 31, 2026.				
a Lease Agreemen temporary storage restoration projects August 31, 2026. AUSACE Project, da USACE with applimaintenance of the Delegated authority and other forms accordance with PI	t with FIND (R2020-15) of rock, shell and s. The purpose of this As part of the Project ted August 21, 2019 (R cable real property in s USACE Project, inclu- t to sign all future time associated with this PM CW-O-051, all de	88) to use the Premis sand material needs Amendment is to ex Partnership Agreeme 2019-1177), the Courterests for the considing entry to the Premextensions, task ass Agreement was appelegated contracts, as	sioners (BCC) approved ses for the handling and sed for several County stend the lease term to ent with USACE for the aty is required to provide truction, operation and mises as a staging site. Signments, certifications, proved at that time. In agreements and grants and file agenda item.				
waterfront sites so restoration and ar purposes. FIND ha	uitable for constructio tificial reef projects ar	n staging for the ( nd has been utilized e site directly to vario	of a limited number of County's environmental previously for similar ous contractors but now				
Attachments:							
<ol> <li>Amendment Nur</li> <li>Delegation of Au</li> </ol>	mber 4 to Lease Agreen	ment (R2020-1588)					
Recommended by	2. book	Dun	8-21-2025 4/s Date				
Approved by:			8/27/25				

Deputy County Administrator

Date

### **II. FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	i	2026	2027	2028	2029	2030
Capital Expe	enditures					
Operating C	osts					
External Rev	enues/					
Program Inc	ome (County	<b>/</b> )				*****
In-Kind Mate	ch (County)			-		
NET FISCAL		_				
# ADDITIONA POSITIONS		)				
Is Item Inclu	ded in Curre	nt Budget?		Yes X	No	
Does this ite	em include th	e use of fed	eral funds?	Yes	No <u>X</u>	
Does this ite	m include th	e use of stat	e funds?	Yes	No <u>X</u>	
Budget Acco	ount No.:					
Fund [	Department _	Unit	Object	Program		
В.	Recommend No fiscal imp		of Funds/Su	mmary of Fis	scal Impact:	
C.	·	Fiscal Revie	w: EW COMMEI	_ 		
Δ.	OEMP Fices					
<b>A</b> .	OFMB FISCA	_	ilaoar	nd Control Co	mull	0 3/25/25 ol 76 8.15.25
В.	Legal Suffic	iency:			é	
C.	Other Depar	tment Revie	w:			
	Department	Director				

# AMENDMENT NUMBER 4 TO LEASE AGREEMENT BETWEEN PALM BEACH COUNTY AND FLORIDA INLAND NAVIGATION DISTRICT

THIS FOURTH AMENDMENT TO THE LEASE AGREEMENT is made and entered into on this \_Z5\_day of \_\_\_\_\_\_\_\_, 2025, by and between FLORIDA INLAND NAVIGATION DISTRICT, an independent special taxing district of the State of Florida, hereinafter referred to as Landlord or DISTRICT, and PALM BEACH COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as Tenant or County.

#### WITNESSETH:

WHEREAS, the parties entered into a Lease Agreement dated November 13, 2020 (R2020-1588) (the "Lease"); wherein the County is using the Landlord's premises for the handling and temporary storage or rock, shell and sand for the renourishment of Juno Beach and Jupiter Beach, and for the restoration of Tarpon Cove Islands and Sawfish Island (collectively, the "Project"):and

WHEREAS, the Landlord and County entered into an amendment of the Lease ("Amendment Number 1") on August 27, 2021; and

WHEREAS, the Landlord and County entered into a second amendment of the Lease ("Amendment Number 2") on November 17, 2022; and

WHEREAS, the Landlord and County entered into a third amendment of the Lease ("Amendment Number 3") on September 21, 2023; and

WHEREAS, the Landlord and County desire to extend the term of the Lease from August 29, 2025 to August 31, 2026; and

NOW, THEREFORE, in consideration of the promises and mutual covenants and conditions contained herein, the parties agree to modify the Lease as follows:

- The foregoing recitals are true and correct and are incorporated herein by reference.
   Terms not defined herein shall have the same meaning and effect as in the Lease.
   Any reference to "Lease" contained herein shall include all amendments thereto.
- 2. Section 2 of the Lease is hereby amended as follows:

Landlord hereby leases to Tenant that property located in Palm Beach County, Florida and known as MSA-617C, as more particularly described in Exhibit "A" attached hereto and made part hereof by reference (the "Premises"), for a term commencing November 13, 2020 and terminating August 31, 2026 (the "TERM").

3. Section 22 of the Lease is hereby amended as follows:

Prior to the use of the Premises, County contractor shall deliver to Landlord a surety bond issued by a surety reasonably satisfactory to Landlord or a cash bond in the principal amount of One Hundred Thousand and 00/100 Dollars (\$100,000), conditioned on County's complete removal from the Premises of all materials placed thereupon by County by not later than August 31, 2026.

4. All other terms and conditions of the Lease, as amended shall remain the same.

The remainder of this page intentionally left blank

IN WITNESS WHEREOF, the parties hereto have executed this Fourth Amendment to the Lease Agreement on the day and year first written above.

### AS TO LANDLORD

FLORIDA INLAND NAVIGATION DISTRICT				
By: James "Buddy" Davenport, Chair				
Date: 7 25 2025				
Witness:	Witness: Varlene Tiffly			
Print Name:	Print Name:			
PHIL PYSTED	Darlene Petty			
AS TO COUNTY				
PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS	APPROVED AS TO FORM AND LEGAL SUFFICIENCY:			
By: Jelotal Dur	By: /s/ Scott A. Stone			
Name: Deborah Drum	Name: Scott A. Stone			
Title: Director, Environmental Resources  Management Department	Title: Assistant County Attorney			
Date: July 3 ,2025				



### INTEROFFICE MEMORANDUM Palm Beach County **Environmental Resources Management**

DATE:

December 29, 2020

TO:

Verdenia C. Baker County Administrator

THROUGH:

Patrick Rutter

Assistant County Administrator

FROM:

Deborah Drum, Director

Environmental Resources Management

SUBJECT:

REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:

A Lease Agreement (Agreement) with Florida Inland Navigation District (FIND) for the occupancy and use of Material Storage Area (MSA) 617-C as a construction staging site and for storage of materials beginning on October 20, 2020

and expiring on May 31, 2022.

On October 20, 2020, agenda item 3L-2 (R2020-1588), the Board of County Commissioners approved the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Agreement, and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the Agreement.

This memorandum is my request for delegation of signatory authority for the Director or Deputy Director of Environmental Resources Management (ERM) to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement, and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the Agreement. If you agree, please sign below and return this memorandum. I am available to answer any questions you may have concerning this request. Thank you in advance for your consideration.

APPROVED: Werdenia C. Baker, County Administrator DATE: 1/13/2/

DD:kf Attachment