

R2012 1676

FIRST AMENDMENT TO INTERLOCAL AGREEMENT

THIS FIRST AMENDMENT to Interlocal Agreement R2007-1816 (the "Agreement"), dated October 16, 2007, is made as of NOV 20 2012, by and between Palm Beach County, a political subdivision of the State of Florida ("County") and the City of Riviera Beach, a municipal corporation of the State of Florida ("City").

In consideration of the mutual promises contained herein, the County and City agree as follows:

1. The term of the Agreement, expires on October 15, 2012, and shall be retroactively extended to October 15, 2017.
2. Section 2.04 of the Agreement shall be deleted in its entirety and replaced with the following:

2.04 The City shall pay the County, in full, each fiscal year no later than February 1st. Payment shall be made to the Board of County Commissioners, 2633 Vista Parkway, Attn: Fiscal Manager, West Palm Beach, FL 33411.
3. Section 4 of the Agreement is clarified by replacing the reference to "four (4) (5) year terms thereafter." with "four (4) additional terms of five (5) years each."
4. Section 8 of the Agreement is amended so that Notices to the County shall be sent as follows:

As to the County:

Director, Facilities Development & Operations
2633 Vista Parkway
West Palm Beach, FL 33411

With a copy to:

Radio System Administrator
2633 Vista Parkway
West Palm Beach, FL 33411

County Attorney's Office
301 North Olive Avenue
West Palm Beach, FL 33401

5. Section 11 of the Agreement is modified by deleting the section heading DELEGATION OF FILING and replacing it with DELEGATION OF DUTY.

6. The Agreement is hereby modified to add the following:

SECTION 12: PALM BEACH COUNTY OFFICE OF THE INSPECTOR GENERAL AUDIT REQUIREMENTS

Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. ~~The Inspector General is authorized with the power to review past, present and proposed County contracts, transactions, accounts and records.~~ The Inspector General's authority includes, but is not limited to, the power to audit, investigate, monitor, and inspect the activities of entities contracting with the County, or anyone acting on their behalf, in order to ensure compliance with contract requirements and to detect corruption and fraud. Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be a violation of Palm Beach County Code, Section 2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

7. Except as modified by this First Amendment, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof and is hereby ratified and confirmed by the City and County.

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IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed on the day and year first above written.

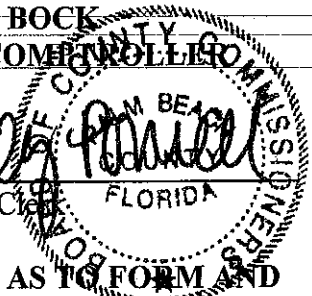
ATTEST:

R2012 1676 NOV 20 2012

SHARON R. BOCK
CLERK & COMPTROLLER

PALM BEACH COUNTY, a political
subdivision of the State of Florida

By: [Signature]
Deputy Clerk



By: [Signature]
Steven L. Abrams Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

APPROVED AS TO TERMS AND
CONDITIONS:

By: [Signature]
County Attorney

By: [Signature]
Audrey Wolf, Director
Facilities Development & Operation

ATTEST:

CITY CLERK:

CITY OF RIVIERA BEACH, a municipal
corporation of the State of Florida

By: [Signature] 11-7-12
Carrie E. Ward, City Clerk

By: [Signature]
Thomas Masters, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: [Signature]
Pamala H. Ryan, City Attorney

RESOLUTION NO. 122-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FIRST AMENDMENT TO INTERLOCAL AGREEMENT R2007-1816 BETWEEN THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AND THE CITY OF RIVIERA BEACH, WHICH EXPIRES ON OCTOBER 15, 2012, TO RETROACTIVELY RENEW THE AGREEMENT TO BE EFFECTIVE THROUGH OCTOBER 15, 2017; AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN SAID AGREEMENT; AND TO AUTHORIZE THE EXPENDITURE OF STATE LEGISLATED APPROVED \$12.50 FUNDS; AND PROVIDE AN EFFECTIVE DATE.

WHEREAS, Palm Beach County had established a Microwave Tower Site within the corporate City limits by Interlocal Agreement R2007-1816; and

WHEREAS, the City has become configured in the Palm Beach County Board of County Commissioners Microwave Communications System connected by County Tower Sites by contracting with the County; and

WHEREAS, Interlocal Agreement R2007-1816 expires on October 15, 2012, and retroactively renew to be effective through October 15, 2017, upon its execution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, THAT:

SECTION 1: That the City Council approves the First Amendment to Interlocal Agreement R2007-1816.

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SECTION 2: The Mayor and City Clerk are authorized to sign the Agreement.

SECTION 3: The Finance Director and Staff are authorized to complete the necessary documents in order to disburse State Legislated \$12.50 funds to cover costs associated with Interlocal Agreement R2007-1816.

SECTION 4: This resolution shall take effect upon execution by the Palm Beach County Board of County Commissioners.

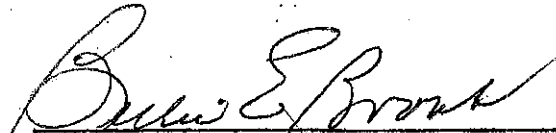
PASSED AND ADOPTED this 7TH day of NOVEMBER, 2012.

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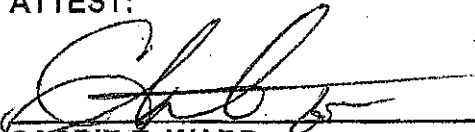
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APPROVED:

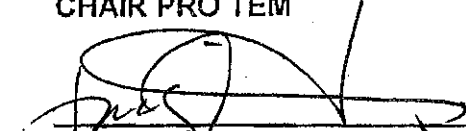

THOMAS A. MASTERS
MAYOR



BILLIE E. BROOKS
CHAIRPERSON

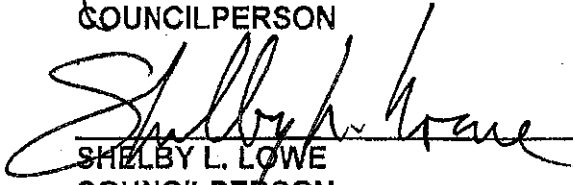
ATTEST:


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


DAWN S. PARDO
CHAIR PRO TEM


JUDY L. DAVIS
COUNCILPERSON


CEDRICK A. THOMAS
COUNCILPERSON


SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: J. DAVIS

SECONDED BY: C. THOMAS

B. BROOKS AYE


D. PARDO AYE

J. DAVIS AYE

C. THOMAS AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 11/5/12