



Legislation Details (With Text)

File #: 21-0832

Type: Consent **Status:** Agenda Ready

In control: Board of County Commissioners

On agenda: 7/13/2021 **Final action:**

Title: STAFF REQUESTS AUTHORIZATION TO ENTER INTO A USE AGREEMENT WITH PALM BEACH COUNTY (PBC) FOR THE 96TH STREET ARTIFICIAL REEF STAGING AREA

Sponsors:

Indexes:

Code sections:

Attachments: 1. Palm Beach County BOCC 05-18-2021 Agenda.pdf, 2. 2021-06-03_PBC-Martin County Use Agreement-PBC exec.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

STAFF REQUESTS AUTHORIZATION TO ENTER INTO A USE AGREEMENT WITH PALM BEACH COUNTY (PBC) FOR THE 96TH STREET ARTIFICIAL REEF STAGING AREA

EXECUTIVE SUMMARY:

County staff requests approval to enter into a Use Agreement with PBC for the 96th Street Artificial Reef Staging Area within Martin County (MC) for the purpose of short term storage, fabrication and deployment of artificial reef materials in connection with Palm Beach County's Artificial Reef Program beginning upon execution and terminating one year from the date of execution.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Jessica Garland
Title: Coastal Management Coordinator

REQUESTED BY: Jena McNeal, Environmental Supervisor Palm Beach County, Department of Environmental Resources Management

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. Documents prepared by: Martin County
2. Parties to the Agreement: Palm Beach County BOCC & Martin County BOCC
3. Purpose of the document: Enter into the Artificial Reef Deployment Area Use Agreement with

PBC to use the 96th Street Artificial Reef Staging Area

4. New/Revised/Modified: New
5. Duration: 1 year with automatic extension for an additional one year unless either party gives written notice of termination at least 60 days prior to the expiration of the current term
6. Benefits to Martin County: Coordination between Artificial Reef Programs
7. Cost to Martin County: Staff time to administer coordination of site

Palm Beach County wishes to enter into a use agreement with Martin County for access to the 96th Street Artificial Reef Staging Area as a temporary staging and fabrication site for artificial reef material and to load PBC contractor's barge with artificial reef material for offshore deployment. PBC does not have consistent access to any waterfront property for artificial reef projects and has been utilizing MC's staging area on a case by case basis for the past two years. This use agreement would provide PBC artificial reef program with a reliable staging and loading site and allow the program staff to plan future projects with more certainty. By having both MC and PBC artificial reef programs staging material out of the same site there will be more options to partner on projects in the future. There will be an open line of communication on material and the ability to share material between the counties that may not have been as open in the past. The parcel located along the St. Lucie Canal south of SW 96th Street will be used by PBC for short term storage, fabrication, deployment and loading of artificial reef materials for offshore deployment.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move the Board authorize the Chair to execute the Artificial Reef Area Use Agreement with Palm Beach County; and authorize the County Administrator, or designee, to sign all future time extensions, task assignments, certifications and other forms associated with this Agreement, and any necessary minor amendments that do not significantly change the scope of work, terms, or conditions of this Agreement.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and direct staff accordingly.

FISCAL IMPACT:

RECOMMENDATION

None

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☒ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☐ Resolution
☐ Other:

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