PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Agenda Item #: 58 1

Meeting Date: January 15, 2013	[] Consent	[X]	Regular
	[] Ordinance	[]	Public Hearing
Department: Facilities Development & Operatio	ns		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) Approve a Third Amendment to SubLease Agreement (R2012-0465, R2011-1595, R2001-0656) with the Boys and Girls Club of Palm Beach County, Inc (BGC) for the Bill Bailey Community Center in Belle Glade to re-assign responsibility for payment of water, wastewater and electricity to the County; and
- B) Request Board direction on a request from the City of Pahokee to lease the City owned former fire station building for the operation of a PBSO/PAL Youth Center.

Summary: This item addresses two issues relative to the County expanding its funding commitment to afterschool and youth recreational programs in the Glades and responding to requests from: 1) the BGC to amend its sub-lease for the Bill Bailey Community Center for the County to assume responsibility for the utility costs, and 2) the City of Pahokee to lease the former Pahokee fire station building for renovation and operation of a new PBSO/PAL Youth Center. The BGC has notified the County that it is unable to fund shortfalls which jeopardize the continuation of programs at Bill Bailey. Staff believes that it is important that services continue not only for the 910 youth which utilize the facility annually, but also to maintain the community benefits derived from being the only indoor recreational facility in this area and for post disaster recovery needs. The annual funding shortfall is \$85,000 annually. County Staff and PBSO have evaluated the capital and operating requirements associated with the creation of the PBSO/PAL Youth Center at the former Pahokee fire station and the cost per youth served is very high due to the condition of the building, the requirement to fund additional sworn and non-sworn Staff, and the limited number of additional youth that would be served. County Staff and PBSO agree that additional services would benefit area youth, and while not satisfying the Pahokee request geographically, an alternative approach for the operation of Bill Bailey could be implemented for less total cost and serve a minimum of 140 additional youth in lieu of the 30 that could be accommodated at the Pahokee facility. Staff is requesting direction from the Board on undertaking and funding any expansion, and if so, which option. (FDO Admin) District 6 (HJF)

Background & Policy Issues: In 2001, the County leased the former gymnasium from Lake Shore High School/Middle School from the School Board which had been slated for demolition and thereby saving the only indoor recreational facility (Bill Bailey Community Center) in the Western Communities for community use and provide a location for recreational programming. The County contracts for the operation of the Bill Bailey Community Center to the Boys and Girls Club (BGC, via a sub-lease) who serves over 910 kids annually in the Western Communities alone ranging in ages from 5 to 18 and over 750 children daily from the Bill Bailey Community Center and an adjacent Teen Center Building from which the non-recreational programming is conducted. The age of the majority of the children routinely participating in BGC programming in the Western Communities is 5 to 15.

The capital costs associated with the renovation of the Bill Bailey Community Center was 25% funded from a Department of Juvenile Justice crime prevention grant which PBSO secured and the remainder was funded from ad valorem sources. In the sub-lease between the County and BGC, the County retains responsibility for all renewal/replacement and building maintenance responsibilities. The BGC has responsibility for all operating expenses including utilities, custodial, ground maintenance, repairs due to program damage and vandalism. The BGC does not pay rent of a facility use fee.

(Background & Policy Issues Continued)

Attachments:

- 1. Location Map Bill Bailey Community Center
- 2. Letter from Boys & Girls Club of Palm Beach County dated 9/10/12
- 3. Third Amendment to SubLease with Boys and Girls Club
- 4. Location Map Former Pahokee Fire Station
- 5. Email from City of Pahokee dated 9/6/12

