



City of Boynton Beach Agenda Item Request Form

Meeting Date: 06/ 2/2026

Proposed Resolution No. R26-089- Ratification of the Second Amendment to the Lease Agreement between the City of Boynton Beach and the Most Reverend Gerald M. Barbarito, D.D., J.C.L., as Bishop of the Diocese of Palm Beach, and approval of a Third Amendment extending the Lease Agreement an additional six (6) months.

Requested Action:

Staff recommends approval of Proposed Resolution No. R26-089.

Explanation of Request:

On May 19, 1992, the City Commission adopted Resolution No. R92-83 authorizing a Lease Agreement with the Diocese of Palm Beach for the mangrove property adjacent to St. Mark's Church for use as a passive public park. The original Lease Agreement was executed on June 26, 1992, for a term commencing July 1, 1992, and terminating June 30, 2019.

From July 1, 2019, through June 17, 2024, the Lease Agreement continued on a month-to-month basis. On June 18, 2024, the City Commission approved Resolution No. R24-121, authorizing the First Amendment to the Lease, which extended the term through December 31, 2025, with the option to extend in six (6) month increments thereafter upon written consent of both parties and written proof that the Tenant was acting in good faith in applying for permits or performing the planned removal work necessary to complete the restoration of the Premises.

Pursuant to the authority granted under the First Amendment, the City Manager executed a Second Amendment on January 5, 2026, extending the Lease term through June 30, 2026, to allow the parties additional time to obtain the necessary regulatory permits and complete the planned restoration work. Staff requests that the City Commission ratify the Second Amendment.

Staff additionally requests that the City Commission approve a Third Amendment extending the Lease Agreement an additional six (6) months (through December 31, 2026), as the

Landlord and Tenant continue to work cooperatively and in good faith with applicable regulatory agencies to secure permits and complete the restoration of the Premises. All other terms and conditions of the Lease Agreement, First Amendment, and Second Amendment will remain in full force and effect.

How will this affect city programs or services?

Ratification of the Second Amendment and approval of the Third Amendment will allow the City to continue working with the Diocese and the applicable state and federal regulatory agencies to complete restoration of the Premises in accordance with the terms of the Lease Agreement, as amended. Extending the Lease term ensures the City maintains lawful possession of the Premises while permitting and removal work is completed.

Budgeted Item: Yes

Account Line Item and Description:

No expenditure is required for the lease extension. The annual rent of \$10.00 is already accounted for in the current operating budget.

Fiscal Impact:

No fiscal impact. The Lease Agreement provides for nominal annual rent of \$10.00, which is already budgeted. No additional expenditures are associated with this action.

Attachments:

[R26-89 Agenda_Item__4713-](#)

[2026_Resolution_for_Amd__2_and__3_Most_Reverend_Gerald_M._Barbarito_as_Bishop_of_](#)
[Exhibit A to Resolution - 2nd Amendment to Lease between City & Diocese.pdf](#)

[Exhibit B to Resolution - Third_Amendment_to_Lease.docx](#)

[R24-121.pdf](#)