Agenda Item #: 3H-14

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	May 18, 2010	[X] Consent [ ] Ordinance	[ ] Regular [ ] Public Hearing
Department:	Facilities Development &	& Operations	

#### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: a 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 the Ag Reserve for \$122,918.50/year.

Summary: On April 17, 2001, the Board approved the Lease Agreement with Bedner Farm, Inc., for the use of two parcels of property in the Ag Reserve for row crops. One parcel is approximately 90 acres located just west of the Turnpike and north of Atlantic Avenue. The other parcel is approximately 156 acres located west of U.S. 441 and north of Boynton Beach Boulevard. The initial term of the Lease Agreement was for one year ending May 31, 2002, with nine (9) one (1) year extension options. The Board previously approved various amendments (R2007-0827 and R2010-0083) which provided for additional renewal options and rent reduction. The current expiration date of the Lease Agreement is May 31, 2010. Exercising this ninth option will extend the term to May 31, 2011. There remain twelve (12) annual extension options through May 31, 2023. The annual rental rate will remain at \$122,918.50 (\$500.00/acre). Pursuant to the Lease Agreement, Bedner Farm has the right to exercise its option and the Board has no discretionary authority to deny the exercise of the option. 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, but does not require such Disclosure when the County leases property to a tenant. Since the Statute does not require the Disclosure and as this is an exercise of an option to extend a Lease Agreement which was previously approved by the Board, Staff did not request a new Disclosure. (PREM) Districts 3 and 5 (HJF)

#### **Attachments:**

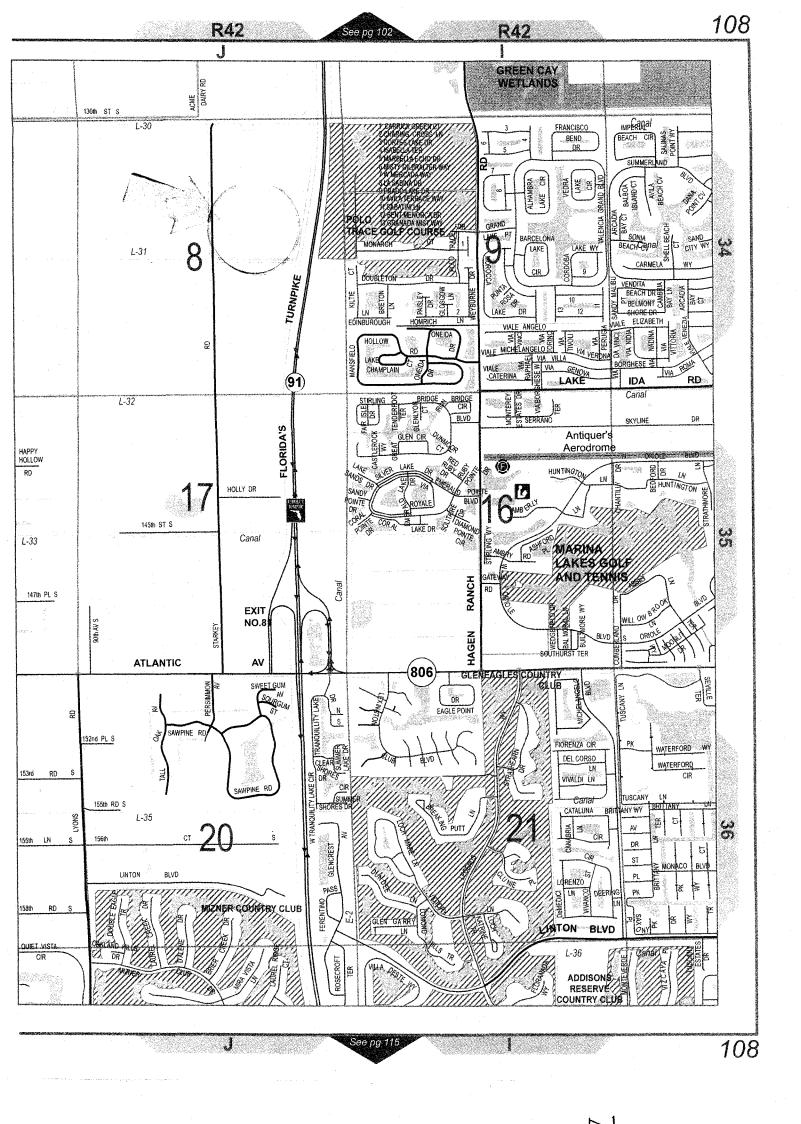
- 1. Location Map A
- 2. Location Map B
- 3. Extension option request letter
- 4. Budget Availability Statement