Recommended by:	Anny WOLF	1/8/13
	Department Director	Date
Approved by:	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	0	0		0	0
Operating Expenses	<u>85,000</u>	<u>85,000</u>	<u>85,000</u>	<u>85,000</u>	<u>85,000</u>
External Revenues	-0-	-0-	0-		-0-
Program Income (County)	-0-	-0-	0-	0-	0-
	-0-	-0-	-0-	-0-	
In-Kind Match (County)		\$85,000	\$85,00 <u>0</u>	\$85,000	\$85,000
NET FISCAL IMPACT:	<u>\$85,000</u>	<u> </u>	$\frac{\psi \phi \varphi_{\bullet} \psi \phi \psi}{\psi \phi}$	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	

ADDITIONAL FTE POSITIONS (Cumulative)

Is Item Included in Current Budget? Yes No X

Budget Account No: Fund 5001 Department 160 Unit 1601 Object 4301 4304

Reporting Category

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

Other Department Review:

In each option, the additional costs (capital and operating) would be entirely the County's as PBSO is agreeing to operate the programs only if additional funding is provided by the County.

Shown above is the fiscal impact of staff's recommendation for approval. Depending on the whether the BCC chooses to provide for expanded programs in the Western communities, the option chosen will have the following fiscal impact.

Option	Additional Capital Costs	Additional Annual Costs	FY 13 Costs	FY 14 Costs
Pahokee	\$388,450	\$85,000	\$432,000	\$85,000
Bill Bailey	\$70,000	\$201,000	\$171,000	\$201,000
Comm Ctr				<u> </u>

C.	Departmental Fiscal Review:
	III. <u>REVIEW COMMENTS</u> :
A.	OFMB Fiscal and/or Contract Development & Control Comments:
	Horas 1/4/2013
-	OFMB of 1/3
	An I Jacobout
	Contract Dev. and Control 1-8-13 Bishell Amendment not likewal at fine at our werliew.
В.	Legal Sufficiency:

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Background and Policy Issues (Cont'd)

In December, 2011, the BGC notified the County that it was re-examining is ability to continue to provide recreational services at the Bill Bailey Community Center due to a change in the way that the Children Services Council has funded after school programs through Family Central, the BGC having lost more than \$1.3 million over the past several years. That, in combination with the economic conditions and other revenue reductions, has placed the BGC in a situation where it cannot meet the financial burden of the utility and program maintenance expenses at the Bill Bailey Community Center. In this scenario the BGC would continue to be operated out of the adjacent Teen Center to provide education, leadership, technology, health, life skills and arts programming for the area's teens but without a facility for recreational programming.

If the Bill Bailey Community Center were to close, there are long term facility considerations as well. The facility which is of historical social significance in the community was literally saved from demolition and while the County has made significant capital improvements, due to the type and age of construction, the building needs constant, routine and specialized oversight and maintenance which can only be provided when the facility is in use and only afforded when delivering programs and services to the public. If programming by BGC were to cease, the PAL program would also have to cease and it is likely that the facility would deteriorate quickly and/or require demolition in order to avoid the liability associated with a vacant building. The demolition of the facility would eliminate the potential for expanded programming when funds become available and its value to the community in post disaster recovery efforts.

As a result, in March 2012, the Board approved financial assistance in an amount not to exceed \$21,000 for utilities for the six month period from April –September 2012. In September 2012, the County was notified that the BGC was unable to secure an alternative funding source and as a result was again requesting funding assistance. On October 1, 2012, the costs again accrued to the BGC and the BGC has been funding the costs but desires that County assume the costs permanently order to continue providing recreational services from the Bill Bailey Community Center. The annual costs associated with water, wastewater, electricity and solid waste disposal is \$85,000.

Program Expansion Options

Since 2001, the County and PBSO have been providing financial and operating assistance relating to the delivery of after school and youth recreational programs in the municipalities¹ including:

- the renovation of, and on-going maintenance responsibility for the Bill Bailey Community Center, (County)
- annual monetary grants and in-kind services to the Boys and Girls Club of Palm Beach County (BGC) in support of their programs in the Western communities (PBSO),
- the PBSO PAL Boxing Program in Belle Glade (PBSO),
- the PBSO PAL Boxing Program in Pahokee (PBSO),
- Fremd Village basketball program in Pahokee (PBSO), and
- PBSO PAL First Tee Program in Belle Glade (PBSO).

