

FIRST AMENDMENT TO LAKE FAIRVIEW PARK CONTRIBUTION AGREEMENT

THIS FIRST AMENDMENT TO LAKE FAIRVIEW PARK CONTRIBUTION AGREEMENT ("First Amendment") is made and entered into as of the Effective Date (hereinafter defined) by and among **ORANGE COUNTY, FLORIDA**, a charter county and political subdivision of the State of Florida whose principal address is 201 South Rosalind Avenue, Orlando, Florida 32801 ("County"), and **CITY OF ORLANDO**, a Florida municipal corporation whose principal address is 400 South Orange Avenue, Orlando, Florida 32801 ("City").

WHEREAS, County and City entered into that certain Lake Fairview Park Contribution Agreement effective September 1, 2020 (the "Agreement"), pursuant to which the County agreed to contribute \$300,000 from the County's funding under 328.72(15), Florida Statutes, to make improvements to the City's public boat ramp located at Lake Fairview Park ("Boat Ramp Improvements");

WHEREAS, under the Agreement, City was required to complete construction of the Boat Ramp Improvements within three (3) years of the Effective Date of the Agreement; and

WHEREAS, City has requests and County agrees to an extension for the City to complete construction of the Boat Ramp Improvements no later than May 31, 2026.

NOW THEREFORE, in consideration of the mutual covenants and agreements between the parties, the Agreement is amended as follows:

1. Section 3 of the Agreement is deleted and replaced with the following new Section 3:

3. **Use of County Contribution/Surplus Funds and Shortfall.** The City shall use the County Contribution for the costs associated with the design, engineering, permitting, and construction of the Boat Ramp Improvements. Should the County Contribution exceed the final costs and expenses incurred for the design, engineering, permitting, and construction of the Boat Ramp Improvements, or in the event the City fails to complete the design, engineering, permitting, and construction of Boat Ramp Improvements no later than May 31, 2026, the City agrees to repay to the County that portion of the County Contribution not otherwise expended toward the design and construction of the Boat Ramp Improvements. The City shall be solely responsible for any costs and expenses incurred in excess of the County Contribution related to the design, engineering, permitting, and construction of the Boat Ramp Improvements.

2. Except as herein modified, all the terms and conditions of the Agreement remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed signed and executed on the dates indicated below.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____

Jerry L. Demings
Orange County Mayor

Date: _____

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

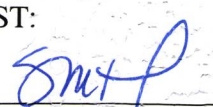
By: _____
Deputy Clerk

Date: _____

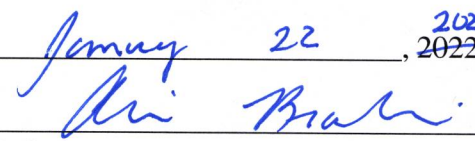
CITY OF ORLANDO, FLORIDA

BY  _____
Buddy Dyer, Mayor

ATTEST:

 1/27/2025
Stephanie Herdocia, City Clerk
City of Orlando, Florida

APPROVED AS TO FORM AND LEGALITY,
for the use and reliance of the
City of Orlando, Florida only.

 22, 2025

Chief Assistant City Attorney
City of Orlando, Florida

CITY OF ORLANDO COUNCIL AGENDA ITEM

D-04

Items Types:

Families-Parks-Recreation

District: ALL

Contract ID:

Exhibits: Yes

Grant Received by City?: No

For Meeting of:

August 12, 2024

From:

Document Number:

On File (City Clerk) : Yes

Draft Only: No

Subject:

First Amendment to Boat Ramp Improvements Contribution Agreement

Summary:

At the January 9, 2023, Orlando City Council meeting, City Council approved a Boat Ramp Improvements Contribution Agreement with Orange County. Per the terms of the agreement, the county will contribute \$300,000.00 in state funding (received via state-levied vessel registration fees) to make improvements to the City's public boat ramps located at the following parks: Gaston Edwards Park, Lake Underhill Park, George Barker Park, Gilbert McQueen Park, and Lake Fairview Park.

The amendment to the agreement extends the agreement's end date to May 31, 2026. The City shall use the County contribution to cover costs associated with the design, engineering, permitting, and construction of boat ramp improvements.

Fiscal & Efficiency Data:

No fiscal impact.

