3H-6

#### Agenda Item #:

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Department: Facilities Development & Operations	Meeting Date:	April 15, 2008	[X] Consent [ ] Ordinance	[ ] Regular [ ] Public Hearing	
	Department:	Facilities Developme	ent & Operations		

# I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: exercise of the second option to extend the term of the Lease Agreement (R2004-0802) with Jewish Community Facilities Corporation, for the continued use of a 1,770 SF building located in unincorporated Boca Raton, at an annual rate of \$10.00.

Summary: The County on behalf of the Palm Beach County Sheriff's Office currently leases a 1,770 SF building at the Jewish Federation of South Palm Beach County, Richard and Carole Siemens Jewish Campus. The facility is located at 9378 SW 210<sup>th</sup> Street in Boca Raton, for use as a community policing station with offices for sworn and non-sworn personnel. The initial term of the Lease Agreement was for three (3) years ending on May 3, 2007, with two (2) extension options, each for one (1) year. The Board approved the first extension option on April 10, 2007 (R2007-0511). This second and final option will extend the term of the Lease Agreement for one (1) year, from May 4, 2008 through May 3, 2009 and will be the last extension due to the planned expansion of the Jewish Federation's facilities and campus. The County has the right to terminate the Lease Agreement at any time upon ninety (90) days written notice. The annual rent for this extension period is \$10 and the County is responsible for all utility costs. (PREM) District 5 (HJF)

Background and Justification: On May 4, 2004, the Board approved the Lease Agreement which expired on May 3, 2007. On April 10, 2007, the Board approved the first extension option which will expire May 3, 2008. The exercise of this second and final option will extend the term of the Lease Agreement for one (1) year until May 3, 2009 and will provide for the continuation of the community policing station. The Lease prohibits use for the holding of detainees and use as a transfer site for transport of persons under arrest, or any work release programs. Florida Statutes Section 286.23 requires that a Disclosure of Beneficial Interest be obtained when a property held in a representative capacity is leased to the County. The Jewish Community Facilities Corporation, a Florida Non-Profit Corporation, the landlord, provided the Disclosure attached hereto as Attachment 4. This Disclosure identifies that no person or entity holds a five percent (5%) or greater beneficial interest.

#### **Attachments:**

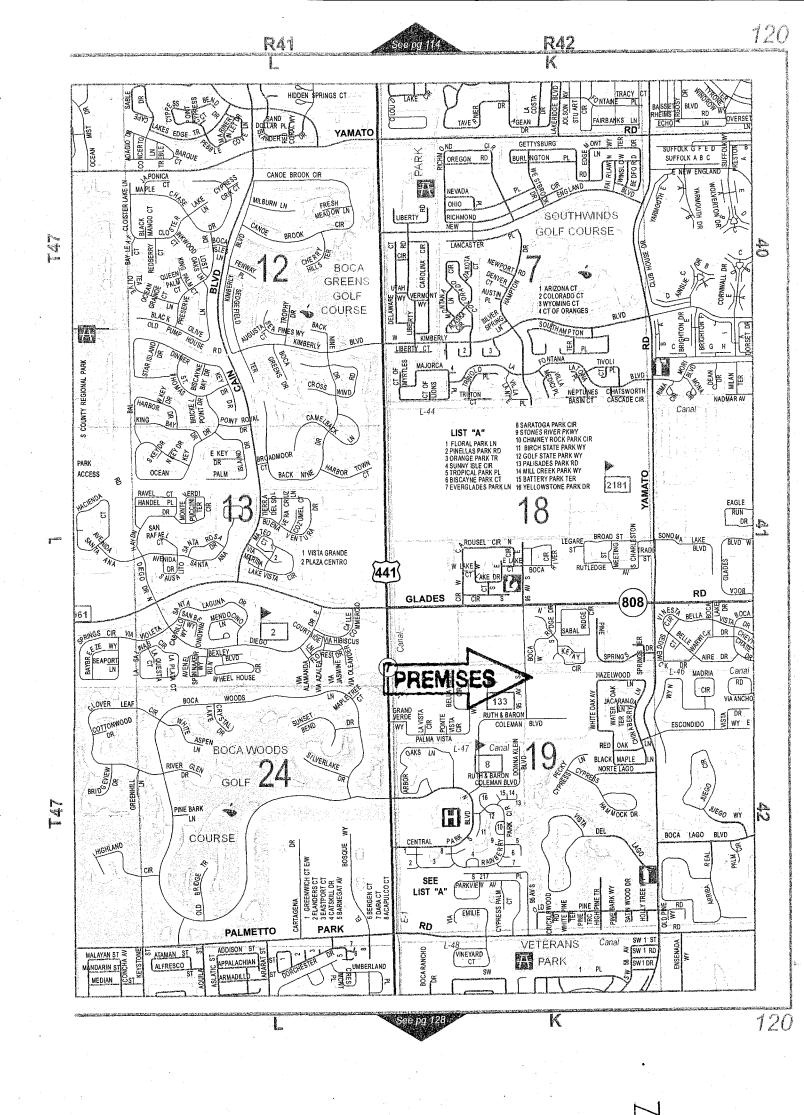
- 1. Location Map
- 2. Option to Extend Letter
- 3. Budget Availability Statement
- 4. Disclosure of Beneficial Interests
- 5. Notice of Termination from Jewish Federation of South Palm Beach County