In 2009, PBSO/PAL initiated a PAL Boxing Program in Pahokee in addition to the program operated from the Bill Bailey Community Center. The Pahokee PAL Boxing Program was operated from the City's recreational building but in 2011 was displaced for City programming however, the program continued by transporting the youth to the Bill Bailey Community Center where the two PAL Boxing programs, to this day, are operated as one. There are about 30 youth from Belle Glade and South Bay and 12-15 youth from Pahokee participating in boxing programs at this time.

In September 2012, the City of Pahokee requested that the County amend the lease of the former fire station building from the responsibility of the MSTU to PBSO for its renovation into a youth center particularly to allow Pahokee's PAL boxing program to return to a location within the City limits. PBSO believes that downtown Pahokee is an ideal location to meet the need for the provision of youth services in Pahokee and estimates that an additional 30 youth would be served by the opening of the Pahokee Youth Center beyond those already participating in the PBSO/PAL Boxing Program.

If a Pahokee Youth Center were to be funded, PBSO would initially offer PAL Boxing. Approximately 60 days after the renovations are complete, PBSO would offer additional programs at this location such as life skills, anti-bullying, drug awareness, junior crime watch, educational programs and other PAL based recreational programs which would begin.

¹ This does not include funding in support of programs associated with the Youth Empowerment Center and/or funds distributed to Boys and Girls Clubs of Palm Beach County through the Financially Assisted Agencies process.

Page 4 Background and Policy Issues (Cont'd)

PBSO can re-locate currently decentralized community policing staff to the new Pahokee Center and manage training and education on a part time basis. For this option, PBSO does not require additional unfunded personnel at this location as a part-time coordinator is already coordinating the boxing program, but it would require the addition of a boxing coordinator at Bill Bailey Community Center due to the loss of efficiencies associated with separating the boxing programs.

The former fire station is in very poor condition and to accommodate this use, the former fire station would require renovations. The scope of the renovations are generally limited to; 1) providing ADA compliant restrooms, 2) securing and hardening the facility for its intended use by youth, and 3) making electrical improvements. The estimate provided below does not include any public use of the 2nd floor.

Pahokee PBSO Youth Center - Renovation Costs

Additional Costs	One Time Capital	Annual	
Capital Costs			
Design, Engineering and Permits	\$58,267		
Selective Demo, Renovation & Site Work	\$280,183		
Contingency	\$50,000		
Total One Time Capital Costs	\$388,450		
Additional Operating Costs			
Boxing Program Coordinator		\$35,000	
Maintenance/Utility Costs		\$50,000	
Total Annual Operating Costs		\$85,000	

The total costs associated with this Option are \$388,450 in one time capital costs and \$85,000 in annual recurring costs. The FY 13 budget impact would be \$388,450 in capital costs and \$43,000 in operating costs (assumes 6 months of operation in FY 13) for a total of \$432,000.

The start-up cost per additional youth served at this facility is estimated at \$16,217 and recurring operating cost per youth is \$2,833.

West County (in Belle Glade) PBSO Youth Center

Due to; 1) the apparently high start-up costs and high recurring cost per youth served at Pahokee, and 2) Staff's desires to have the greatest majority of additional budgeted funds go to programs instead of buildings; County and PBSO looked for alternatives to expanding youth and recreational programs in the Western Communities. The potential of the Bill Bailey Community Center is much greater than its current use for the existing BGC programs and PAL Boxing. The alternative option expands the use of the Bill Bailey Community Center by PBSO taking the lead operating role (currently BGC) in the facility and using a civilian recreation coordinator to develop and administer expanded programming to provide services to older youth as well as adults through partnerships with local service providers and not for profit organizations. Examples of such programming would include tutoring, literacy, anti-bullying and anti-gang educational programs, night time basketball, supplemental life-skills training, and weight lifting. This operating model would likely also result in additional general use of the facility as a community center. BGC would continue to provide its current programming and its hours of operation would remain the same. It is estimated that an additional 100-150 persons would be served by the realignment of the lead operator for the Bill Bailey Community Center.

