Agenda Item #: 3H-6

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

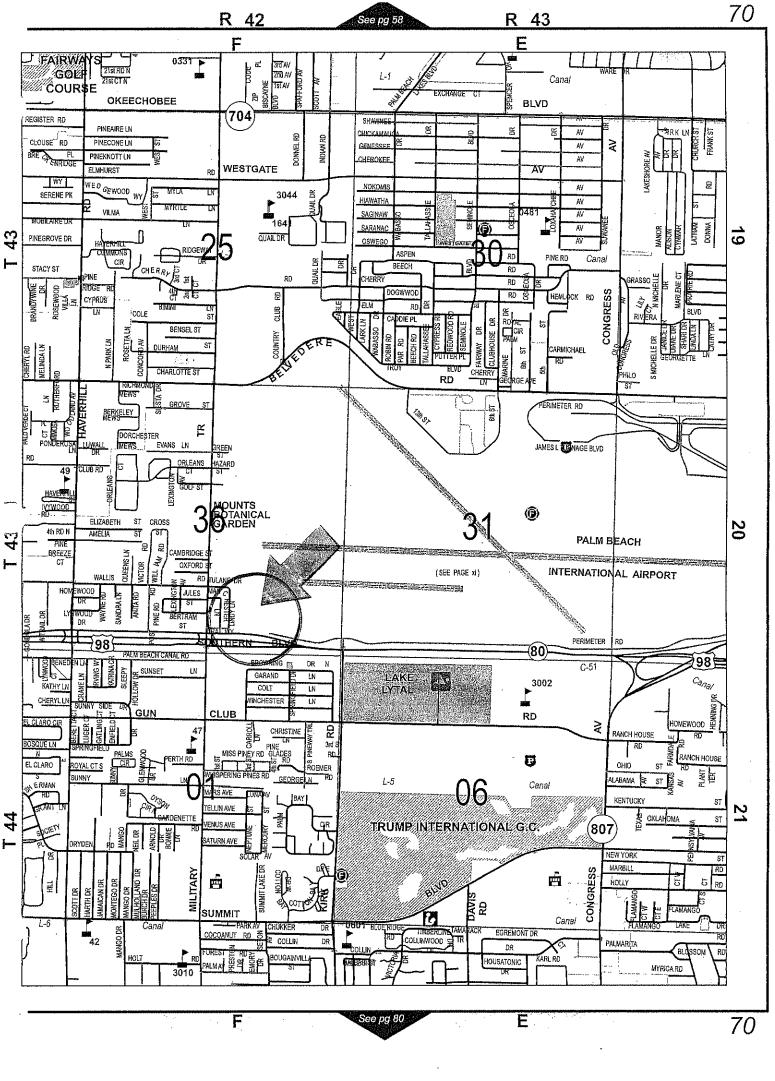
Meeting Date:	September 11, 2012	[X] Consent [] Ordinance	[] Regular [] Public Hearing							
Department:	epartment: Facilities Development & Operations									
I. EXECUTIVE BRIEF										
Motion and Title: Staff recommends motion to receive and file: a termination of the Sublease and Fuel Provision Agreement between Palm Beach County and the City of West Palm Beach (R2006-2005), as amended, for the City's use of a portion of the Palm Beach County Sheriff's Office Aviation Unit Facility at Palm Beach International Airport.										
Summary: On September 12, 2006, the City entered into the Sublease and Fuel Provision Agreement (Sublease Agreement) with the County to occupy a portion of the PBSO Aviation Unit Facility in the southwest corner of PBIA. On September 9, 2008, the Board approved Amendment #1 to the Agreement (R2008-1481) that documented changes to the scope of work for the construction of the Aviation Unit Facility. In a July 16, 2012, letter from the City, the City informed the County of their intent to vacate and surrender the sublet Premises; accordingly, the Sublease Agreement is now to be considered terminated. (PREM) <u>District 2</u> (HJF)										
Background and Justification: On September 12, 2006, the County, on behalf of PBSO, entered into a Restated Internal Memorandum of Lease (R2006-2004) with the Department of Airports to lease space in the southwest corner of PBIA for the construction of an Aviation Unit Facility for an initial term of twenty (20) years. Also on September 12, 2006, the City entered into the Sublease Agreement with the County to occupy a portion of the PBSO Aviation Use Facility. The PBSO Aviation Use Facility was completed in April 2009 and the City has remitted all construction payments to the County as required of the Sublease Agreement. On July 16, 2012, the City informed the County they would vacate and surrender the sublet Premises. As this has now occurred, the Sublease Agreement is to be considered terminated.										
Attachments: 1. Location Map 2. Letter dated July 16, 2012, from the City of West Palm Beach										
Recommended B	y: Departme	m Wonf	9 24 12 Date							
Approved By:	County A	dministrator	Date							

II. FISCAL IMPACT ANALYSIS

Α.	Five Year Summary of I	ascal Impact:							
Fiscal	Years	2012	2013	2014	2015	2016			
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County									
# ADDITIONAL FTE POSITIONS (Cumulative)		<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0</u>	<u>\$-0-</u> ———	<u>\$-0-</u>			
Is Ite	m Included in Current B	udget: Yes		No					
Budge		Dep Program		Unit	Object	annual and photos			
В.	Recommended Sources No fiscal im Departmental Fiscal Rev	ipact.		_					
III. REVIEW COMMENTS A. OFMB Fiscal and/or Contract Development Comments:									
В.	OFMB Legal Sufficiency: Assistant County Attorne	<u> </u>	Contract De	evelopment and	d Control	りりみ			
C.	Other Department Revi	ew:							
·	Department Director								

G:\PREM\AGENDA\2012\09-11\WPB Subl Term at PBSO PBIA ss.docx

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



LOCATION MAP





"The Capital City of the Palm Beaches"

July 16, 2012

Via Email & U.S. Mail awolf@pbcgov.org

Audrey Wolf, Director Facilities Development & Operations Department Palm Beach County 2366 Vista Parkway West Palm Beach, FL 33411

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Sublease and Fuel Provision Agreement - Hanger

Our File No. 02417

Dear Audrey:

The County and the City entered into a Sublease and Fuel Provision Agreement dated September 12, 2006 (R2006-2005), as amended by Amendment #1 (R2008-1481) (collectively, the Sublease and Fuel Provision Agreement and Amendment #1 shall be referred to as the "Sublease") whereby the City subleases from the County the Premises as defined therein ("Sublet Premises").

OFFICE OF THE CITY ATTORNEY
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West Palm Beach, Florida 33401
Tel: 561/822-1350
Fax: 561/822-1373

Nancy D. Urcheck, Deputy City Attorney Direct dial: 561/822-1365

This letter serves as the City's notice of its intent to vacate and surrender the Sublet Premises no later than August 15, 2012. The City, at its sole cost, shall remove all of its personal property, removable fixtures, and equipment from the Sublet Premises prior to that date.

Upon our inspection, we have determined that the Sheriff's Office has already commenced utilizing the Sublet Premises for a Cessna 206 fixed wing airplane, along with storage for spare rotor blades and other items.

Upon our surrender of the Sublet Premises, the City shall be deemed to have released, relinquished, and quit claimed to the County all right, title and interest of the City in and to the Sublet Premises and the City shall be deemed to be released from all of its obligations under the Sublease.

Sincerely,

Nancy D. Urcheck Deputy City Attorney

cc: Edward R. Mitchell, City Administrator Brian Kummerlan, Asst. Chief of Police Maria Olsen, Asst. Chief of Police Roger Moore, Risk Manager Althea Pemsel, Procurement Official