

RESOLUTION NO. 69-10-18

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AGREEMENT R2018-0273 TO ESTABLISH A NEW PROJECT TIMELINE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town is empowered to enter into contractual arrangements with public agencies, private corporations or other persons; and

WHEREAS, on March 22, 2016 the Town entered into a Community Development Block Grant (CDBG) Agreement (R2018-0273) with Palm Beach County to furnish and install an ADA Playground in Bert Bostrom Park; and

WHEREAS, the agreement requires an amendment to establish a new project timeline; and

WHEREAS, the Town has budgeted CDBG grant funds in its current fiscal year budget which are available to fund this Agreement; and

WHEREAS, Town Manager has recommended to the Town Commission of Lake Park that it is in the best interest of the Town to execute the amendment.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein by reference.

Section 2. The Mayor is hereby authorized and directed to execute an amendment to the contract with Palm Beach County for services associated with furnishment and installation of an ADA Playground in Bert Bostrom Park. A copy of the proposed amendment, which establishes a new project timeline, is attached hereto and incorporated herein as Exhibit A.

Section 3. This Resolution shall take effect upon execution.

The foregoing Resolution was offered by Vice-Mayor Glas-Castro who moved its adoption. The motion was seconded by Commissioner Flaherty and upon being put to a roll call vote, the vote was as follows:


	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	___
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	___
COMMISSIONER ERIN FLAHERTY	<u>/</u>	___
COMMISSIONER ANNE LYNCH	<u>/</u>	___
COMMISSIONER ROGER MICHAUD	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 69-10-18 duly passed and adopted this 17 day of October, 2018.

TOWN OF LAKE PARK, FLORIDA


BY: 
MICHAEL O'ROURKE
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK



Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY

**AMENDMENT 001 TO THE AGREEMENT
WITH
TOWN OF LAKE PARK**

Amendment 001 entered into on _____, by and between **Palm Beach County** and the **Town of Lake Park**.

WITNESSETH:

WHEREAS, Palm Beach County entered into an Agreement (R2018-0273) with the Town of Lake Park on March 22, 2016, to provide \$38,198 in Community Development Block Grant (CDBG) funds for the installation of playground improvements at Bert Bostrom Park; and

WHEREAS, the Town of Lake Park has requested revisions to the project completion date and related performance requirements; and

WHEREAS, both parties desire to modify the original Agreement in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, and various other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

- A. INCORPORATION OF RECITALS**
The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Agreement.
- B. SECTION 6 - MAXIMUM COMPENSATION**
Replace "December 31, 2018" with "June 30, 2019".
- C. SECTION 7 – TIME OF PERFORMANCE**
Replace "December 31, 2018" with "June 30, 2019".
- D. EXHIBIT A – WORK PROGRAM NARRATIVE: SECTION I.H – PERFORMANCE REQUIREMENTS**
Replace "December 31, 2018" with "June 30, 2019", and

Delete the Performance Requirements and replace them with the following:

Award Construction Contract by:	October 2018
Start Construction Activities by:	November 2018
Complete Construction by:	March 2019
Submit Final Reimbursement by:	May 2019
100% of CDBG Expended by:	June 2019

Except as modified by this Amendment 001, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof. This Amendment 001 is expressly contingent upon the approval of the County and shall become effective only when signed by all parties.


IN WITNESS WHEREOF, Municipality and County have caused this Amendment 001 to be executed on the date first above written.

(MUNICIPALITY SEAL BELOW)

TOWN OF LAKE PARK



By:  _____
Michael O'Rourke, Mayor

By:  _____
Vivian Mendez, Town Clerk

By:  _____
Attorney for Municipality
(Signature Optional)

**PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida
for its BOARD OF COUNTY COMMISSIONERS**

By: _____
Jonathan B. Brown, Director
Dept. of Housing & Economic Sustainability

Approved as to Form and
Legal Sufficiency

Approved as to Terms and Conditions
Department of Housing & Economic Sustainability

By: _____
James Brako,
Assistant County Attorney

By: _____
Sherry Howard,
Deputy Director