

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Amendment Number One to Memorandum of Agreement Between the St. Johns River Water Management District and Seminole County for the Wekiva Springs Road Water Quality & Erosion Control Project

DEPARTMENT: Public Works DIVISION: Road Operations & Stormwater

AUTHORIZED BY: [Signature] CONTACT: [Signature] EXT. 5710
for Gary Johnson, PE, Director Public Works Mark E. Flotherfelt, P.E., Manager Road Operations & Stormwater Division

Agenda Date 08-12-03 Regular Consent Work Session Briefing
Public Hearing - 1:30 Public Hearing - 7:00

MOTION/RECOMMENDATION:

Approve and authorize Chairman to execute Amendment Number One to the Memorandum of Agreement for a one year extension to the Agreement Between St. Johns River Water Management District (SJRWMD) and Seminole County for receipt of funding from the SJRWMD for the Wekiva Springs Road Water Quality and Erosion Control Project.

BACKGROUND:

The Project involves providing water quality treatment and erosion protection for a one mile section of Wekiva Springs Road which currently discharges through the Wekiva State Park to the Wekiva River. The current discharge is causing soil erosion through the park and sediment deposition into the Wekiva River.

This project is a joint effort with the St. Johns River Water Management District and Seminole County. The County will provide design and permitting with the District providing funding for construction. The project currently is designed and permitted. Additional time was required in order to process and execute an easement through the Florida Division of State Lands. The easement has been obtained and construction will begin within 90 days.

The agreement is for construction with an allocation of \$150,000.00. Preliminary construction estimates were for \$149,000.00.

Attachments: Amendment Number One
to Memorandum of Agreement

Reviewed by: [Signature]
Co Atty: [Signature]
DFS: _____
Other: _____
DCM: [Signature]
CM: [Signature]
File No. CPWSM

AMENDMENT NUMBER ONE
- to -
MEMORANDUM OF AGREEMENT

THIS AMENDMENT NUMBER ONE to the Memorandum of Agreement is made this day of _____, 2003, by and between the **ST. JOHNS RIVER WATER MANAGEMENT DISTRICT** ("DISTRICT") and **SEMINOLE COUNTY, Florida** ("COUNTY").

WITNESSETH

WHEREAS, the DISTRICT and the COUNTY entered into that certain Memorandum of Agreement dated June 18, 2002 (hereinafter the "AGREEMENT"), providing for the COUNTY'S construction of the Wekiva Springs Stormwater Control Project (the "Project"); and

WHEREAS, pursuant to the AGREEMENT, a portion of the FUNDS are being provided by the DISTRICT as partial implementation of the Western Beltway - S.R. 429 Part A, Conceptual Mitigation Plan; and

WHEREAS, the DISTRICT, on July 2, 2002, provided the COUNTY with the initial first payment of \$100,000.00 to this Project pursuant to Paragraph 2 of the Agreement; and

WHEREAS, the COUNTY subsequently encountered construction delays pending resolution of an unanticipated land use issue with the Florida Division of State Lands, Department of Environmental Protection; and

WHEREAS, the COUNTY is now prepared to move forward with the Project and the DISTRICT and the COUNTY desire to amend the AGREEMENT to extend the time period for the parties to accomplish the objectives as provided therein.

NOW THEREFORE, DISTRICT and COUNTY hereby agree to the following amendments to the Agreement entered into on June 18, 2002:

1. The above recitals are true and correct and form a material part of this Amendment.
2. Paragraph 1 of the AGREEMENT is hereby amended to extend the term of the AGREEMENT for an additional period of one (1) year commencing June 18, 2003 and terminating on June 17, 2004.
3. Any references in the AGREEMENT to the termination date, or June 17, 2003, are hereby extended through and include June 17, 2004.
4. The capitalized terms used herein shall have the same meaning as ascribed to them in the Agreement.
5. Except as expressly set forth herein, the AGREEMENT remains unchanged and the same is hereby ratified, approved and confirmed by the DISTRICT and COUNTY.

In witness whereof, the DISTRICT and COUNTY have made and duly executed this Amendment Number One on the day and year first above written.

DISTRICT

**ST. JOHNS RIVER WATER
MANAGEMENT DISTRICT**

By: _____
KIRBY B. GREEN III
Executive Director

**STATE OF FLORIDA
COUNTY OF PUTNAM**

The foregoing instrument was acknowledged before me this _____ day of _____, 2003, by **KIRBY B. GREEN III**, as Executive Director, on behalf of the **ST. JOHNS RIVER WATER MANAGEMENT DISTRICT**. He is personally known to me.

(NOTARIAL SEAL)

NOTARY PUBLIC

Print Name: _____

My commission expires: _____

APPROVED

Stanley J. Niego, Sr. Assistant General Counsel
Office of General Counsel
S.J.R.W.M.D.

ATTEST:

**BOARD OF COUNTY
COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**


MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
DARYL G. MCLAIN, Chairman

Date: _____

For the use and reliance of
Seminole County only. Ap-
proved as to form and legal
sufficiency.

As authorized for execution by the
Board of County Commissioners at its
_____, 200 __, regular
meeting.



County Attorney