

**FIRST AMENDMENT TO  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SUBAWARD  
SPECIFIC PERFORMANCE AND LAND USE RESTRICTION AGREEMENT  
WITH WESTCARE GULFCOAST-FLORIDA, INC.  
(Agreement No.: CD21WCTP2)**

THIS FIRST AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SUBAWARD SPECIFIC PERFORMANCE AND LAND USE RESTRICTION AGREEMENT (hereinafter FIRST AMENDMENT), is made and entered into by and between **Pinellas County** (hereinafter COUNTY), a political subdivision of the State of Florida, having its principal office at 315 Court Street, Clearwater, Florida 33756, and **WestCare GulfCoast - Florida, Inc.**, (hereinafter AGENCY), a not-for-profit corporation organized under the laws of the State of Florida, having its principal office at 8800 – 49<sup>th</sup> Street North, Suite 402, Pinellas Park, Florida 33782-5353:

**WITNESSETH:**

WHEREAS, COUNTY entered into a Community Development Block Grant Program Subaward Specific Performance and Land Use Restriction Agreement, Agreement No.: **CD21WCTP2** (AGREEMENT) with AGENCY on May 9, 2023 to provide, through the Pinellas County Housing and Community Development Department (DEPARTMENT), **\$310,982.00 (Three Hundred Ten Thousand, Nine Hundred Eighty-Two and NO/100 Dollars)** in Community Development Block Grant (CDBG) funds to AGENCY for facility improvements, as recorded in Official Records Book 22441, Pages 2441-2474 (hereinafter the AGREEMENT); and

WHEREAS, the 2021-2022 Action Plan, approved by the Board in Resolution 21-47, identified funding be provided to AGENCY for facility improvements including the installation of a commercial grade emergency generator, renovation of bath/shower rooms and the replacement of windows at the AGENCY'S Turning Point emergency shelter facility located at 1801 5<sup>th</sup> Avenue North, St. Petersburg, Florida 33713, (hereinafter the PROJECT); and

WHEREAS, the AGREEMENT states that the PROJECT activities shall be completed by the AGREEMENT expiration date of September 30, 2023; and

WHEREAS, the AGENCY, will not be able to complete the PROJECT on or before the AGREEMENT expiration date of September 30, 2023; and

WHEREAS, additional time is required for the completion of the project, the COUNTY will extend the AGREEMENT expiration date six (6) months to **March 31, 2024**; and

WHEREAS, as a result of the extension of the term of the AGREEMENT for the PROJECT, the restricted period of the land use restriction will be extended six (6) months to **April 1, 2043**.

NOW, THEREFORE, in consideration of the promises and mutual covenants, contained herein and for other good and valuable considerations, the receipt and sufficiency of which are hereby mutually acknowledged, the parties agree as follows:

**KEN BURKE, CLERK OF COURT  
AND COMPTROLLER PINELLAS COUNTY, FL  
INST# 2023325599 12/26/2023 10:52 AM  
OFF REC BK: 22661 PG: 1085-1087  
DocType:AGM**

**Article 1. Recitals.** The above recitals are true and correct and are incorporated herein by reference.

**Article 2. Amended Terms and Conditions.** The terms and conditions of the AGREEMENT are hereby amended and restated as follows:

**3. TERM OF SPECIFIC PERFORMANCE AGREEMENT; EFFECTIVE DATE**

This Agreement shall become valid and binding upon proper execution by the parties hereto, and unless terminated pursuant to the term herein, shall continue in full force and effect until **March 31, 2024**, or until COUNTY'S full and complete disbursement of funding to AGENCY, whichever comes first. AGENCY may use funds provided herein to cover eligible PROJECT expenses incurred by the AGENCY between **October 1, 2021 and March 31, 2024**.

Notwithstanding the termination of the AGREEMENT, the use restrictions referenced in section 7. Reversion of Assets; Land Use Restrictions, shall remain in full force and effect, restricting the use of the PROPERTY to the use outlined herein, from the Effective Date of this AGREEMENT until the end of the Restricted Period referenced in section 7. Reversion of Assets; Land Use Restrictions.

**5. SPECIFIC GRANT INFORMATION**

(d)	Federal Award Date	11/24/2021
(e)	Subaward Period of Performance Start and End Date	10/01/2021 – 3/31/2024

**7. REVERSION OF ASSETS; LAND USE RESTRICTIONS**

- b) Restricted Period:** Notwithstanding the termination of the AGREEMENT, the land use restrictions referenced herein shall remain in full force and effect, restricting the use of the PROPERTY to the use outlined herein, from the Effective Date of this AGREEMENT until **April 1, 2043 (RESTRICTED PERIOD)**.

**Article 3. Terms and Conditions.** Except as otherwise stated herein, the terms and conditions of the Agreement shall remain in full force and effect.

(SIGNATURE PAGE FOLLOWS)

IN WITNESS WHEREOF, the Parties hereto have caused these presents to be executed on the last date of execution as shown below.

**ATTEST:**

Della Klug  
Witness #1 Signature

Della Klug  
Print or Type Name

s/Jo Lugo  
Witness #2 Signature

Jo Lugo  
Print or Type Name

**ATTEST:**

\*Note: Two witnesses are required\*

Wendy M. Ramos  
Witness #1 Signature

Wendy M. Ramos  
Print or Type Name

Ronda Lieberman  
Witness #2 Signature

Ronda Lieberman  
Print or Type Name

**PINELLAS COUNTY, FLORIDA**


a political subdivision of the State of Florida

By:   
Barry A. Burton, County Administrator

December 26, 2023  
Date

APPROVED AS TO FORM  
By: Derrill McBeath  
Office of the County Attorney

**AGENCY: WestCare GulfCoast - Florida, Inc.**

By:   
Frank C. Rabbito, COO

Name/Title  
12/20/2023  
Date:

I, Kenneth P. Burke, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida. Witness my hand and seal of said County on this 26th day of December, 2023.

KENNETH P. BURKE, Clerk of the Circuit Court, Ex-Officio Clerk of the Board of County Commissioners, Pinellas County, Florida.

By:   
Deputy Clerk

