

## AMENDMENT TO MEMORANDUM OF AGREEMENT

Okaloosa County  
and the

State of Florida, Department of Environmental Protection, Division of Recreation and Parks

THIS AMENDMENT TO MEMORANDUM OF AGREEMENT ("MOA") is made and entered into as of the date last signed by the parties below, between Okaloosa County, a political subdivision of the State of Florida (hereinafter, the "County"), and the State of Florida through the State of Florida's Department of Environmental Protection, Division of Recreation and Parks (hereinafter, the "State" or "DEP"), each one constituting a public agency as defined in Subsection 163.01(3)(b), *Florida Statutes* ("F.S.") (2021).

### WITNESSETH:

**WHEREAS**, the County and the State entered into this MOA on March 17, 2022; and

**WHEREAS**, the MOA did not contain an explicit provision for advance payment as contemplated by the parties.

**NOW, THEREFORE**, acting pursuant to their statutory authority and in consideration of the mutual covenants and agreements of the parties, the County and the State agree as follows:

Section 1.1 is hereby amended and replaced with the following:

- 1.1 Upon full execution of this MOA, the State will promptly make a one-time payment of forty thousand dollars (\$40,000.00) to the County to fund the County's initial implementation and administration of certain equipment acquisition and beach safety and lifeguarding services, as more particularly described below, located at Henderson Beach State Park for the remainder of FY 2021-22.

The payment will be made in advance of the start of services so that the County has the money to fund said equipment and services. The services have been determined to be essential to the State and are only available if advance payment is made. In addition, the State will be saving money on this project greater than the amount it would earn if the money was invested, as once this project is completed, the County will fund the remainder of the project to improve Henderson Beach State Park.

Authority for this advance payment is given to the State under Subsection 216.181(16), F.S. As per the terms of Subsection 216.181(16)(b), F.S., the County may temporarily invest the advanced funds but must either return any interest income to the State within thirty (30) days of each calendar quarter following such investment or apply said interest income against the Department's obligation to pay under this MOA.

All other terms and conditions of this MOA remain in effect.

[Signatures appear on the following page.]


Agreed to and entered into by the undersigned.

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION,  
DIVISION OF RECREATION AND PARKS**

By: **Chuck Hatcher** Digitally signed by Chuck Hatcher  
Date: 2022.04.21 13:39:48 -04'00'

Dated: \_\_\_\_\_

**OKALOOSA COUNTY, FLORIDA**

By:  \_\_\_\_\_

Dated: 4/26/22 \_\_\_\_\_

**PROCUREMENT/CONTRACT/LEASE  
INTERNAL COORDINATION SHEET**

Procurement/Contract/Lease Number: C22-3162-TRP Tracking Number: 458322  
 Procurement/Contractor/Lessee Name: State of Florida Grant Funded: YES \_\_\_ NO   
 Purpose: Amendment # 1  
 Date/Term: 12-31-24  
 Department #: 1410  
 Account #: 504502  
 Amount: 1 time \$40,000 paper  
 Department: TRP Dept. Monitor Name: Adams

1.  GREATER THAN \$100,000  
 2.  GREATER THAN \$50,000  
 3.  \$50,000 OR LESS

**Purchasing Review**

Procurement or Contract/Lease requirements are met:  
DeRita Mason Date: 4-22-22  
 Purchasing Manager or designee Jeff Hyde, DeRita Mason, Jessica Darr, Angela Etheridge

**2CFR Compliance Review (if required)**

Approved as written: no Federal In's Grant Name: \_\_\_\_\_  
 \_\_\_\_\_ Date: \_\_\_\_\_  
 Grants Coordinator Suzanne Ulloa

**Risk Management Review**

Approved as written: no risk elmt Date: \_\_\_\_\_  
 \_\_\_\_\_  
 Risk Manager or designee Kristina LoFria

**County Attorney Review**

Approved as written: see email attached Date: 4-20-22  
 \_\_\_\_\_  
 County Attorney Lynn Hoshihara, Kerry Parsons or Designee

**Department Funding Review**

Approved as written: \_\_\_\_\_ Date: \_\_\_\_\_

**IT Review (if applicable)**

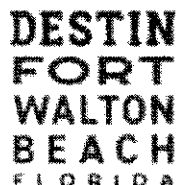
Approved as written: \_\_\_\_\_ Date: \_\_\_\_\_

## DeRita Mason

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**From:** Charlotte Dunworth  
**Sent:** Friday, April 22, 2022 6:10 AM  
**To:** DeRita Mason  
**Subject:** FW: Lifeguard MOA - DEP & Okaloosa Co. - Amendment Needed  
**Attachments:** Amendment - Henderson Beach State Park.pdf

Hi DeRita – FYI this amendment is going to Board on 5/3. Legal approval below...



**CHARLOTTE DUNWORTH**  
DEPUTY DIRECTOR OF FINANCE & COMPLIANCE  
Destin-Fort Walton Beach, Florida  
850.609.5385  
1540 Miracle Strip Pkwy Fort Walton Beach, Florida 32548  
destinfwb.com

Please note: Due to Florida's very broad public records laws, most written communications to or from County employees regarding County business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

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**From:** Hoshihara, Lynn <lhoshihara@ngn-tally.com>  
**Sent:** Thursday, April 21, 2022 2:56 PM  
**To:** Craig Coffey <ccoffey@myokaloosa.com>; Charlotte Dunworth <cdunworth@myokaloosa.com>; Lynn Hoshihara <lhoshihara@myokaloosa.com>  
**Subject:** RE: Lifeguard MOA - DEP & Okaloosa Co. - Amendment Needed

This is approved as to legal sufficiency.

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**From:** Craig Coffey <ccoffey@myokaloosa.com>  
**Sent:** Thursday, April 21, 2022 3:49 PM  
**To:** Charlotte Dunworth <cdunworth@myokaloosa.com>; Hoshihara, Lynn <lhoshihara@ngn-tally.com>; lhoshihara@myokaloosa.com  
**Subject:** FW: Lifeguard MOA - DEP & Okaloosa Co. - Amendment Needed

Help, Please

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**From:** Hatcher, Chuck <Chuck.Hatcher@FloridaDEP.gov>  
**Sent:** Thursday, April 21, 2022 1:53 PM  
**To:** Craig Coffey <ccoffey@myokaloosa.com>  
**Cc:** French, Jerri H. <Jerri.H.French@FloridaDEP.gov>; Lane, Suzanne R. <Suzanne.R.Lane@FloridaDEP.gov>; Belue, Nell <Nell.Belue@FloridaDEP.gov>  
**Subject:** Lifeguard MOA - DEP & Okaloosa Co. - Amendment Needed

Hi Craig,

Hope you are doing well. We have been in the process of getting you guys paid and ran into a snag. Our Finance and Accounting Department has requested an amendment to the MOA in order to make the advanced payment of \$40,000. Turns out that we are required by the Department of Financial Services to have language within the MOA that ties our legal authority to make such an advance payment and that it satisfies the statutory requirements. Our legal council has given us the attached document for additional signatures.