Agenda Item #: 3H-7

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

Meeting Date:	October 2, 2012	[X] Consent	[] Regular	
		[] Ordinance	[] 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 second option to extend the term of the Concessionaire Service Agreement (R2008-1867) with Tennis Insights, Inc., for the continued use of the concession building at the South County Regional Tennis and Racquetball Center in South County Regional Park west of Boca Raton for \$15,442.13/year.

Summary: Tennis Insights has operated under the current Concessionaire Service Agreement (Agreement) for use of the concession building at the South County Regional Tennis and Racquetball Center in South County Regional Park west of Boca Raton since November 2008. Tennis Insights is now exercising the second of three (3) one (1) year term extension options for the period of November 1, 2012, to October 31, 2013. The guaranteed annual rent will be increased by four percent (4%) from \$14,848.20 (\$1,237.35/month) to \$15,442.13 (\$1,286.84/month) effective November 1, 2012. The Parks and Recreation Department is satisfied with Tennis Insights' performance. The Board has no discretionary authority to deny the exercise of the option; however, the County may terminate this Agreement upon ninety (90) days written notice to Tennis Insights. (PREM) District 5 (HJF)

Background and Justification: The Agreement was approved on October 21, 2008 (R2008-1867). On July 21, 2009 (R2009-1199), the Parks and Recreation Department submitted a Receive and File agenda referencing various Agreement changes, including hours of operation and signage, which were permitted under the Agreement without formal Board approval. The first option was exercised on October 28, 2011 (R2011-1596), extending the term to October 31, 2012. Exercise of this second option will extend the term through October 31, 2013. State Statutes do not require a Disclosure of Beneficial Interest to be obtained 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 previously approved agreement for which a Disclosure was obtained, Staff did not request a new Disclosure. Peter Davis is the owner of Tennis Insights.

Attachments:

- 1. Location Map
- 2. Letter dated June 8, 2012, from Tennis Insights
- 3. Budget Availability Statement

Recommended By:	Agney Work	9/8/12
1 - 1	Department ¹ Director	Date
Approved By:	Marter	a/a/2
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact: А.

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures Operating Costs					
External Revenues Program Income (County)	(\$14,155.24)	(\$1,286.84)			
In-Kind Match (County)					
NET FISCAL IMPACT	<u>(\$14,155.24)</u>	<u>(\$1,286.84)</u>	\$-0-		
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current B	udget: Yes	<u>X</u> 1	No		
Budget Account No: Fund	0001 Dep Program	t <u>580</u> (Unit <u>5250</u>	Object <u>4726</u>	5

B. **Recommended Sources of Funds/Summary of Fiscal Impact:**

Current guaranteed annual rent of \$14,848.20 (\$1,237.35/month) will increase 4% to 15,442.13 (1,286.84/month) for the 11/1/2012 - 10/31/2013 second option period.

Departmental Fiscal Review: **C**.

III. <u>REVIEW COMMENTS</u>

OFMB Fiscal and/or Contract Development Comments: A.

OFMB

2/17/12 Contract Development and

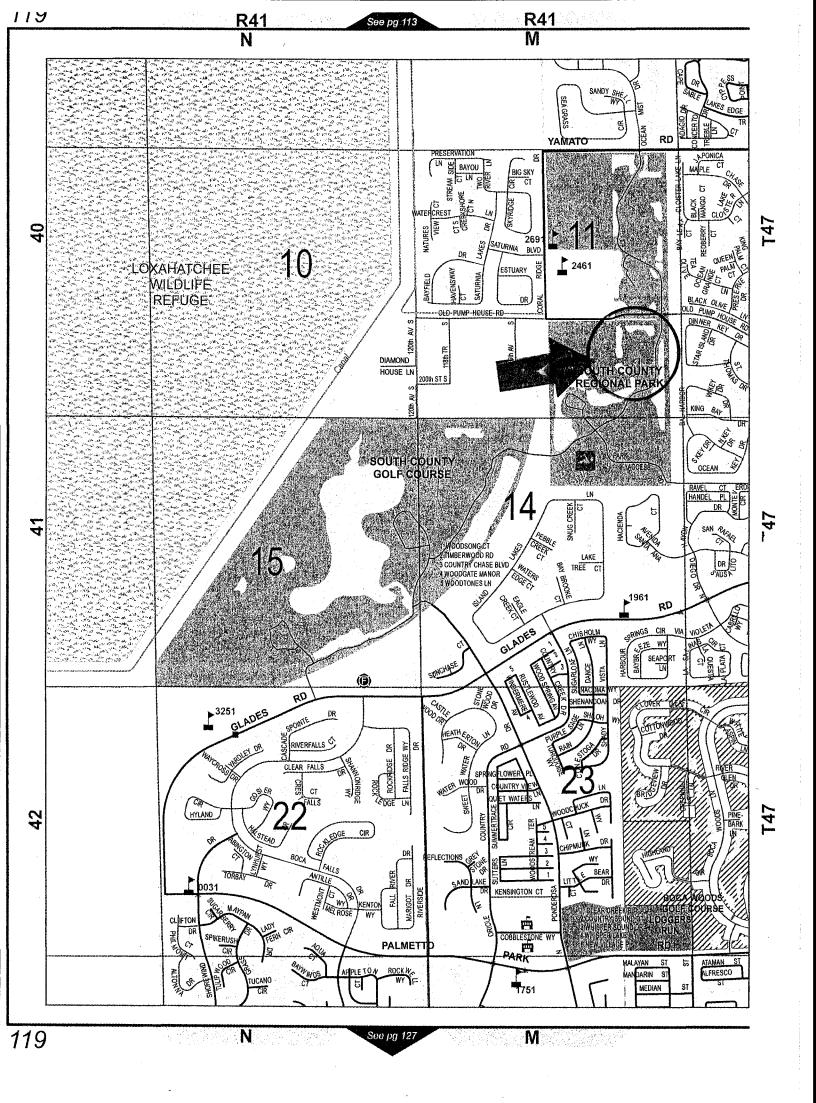
B. Legal Sufficiency:

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С. **Other Department Review:**

Department Director

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



LOCATION MAP

Tennis Learning Center South County Regional Park 11200 Access Road Boca Raton, FL 33498

- FROM: Peter Davis President, Tennis Insights, Inc. 11341 Woodchuck Lane Boca Raton, FL 33428
- TO: Cliff Battles Project Coordinator Palm Beach County Parks & Recreation 2700 6th Ave South Lake Worth, FL 33461

DATE: June 8, 2012

RE: Contract Status (R2008-1867)

Dear Cliff,

This letter is to inform you that Tennis Insights wishes to exercise its one-year renewal option effective October 31st 2012. All of my contact and other information remains current. Thank you.

Peter Down

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BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 7/23/2012	REQUESTE	D BY: Steven K. Property Sp	•	PHONE: 233-0 FAX: 233-0	
PROJECT TITLE: South County I	Regional Park Cond	cession Option 2 of	3	PROJECT NO.	2012-5.019
Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County	 (\$14,155.24) 	(\$1,286.84)			
NET FISCAL IMPACT	(\$14,155,24)	(\$1,286.84)	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)				de talet i finaliserra da	
** By signing this BAS your depart BAS by FD&O. Unless there is a c					receipt of this
BUDGET ACCOUNT NUMBER	L				
FUND: 0001 DI	EPT: 580	UNIT:	5250	OBJ: 4726 SUB OBJ:	
IS ITEM INCLUDED IN CURF	ENT BUDGET:	YES X NO)		
IDENTIFY FUNDING SOURCE	FOR EACH AC	COUNT: (check <u>a</u>	<u>//</u> that apply)		
Ad Valorem (source/type: Ad Valorem (source/type: Grant (source/type: Park Improvement Fund (source) General Fund	/type:Operati))) deral/Davis Bacon	
SUBJECT TO IG FEE?	YES)		
Department: <u>Parks & Recreation</u> BAS APPROVED BY:	n Department			DATE: 7/2	9/12
ENCUMBRANCE NUMBER:					
G:\PREM\PM\In Lease\Parks - SC Reg Te	nnis & Racquetball\Op	ation2.2012\BAS.0723	12.doc		

Monday, 7/23/2012, page 1 of 1 /

Below is information on the justification for the figures listed on the attached BAS for the second (of three) one year options for the period of 11/1/2012 - 10/31/2013 for the Concessionaire Service Agreement with Tennis Insights, Inc., for the South County Regional Tennis and Racquetball Center at South County Regional Park west of Boca Raton.

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures Operating Costs External Revenues Program Income (County)	 (\$14,155.24)	 (<u>\$1,286.84)</u> 			
In-Kind Match (County NET FISCAL IMPACT	 (<u>\$14,155.24)</u>	<u>(\$1,286.84)</u>		0	
# ADDITIONAL FTE POSITIONS (Cumulative)		. 			. <u></u>

For FY13:

- The one year option extends the term of the Agreement from 11/1/2012 10/31/2013.
- For FY13, the period that is included is 11/1/2012 9/30/13, or 11 months.
- The current annual rent is \$14,848.20; for this term extension the rent will increase by 4% to \$15,442.13 per year, or \$1,286.84 per month.

1,286.84 per month x 11 months = 14,155.24.

FY13 TOTAL = $\underline{\$14,155.24}$

For FY14:

- For FY14, only one month (October 2013) is included.
- \$1,286.84 per month x 1 month = \$1,286.84.

FY14 TOTAL = \$1,286.84

For FY15 & FY16 & FY17:

n/a

FY15 & FY16 & FY17 TOTALS = <u>\$-0-</u>

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	seme	ni(s)	561-694-6666				
e 214			561-694-6986	All PHONE (A/C, No, Ext):		FAX (A/C, No):	
·L 33410							NAIC #
							18988
Peter Davis 11200 Park Acess Road				INSURER C :			
ton, FL 33498							
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						PREMISES (Ea occurrence) MED EXP (Any one person)	\$ 5,000
						MED EXP (Any one person) PERSONAL & ADV INJURY	\$ 5,000 \$ 1,000,000
IT APPLIES PER:						MED EXP (Any one person)	\$ 5,000
IIT APPLIES PER:	-					MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	\$ 5,000 \$ 1,000,000 \$ 1,000,000
	-					MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG COMBINED SINGLE LIMIT (Ea accident)	\$ 5,000 \$ 1,000,000 \$ 1,000,000 \$ 1,000,000 \$ \$
CTLOC	-					MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person)	\$ 5,000 \$ 1,000,000 \$ 1,000,000 \$ 1,000,000 \$ 1,000,000 \$ \$ \$
						MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG COMBINED SINGLE LIMIT (Ea accident)	\$ 5,000 \$ 1,000,000 \$ 1,000,000 \$ 1,000,000 \$ 1,000,000 \$ \$ \$
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CL LOC SCHEDULED AUTOS NON-OWNED AUTOS OCCUR CLAIMS-MADI NTION \$ TION			TWC3300402	01/18/12	01/18/13	MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) EACH OCCURRENCE AGGREGATE X WC STATU- TORY LIMITS ER	\$ 5,000 \$ 1,000,000 \$ 1,000,000 \$ 1,000,000 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
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