3H-16

Agenda Item #:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: August

August 21, 2007

[X] Consent[] Ordinance

[] Regular [] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the Notice of Cancellation of Sublease Agreement (R-2003-0529) with Easter Seals Florida, Inc.

Summary: The County, on behalf of the Community Services Department's Division of Head Start, subleases approximately 1,520 SF of space, within the Easter Seals building at 213 South Congress Avenue in West Palm Beach for the operation of two (2) Head Start classrooms. The Sublease Agreement will expire on April 14, 2008. However, due to budget constraints, funding for continued lease of this space will not be available in the FY 08 budget commencing October 1, 2007. The two (2) classrooms and 35 children will be relocated to an adjacent County-owned Head Start facility that recently had its licensed capacity increased to accommodate the two (2) classrooms of children from Westgate Head Start while that facility was renovated. The County has the right to cancel the Sublease Agreement by providing sixty (60) days written notice. In order to provide the required advance notice and cancel the Lease prior to the new fiscal year, Staff sent a Notice of Cancellation to the landlord on July 3, 2007. This Notice of Cancellation of Sublease Agreement will ratify the cancellation. (PREM) District 7 (HJF)

Background and Justification: The original Sublease Agreement was approved on April 15, 2003, for an initial term of three (3) years, with two (2) extension options, each for a period of one (1) year, subject to approval by Easter Seals. The Board has approved both options to renew the Sublease, which currently expires on April 14, 2008. The Board exercised the first option on January 10, 2006 (R2006-0081). The Board exercised the second option on February 6, 2007 (R2007-0149). Cancellation of this Sublease will avoid rental expenditures of \$32,500.

Attachments:

- 1. Location Map
- 2. Notice of Lease Cancellation
- 3. Termination letter dated July 3, 2007

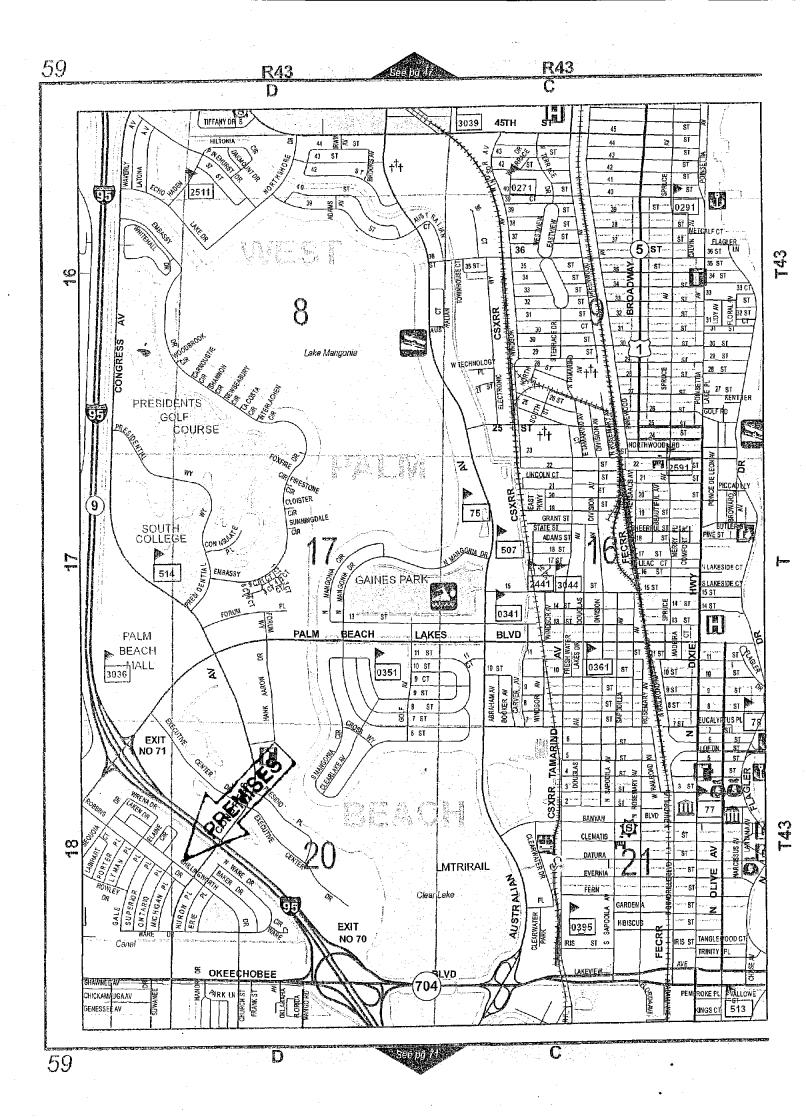
Recommended By:	Aller Mun WOLF	7/30/07	
	Department Director	Date	
Approved By:	Anten	\$/13/07	
	County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

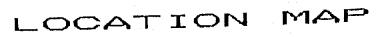
A. Five Year Summary of Fiscal Impact:

Fiscal	Years	2007	2008	2009	2010	2011
Opera Extern Progr	al Expenditures ating Costs (Rent) nal Revenues am Income (County) nd Match (County)	· · · · · · · · · · · · · · · · · · ·				
NET	FISCAL IMPACT			-		
	DITIONAL FTE FIONS (Cumulative)					
			Dept		Object	
В.	Recommended Sources o	f Funds/Su	mmary of Fi	scal Impact:		
C.	Departmental Fiscal Rev	iew:				, ¹
		III. <u>RE</u> Y	<u>VIEW COM</u>	<u>MENTS</u>		
A.	OFMB Fiscal and/or Cor The annual fundi Ambre 89- Stalon OFMB		Jun	nments: Iease wa n L. Jourson Developmen	-mits /E/ .8/9	Sept 30.2007.
B.	Legal Sufficiency:	(0/07 ey		i te m complies wit ty policies.	h currer	
C.	Other Department Revie Show Jan Department Director	w:				
	This summary is not to b	e used as a	basis for pay	ment.		

G:\PREM\AGENDA\2007\08-21\Easter Seals Termination - tas.wpd



ATTACHMENT #/





Facilities Development & Operations Department Property & Real Estate Management Division

3200 Belvedere Road Building 1169 West Palm Beach, FL 33406-1544 (561) 233-0200 FAX: (561) 233-0210 www.pbcgov.com/fdo

Paim Beach County Board of County Commissioners

Addie L. Greene, Chairperson

Jeff Koons, Vice Chair

Karen T. Marcus

Warren H. Newell

Mary McCarty

Burt Aaronson

Jess R. Santamaria

County Administrator

Robert Weisman

"An Equal Opportunity Affirmative Action Employer"

printed on recycled paper

August 21, 2007

Certified Mail # 7006 2760 0004 3173 5016 Return Receipt Requested

Easter Seals Florida, Inc. Attn.: Ms. Susan Ventura, President & CEO 2010 Mizell Avenue Winter Park, Florida 32792

Re: Notice of Cancellation of Sublease Agreement – Sublease Agreement dated April 15, 2003, between Palm Beach County, a political subdivision of the State of Florida ("County"), and Easter Seals Florida, Inc. ("Landlord") (R2003-0529), as amended (the "Sublease")

Dear Ms. Ventura:

Pursuant to Article XII of the above referenced Sublease, County provided Landlord with sixty (60) days prior written notice dated July 3, 2007, of County's cancellation of the Sublease effective 11:59 P.M., September 30, 2007 ("Cancellation Effective Date"). The annual funding for this Sublease will be discontinued as of the fiscal year that commences October 1, 2007. All performance of this Sublease shall cease as of the Cancellation Effective Date.

County shall remove County's personal property and surrender the Premises to Landlord prior to or on the Cancellation Effective Date.

Please direct any questions concerning this matter to Ted Simmons, Property Specialist, who may be reached at (561) 233-0203 or by e-mail at *tsimmons@pbcgov.com*.

ATTACHMENT #2



August 21, 2007 Notice of Cancellation of Sublease Agreement Page 2

ATTEST:

SHARON R. BOCK, CLERK & COMPTROLLER

By:

Deputy Clerk

PALM BEACH COUNTY, a Political Subdivision of the State of Florida

By: _

Addie L. Greene, Chairperson

APPROVED AS TO FORM LEGAL SUFFICIENCY

By:

Assistant County Attorney

APPROVED AS TO TERMS AND CONDITIONS

Fill pring l By:

Audrey Wolf, Director Facilities Development & Operations

G \Property Mgmt Section\Out Lease\Head Start Easter Seals WPB\Termination of Sub Lease\Notice of Lease Cancellation.001.doc



Facilities Development & Operations Department Property & Real Estate Management Division

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Robert Weisman

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July 3, 2007

Certified Mail # 7006 2760 0004 3173 5023 Return Receipt Requested

Easter Seals Florida, Inc. Attn.: Ms. Susan Ventura, President & CEO 2010 Mizell Avenue Winter Park, Florida 32792

Re: Notice of Cancellation of Sublease Agreement

Dear Ms. Ventura:

Pursuant to Article XII of the Sublease Agreement dated April 15, 2003, between Palm Beach County and Easter Seals Florida, Inc. I am hereby notifying you that the County is terminating its Sublease with Easter Seals effective September 30, 2007. The annual funding for this Sublease will be discontinued as of that date. The County will remove its personal property and surrender the Premises prior to or on September 30, 2007.

Please direct any questions concerning this matter to Ted Simmons, Property Specialist, who may be reached at (561) 233-0203 or by e-mail at *tsimmons@pbcgov.com*.

Sincerely,

Ross C. Hering Director

RCH/bjd

cc: Edward L. Rich, Director, Community Service
Easter Seals Florida, Inc., Attn.: Ms. Susan Ventura, President & CEO
2010 Mizell Ave., Winter Park, FL 32792 (via regular mail)

G: Property Mgmt Section (Out Lease Head Start Easter Seals WPB) Termination of Sub Lease (Lease Cancellation letter. RCH. doc

ATTACHMENT #3