Recommended By:	Anny Work	4/23/10	
	Department Director	Date	
Approved By:	Mole	5/11/10	
	County Administrator	Date	

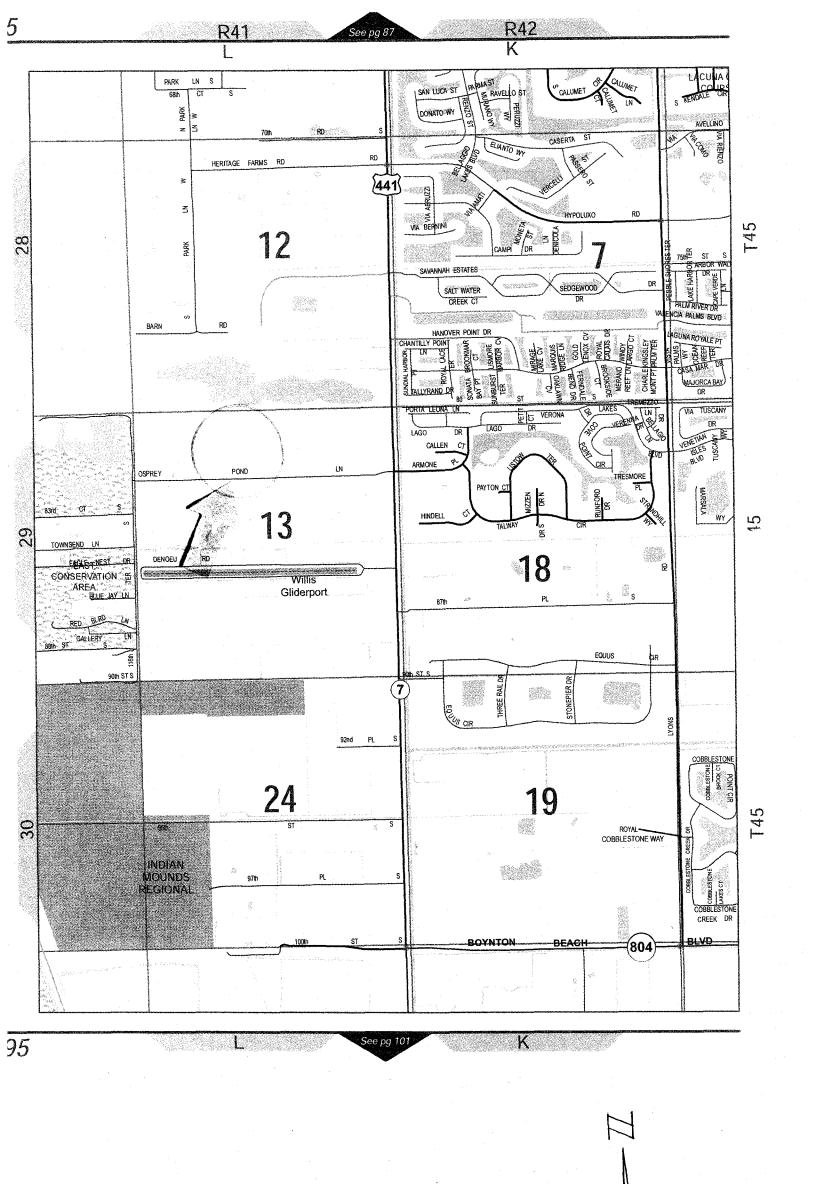
### II. FISCAL IMPACT ANALYSIS

<b>A.</b>	Five Year Summary of	Fiscal Impact:				
Fiscal Years		2010	2011	2012	2013	2014
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County		(61,459.25)	(61,459.25)			
NET I	FISCAL IMPACT	(61,459,25)	(61,459.25)	0-	0-	-0-
	DITIONAL FTE TIONS (Cumulative)				<u> </u>	· · · · · · · · · · · · · · · · · · ·
Is Ite	m Included in Current B	udget: Yes	_X No			
Budge	et Account No: Fund	1222 Dept Program	<u>800</u> Unit —	8011	Object <u>6225</u>	
В.	Recommended Sources  Rent is \$122,918.50 annu semi-annual installments  Departmental Fiscal Re	ually, based upor of \$61,459.25 o	\$500.00 per acr	e for 245.	83 farmable acres	, paid in
		III. <u>REVIE</u>	EW COMMENT	<u>rs</u>		
A.	OFMB Fiscal and/or Co	ontract Develop	ment Comment	s:		
	OFMB QP		Contract Develo	•		
В.	Assistant County Attorned	<i>5/7/10</i> ey	This item compl County policies		ent	
C.	Other Department Revi	iew:				
	Department Director					

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







LOCATION MAP

ATTACHMENT #2



## BEDNER GROWERS, INC.

14186 STARKEY ROAD DELRAY BEACH, FL 33446

PECENTO

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

MAR 18 2010

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

MARCH 16, 2010

ATTN; ROSS HERING

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, 2010 TO MAY 31, 2011. THE SEMI-ANNUAL RENT SHALL BE SUBMITTED BY THE DUE DATE OF MAY 31, 2010.

SINCERELY,

CHARLES A. BEDNER , PRESIDENT

BEDNER FARM, INC.

### 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, FLORIDA 32614-7030

NAME	AND	<b>ADDRESS</b>	OF	INSURED:
------	-----	----------------	----	----------

BEDNER FARM INC

210 N UNIVERSITY DR STE 200 CORAL SPRINGS, FL33071-7339 COMPANIES AFFORDING COVERAGES:

Florida Farm Bureau General Ins. Co.

