Agenda Item #: 344-4

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

| Meeting Date: | June 2, 2009 | [X] Consent [] Ordinance | [] Regular [] Public Hearing | | |
|---------------|---------------------|---------------------------|--------------------------------|--|--|
| Department: | Facilities Developm | pment & Operations | | | |

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: notice of exercise of the extension option under the Lease Agreement with Bedner Farm, Inc. (R2001-0582) for Bedner Farm's continued agricultural use of approximately 246 acres located in unincorporated western Boynton Beach and unincorporated western Delray Beach.

Summary: On April 17, 2001, the Board approved the Lease Agreement with Bedner Farm, Inc. for use of two parcels of property, approximately 90 acres in west Delray Beach and approximately 156 acres in west Boynton Beach. The initial term of the Lease Agreement was for one year ending on May 31, 2002, with nine (9) one (1) year extension options. On May 15, 2007, the Board approved a First Amendment to Lease (R2007-0827) providing Bedner Farm, Inc. twelve (12) additional one (1) year options to extend the term of the Lease Agreement. Exercising this eighth option will extend the term of the Lease Agreement from June 1, 2009 through May 31, 2010. There remain thirteen (13) annual extension options through May 31, 2023. The annual rental rate will remain at \$162,084 (approximately \$659 per acre). Pursuant to the terms of the Lease Agreement, Bedner Farm, Inc. has the right to exercise its option and the Board has no discretionary authority to not allow the exercise of the option. All other terms and conditions of the Lease Agreement shall remain in full force and effect. (PREM) District 5 (HJF)

Attachments:

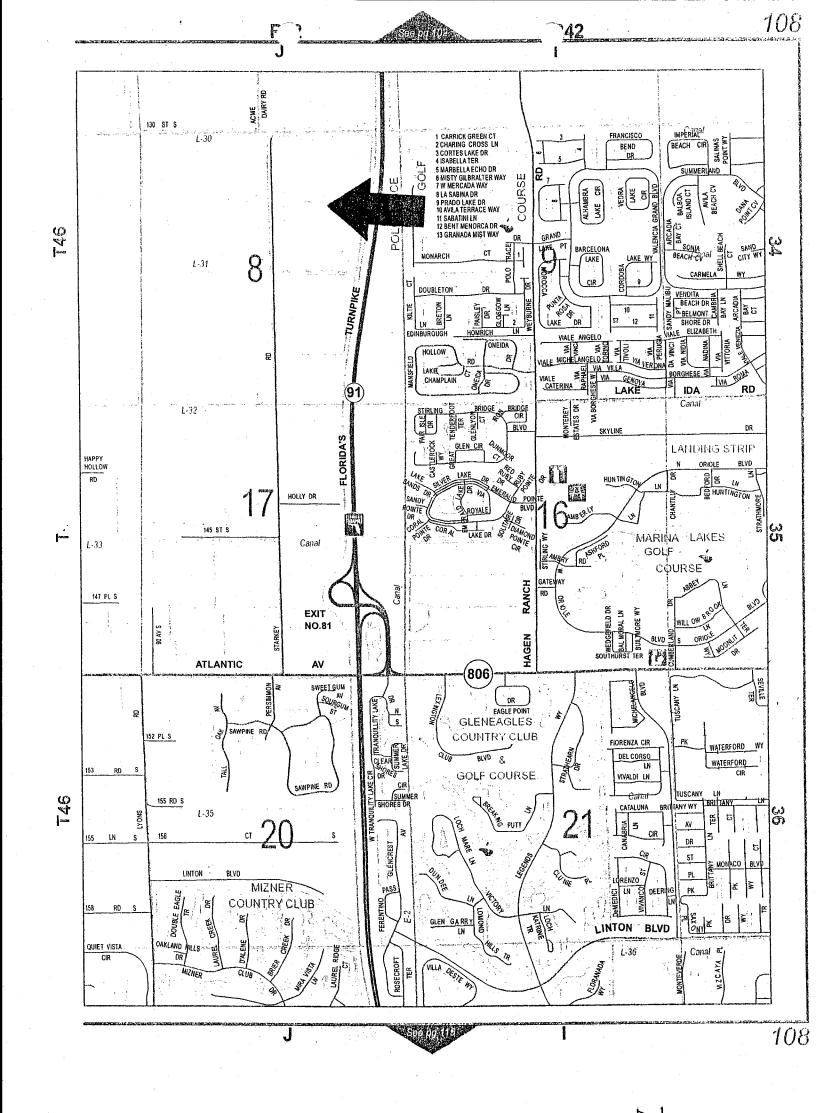
- 1. Location Map A
- 2. Location Map B
- 3. Option to Extend Letter
- 4. Budget Availability Statement

| Recommended By: | Rest Annu Work | 5/7/09 |
|-----------------|----------------------|---------|
| v | Department Director | Date |
| Approved By: | lekaller | 5/28/09 |
| | County Administrator | Date |
| | | |

