Agenda Item #: 3H-6

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	October 18, 2011	[X] Consent [] Ordinance	[] Regular [] Public Hearing
Department:	Facilities Developme	nt & Operations	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: exercise of the third option to extend the term of the Lease Agreement (R97-2126D) dated December 16, 1997, as amended, with Aspen Skees Road, LLC, for 6,000 SF of office and warehouse space located in West Palm Beach for the Palm Beach County Sheriff's Office at an annual rate of \$72,240.00 (\$6,020.00/month).

Summary: Since January 1, 1998, the County has leased office and warehouse space at 1438 Skees Road in West Palm Beach for the Palm Beach County Sheriff's Office. The County does not have any County owned space available to accommodate PBSO. Due to ongoing capital budget reductions since 2008, no funding is available to proceed with the projects which would make permanent space available in a County owned facility. The current term of the Lease Agreement, as amended, expires on December 31, 2011, and provides for one (1) extension option for a period of one (1) year. Exercise of this option will extend the term of the Lease Agreement for one (1) year, from January 1, 2012, through December 31, 2012. The annual rent for this extension period will increase approximately five percent (5%) from \$68,820.00 (\$11.47/SF) to \$72,240.00 (\$12.04/SF). In Amendment Number Four approved on September 14, 2010, the Landlord agreed to not increase rent for the period of January 1, 2011, through December 31, 2011. All other terms of the Lease Agreement remain unchanged. (PREM) District 2 (HJF)

Background and Justification: On December 16, 1997 (R97-2126d), the Board approved the Lease Agreement with C&D Development for a period of one (1) year with two (2) options to extend, each for a period of one (1) year. The Board has since approved various amendments (R99-1641d, R2002-2267, R2007-1712, R2010-1406 and R2011-0899) and extension options (R98-1943d, R2000-2058, R2002-0176, R2005-0992, R2006-1916 and R2009-1515). In June 2007, C&D Development sold the property to Aspen Skees Road, LLC, the current landlord. The County does not have any County-owned space available to accommodate PBSO. Due to ongoing capital budget reductions since 2008, no funding is available to proceed with the projects which would make permanent space available in a County owned facility. When Amendment Number Four to Lease Agreement was approved last year, staff negotiated with the landlord for rent to remain the same for calendar year 2011; however, for the term effective January 1, 2012, the annual rent will increase approximately 5% from \$68,820.00 (\$5,735.00/month) to \$72,240.00 (\$6,020.00/month). The exercise of this third option will extend the term of the Lease Agreement for one (1) year until December 31, 2012.

Attachments:

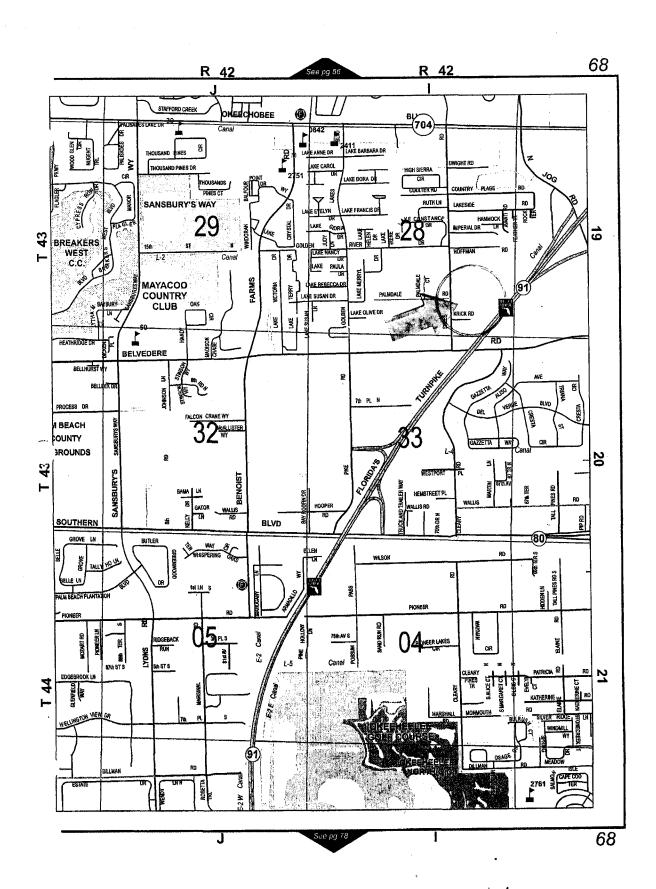
- 1. Location Map
- 2. Option to Extend Letter
- 3. Budget Availability Statement