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 other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

CO. LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	ALL LIMITS IN THOUSANDS		
	GENERAL LIABILITY:				GENERAL AGGREGATE	\$ 2,000	
	COMMERCIAL GENERAL LIABILITY (OCCURRENCE				PRODUCTS-COMPLETED		
	FORM)				OPERATIONS AGGREGATE PERSONAL & ADVERTISING	\$ 2,000	
A	OWNER'S & CONTRACTOR'S PROTECTIVE	CDD 0521607 00	0.5 / 0.5 / 5.5 - 5		INT HARDAY	\$ 1,000	
		CPP 9521697 02	07/19/2009	07/19/2010		\$ 1,000	
	FARMER'S PERSONAL LIABILITY				FIRE DAMAGE (Any one fire)	\$ 50	
			_		MEDICAL EXPENSE	\$ 5	
	AUTOMOBILE LIABILITY:		RECEI	van — — —	(Any one person)	_ Ψ _ ⊃	
	ANY AUTO			**************************************	COMBINED SINGLE LIMIT		
	ALL OWNED AUTOS		AUG 17	lion a	BODILY INJURY (Per Person)		
	SCHEDULED AUTOS			(1111)3			
	HIRED AUTOS				BODILY INJURY (Per Accident)		
	NON-OWNED AUTOS	•			PROPERTY \$		
	EXCESS LIABILITY:				EACH	AGGREGATE	
	UMBRELLA FORM				OCCURRENC	E	
	OTHER THAN UMBRELLA				\$	\$	
	EMPLOYERS LIABILITY:						
	FARM EMPLOYER'S					\$ (Each Occurrence)	
	FARM EMPLOYEE'S MEDICAL	•				\$	
	OTHER:					(Each Employee)	
						\$	
DESCRI	PTION OF OPERATIONS/LOC	ATIONS/VEHICLES:				333) <del>V</del>	
SEE :	FORM CG 20 11 11	1 85		•			
LOCA'	TIONS: 003 - 00					+	
		,					
					•		
041051	LATION: OL LL						

ON: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to 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:
---------------------	---------------------

PALM BEACH COUNTY BOCC

PROPERTY & REAL ESTATE MANAGEMENT

ATTN: DIRECTOR 2633 VISTA PKWY

WEST PALM BEACH FL 33411-5613 County Code

50-0 \_Date Issued \_\_

08/11/2009

Serviced by PALM

BEACH

County Farm Bureau

ROBERT LENT AUTHORIZED REPRESENTATIVE

W2.0

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

## THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## ADDITIONAL INSURED — MANAGERS OR LESSORS OF **PREMISES**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

