

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: December 4, 2012 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 third option to extend the term of the Concessionaire Service Agreement (R2007-2256) with Dania Pier Management Corp., for the continued use of the concession building at the Juno Beach pier for \$54,749.39/year.

Summary: Since January 1, 2008, Dania Pier Management Corp. (DPM) has operated under the current Concessionaire Service Agreement for the use of the concession building at the Juno Beach pier. DPM now wishes to exercise the third of three (3) one (1) year extension options for the period of January 1, 2013, to December 31, 2013. The Annual Rent will be increased by four percent (4%) from \$52,643.64 (\$4,386.97/month) to \$54,749.39 (\$4,562.45/month) effective January 1, 2013. The Parks & Recreation Department is satisfied with DPM's 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 DPM. (PREM) District 1 (HJF)

Background and Justification: The Agreement was approved on December 18, 2007 (R2007-2256). The first option was exercised on December 7, 2010 (R2010-2005). The second option was exercised on December 6, 2011 (R2011-1933). Exercise of this third option will extend the term through December 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. Donald V. Streeter is the President of DPM and owns 100% of DPM.

Attachments:

- 1. Location Map
- 2. Letter dated September 13, 2012, from Dania Pier Management Corp.
- 3. Budget Availability Statement
- 4. Letter dated September 17, 2012 from Parks & Recreation Dept.

Recommended By: *[Signature]* Department Director 11/6/12 Date

Approved By: *[Signature]* County Administrator 11/26/12 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$41,062.05)	(\$13,687.35)	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>(\$41,062.05)</u>	<u>(\$13,687.35)</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget:	Yes	<u>X</u>	No	_____	_____
Budget Account No:	Fund <u>0001</u>	Dept <u>580</u>	Unit <u>5260</u>	RSRC <u>4729-09</u>	
	Program _____				

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

\$54,749.39/year (\$4,562.45/month) rent/income effective 1/1/2013.

C. Departmental Fiscal Review:

_____ *[Signature]* 11-6-12

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

OFMB *[Signature]* 11/13/12
[Signature] 11/9/12
 Contract Development and Control *[Signature]* 11/20/12
[Signature] 11-20-12 B. Wheeler

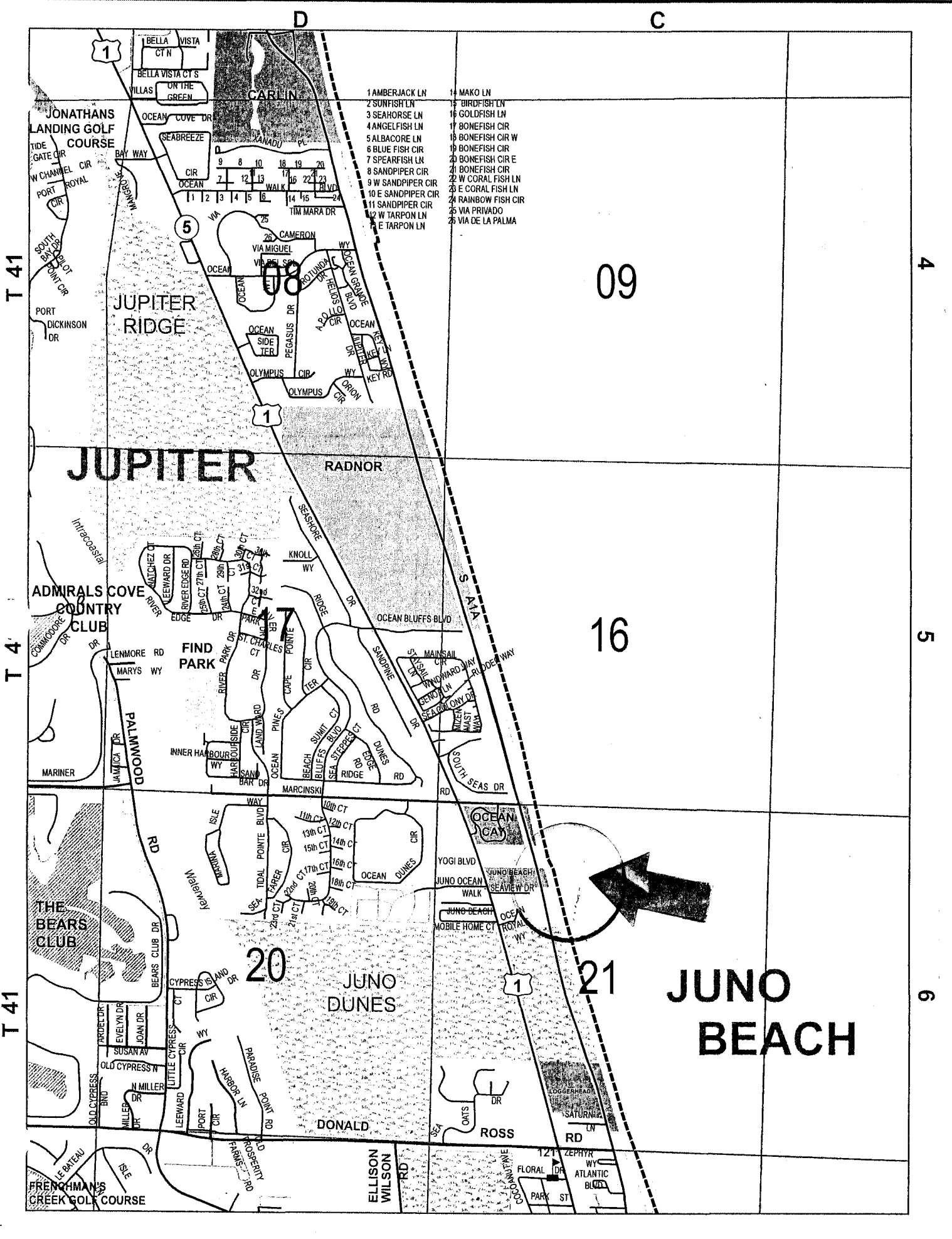
B. Legal Sufficiency:

[Signature] 11/21/12
 Assistant County Attorney

C. Other Department Review:

 Department Director

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



LOCATION MAP

Handwritten signature or initials.

