Agenda Item: **3L-2**

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	December 1, 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 Number 5 to Lease Agreement (Amendment), with the Florida Inland Navigation District (FIND), for the occupancy and use of the Material Storage Area 617-C (Premises) as a construction staging site for storage of materials for the U.S. Army Corps of Engineers Lake Worth Lagoon Continuing Authorities Program, Section 1135 Project (USACE Project) and to extend the term of the lease from August 31, 2026 to October 19, 2026.

Summary: On October 20, 2020, the Board of County Commissioners (BCC) approved a Lease Agreement with FIND (R2020-1588) to use the Premises for the handling and temporary storage of rock, shell and sand material needed for several Palm Beach County (PBC) restoration projects. The purpose of this Amendment is to extend the lease term to October 19, 2026. The Lease Agreement expired on August 31, 2026, and the Amendment, executed on September 11, 2026, was made effective retroactive to August 31, 2026. As part of the Project Partnership Agreement with USACE for the USACE Project, dated August 21, 2019 (R2019-1177), PBC is required to provide USACE with applicable real property interests for the construction, operation and maintenance of the USACE Project, including entry to the Premises as a staging site. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement was approved at that time. In accordance with PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **Districts 1 and 7 (FXM)**

Background and Justification: The FIND Premises is one (1) of a limited number of waterfront sites suitable for construction staging for PBC's environmental restoration and artificial reef projects and has been utilized previously for similar purposes. FIND has historically leased the site directly to various contractors but now requests that lease agreements be with PBC for oversight.

Attachments:
1. Amendment Number 5 to Lease Agreement (R2020-1588)
2. Delegation of Authority

Recommended by: Deborah Drum 11-4-2026
Department Director **Date**

Approved by: 11/18/26
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 X No ____

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:

No fiscal impact.

C. Department Fiscal Review: [signature]

III. REVIEW COMMENTS

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

[signature] 11/3/26 JA 10/28
OFMB

[signature] 11/3/24
Contract Development & Control

B. Legal Sufficiency: ESW 11.3.26

[signature] 11-4-26
Assistant County Attorney

C. Other Department Review:

_____
Department Director

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

AMENDMENT NUMBER 5

TO LEASE AGREEMENT
BETWEEN
PALM BEACH COUNTY
AND FLORIDA INLAND NAVIGATION
DISTRICT

THIS AMENDMENT NUMBER 5 TO LEASE AGREEMENT ("Amendment") is made and entered into on this 11th day of September, 2026, 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 "Initial 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 Amendment Number 1 to the Lease ("Amendment Number 1") on August 27, 2021; and

WHEREAS, the Landlord and County entered into Amendment Number 2 to the Lease ("Amendment Number2") on November 17, 2022; and

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

WHEREAS, the Landlord and County entered into Amendment Number 4 to the Lease (""Amendment Number 4; the Initial Lease as amended by Amendment Number 1, Amendment Number 2, Amendment Number 3, and Amendment Number 4 is collectively referred to herein as the "Lease") on July 25, 2025; and

WHEREAS, the Landlord and County desire to extend the Term of the Lease from August 31, 2026, to October 19, 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:

1. 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.

2. Section 2 of the Lease is hereby deleted in its entirety and replaced with the following:

   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 October 19, 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 October 19, 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 Fifth Amendment to the Lease on the day and year first written above.

AS TO LANDLORD

FLORIDA INLAND NAVIGATION DISTRICT

By: _____
Janet Zimmerman, Executive Director

Date: 9/11, 2026

Witness:

Print Name: Ian Eyeington

Witness:

Print Name: Sarah Sutton

AS TO COUNTY

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

By: _____

Name: Deborah Drum

Title: Director, Environmental Resources Management Department

Date: Sept. 11, 2026

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: /s/ Francis X Moehrle

Name: Frank Moehrle

Title: Assistant County Attorney

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 12-30-20
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: _____ DATE: 1/13/21
Verdenia C. Baker, County Administrator

DD:kf
Attachment