Recommended By:	+ Anny Worf	3/29/08
	Department Director	Date
Approved By:	Adren	4/2/07
	County Administrator	Date

# II. FISCAL IMPACT ANALYSIS

A. Five	Year Summary of Fi	scal Impact:	ı			
Fiscal Year	·s	2008	2009	2010	2011	2012
External R Program In	Costs (rent)	\$10.00				
NET FISC	CAL IMPACT	<u>\$10.00</u>		-		
	ONAL FTE IS (Cumulative)					
Is Item Inc Budget Acc		_	164 Unit 160		<u> 114</u>	
B. Reco	ommended Sources of	f Funds/Sum	mary of Fisca	l Impact:		
C. Depa	artmental Fiscal Revi		IEW COMMI	ENTS		
A. OFN	AB Fiscal and/or Con	tract Develop	Contract De	velopment a	54/4/08	4)4)gs
	al Sufficiency:  4  istant County Attorne	<u>/7/0</u> 8 ey	• •	This item compli County policies.	es with curre	ii.
C. Othe	er Department Review	v:				
De	partment Director					

This summary is not to be used as a basis for payment.



LOCATION MAP

ATTACHMENT # /





# Facilities Development & Operations Department Property & Real Estate Management Division

2633 Vista Parkway
West Palm Beach, FL 33411-5605
(561) 233-0200
FAX: (561) 233-0210
www.pbcgov.com/fdo

#### Palm Beach County Board of County Commissioners

Addie L. Greene, Chairperson

Jeff Koons, Vice Chair

Karen T. Marcus

Robert J. Kanjian

Mary McCarty

Burt Aaronson

Jess R. Santamaria

#### **County Administrator**

Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"

printed on recycled paper

April 15, 2008

## Certified Mail/ Return Receipt Requested

Barry Podolsky, Campus Director Jewish Community Facilities Corporation c/o Jewish Federation of South Palm Beach County, Inc. 9901 Donna Klein Blvd. Boca Raton, Florida 33428

Re: Notice of Exercise of Option to Extend

Lease Agreement (R2004-0802) dated May 4, 2004

Dear Mr. Podolsky:

The purpose of this letter is to provide notice pursuant to Section 1.03 of the above-referenced Lease Agreement that Palm Beach County is exercising its option to extend the Lease for a term of one year. This is the second of the two (2) one-year extensions allowed under the Lease. Exercising this second and final extension option will extend the Lease for one (1) year from May 4, 2008 through May 3, 2009.

All other terms and conditions of the Lease Agreement shall remain the same.

ATTEST:

SHARON R. BOCK CLERK & COMPTROLLER PALM BEACH COUNTY, a political subdivision of the State of Florida

By: Deputy Clerk

By: Addie L. Greene, Chairperson

APPROVED AS TO FORM LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

By: \_\_\_\_\_\_Assistant County Attorney

Audrey Wolf, Director
Facilities Development & Operations

cc: Mel Lowell, Executive Vice-President, Jewish Community Facilities Corporation (Certified Mail/Return Receipt Requested)
Stewart G. Harris, Chair, Jewish Federation of South Palm Beach County

G:\Property Mgmt Section\Out Lease\PBSO Boca JCC\Second Option\Notice to Extend.004.HF app.031708.doc