Recommended By:	Arrany Wolf	9/29/11
	Department Director	Date
Approved By:	char	(9/2/1)
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of F	iscal Impact:				
Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County	\$54,180.00 	\$18,060.00 	\$-0-	\$-0-	\$-0-
NET FISCAL IMPACT	<u>\$54,180.00</u>	<u>\$18,060.00</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>_</u>				
Is Item Included in Current Bu	idget: Yes	_X_ N	0		
Budget Account No: Fund	001 Dept Program	: <u>164</u> U 	nit <u>1604</u>	Object 44	<u>10</u>
	funded from the force of the fo	ne General Funkimately 5% ef h) to \$72,240.0	nd, PBSO Lea ffective 1/1/2 00 (\$6,020.00	012 from 0/month).	
OFMB Fiscal and/or Control OFMB SN 10/4/11 White	ntract Develop	Contract Deve	Jours	(10)5/)	
B. Legal Sufficiency: Assistant County Attorney	10/6/11				
C. Other Department Revie	ew:				
Department Director					

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





Facilities Development &
Operations Department
Property & Real Estate
Management Division

2633 Vista Parkway
West Palm Beach, FI. 33411-5605
(561) 233-0217
FAX: (561) 233-0210
www.pbcgov.com/fdo

Palm Beach County Board of County Commissioners

Karen T. Marcus, Chair Shelley Vana, Vice Chair

Paulette Burdick
Steven L. Abrams

Burt Aaronson

Jess R. Santamaria

Priscilla A. Taylor

County Administrator

Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"

CERTIFIED MAIL RETURN RECEIPT REQUESTED #7010 0290 0000 7884 4909

October 18, 2011

Aspen Skees Road, LLC c/o Aspen Industrial 3621½ Dixie Highway West Palm Beach, FL 33405

RE: Exercise of Third Option to Extend Lease Agreement (R97-2126D) dated December 16, 1997, as amended, between Aspen Skees Road, LLC, and Palm Beach County

Dear Sir/Madam:

Pursuant to the provisions of Section 1.03 of the above referenced Lease Agreement, as amended, Palm Beach County, on behalf of the Palm Beach County Sheriff's Office, as Lessee, is hereby exercising the third option to extend the term of said Lease for an additional period of one (1) year, effective January 1, 2012, through December 31, 2012.

Sincerely,

ATTEST: SHARON R. BOCK CLERK & COMPTROLLER	PALM BEACH COUNTY, a political subdivision of the State of Florida
By:	By:
Deputy Clerk	Karen T. Marcus, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

ounty Attorney

APPROVED AS TO TERMS AND CONDITIONS

Audrey Wolf, Director
Facilities Development & Operations

BUDGET AVAILABILITY STATEMENT

DODGE	I A V ALLI	ADILLI I	/ 1 1 % H L/11 L/				
REQUEST DATE: 8/31/2011	REQUESTED	BY: Steven K. Property Sp	Schlamp pec./PREM	PHONE: 561- FAX: 561-	233-0239 233-0210		
PROJECT TITLE: PBSO Auto Theft	Task Force Option	on 3 of 3		PROJECT NO	.: 2011-5.13		
Fiscal Years	2012	2013	2014	2015	2016		
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County	\$54,180.00 	\$18,060.00 	\$-0- 	\$-0-	\$-0- 		
NET FISCAL IMPACT	<u>\$54,180.00</u>	<u>\$18,060.00</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>		
# ADDITIONAL FTE POSITIONS (Cumulative)			·				
** By signing this BAS your department BAS by FD&O. Unless there is a change					n receipt of this		
BUDGET ACCOUNT NUMBER FUND: 001 DEPT: 164 UNIT: 1604 OBJ: 4410 FYID SUB OBJ: IS ITEM INCLUDED IN CURRENT BUDGET: YESNO							
IDENTIFY FUNDING SOURCE FO ☐ Ad Valorem (source/type:	e: Operatin		□ F))			
SUBJECT TO IG FEE? YE	E S - 1	V <i>O</i>					
Department:FDO for PBSO							
BAS APPROVED BY: ENCUMBRANCE NUMBER:		DATI	E:8-30	· - 1			