- 1. Designation of Premises (Part Leased to You): 13056 STARKEY RD, DELRAY BEACH FL
- 2. Name of Person or Organization (Additional Insured): PALM BEACH COUNTY BOCC
- 3. Additional Premium:

28

PRP & REAL ESTATE MGMT

(If no entry appears above, the information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the Schedule and subject to the following additional exclusions:

This insurance does not apply to:

- 1. Any "occurrence " which takes place after you cease to be a tenant in that premises.
- Structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown in the Schedule.

## THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

# ADDITIONAL INSURED — MANAGERS OR LESSORS OF PREMISES

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

#### **SCHEDULE**

- 1. Designation of Premises (Part Leased to You): OSPREY POND LN/W OF HWY 441, BOYNTON BCH
- 2. Name of Person or Organization (Additional Insured): PALM BEACH COUNTY BOCC
- 3. Additional Premium:

20

PRP & REAL ESTATE MGMT

(If no entry appears above, the information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the Schedule and subject to the following additional exclusions:

This insurance does not apply to:

- 1. Any "occurrence " which takes place after you cease to be a tenant in that premises.
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## THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## ADDITIONAL INSURED — MANAGERS OR LESSORS OF PREMISES

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

#### **SCHEDULE**

- 1. Designation of Premises (Part Leased to You): OSPREY POND LN/W OF SR 7, BOYNTON BCH
- 2. Name of Person or Organization (Additional Insured): PALM BEACH COUNTY BOCC
- 3. Additional Premium:

- -

PRP & REAL ESTATE MGMT

(If no entry appears above, the information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the Schedule and subject to the following additional exclusions:

This insurance does not apply to:

- 1. Any "occurrence " which takes place after you cease to be a tenant in that premises.
- Structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown in the Schedule.

## STATEMENT OF EXEMPTION FROM WORKER'S COMPENSATION REQUIREMENT

RECEIVED

TO: Palm Beach County Board of County Commissioners

Property and Real Estate Management

Attn: Director

2633 Vista Parkway

West Palm Beach, FL 33411

AUG 0 5 2009

## This will affirm that:

- We are not engaged in the "construction industry" as defined in FL Chapter 440 and do not employ more than three persons (including Corporate Officers, if any).
- We do not carry Florida Workers Compensation insurance.
- Any persons that we may engage to work will have legal status as independent contractors, and not employees.
- 4. All such independent contractors have been advised that they are not covered for Workers Compensation insurance, and would be responsible for carrying their own such coverage if they desire.
- If we should fall under Florida's requirement for carrying Workers Compensation insurance, we shall immediately obtain such coverage and provide evidence of it to you.

Accordingly, we hereby apply for exemption from Palm Beach County's requirement for carrying Workers Compensation insurance.

Stephen B		ecretary	/Treas	urer					
(Please Print Signature/Tit	Name	Lug	15	) Janin			y	7/020	109
Bedner Fa	rm, Inc						Date	<i>,</i>	,
Company Na	me						·		
•									
210 N. Un	iversity	Drive,	Suite	200	Cora1	Spring	s, FL	33071	
Company Str	eet Addre	ss/City/S	tate/Zip	Code					

C:\Documents and Settings\sschlamp\Local Settings\Temporary Internet Files\Content.Outlook\JTRT2X3J\Workers Comp Waiver.doc

## FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS

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### **Detail by Entity Name**

#### Florida Profit Corporation

BEDNER FARM, INC.

