RESOLUTION NO. AC2015-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF

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THE ACME IMPROVEMENT DISTRICT, APPROVING A REVISION REQUESTED BY PALM BEACH COUNTY AND APPROVAL BY THE BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY TO THE FOURTH AMENDMENT TO THE **AGREEMENT** BETWEEN ACME **IMPROVEMENT** DISTRICT, THE BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY, INC., VILLAGE OF WELLINGTON AND PALM BEACH COUNTY, INC. FOR FUNDING OF THE WELLINGTON **FACILITY** CONSTRUCTION AND **AUTHORIZING** THE **PRESIDENT** AND **BOARD** SECRETARY TO EXECUTE THE AMENDMENT: AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 3, 2010, the Acme Improvement District (Acme) Board of Supervisors approved Resolution No. AC2010-07 to revise the tri-party funding agreement between the parties to account for a change in the location of the facility and extensions in design and construction time associated with the project; and

WHEREAS, the County, following passage of Resolution No. AC210-07 requested further modification relating to payment for the Inspection General services and a First Amendment to the Agreement was entered into on November 16, 2010 and approved with Resolution No. AC2010-11; and

WHEREAS, Acme, following passage of Resolution AC2010-11, requested changes to the project timeline and completion milestones and a Second Amendment to the Agreement was entered into on April 24, 2012 and approved with Resolution AC2012-04; and

WHEREAS, Acme, following the passage of Resolution No. AC2012-04, requested that the Municipality was to be included as an additional party to this agreement and a Third Amendment to the Agreement was entered into on November 26, 2013 and approved with Resolution No. AC2013-06.

WHEREAS, on April 23, 2014, a final project inspection was completed by MUNICIPALITY and COUNTY staff to determine status of all project elements included in the Project Description Conceptual Site Plan, and Cost Estimate to the First Amendment to Agreement; and

WHEREAS, two deficiencies were detected during the final project inspection; and these two deficiencies are not deemed essential to the project in order to meet the full intent of the original Agreement, as amended; and

1 2	a revised Project Description, Conceptual Site Plan, and Cost Estimate and	
3	a reviewa i reject Becomption, Comospita	Total Flan, and oost Estimate and
4	WHEREAS, a revised Fourth Amendment to the Agreement has been prepared	
5	and is attached hereto as Exhibit "A"; and	1
6	VAULEDE AO Otati na accompanda	that the Deand of Owner days are surrous the
7 8	WHEREAS , Staff recommends that the Board of Supervisors approve the revised Fourth Amendment to the agreement.	
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10 11	NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT that:	
12	OF THE ACME IMPROVEMENT DISTRI	CT man.
13	SECTION 1. The foregoing recital	s are hereby affirmed and ratified as being true
14	and correct.	
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16	SECTION 2. The Board of Supervisors hereby approves the Fourth Amendment	
17	to the Agreement between Acme Improvement District, the Boys and Girls Clubs of	
18	Palm Beach County, Inc., the Village of Wellington and Palm Beach County amending	
19	the agreement to include a revised Project Description, Conceptual Site Plan and Cost	
20	Estimate.	
21 22	SECTION 3. This Resolution shall	become effective immediately upon adoption.
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24 25	PASSED AND ADOPTED this 13t	th day of January, 2015.
26	ATTEST:	ACME IMPROVEMENT DISTRICT
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29	By:Awilda Rodriguez, Secretary	By: Bob Margolis, President
30	Awilda Rodriguez, Secretary	Bob Margolis, President
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32	APPROVED AS TO FORM	
33	AND LEGAL SUFFICIENCY	
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35	D. a	
36	By:	
4.1		
37 38 39	Laurie Corieri, Board Attorney	