Wednesday, 8/31/2011, page 1 of 1 /

Below is rent only information justifying the figures listed on the attached BAS for the PBSO Auto Theft Task Force Option 3 of 3:

FIVE YEAR SUMMARY OF FISCAL IMPACT:

FISCAL YEARS	2012		2014	2015	<u>2016</u> .
CAPITAL EXPENDITURES					
OPERATING COSTS	\$54,180.00	\$18,060.00			•
EXTERNAL REVENUE					•
PROGRAM INCOME (COUNTY)					•
IN KIND MATCH (COUNTY)					•
NET FISCAL IMPACT	<u>\$54,180.00</u>	<u>\$18,060.00</u>	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0</u>

For FY2012:

- As the term expires on 12/31/2011, rent has already been budgeted for 10/1/2011 12/31/2011.
- Per Option 3, the term is being extended from 1/1/2012 12/31/2012.
- Per Amendment Number Four, the rent for this extension period shall be \$72,240.00 per year, or \$6,020.00 per month.
- 1/1/2012 9/30/2012 = 9 months.
- \$6,020.00 per month x 9 months = \$54,180.00.

FY2012 TOTAL = \$54,180.00

For FY2013:

- 10/1/2012 12/31/2012 = 3 months.
- \$6,020.00 per month x 3 months = \$18,060.00

FY2013 TOTAL = \$18,060.00

For FY2014:

- n/a.

FY2014 TOTAL = \S -0-

For FY2015:

n/a.

FY2015 TOTAL = $\underline{\$-0-}$

For FY2016:

- n/a.

