

Meeting Date
April 19, 2016



AGENDA	
Section	Consent
Item No.	II.B.2

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Amendment, RE: Interlocal Agreement with the City of Palm Bay – District 3 and 5 Fiscal Impact: A net reduction of \$28,005 in the Year 1 Payment to the City of Palm Bay
DEPT/OFFICE:	Community Services Group / Parks and Recreation Department

Requested Action:
It is requested the Board approve and authorize the Chairman to execute an amendment to the Interlocal Agreement with the City of Palm Bay for a reduction in Year 1 payment from \$502,235 to \$474,230.

Summary Explanation & Background:

The Board of County Commissioners approved the conveyances of Palm Bay Regional Park and the Greater Palm Bay Senior Center to the City of Palm Bay and approved the 2nd amendment to the Palm Bay Aquatic Center on January 26, 2016. The Interlocal Agreement with the City of Palm Bay stipulates a five (5) year payment schedule to the City with an effective date of February 1, 2016. An adjustment with a combined net reduction of the Year I Payment is calculated as follows:

- The City of Palm Bay did not officially assume the operation and maintenance of Palm Bay Regional Park, Greater Palm Bay Senior Center and the Palm Bay Aquatic Center until February 27, 2016. The agreement date was approved effective February 1, 2016. During this period, Brevard County incurred expenses of \$62,779 for employee salaries and benefits plus the operation and maintenance of these three facilities.
- Brevard County received revenues totaling \$29,595 for future rentals and activities scheduled for dates after the City assumed responsibility for operation and maintenance of the three facilities. This revenue collection should be provided to the City of Palm Bay.
- The City of Palm Bay incurred utility expenses of \$5,179 for these facilities during the month of February, a responsibility of Brevard County.
- The combined amounts, as a result of the above, is a net reduction of \$28,005 (a revised payment of \$474,230) in the Year 1 scheduled Payment.

Clerk to the Board Instructions:

Exhibits Attached: Amendment to the Interlocal Agreement

Contract /Agreement (If attached):		Reviewed by County Attorney	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR <input type="checkbox"/>
County Manager		Assistant County Manager,	Jack Masson, Parks & Recreation Department Director jack.masson@brevardparks.com; 633-2046				
Stockton Whitten		Assistant County Manager, Venetta Valdengo					



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
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Tammy.Rowe@brevardclerk.us

April 20, 2016

MEMORANDUM

TO: Jack Masson, Parks and Recreation Department Director

RE: Item II.B.2., Amendment to Interlocal Agreement with the City of Palm Bay for Reduction in Year One Payment

The Board of County Commissioners, in regular session on April 19, 2016, executed an amendment to the Interlocal Agreement with the City of Palm Bay for a reduction in the Year 1 payment from \$502,235 to \$474,230. Enclosed are three executed Agreements.

Upon execution by the City of Palm Bay, please return a fully-executed Agreement to this office for inclusion of the Official Minutes.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/cm

Encls. (3)

cc: Contracts Administration
Finance
Budget

AMENDMENT TO INTERLOCAL AGREEMENT

THIS AGREEMENT made and entered into this 19th day of April, 2016 by and between BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as the "County," and CITY OF PALM BAY, a municipality incorporated under the Laws of Florida, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS, the parties hereto have previously entered into an Interlocal Agreement on January 26, 2016, for the conveyance of Palm Bay Regional Park and the Greater Palm Bay Senior Center; and

WHEREAS, the parties have entered into an Agreement on January 26, 2016, providing for the City of Palm Bay to assume all maintenance responsibilities of the County for the Palm Bay Aquatic Center; and

WHEREAS, the parties hereto desire to amend Section 7. ASSUMPTION OF ONGOING MAINTENANCE AND OPERATIONS.

NOW, THEREFORE, in consideration of the premises and mutual covenants here in contained, the parties hereby agree, as follows:

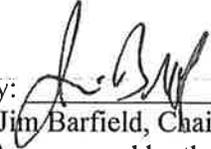
- 1. That the initial payment due to the City, originally in the amount of \$502,235 shall be reduced to the amount of \$474,230 and shall be due on or before 30 days after final execution of this Amendment. This amended initial payment reflects the additional costs incurred by the County as the City of Palm Bay did not assume maintenance and control of the Palm Bay Regional Park, the Greater Palm Bay Senior Center, and the Aquatic Center until February 27, 2016.
- 2. That all the terms and conditions of the Interlocal Agreement which are incorporated herein by this reference, not inconsistent with the provisions of this Amendment, shall remain in full force and effect.
- 3. This Amendment shall be effective upon execution by both parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the date first above written.

ATTEST:


SCOTT ELLIS, CLERK

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: 
Jim Barfield, Chairman
As approved by the Board on April 19, 2016

Reviewed for legal form and content:


Assistant County Attorney

ATTEST:

CITY OF PALM BAY, FLORIDA, a
Florida Municipal Corporation

Terese Jones, City Clerk

By: _____
William Capote, Mayor

As approved by the Council on _____, 2016

Reviewed for legal form and content:

City Attorney

Please call Melissa X52517 when ready for pick up. Thanks!

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**

INITIAL CONTRACT FORM

SECTION I

The following information must be completed on all new contracts submitted to the Board.

1. Contractor: City of Palm Bay	
2. Fund/Account #:	3. Division Name: Parks and Recreation Department – South Area
4. Contract Description: Interlocal Agreement with the City of Palm Bay for the conveyance of Palm Bay Regional Park and the Greater Palm Bay Senior Center	
5. Contract Monitor: Carol Gerundo	6. Mail Stop #: 76
7. Dept./Office Director: Jack Masson	8. Class Code:
ACTION DATE: <i>Upon Receipt</i>	ACTION REQUIREMENT: <i>Approval Signature</i>

SECTION II

The following departments must approve all contracts submitted to the Board:

<u>COUNTY OFFICE</u>	<u>APPROVAL</u>		<u>INITIALS</u>	<u>DATE</u>
	<u>YES</u>	<u>NO</u>		
User Agency	<u>X</u>	<u> </u>	<u>JM</u>	<u>12/30/2015</u>
Risk Management	<u> </u>	<u> </u>	<u> </u>	<u> </u>
County Attorney	<u><i>α</i></u>	<u> </u>	<u><i>MDS</i></u>	<u><i>4/6/16</i></u>

If any office denies approval, the package will be returned immediately to the User Agency.

NOTE: *This form should be attached to all new contracts being submitted to the Board for approval. After the contract has been approved, the contract package, including this form, will go to the Clerk to the Board. The Clerk's office will then forward the Initial Contract Form to Information Systems Division and the contract will be entered into the contract Monitoring System. This initial entry will generate an entry on your monthly contract report and the first report will always show a "Required Action" for the contract. See BC-20 for additional information.*