II. FISCAL IMPACT ANALYSIS

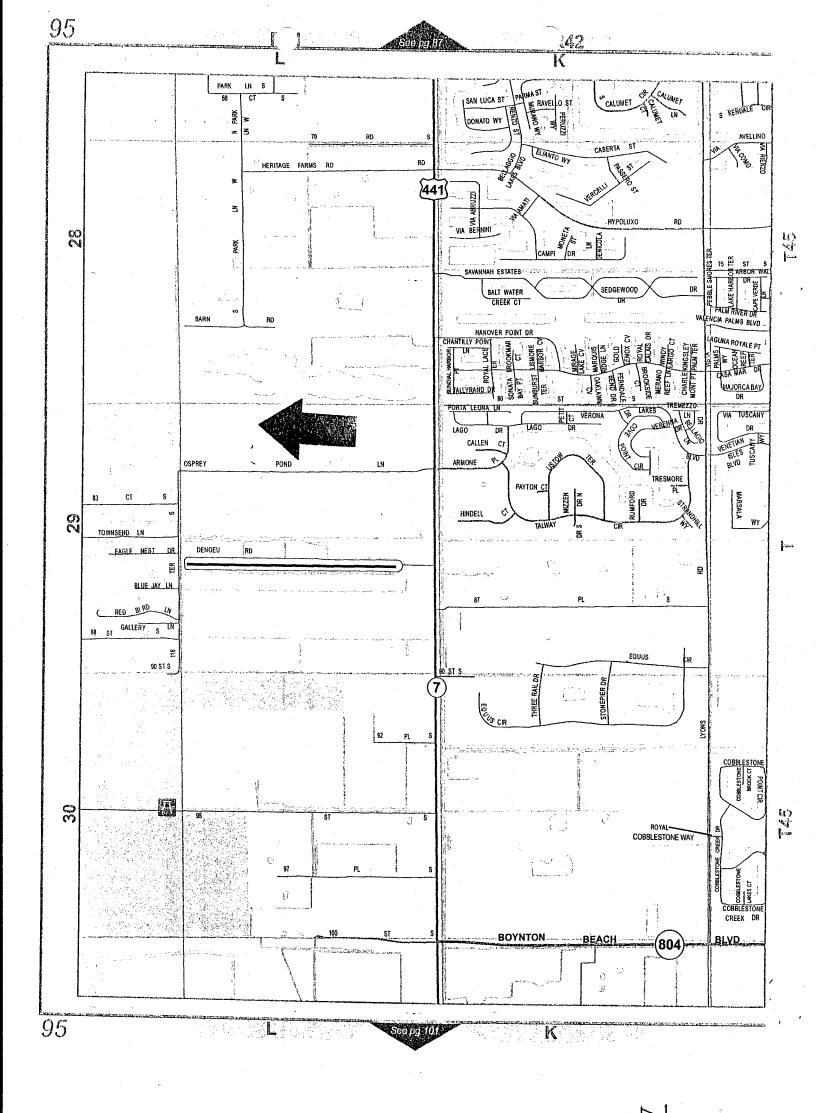
| A. Five Year Summary of | riscai impact: | | | | |
|--|----------------------|----------------|-------------|------------|---|
| Fiscal Years | 2009 | 2010 | 2011 | 2012 | 2013 |
| Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County | (\$54,028) ——— | (\$108,056) | | | |
| NET FISCAL IMPACT | <u>(\$54,028)</u> | (\$108,056) | | | *************************************** |
| # ADDITIONAL FTE POSITIONS (Cumulative) | | | | | |
| Is Item Included in Current E | Budget: Yes | X No | | | |
| Budget Account No: Fund | Program Dept | | 8011 | _ Object62 | 225 |
| B. Recommended Sources Payable June 1st and Jane C. Departmental Fiscal Recommended | uary 1 st | | mpact: | | |
| | III. <u>REVI</u> | EW COMMEN | <u>TTS</u> | | |
| | Sontract Develop | Contract Devel | J. Jas | South S/c | 27/09 |
| B. Legal Sufficiency: Assistant County Attorn | 5/27/09 dey | | | | |
| C. Other Department Rev | view: | | | | |
| Department Director | | | | | |

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



LOCATION MAP





LOCATION MAP





BEDNER GROWERS, INC.