FY2016 TOTAL = $\underline{\$-0-}$

	nt#: 38053			UTLT1	···		
ACORD. CERTIF	ICATE OF LI				DATE (MM/OD/YYYY 4/28/2011		
RODUCER leadowbrook, inc. southfield Commercial Agency		ONLY AN	ID CONFERS NO THIS CERTIFICA	UED AS A MATTER OF IN RIGHTS UPON THE CERT ITE DOES NOT AMEND, E IFFORDED BY THE POLIC	IFICATE XTEND OR		
6255 American Drive		ALIERI	HE COVERAGE A	TORDED BY THE POLIC	ILG BLLOW.		
outhfield, MI 48034-6112		INSURERS	AFFORDING CO	VERAGE	NAIC #		
SURED			Zurich America				
Aspen Skees Road, LI	-		ederal Insuran		20281		
31550 Northwestern H Ste. 200	wy.	INSURER C:	lartford Steam	Boiler			
Farmington Hills, Mi 4	P224	INSURER D:	INSURER D:				
	0004	INSURER E:			L		
DYERAGES THE POLICIES OF INSURANCE LISTED BE ANY REQUIREMENT, TERM OR CONDITION MAY PERTAIN, THE INSURANCE AFFORD POLICIES. AGGREGATE LIMITS SHOWN IN RIKODYU	N OF ANY CONTRACT OR OTHER	R DOCUMENT WITH RE D HEREIN IS SUBJECT ID CLAIMS.	SPECT TO WHICH T TO ALL THE TERMS	HIS CERTIFICATE MAY BE IS: , EXCLUSIONS AND CONDITION	SUED OR		
NSRO TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY	POLICY EXPIRATION DATE (MM/DD/YY	2 LIMIT	S		
GENERAL LIABILITY	CPO933616300	04/15/11	04/15/12	EACH OCCURRENCE	\$1,000,000		
X COMMERCIAL GENERAL LIABILITY	·		1	DAMAGE TO RENTED PREMISES (Fa occurrence)	\$1,000,000		
CLAIMS MADE X OCC	/R		1	MED EXP (Any one person)	\$10,000		
X Mold Exclusion	-		1	PERSONAL & ADV INJURY GENERAL AGGREGATE	\$1,000,000 \$2,000,000		
GEN'L AGGREGATE LIMIT APPLIES PE	<u>-</u>			PRODUCTS - COMP/OP AGG	\$2,000,000		
POLICY PRO- X LO	ł			PRODUCTO - COMPTOR AGG	12,000,000		
ANY AUTO				COMBINED SINGLE LIMIT (Ea accident)	\$		
ALL OWNED AUTOS SCHEDULED AUTOS				BODILY INJURY (Per person)	s		
HIRED AUTOS NON-OWNED AUTOS				BODILY INJURY (Per accident)	5		
	-			PROPERTY DAMAGE (Per accident)	\$		
GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$		
ANY AUTO				OTHER THAN EA ACC	\$		
	7000000			AUTO ONLY: AGG	\$		
X OCCUR CLAIMS MAD	79853557	04/15/11	04/15/12	EACH OCCURRENCE	\$25,000,000		
X OCCUR CLAIMS MAD	³			AGGREGATE	\$25,000,000		
DEDUCTIBLE					\$		
X RETENTION \$ 0					\$		
WORKERS COMPENSATION AND	-	······································		WC STATU- OTH-	1		
EMPLOYERS' LIABILITY		1	1	E.L. EACH ACCIDENT	s		
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?	1			E.L. DISEASE - EA EMPLOYEE	+ *		
If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - POLICY LIMIT	5		
отнек Boiler & Mac Deductible	FBP9844624	04/15/11	04/15/12	\$30,000,000 \$5,000	17		
CERPTION OF OPERATIONS / LOCATIONS / VE Trorism Included c# 37 - Aspen Skees Road, LLC Beach, FL			L ROVISIONS	- I			
RTIFICATE HOLDER		CANCELLA	TION 10	Days for Non-Payment			
		SHOULD ANY	OF THE ABOVE DESCR	IBED POLICIES BE CANCELLED E	EFORE THE EXPIRATI		
Palm Beach County Pa		DATE THEREO	DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL				
Real Estate Manageme	ent	NOTICE TO TH	NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL				
2633 Vista Parkway		IMPOSE NO DE	IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR				
West Palm Beach, FL	33411-5605		REPRESENTATIVES.				
		I AUTHORIZED	REPRESENTATIVE				