## BUDGET AVAILABILITY STATEMENT

REQUEST DATE: <u>03/10/2008</u>

REQUESTED BY: Nicholas Lambi	ase, Jr., CPM,	Property Spe	cialist, PRE	<u>EM</u>	
SENT TO: PBSO – Jim Davis – Din	rector, Admini	strative Servi	ces		
PROJECT NAME: Second extension Facilities Corporation to lease a 1770 east side of 95th Avenue and south sides.	SF house and	adjacent land	l for parkin	g and acce	ss at the
IS ITEM INCLUDED IN CURRENT	T BUDGET: Y	ES X	NO		
BUDGET ACCOUNT NO:					
FUND: <u>0001</u> DEPT: <u>164</u> UNIT: <u>1</u>	604 OBJ: 44	14 PROGRA	ΔM:	•	
FIVE YEAR SUMMARY OF FISCA	AL IMPACT				
FISCAL YEARS	2008	2009	2010	2011	2012
CAPITAL EXPENDITURES					
OPERATING COSTS (rent)	\$10.00				
EXTERNAL REVENUE	******				
PROGRAM INCOME (COUNTY)					
IN KIND MATCH (COUNTY)	-				_ ·
NET FISCAL IMPACT	\$10.00				<del> </del>
PROPOSED BCC MEETING DATE	E: April 15	5, 2008			٠
BAS APPROVED BY:  James L. Davis, D Dept. of Administ Palm Beach Coun G:\PROPERTY MGMT SECTION\OUT LEASE\PBS	rative Services ty Sheriff's Office	ND OPTION/BAS.E	DATE:	/11/08	<b>,</b>

## LANDLORD'S DISCLOSURE OF BENEFICIAL INTERESTS (REQUIRED BY FLORIDA STATUTES 286.23)

PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared, Stewart G. Harris, hereinafter referred to as "Affiant", who being by me first duly sworn, under oath, deposes and states as follows:

- Affiant is the Chair of Jewish Federation of South Palm Beach County, Inc., a Florida not-for-profit corporation and does hereby certify that the Jewish Community Facilities Corporation, a Florida Non-Profit Corporation (A subsidiary corporation of Federation), (the "Owner") which entity is the owner of the real property legally described on the attached Exhibit "A" (the "Property").
  - Affiant's address is: 9901 DOWNA KLEIN BLVD 2. BOLA RATON, FL 33428
- Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five Percent (5%) or greater beneficial interest in the Owner and the percentage interest of each such person or entity.
- Affiant acknowledges that this Affidavit is given to comply with Florida Statutes 286.23, and will be relied upon by Palm Beach County in its lease of the Property.
- Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
- Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

STEWART G. HARRIS \_\_\_\_, Affiant (Print Affiant Name)

Sign Affiant Name)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_\_ day of \_\_\_\_\_\_ , 2008, by <u>Stewart Harris</u>

[ who is personally known to me or [ ] who has produced \_\_\_

as identification and who did take an oath.

Swal Bett Notary Public

SARAHBITTON (Print Notary Name)

NOTARY PUBLIC State of Florida at Large

ATTACHMENT #4

SARAH BITTON

EXPIRES March 18, 2011 FloridaNotalyService.com

1Y COMMISSION # DD651810

My Commission Expires: March 18, 2011

## **EXHIBIT "A"**

# **PROPERTY**

## PCN # 00-42-47-19-26-000-0021

# LEGAL DESCRIPTION

RAINBERRY PUD PODS A, B, C POD B (LESS S 395 FT OF W 300 FT K/A ADULT DAY CARE)

#### **EXHIBIT "B"**

## SCHEDULE TO BENEFICIAL INTERESTS IN PROPERTY

JEWISH FEDERATION

9901 DOWNA KLEINBLUD Address BOCA RATIN FL 33428 Percentage of Interest\_ Name OF SPBC Landlord is only required to identify five percent (5%) or greater beneficial interest holders. If none, so state. Landlord must identify individual owners. If, by way of example, Landlord is wholly or partially owned by another entity, such as a corporation, Landlord must identify such other entity, its address and percentage interest, as well as such information for the individual owners of such other entity. **ADDRESS NAME** No person or entity holds a 5% or greater Beneficial Interest in Owner.



CD TOBY WEINMAN PALCUIK CENTER FOR JEWISH PHILANTHROPY

2007-2008 FEDERATION OFFICERS

CHAIR

Stewart G. Harris

VICE CHAIR, PLANNING & **ALLOCATIONS** Lawrence D. Altschul

VICE CHAIR, CAMPAIGN Ellen R. Sarnoff

> SECRETARY Albert Gortz, Esq.