14186 STARKEY ROAD DELRAY BEACH, FL 33446

(561) 499-3994 OFFICE (561) 499-2078 SHOP (561) 496-7123 FAX RECEIVED

APR 03 2009

PALM BEACH COUNTY PROPERTY & REAL ESTATE MANAGEMENT 2633 VISTA PARKWAY WEST PALM BEACH, FL 33411-5605

APRIL 1, 2009

ATTN; RICHARD C. BOGATIN

PLEASE BE ADVISED THIS LETTER SERVES AS BEDNER FARM, INC. NOTICE FOR THE OPTION TO RENEW THE LEASE AGREEMENT WITH PALM BEACH COUNTY.

IT IS OUR INTENT TO OCCUPY THE PREMISE FOR ANOTHER YEAR STARTING JUNE 1, 2009 TO MAY 31, 2010. THE SEMI-ANNUAL RENT SHALL BE SUBMITTED BY THE DUE DATE OF MAY 31, 2009.

SINCERELY,

CHARLES A. BEDNER, PRESIDENT

BEDNER FARM, INC.

BUDGET AVAILABILITY STATEMENT

| REQUEST DATE: 3/30/2009 | REQUESTED BY: Ted A. Simmons FAX: | | | PHONE: (561) 233-0203 | | |
|--|--|--|--|-----------------------------------|--|--|
| PROJECT TITLE: Bedner Farms, Inc | . renewal option | ¥ 8 | | PROJECT NO. | : : | |
| Fiscal Years | 2009 | 2010 | | | | |
| Capital Expenditures Operating Costs External Revenues | <u>(\$54,028)</u> | | | | | |
| Program Income (County) In-Kind Match (County | | | | | | |
| NET FISCAL IMPACT | (\$54,028) | (\$108,056) | ······································ | ·. | : | |
| # ADDITIONAL FTE POSITIONS (Cumulative) | | · | | | · . | |
| ** By signing this BAS your departme BAS by FD&O. Unless there is a char | nt agrees to these nge in the scope o | e staff costs and your acc of work, no additional sta | ount will b aff charges | e charged upon will be billed. | receipt of this | |
| BUDGET ACCOUNT NUMBER | Γ: 800 | UNIT: 8011 | REVEN | JUE SOURCE: SUB OBJ: | 6225 | |
| IDENTIFY FUNDING SOURCE FO | OR EACH ACC | OUNT: (check <u>all</u> that | apply) | APR | 1 2009 | |
| ☐ Ad Valorem (source/type: ☐ Non-Ad Valorem (source/type: ☐ Grant (source/type: ☐ Park Improvement Fund (source/type: ☐ General Fund | | | □ Fede | _) _) _) ral/Davis Bacon | The second secon | |
| Department: | Ad Reson | in DATE: = | - 2/30/0 | 9 | | |
| C:\Documents and Settings\Lpurvis\Local Sett | ings\Temporary Inte | rnet Files\Content.Outlook\8\ | /2MQZ9O\B | AS revenue_expen | se (011209).doc | |

CERTIFICATE OF INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

| FLORIDA FARM BUREAU | INSURANCE COMPANIES | | | |
|---------------------|---------------------|--|--|--|
| P.O. BOX 147030 | | | | |
| GAINESVILLE, FL | ORIDA 32614-7030 | | | |

COMPANIES AFFORDING COVERAGES:

Company Letter A:

Florida Farm Bureau General Ins. Co.

NAME AND ADDRESS OF INSURED:

BEDNER GROWERS INC AND BEDNER BROTHERS INC 14186 STARKEY RD DELRAY BEACH, FL 33446-4006 Company Letter B:

Florida Farm Bureau Casualty Ins. Co.

The policies of insurance listed below have been issued to the insured named above and are in force at this time. Notwithstanding any requirement, term or condition of any contract or

| CO. LTR | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | ALL LIMIT | S IN <u>THOU</u> | SAND | S |
|------------------------|---|-------------------|----------------------------------|---------------------------------------|---------------------------------|--------------------|---------------|------------|
| | General Liability: | | | | General Appre | gate | \$ 1 | ,000 |
| | Commercial General Liability (Occurrence Form) | | 12/31/2008 | 12/31/2009 | Personal & Advertising Injury | | | ,000 |
| A | Owner's & Contractor's Protective | CPP 9501496 | | | | | \$ | 500 |
| | Protective | | | | | | \$ | 500 |
| | Farmer's Personal Liability | | | | Fire Damage (Any one fire) | | \$ | 5 50 |
| | Automobile Liability: | | | | Medical Expense (Any | one person) | \$ | 5 |
| | Any auto | | | | Combined Single Unit | \$ | | |
| | Ait owned autoe | | | | Bodily Injury (Per Person) | \$ | | |
| | C Hired autos | | | | Bodily Injury (Per Accident) | \$ | | |
| | Non-owned autos | | | | Property Damage | \$ | | |
| A | Excess Liability: Umbrelle Form Other than Umbrella form | UMC 9520833 | 12/31/2008 | 12/31/2009 | | Each Occurrence | | regate |
| | Employers Liability: Farm Employer's Liability Farm Employee's Medical | | | | | | \$ (Each O | ccurrence) |
| | Other: | | | · · · · · · · · · · · · · · · · · · · | | | (Each E | mployee) |
| DESCF | RIPTION OF OPERATIONS/L | OCATIONS/VEHICLES | | | | | <u> </u> | |
| SEE F LOSS BARNS | ORM CG 20 24 11 85 PAYEE ,STABLES,OUTBUILDIN ,STABLES,OUTBUILDIN | GS-TYPE 3 FRAME F | ARM SHOP-LIMIT C | of LIABILITY S | 40,000 | . | | |