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#S174985/M173817

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

THIS IS EVIDENCE THAT INSURANCE AS IDENTIFIED BELOW H.	AS E	BEE	NISSUED, IS IN FORC	E, AND CONVEYS ALL	THE RIGHTS AND
PRIVILEGES AFFORDED UNDER THE POLICY. PRODUCER NAME, CONTACT PHONE 248 358,1100			LOOMOANVALENTANT	DERE	T New NO.
PRODUCER NAME, CONTACT PERSON AND ADDRESS PRODUCER NAME, CONTACT PRODUCER N			COMPANY NAME AND ADD		NAIC NO:
(A)C, No): 2483581614			Ironshore Specialty In: One State Street Plaz		
ADDRESS: KAllen@meadowbrook.com			New York, NY 10006	•	
leadowbrook, Inc. outhfield Commercial Agency					
6255 American Drive			İ		
outhfield, MI 48034-6112			[
ODE: SUB CODE:					
GÉNCY USTOMER ID #: 38053				PLE COMPANIES, COMPLETE S	EPARATE FORM FOR EACH
AMED INSURED AND ADDRESS Aspen Skees Road, LLC			LOAN NUMBER	POLICY NUMBER	
31550 Northwestern Hwy.			000241402		
Ste. 200 Farmington Hills, MI 48334			EFFECTIVE DATE	EXPIRATION DATE	CONTINUED UNTIL
			04/15/2011	04/15/2012	TERMINATED IF CHECKED
DOMIONAL NAMED INSURED(S)			THIS REPLACES PRIOR EV	IDENCE DATED:	
ROPERTY INFORMATION (Use additional sheets if more space is	requ	uired	l }		
OCATION/DESCRIPTION					
ocation #: 46 Aspen Skees Road, LLC - 1426-1486 Skees Road Wes	t Pal	lm B	each, FL 33411		
Building #: 1 Aspen Skees Rd., LLC - Warehouse (GL only)		 -			
OVERAGE INFORMATION CAUSE OF LOSS FORM BAS		\perp	BROAD X SPECI		
OMMERCIAL PROPERTY COVERAGE AMOUNT OF INSURANCE: \$ 3,300,0			Building		DED: \$10,000
ICHIESS MOONE (DENIEN)	YES	МО			
JSINESS INCOME / RENTAL VALUE	X.	┖	If YES, LIMIT: 905,0		ss Sustained # of months: 12
ANKET COVERAGE	X	<u> </u>		f insurance on properties iden	tified above: \$
ERRORISM COVERAGE	X	╙	Attach signed Disclosure	Notice / DEC	
IS COVERAGE PROVIDED FOR "CERTIFIED ACTS" ONLY?	L	X	If YES, SUB LIMIT:		DED:
IS COVERAGE A STAND ALONE POLICY?	_	Х	If YES, LIMIT:		DED:
DOES COVERAGE INCLUDE DOMESTIC TERRORISM?	x		If YES, SUB LIMIT:		DED:
OVERAGE FOR MOLD		Х	If YES, LIMIT:		DED:
OLD EXCLUSION (If "YES", specify organization's form used)	x	Г			
EPLACEMENT COST	х	Π			
GREED AMOUNT	Х				
OINSURANCE	Г	Х	If YES, %		
QUIPMENT BREAKDOWN (If Applicable)	Γ	Х	IF YES, LIMIT:		DED:
AW AND ORDINANCE - Coverage for loss to undamaged portion of building	X		If YES, LIMIT:		DED:
- Demolition Costs	Tx		If YES, LIMIT:	5000000	DED: \$10,000
- Incr. Cost of Construction	X		If YES, LIMIT:	5000000	DED: \$10,000
ARTHQUAKE (If Applicable)	X		If YES, LIMIT:	10000000	DED: \$50,000
LOOD (if Applicable)	x		If YES, LIMIT:		DED: \$25,000
/IND / HAIL (If Separate Policy)	x		If YES, LIMIT:		DED: \$25,000
ERMISSION TO WAIVE SUBROGATION PRIOR TO LOSS	X	\vdash			V1
EMARKS - Including Special Conditions (Use additional sheets if		9 SO	ace is required)		
pecial Wind/Hail Deductible for Named Storm Tier I Wind Zones: \$100	000	- sp	sce is required)		
pecial Earthquake Deductible: 2% subject to \$50,000 minimum any on see Attached Remarks)	e oc	cur	ence		
ANCELLATION					
ANGELLATION THE PREMIUMS, FORMS, AND RULES IN EFF	ECT	505	EACH BOLICY BEST	10 Days for	Non-Payment
COMPANY WILL GIVE THE ADDITIONAL INTEREST IDENTIFIED BELOW	bυ		DAYS WRITTEN NOTIC	E AND WILL SEND NOTIEK	ERMINATED, THE CATION OF ANY CHANGES TO
THE POLICY THAT WOULD AFFECT THAT INTEREST, IN ACCORDANCE WI	IH T	HE P	OLICY PROVISIONS OR	AS REQUIRED BY LAW.	
DDITIONAL INTEREST ME AND ADDRESS					
AND VARIESS		1	LENDER SERVICING AGENT	NAME AND ADDRESS	
Palm Beach County Property & Real					
Estate Management		-			
2633 Vista Parkway					
Most Delm Deach Et 20444 5005					
West Palm Beach, FL 33411-5605					
west Faint Beach, FL 33411-3605					
MORTGAGEE LOSS PAYEE		+	AUTHORIZED REPRESENTA	TIVE	

LAUTLT1

	DEMARKS (Cont	inved from page 1					
REMARKS (Continued from page 1.)							
Equipment Breakdown covered elsewhere							
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•							
SAGITTA 28.4 (10/03) 2 of 2	S 3503		KIM				