VICE CHAIR, JEWISH COMMUNITY FOUNDATION Thomas R Kaplan

ASSISTANT SECRETARY Stephen A. Mendelsohn, Esq.

VICE CHAIR Cindy Orbach Nimhauser

VICE CHAIR. WOMEN'S PHILANTHROPY Anne L. Jacobson

VICE CHAIR

Robin Struhl VICE CHAIR

Ted Struhl

TREASURER. Michael J. Weinberg

ASSISTANT TREASURER Stephen U. Winig

PRESIDENT & CEO William S. Bernstein, MSW

> IMMEDIATE PAST CHAIR Etta Gross Zimmerman

21 March 2008

Property & Real Estate Management Attn: Ross Hering, Director 2633 Vista Parkway West Palm Beach, FL 33411

Re: Termination of Lease Agreement R2004-0802 dated 4 May 2004 Between the Jewish Community Facilities Corp. and Palm Beach County

Dear Mr. Hering:

Following up on our discussion, and in accordance with the recent extension of the above referenced lease agreement between Palm Beach County and the Jewish Community Facilities Corporation for occupancy of the existing building as identified in the agreement through 3 May 2009, this letter will serve as formal notification that there will be no further extensions of the term of the lease agreement beyond 3 May 2009 as construction to expand our facilities and campus will commence on or about that time.

Please let me know if you have any inquiries.

It has been a pleasure working with you, and the County's presence on our campus has heightened our security. The sheriff's visibility is and was a big plus.

Sincerely.

Executive VP, Operations and Finance Jewish Federation of South Palm Beach County, Inc., and Jewish Community Facilities Corp.

CC: Stewart Harris, Chair William S. Bernstein, President and CEO Barry Podolsky, Chair, Facilities Board Rafael Bazan, Facilities Director

STRENGTHENING OUR FUTURE. HONORING OUR ROOTS. LIVING OUR VALUES.

Richard and Carole Siemens Jewish Campus 9901 Donno Klein Boulevard, Boca Raton, Florida 33428-1788 Telephone: 561.852.3100 • Fax: 561.852.3150

www.jewishboca.org

Harry & Jeanette Weinberg Center 14620 S. Military Troil, Delray Beach, Florido 33484 Telephone: 561.470.2000 • Fax: 561.470.2001

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			e e	INSURER B:	Zurich Nort	h America	
	Palm	h Federation Beach County	Inc.	INSURER C			
	9901	Donna Klein B Raton FL 3342	lvd	INSURER D			
			<u> </u>	INSURER E:			
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CERTIFICATE HOLDER

CANCELLATION

Palm Beach County Board of Cou 2700 6th Avenue South Lake Worth FL 33461

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF. THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZAD REPRESENTATIVE

ACORD 25 (2001/08)

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DATE (MM/DD/YYYY)



TOBY WEINMAN PALCHIK CENTER FOR JEWISH PHILANTHROPY

2007-2008 FEDERATION OFFICERS

CHAIR

Stewart G. Harris

VICE CHAIR, PLANNING &
ALLOCATIONS
Lawrence D. Altschul

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> VICE CHAIR Cindy Orbach Nimhauser

VICE CHAIR,
WOMEN'S PHILANTHROPY
Anne L. Jacobson

VICE CHAIR Robin Struhl

VICE CHAIR Ted Struhl

TREASURER Michael J. Weinberg

ASSISTANT TREASURER
Stephen U. Winig

PRESIDENT & CEO William S. Bernstein, MSW

IMMEDIATE PAST CHAIR
Etta Gross Zimmerman

March 11, 2008

Palm Beach County Facilities Development & Operations Dept. Property & Real Estate Management Division 2633 Vista Parkway West Palm Beach, FL 33411-5605

To Whom It May Concern:

The undersigned, is the incumbent Chair of the Jewish Federation of South Palm Beach County, Inc., a Florida not-for-profit corporation, (Federation), and does hereby certify that the Jewish Community Facilities Corporation (Facilities Corp), a Florida not-for-profit corporation, is a subsidiary corporation of Federation.

Reference is made to the Lease Agreement between Facilities Corp, as Landlord, and Palm Beach County, as Tenant. Federation does hereby certify that Barry Podolsky, the incumbent Chair of Facilities Corp, is authorized to execute the Lease renewal on behalf of Facilities Corp.

Tours rury,

Stewart G. Harris

Chair, Board of Directors, Jewish Federation of South Palm Beach County, Inc.

NL/nl

cc: Barry Podolsky Sarah Bitton Mel Lowell

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