

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

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**Meeting Date:** June 4, 2024                                 Consent                                 Regular  
    Workshop                                 Public Hearing

**Department:** Environmental Resources Management

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**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to:**

**A) receive and file** Amendment to the Florida Inland Navigation District (FIND) Project Agreement PB-21-215 (Agreement PB-21-215) between Palm Beach County (PBC) and FIND for construction and monitoring of the South Lake Worth Inlet (SLWI) Sand Trap and Boat Channel Dredging Project (Project), extending the Project period from September 30, 2023 to September 30, 2024;

**B) receive and file** Amendment to the Interlocal Agreement for FIND Project Agreement ICW-PB-22-05 (Agreement ICW-PB-22-05) between PBC and FIND for the Cut P-50 dredging (Project), extending the Project period from September 30, 2023 to September 30, 2024; and

**C) approve** Budget Amendment in the Beach Improvement Fund for \$734,100 to recognize the revenue from FIND Agreement PB-21-215 and for \$947,875 to recognize the revenue from FIND Agreement ICW-PB-22-05.


**Summary:** On May 4, 2021 (R2021-0591), the Board of County Commissioners (BCC) adopted a Resolution for Assistance 2021 under the FIND Waterways Assistance Program (WAP) authorizing submission of a grant application and authorizing the County Administrator, or designee, to sign all future time extensions and minor amendments associated with the Agreement. Agreement PB-21-215 (R2022-0208) reimburses the County for dredging costs associated with the Project estimated to be \$734,100. On March 8, 2022, Agreement PB-21-215 was received and filed by the BCC.

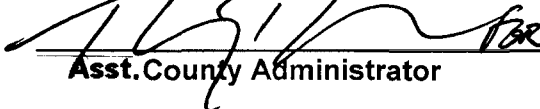
On October 4, 2022, the BCC approved the Agreement ICW-PB-22-05 (R2022-1166) and authorized the County Administrator, or designee, to sign all future time extensions and minor amendments associated with the Agreement. Agreement ICW-PB-22-05 reimburses the County for dredging costs associated with the Project estimated to be \$947,875. These fully executed Amendments were received on March 29, 2024, extending the Project period from September 30, 2023 to September 30, 2024. In accordance with County 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.** District 4 (SS)

**Background and Justification:** The SLWI Maintenance Dredging Project (Project) will include the dredging of sand from the interior flood shoal and sand trap of SLWI, the Harvey E. Oyer, Jr. Park Boat Channel and Cut P-50 of the Intracoastal Waterway to nourish down drift beaches and to provide for beneficial reuse of non-beach compatible material within the Lake Worth Lagoon. Project maintenance dredging is performed on an as-needed basis every 6-8 years and was previously completed in 2001, 2008, and 2013. The County routinely partners with FIND to reduce project costs when dredging portions of the flood shoal at SLWI.

**Attachments:**

1. Project Agreement Number PB-21-215 Amendment
  2. Delegation of Authority (R2021-0591)
  3. Project Agreement ICW-PB-22-05 Amendment
  4. Delegation of Authority (R2022-1166)
  5. Budget Amendment (3652)
- 

**Recommended by:**                                 5-23-24                                SAS 5/17/24  
Department Director                                Date

**Approved by:**                                 5/28/2024  
Asst. County Administrator                                Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	\$1,681,975	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$1,681,975)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b>0</b>	_____	_____	_____	_____
# 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 3652 Department 381 Unit M046 Object 4630 Program \_\_\_\_\_

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

FIND PB-21-215	\$734,100
FIND ICW-PB-22-05	\$947,875
	\$1,681,975

**C. Department Fiscal Review:**

\_\_\_\_\_

**III. REVIEW COMMENTS**

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

\_\_\_\_\_  
OFMB

\_\_\_\_\_  
Contract Development & Control

**B. Legal Sufficiency:**

\_\_\_\_\_  
Assistant County Attorney

**C. Other Department Review:**

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

**PROJECT AGREEMENT AMENDMENT**

In consideration of the continuing mutual promises and covenants contained in PROJECT AGREEMENT #PB-21-215 South Lake Worth Inlet Sand Trap and Boat Channel Dredging, between the FLORIDA INLAND NAVIGATION DISTRICT (F.I.N.D.) and Palm Beach County hereafter known as the PROJECT SPONSOR. The parties hereby agree that Paragraph 2 of said certain PROJECT AGREEMENT be deleted and the following be substituted therefore:



2. **TERM** - The PROJECT SPONSOR shall not commence work on the PROJECT prior to the execution of this Agreement unless specifically authorized by the DISTRICT Board and **shall complete the PROJECT on or before September 30, 2024 and submit all required payment reimbursement information by November 15, 2024.** Pursuant to Chapter 374.976(2) F. S., the PROJECT period cannot extend beyond three (3) years from October 1, 2021 and therefore this PROJECT must be completed by September 30, 2024, unless the completion of the PROJECT has been delayed by a declared State of Emergency and the F.I.N.D. Board authorizes an extension of the completion date based upon this delay.

Except as modified hereby, all of the terms and provisions of the original Project Agreement shall remain in full force and effect.

In WITNESS WHEREOF, the parties have hereunto set their hands and seals this 29<sup>th</sup> of March, 2024.

Attest:



F.I.N.D.