Recommended Action:

Approving First Amendment to the Boat Ramp Improvements Contribution Agreement, and authorizing the Mayor and City Clerk to execute the same, subject to review and approval by the City Attorney's Office.

Agenda Item attachment(s) on file in the City Clerks Office.

Note: All agenda items must be in the City Clerk's office by Noon Friday, six(6) business days prior to the regular Monday City Council meeting.

Contact: Lisa Early, lisa.early@cityoforlando.net; (407) 246-4319.

Approved By:**Department**

Grants

Budget Outside Routing Approval

City Clerk

Date and Time

7/24/2024 10:34 AM

7/31/2024 1:24 PM


8/1/2024 10:19 AM

ATTACHMENTS:

Name:	Description:	Type:
-------	--------------	-------

City Council Meeting: 08-12-2024

Item: D-04 Documentary: 240812004

 First Amendment to Boat Ramp Contribution Agreement.doc	First Amendment to the Boat Ramp Improvements Contribution Agreement	Backup Material
--	---	-----------------

"Enhance the quality of life in the City by delivering public services in a knowledgeable, responsive and financially responsible manner."

FIRST AMENDMENT TO BOAT RAMP IMPROVEMENTS
CONTRIBUTION AGREEMENT

THIS FIRST AMENDMENT TO BOAT RAMP IMPROVEMENTS CONTRIBUTION AGREEMENT ("First Amendment") is made and entered into as of the Effective Date (hereinafter defined) by and among **ORANGE COUNTY, FLORIDA**, a charter county and political subdivision of the State of Florida whose principal address is 201 South Rosalind Avenue, Orlando, Florida 32801 ("County"), and **CITY OF ORLANDO**, a Florida municipal corporation whose principal address is 400 South Orange Avenue, Orlando, Florida 32801 ("City").

WHEREAS, County and City entered into that certain Boat Ramp Improvements Contribution Agreement Lease Agreement effective September 1, 2020 (the "Agreement"), pursuant to which the County agreed to contribute \$300,000 from the County's funding under 328.72(15), Florida Statutes, to make improvements to the City's public boat ramps located at Gasten Edwards Park, Lake Underhill Park, George Barker Park, Gilbert McQueen Park, and Lake Fairview Park ("Boat Ramp Improvements");

WHEREAS, under the Agreement, City was required to complete construction of the Boat Ramp Improvements within three (3) years of the Effective Date of the Agreement; and

WHEREAS, City has requested and County agrees to an extension for the City to complete construction of the Boat Ramp Improvements no later than May 31, 2026.

NOW THEREFORE, in consideration of the mutual covenants and agreements between the parties, the Agreement is amended as follows:

1. Section 3 of the Agreement is deleted and replaced with the following new Section 3:

3. **Use of County Contribution/Surplus Funds and Shortfall.** The City shall use the County Contribution for the costs associated with the design, engineering, permitting, and construction of the Boat Ramp Improvements. Should the County Contribution exceed the final costs and expenses incurred for the design, engineering, permitting, and construction of the Boat Ramp Improvements, or in the event the City fails to complete the design, engineering, permitting, and construction of Boat Ramp Improvements no later than May 31, 2026, the City agrees to repay to the County that portion of the County Contribution not otherwise expended toward the design and construction of the Boat Ramp Improvements. The City shall be solely responsible for any costs and expenses incurred in excess of the County Contribution related to the design, engineering, permitting, and construction of the Boat Ramp Improvements.

2. Except as herein modified, all the terms and conditions of the Agreement remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed signed and executed on the dates indicated below.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____

Jerry L. Demings
Orange County Mayor

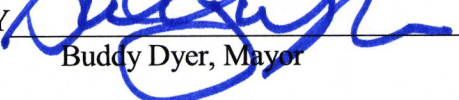
Date: _____

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

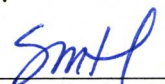
By: _____
Deputy Clerk

Date: _____

CITY OF ORLANDO, FLORIDA


BY  _____
Buddy Dyer, Mayor


ATTEST:



Stephanie Herdocia, City Clerk
City of Orlando, Florida

APPROVED AS TO FORM AND LEGALITY,
for the use and reliance of the
City of Orlando, Florida only.

 _____, 2024

 _____
Chief Assistant City Attorney
City of Orlando, Florida