#### **Filing Information**

**Document Number 537085** 

FEI/EIN Number

591784981

Date Filed

06/14/1977

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

Changed 04/28/2003

#### **Registered Agent Name & Address**

BEDNER, STEPHEN 14186 STARKEY ROAD DELRAY BEACH FL 33446 US

Name Changed: 04/28/2003

Address Changed: 04/28/2003

#### Officer/Director Detail

#### Name & Address

Title D

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

Title PD

BEDNER, CHARLES RURAL ROUTE 1 BOX 315B DELRAY BEACH FL 33446

Title VD

BEDNER, BRUCE RURAL ROUTE 1 BOX 290T

http://www.sunbiz.org/scripts/cordet.exe?action=DETFIL&inq\_doc\_number=537085&inq... 4/13/2010

**DELRAY BEACH FL 33446** Title STD BEDNER, STEPHEN 11178 MANATEE TERRACE LAKE WORTH FL 33467 **Annual Reports Report Year Filed Date** 04/23/2007 2007 2008 04/07/2008 2009 04/14/2009 **Document Images** 04/14/2009 -- ANNUAL REPORT View image in PDF format 04/07/2008 -- ANNUAL REPORT View image in PDF format 04/23/2007 -- ANNUAL REPORT View image in PDF format 04/26/2006 -- ANNUAL REPORT View image in PDF format 04/15/2005 -- ANNUAL REPORT View image in PDF format 04/22/2004 - ANNUAL REPORT View image in PDF format 04/28/2003 -- ANNUAL REPORT View image in PDF format 05/05/2002 -- ANNUAL REPORT View image in PDF format 04/26/2001 -- ANNUAL REPORT View image in PDF format 04/20/2000 -- ANNUAL REPORT View image in PDF format 04/20/1999 -- ANNUAL REPORT View image in PDF format 03/13/1998 - ANNUAL REPORT View image in PDF format 04/17/1997 -- ANNUAL REPORT View image in PDF format 05/01/1996 -- ANNUAL REPORT View image in PDF format 04/14/1995 -- ANNUAL REPORT View image in PDF format Note: This is not official record. See documents if question or conflict. Previous on List **Next on List** Return To List **Entity Name Search** No Events No Name History Submit | Home | Contact us | Document Searches | E-Filing Services | Forms | Help | Copyright and Privacy Policies Copyright © 2007 State of Florida, Department of State.

### 2009 FOR PROFIT CORPORATION ANNUAL REPORT

**DOCUMENT# 537085** 

Entity Name: BEDNER FARM, INC.

FILED Apr 14, 2009 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.

Name:

Address

Address:

City-St-Zip:

SIGNATURE:

Electronic Signature of Registered Agent

Date

Election Campaign Financing Trust Fund Contribution ( ).

**OFFICERS AND DIRECTORS:** 

ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS:

() Change () Addition

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

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

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

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

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

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

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

04/14/2009

Electronic Signature of Signing Officer or Director

Date

BUDG	ET AVAILA	ABILITY ST	ATEME	NT	
REQUEST DATE: 4/13/2010	REQUESTED	BY: Steven K. Sci Property Spe	PHONE: 233-0239 FAX: 233-0210		
PROJECT TITLE: Bedner Farm Re	enewal Option 9 of	21		PROJECT NO.	: 2010-5.007
Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County	<\$61,459.25>	<u>&lt;\$61,459.25&gt;</u> 			
NET FISCAL IMPACT	<u>&lt;\$61,459.25&gt;</u>	<\$61,459.25>	E		
# ADDITIONAL FTE POSITIONS (Cumulative)	-		-		***************************************
** By signing this BAS your departn BAS by FD&O. Unless there is a ch	nent agrees to these ange in the scope o	staff costs and your of work, no addition	r account will al staff charg	l be charged upon es will be billed.	receipt of thi
BUDGET ACCOUNT NUMBER					
FUND: 1222 DE	PT: 800	UNIT: 8	3011	REVNUE SOU SUB OBJ:	RCE: 6225
IS ITEM INCLUDED IN CURRI	ENT BUDGET: Y	res <u>x</u> no			
IDENTIFY FUNDING SOURCE	FOR EACH ACC	OUNT: (check <u>all</u> (	that apply)		
☐ Ad Valorem (source/type: ☐ Non-Ad Valorem (source/type: ☐ Grant (source/type: ☐ Park Improvement Fund (source/ty ☐ General Fund	/pe: Operating	Revenue	□Fee	) ) ) ) deral/Davis Bacon	
	YES ON	VO- Revenue Gener	rating Contro	act	
Department: <u>Environmental Reso</u>	urces Management				<del></del>
BAS APPROVED BY:	z Plun	2		DATE: 4/3	<u> 10</u>

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ATT. #4