  
\_\_\_\_\_  
Glenn Scambler  
  
\_\_\_\_\_  
Christopher M. Kelley

  
\_\_\_\_\_  
DIRECTOR  
Janet Zimmerman

Attest:

PALM BEACH COUNTY

  
\_\_\_\_\_  
Andrew J. Studt  
  
\_\_\_\_\_  
Jena McNeal

  
\_\_\_\_\_  
CONTRACT ADMINISTRATOR  
Michael Stahl

Approved as to form and legal sufficiency:

*/s/ Scott A. Stone*  
Assistant County Attorney



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

**DATE:** July 12, 2021

**TO:** Verdenia C. Baker  
 County Administrator

**THROUGH:** Patrick Rutter  
 Assistant County Administrator *PWR*

**FROM:** Deborah Drum, Director  
 Environmental Resources Management *DD 7-16-21*

**SUBJECT:** REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:  
**A Grant Project Agreement (Agreement) with Florida Inland Navigation District (FIND) for \$734,100 to fund a portion of the \$5,339,800 associated with the expansion of the South Lake Worth Inlet Sand Trap and maintenance dredging of the Harvey E. Oyer, Jr. Park Boat Channel situated in the Lake Worth Lagoon.**

On May 4, 2021, agenda item 3L-1 (R2021-0591), the Board of County Commissioners approved the County Administrator, or designee, to execute the Grant Project Agreement (Agreement), 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, if the Grant is approved.

This memorandum is my request for delegation of signatory authority for the Director or Deputy Director of Environmental Resources Management (ERM), to execute the Agreement, 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 the Grant is approved. 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: *VC Baker* DATE: *8/5/21*  
 Verdenia C. Baker, County Administrator



**PROJECT AGREEMENT AMENDMENT**

In consideration of the continuing mutual promises and covenants contained in PROJECT AGREEMENT # ICW-PB-22-05 Cut P-50 dredging with Palm Beach County, between the FLORIDA INLAND NAVIGATION DISTRICT (F.I.N.D.) and Palm Beach County hereafter known as the PROJECT SPONSOR. The parties hereby agree that Section 2b of said certain PROJECT AGREEMENT be deleted and the following be substituted therefore:

b. Responsibilities of the County. The County agrees to provide project design, permitting, contracting, and construction management and observation for the completion of the Project. County shall complete, or cause to be completed, the Project and submit all required payment reimbursement information on or before September 1, 2024. The District, by prior written approval, may extend funding under this Interlocal Agreement for one (1) year beyond September 30, 2024 (hereinafter referred to as the "Project period"), with such extension of the Project period being at the sole discretion of the District. Any request for the extension of the Project period and associated funding beyond September 30, 2024 shall require submittal by the County of a request for extension to the District no later than July 1, 2024. This request will then be considered by the District Board, whose decision shall be final.

Except as modified hereby, all of the terms and provisions of the original Project Agreement shall remain in full force and effect.

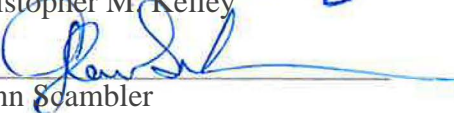
In WITNESS WHEREOF, the parties have hereunto set their hands and seals this 29<sup>th</sup> of March, 2024.

Attest:

F.I.N.D.

  
Christopher M. Kelley

  
DIRECTOR  
Janet Zimmerman

  
Glenn Scambler

Attest:

PROJECT SPONSOR

  
Andrew J. Studt

  
CONTRACT ADMINISTRATOR  
Michael Stahl

  
Jena McNeal

Approved as to form and legal sufficiency:

/s/ Scott A. Stone  
Assistant County Attorney



INTEROFFICE MEMORANDUM  
Palm Beach County  
Environmental Resources Management

DATE: December 21, 2022  
TO: Verdenia C. Baker  
County Administrator  
THROUGH: Patrick Rutter  
Assistant County Administrator  
FROM: Deborah Drum, Director  
Environmental Resources Management

*PWR 1/13/23*  
*[Signature] 12-21-2022*

**SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:  
A Florida Inland Navigation District (FIND) Interlocal Agreement (Agreement) which reimburses Palm Beach County in the amount of \$947,875 for dredging Cut P-50 in the Intracoastal Waterway, commencing upon execution and terminating September 30, 2023.**

On October 4, agenda item 5A-1 (R2022-1166), 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: *VBaker* DATE: *1/13/23*  
Verdenia C. Baker, County Administrator

DD:kf  
Attachment

Attachment 4

**BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA  
BUDGET AMENDMENT**

Fund 3652 Beach Improvement

BGEX 381 050824\*1365  
BGRV 381 050824\*0469

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED As of 05/10/2024	REMAINING BALANCE
<b><u>REVENUES</u></b>								
3652-381-M046-6694	Grant From Oth Non-Govt	0	0	1,681,975		1,681,975	0	
<b>Total Receipts and Balances</b>		<b>65,678,109</b>	<b>66,060,446</b>	<b>1,681,975</b>	<b>0</b>	<b>67,742,421</b>		
<b><u>EXPENDITURES</u></b>								
3652-381-M046-4630	Beach /Dune Restore/Renourish	10,403,528	10,192,027	1,681,975		11,874,002	0	11,874,002
<b>Total Appropriations &amp; Expenditures</b>		<b>65,678,109</b>	<b>66,060,446</b>	<b>1,681,975</b>	<b>0</b>	<b>67,742,421</b>		

Signatures & Dates

By Board of County Commissioners

Office of Financial Management & Budget

At Meeting of

INITIATING DEPARTMENT/DIVISION

June 4, 2024

Administration/Budget Department Approval

Deputy Clerk to the

OFMB Department - Posted

Board of County Commissioners