Agenda Item: **3L-2**

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	November 10, 2026	(X) Consent ( ) Workshop	( ) Regular ( ) Public Hearing
Department:	Environmental Resources Management		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Amendment No. 1 to Agreement with the Andrew "Red" Harris Foundation, Inc. (ARHF) to extend the termination date of the Agreement from December 31, 2026 to December 31, 2028.

Summary: On December 5, 2023, the Board of County Commissioners (BCC) approved an Agreement (R2023-1789) with the ARHF for the donation of artificial reef material to Palm Beach County (PBC) in exchange for PBC agreeing to place the material within permitted artificial reef sites offshore of northern PBC, beginning January 1, 2024 and ending December 31, 2026. Delegated authority to the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Agreement was also approved at that time. Amendment No. 1 is a two (2) year extension of the termination to December 31, 2028. In accordance with PBC PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **There is no cost to the County associated with this item. District 1 (FXM)**

Background and Justification: Through the past three (3) agreements, PBC and the ARHF have worked together to create over four acres of artificial reef habitat with an estimated value of $1,000,000 in donated artificial reef materials. Under the new ARHF Agreement, any reef created with the donated artificial reef material will be referred as the Andrew "Red" Harris Reef or a similar variation.

Attachments:
1. Amendment No. 1 to ARHF Agreement
2. Delegation Memo

Recommended by: Deborah Drum — 10-1-2026 — 4/FXM 09/23/26
Department Director — **Date**

Approved by: — 10/19/26
Chief Deputy County Administrator — **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2027	2028	2029	2030	2031
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	0				
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes _____ No X

Does this item include the use of federal funds? Yes _____ No X

Does this item include the use of state funds? Yes _____ No X

Budget Account No.:
Fund _____ **Department** _____ **Unit** _____ **Object** _____ **Program** _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:
There is no fiscal impact with this item.

C. Department Fiscal Review: _____

III. REVIEW COMMENTS

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

_____ 10/8/2026
OFMB KK 10/8 10/8

_____ 10/16/26
Contract Development & Control
ZG 10.16.26

B. Legal Sufficiency:

_____ 10-19-26
Assistant County Attorney

C. Other Department Review:

_____
Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

AMENDMENT NO. 1
TO AGREEMENT BETWEEN
PALM BEACH COUNTY
AND
ANDREW "RED" HARRIS FOUNDATION, INC.

This Amendment No. 1 ("Amendment") to the Agreement, is made on this 17TH day of AUGUST, 2026, by and between Palm Beach County, a political subdivision of the State of Florida ("County"), and the Andrew "Red" Harris Foundation, Inc., a non-profit corporation authorized to do business in the State of Florida (ARHF), both being hereinafter referred to collectively as the "parties".

WHEREAS, the County entered into the Agreement with ARHF, effective December 5, 2023; and

WHEREAS, the parties wish to amend the Agreement to extend the termination date of the Agreement from December 31, 2026, to December 31, 2028.

NOW THEREFORE, the parties agree as follows:

1) Section 7, Term, of the Agreement is hereby deleted and replaced with the following:

Term. The term of this Agreement shall take effect beginning January 1, 2024, and continue until December 31, 2028, unless otherwise provided herein.

2) All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistencies may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Agreement on behalf of the County; and an authorized official of ARHF has made and executed this Agreement on behalf of ARHF.
ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BY: /s/ Francis X Moehrle
Frank Moehrle
Assistant County Attorney

Date: 08/17/2026

PALM BEACH COUNTY, FLORIDA
A POLITICAL SUBDIVISION
OF THE STATE OF FLORIDA

BY: Deborah Drum
Deborah Drum, Department Director
Environmental Resources Management

Date: 8-17-2026

WITNESS:

Martha Harris

Signature

Martha Harris

Name (type or print)

ARHF:

Andrew B. Harris Foundation

Company Name

Signature

Scott A. Harris

Name (type or print)

President

Title

INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management

DATE: January 22, 2024

TO: Verdenia C. Baker
County Administrator

THROUGH: Patrick Rutter
Deputy County Administrator

FROM: Deborah Drum, Director
Environmental Resources Management

SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:
An Agreement with the Andrew "Red" Harris Foundation, Inc. (ARHF) wherein ARHF will provide donated artificial reef material to the County in exchange for the County agreeing to place the material within permitted artificial reef sties offshore of northern Palm Beach County for an amount not to exceed $300,000 beginning January 1, 2024 and ending December 31, 2026.

On December 5, 2023, agenda item 3L-1 (R2023-1789), 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, or terms and 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, or terms and 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: _____ DATE: 1/31/23
Verdenia C. Baker, County Administrator

DD:kf
Attachment