DINGS-TYPE 1 NCII FARM EQUIPMENT BUILDING-LIMIT OF LIABILITY \$90,000

CANCELLATION: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the below named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind

| upon the company. | | |
|--|---------|---|
| NAME AND ADDRESS OF CERTIFICATE HOLDER: | - | COUNTY CODE 50 DATE ISSUED 02/04/09 |
| PALM BEACH COUNTY BOCC PROPERTY AND REAL ESTATE MANAGEMENT | | Serviced by PALM BEACH County Farm Bureau |
| ATTN: DIRECTOR | | TOM BISHOP |
| 2633 VISTA PARKWAY, WEST PALM BEACH, F | L 33411 | AUTHORIZED REPRESENTATIVE |

93-7-692 (Rev. 5/93)

FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS



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Florida Profit Corporation

BEDNER GROWERS, INC.

Filing Information

Document Number V21921

FEI/EIN Number

650332613

Date Filed

03/16/1992

State

FL

Status

ACTIVE

Principal Address

14186 STARKEY RD DELRAY BEACH FL 33446

Changed 04/28/2003

Mailing Address

14186 STARKEY RD. DELRAY BEACH FL 33446 US

Changed 03/04/1993

Registered Agent Name & Address

PERRY, MARK A. 50 SOUTHEAST FOURTH AVENUE DELRAY BEACH FL US

Officer/Director Detail

Name & Address

Title PD

BEDNER, CHARLES A. 14186 STARKEY ROAD DELRAY BEACH FL

Title VD

BEDNER, BRUCE A. 14186 STARKEY ROAD DELRAY BEACH FL

Title STD

BEDNER, STEPHEN W. 14186 STARKEY ROAD DELRAY BEACH FL

Annual Reports

2008 FOR PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# 537085

Entity Name: BEDNER FARM, INC.

FILED Apr 07, 2008 Secretary of State

Current Principal Place of Business:

New Principal Place of Business:

14186 STARKEY RD

DELRAY BEACH, FL 33446

Current Mailing Address:

New Mailing Address:

14186 STARKEY RD DELRAY BEACH, FL 33446

FEI Number: 59-1784981

FEI Number Applied For ()

FEI Number Not Applicable ()

Certificate of Status Desired ()

Name and Address of Current Registered Agent:

Name and Address of New Registered Agent:

BEDNER, STEPHEN 14186 STARKEY ROAD

DELRAY BEACH, FL 33446 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

City-St-Zip:

Title:

Name:

Address

Electronic Signature of Registered Agent

Date

Election Campaign Financing Trust Fund Contribution ().

OFFICERS AND DIRECTORS:

ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS:

() Change () Addition

() Change () Addition

() Change () Addition

Title: (X) Delete Name: BEDNER, ARTHUR C., Address:

226 N.E. 13TH AVE POMPANO BEACH, FL

Title: BEDNER, HENRIETTA, 226 N.E. 13TH AVE Name: Address: City-St-Zip: POMPANO BEACH, FL

PD () Delete BEDNER, CHARLES **RURAL ROUTE 1 BOX 315B** City-St-Zip: DELRAY BEACH, FL 33446

Title: () Delete BEDNER, BRUCE Name: RURAL ROUTE 1 BOX 290T Address DELRAY BEACH, FL 33446 City-St-Zip:

Title: () Delete BEDNER, STEPHEN Name: Address: 11178 MANATEE TERRACE City-St-Zip: LAKE WORTH, FL 33467

Title: () Change () Addition Name:

Address: City-St-Zip: Title:

Name: Address City-St-Zip:

Title: Name: Address City-St-Zip: Title:

Name: Address City-St-Zip:

Title: Name: Address City-St-Zip: () Change () Addition

I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Chapter 119, Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with an address, with all other like empowered.

SIGNATURE: STEPHEN W BEDNER

STD

04/07/2008

Electronic Signature of Signing Officer or Director

Date