

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 9, 2019

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, P.E., Director of Public Works

RE: First Amendment to Interlocal Agreement Between Town of Palm Beach and Palm Beach County for Sand Transfer Plant Operation and Maintenance
Resolution No. 16-2019 – Authorizing Mayor to Execute First Amendment to Interlocal Agreement
Resolution No. 17-2019 – Authorizing Reimbursement to Palm Beach County

DATE: April 3, 2019

STAFF RECOMMENDATION

Town staff recommends that the Town Council review and consider Resolution No. 16-2019, authorizing the Mayor to execute the First Amendment to Interlocal Agreement R2016-0999 between the Town of Palm Beach and Palm Beach County for long-term operation and maintenance of the Sand Transfer Plant. In addition, staff recommends that Town Council approve Resolution No. 17-2019 to authorize staff to reimburse the County for both FY 2018 repairs of \$27,202.91 and the expected FY 2019 repair costs of \$79,521.18 totaling \$106,724.09.

GENERAL INFORMATION

The Town of Palm Beach and Palm Beach County (PBC) have mutually entered into Interlocal Agreements since 1994 for operation and maintenance of the Sand Transfer Plant in an effort to reduce or eliminate continued shoreline impacts on Palm Beach Island as a result of the Lake Worth Inlet. The existing 20-year Interlocal Agreement, R2016-0999, expires on September 30, 2035.

Previous Interlocal Agreements specified that PBC operated and maintained the sand bypassing plant and the Town quarterly reimbursed PBC. The annual Town cost to fund PBC's operation and maintenance of the Sand Transfer Plant was approximately \$300,000.

Historically, during the Town and PBC budget processes over several years, Mayor Gail Coniglio went before the Board of County Commissioners with a request for PBC to fund the operation and maintenance of the Lake Worth Inlet Sand Transfer Plant. Each year, the Mayor was successful in obtaining these funds. Subsequently, PBC staff received direction from the Commission and the County Administrator to develop a new Interlocal Agreement that obligated PBC to include the operation and maintenance costs into PBC's annual budget, while the Town remains the owner of the Sand Transfer Plant.

Town and PBC staffs drafted a new 20-year agreement in 2016 that reflected the plant's operation and maintenance arrangement that was being performed. The existing agreement is ambiguous on the funding responsibilities for the repairs. Therefore, the proposed amendment clarifies the Town and County responsibilities.

On October 16, 2018, PBC ERM provided a letter to the Town requesting reimbursement for repair costs totaling \$27,202.91 which were incurred in FY 2018 by PBC. In addition, the October 16 letter provided the Town with estimated repairs of \$73,500 for FY 2019. PBC provided a revised quote on February 28 with estimated repairs totaling \$74,116.90 (attached). Town staff recommends that Town Council approve Resolution No. 17-2019 to authorize Palm Beach County to perform repair costs totaling \$101,319.81.

FUNDING/FISCAL IMPACT

A sufficient amount of unappropriated and unreserved funds exists in the Coastal Fund.

Anticipated major repair costs will be included in the FY 2020 Coastal Management Program proposed budget and future budgets thereafter.

TOWN ATTORNEY REVIEW

The Town Attorney has approved the First Amendment to Interlocal Agreement R2016-0999 for legal form and sufficiency.

Attachments

cc: John C. Randolph, Town Attorney
Patricia Strayer, P.E., Town Engineer
Robert Weber, Coastal Program Manager
Jane Le Clainche, Director of Finance
Deb Drum, Director, Palm Beach County ERM