Dania Pier Management Corp.

2114 21st ct.
Jupiter Fl 33477

To: Mr. Dave Lill
Palm Beach County Parks & Rec

09/13/12

From: Donald Streeter
Dania Pier Management Corp.

As per our Juno Beach Pier lease agreement, Dania Pier Management Corp. Wishes to exercise the third of three one year options for the period of 01/01/13 – 12/31/13



Donald Streeter, Pres

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
9/17/2012

PRODUCER C & C INSURANCE AGENCY, INC 10306 S. FEDERAL HWY. PORT ST LUCIE, FL 34952 772.337.1250		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 BELOW.	
INSURED DANIA PIER MANAGEMENT CORP 300 NORTH BEACH RD DANIA, FL. 33004		INSURERS AFFORDING COVERAGE	NAIC#
		INSURER A: THE BURLINGTON INSURANCE CO	
		INSURER B:	
		INSURER C:	
		INSURER D: MADISON INSURANCE CO	
		INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. 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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADDL INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE(MM/DD/YY)	POLICY EXPIRATION DATE(MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMSMADE <input checked="" type="checkbox"/> OCCUR	183B010503	07/28/12	07/28/13	EACH OCCURRENCE \$1,000,000.00
		GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. JECT <input checked="" type="checkbox"/> LOC				DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000.00 MED EXP (Any one person) \$ 5,000.00 PERSONAL & ADV INJURY \$1,000,000.00 GENERAL AGGREGATE \$2,000,000.00 PRODUCTS - COMP/OP AGG \$1,000,000.00
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
D		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER	WCV000484000	04/22/12	04/22/13	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$100,000.00 E.L. DISEASE - EA EMPLOYEE \$100,000.00 E.L. DISEASE - POLICY LIMIT \$500,000.00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER SHOWN AS ADDITIONAL NAMED INSURED

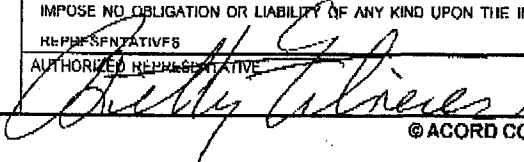
CERTIFICATE HOLDER

CANCELLATION

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
 2700 6TH AVE S.
 LAKE WORTH, FLA 33461
 ATTN: DAVE LILL
 FAX-561-966-7070

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ~~ADVISE~~ **ADVISE** TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES

AUTHORIZED REPRESENTATIVE



E-MAILED
09/28/12

BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 9/28/2012

REQUESTED BY: Steven K. Schlamp
Property Spec./PREM

PHONE: 233-0239
FAX: 233-0210

PROJECT TITLE: Juno Beach Pier Concession – Option 3 of 3

PROJECT NO.: 2012-5.025

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$41,062.05)	(\$13,687.35)	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$41,062.05)	(\$13,687.35)	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

**** By signing this BAS your department agrees to these staff costs and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed.**

BUDGET ACCOUNT NUMBER

FUND: 0001

DEPT: 580

UNIT: 5260

OBJ: 4729
SUB OBJ: 09

IS ITEM INCLUDED IN CURRENT BUDGET: YES NO

IDENTIFY FUNDING SOURCE FOR EACH ACCOUNT: (check all that apply)

- Ad Valorem (source/type: _____)
- Non-Ad Valorem (source/type: _____)
- Grant (source/type: _____)
- Park Improvement Fund (source/type: _____)
- General Fund Operating Budget Federal/Davis Bacon
- _____ _____ _____

SUBJECT TO IG FEE? YES NO

Department: Parks & Recreation Department

BAS APPROVED BY: DHL [Signature]

DATE: 09/28/12

ENCUMBRANCE NUMBER:



**INTEROFFICE COMMUNICATION
PARKS AND RECREATION DEPARTMENT**

DATE: September 17, 2012

TO: Steven Schlamp, Property Specialist
Facilities Development & Operations Department
Property & Real Estate Management Division

FROM: Dave Lill, Director *Dave Lill*
Aquatics Division

RE: Juno Beach Fishing Pier Contract (R2007-2256) Renewal - 2013

The Palm Beach County Parks and Recreation Department is happy with the services provided by the **Dania Pier Management Corporation** in accordance with their contract for the management and operation of the Juno Beach Fishing Pier. The Department would like to renew the contract for another year, beginning January 1, 2013. Dania Pier Management Corporation is currently up to date with their payments and in compliance with the County regulations.

Attached, please find the September 13, 2012 letter from Don Streeter, President of Dania Pier Management, to renew the contract for the Juno Beach Pier. Also included is the updated Certificate of Liability Insurance, as required by the County.

The original paperwork will be sent via inter-office mail to your attention.

Should you have questions, or need further information, please contact me directly at 561-966-6630.

Thank you.

C: Eric Call
Jennifer Cirillo

attachment 4