PBSO would require a full time civilian coordinator (who will also act as a boxing coordinator) and a full time deputy Sheriff to coordinate and oversee the programs. It is important to have adequate supervision, and to provide a safe, fun and interactive environment. PBSO would be responsible for the costs related to the purchase of athletic equipment, computers, chairs and desks and other small equipment and tool expenses related to maintain the programs at this site, without an additional funding request. PBSO will relocate existing decentralized community policing officers to the facility to provide subject matter training and education on a part-time basis at this location.

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Background and Policy Issues (Cont'd)

West County PBSO Youth Center Costs

Additional Costs	One Time Capital	Annual
	Estimated Cost	
Capital Costs – Program Improvements		
Security Cameras and Recorders	\$30,000	
Access Control	\$10,000	
PBSO Community Policing Station	\$30,000	
Total One Time Capital Costs	\$70,000	
Additional Operating Costs		
Deputy		\$115,000
Civilian Recreation Coordinator		\$86,000
Boxing Program Coordinator		\$0
Total Additional Annual Operating Costs		\$201,000

The total costs associated with the Alternative Option are \$70,000 in one time capital costs and \$201,000 in annual recurring costs. The FY 13 budget impact would be \$70,000 and \$101,000 (assumes 6 months of operation in FY 13 for a total of \$171,000.

The start-up cost per additional youth served at this facility is estimated at \$500 and recurring operating cost per youth is \$1,435.

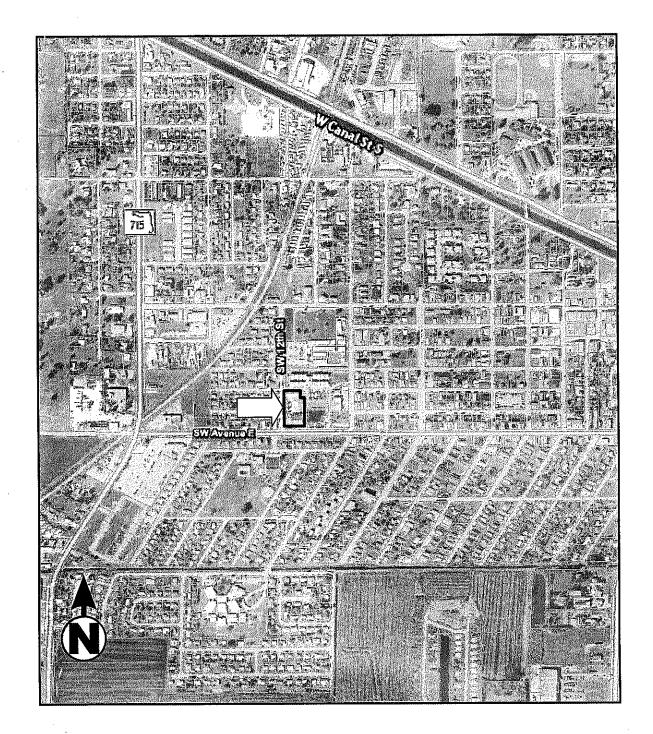
The following table summarizes the costs associated with the Pahokee Youth Center Option and the alternative which expands programming at Bill Bailey Community Center.

Summary of Costs and Youth Served of Program Assistance Options

	Additional One time Capital Costs	Additional Recurring Annual Costs	Additional Persons Served	Overall Additional Capital Cost Per Additional Youth	Overall Additional Operating Cost Per Additional Youth Per Year	First Year Additional Cost Per Youth
Pahokee Option	\$388,450	\$85,000	30 P	\$13,384	\$2,833	\$16,217
Bill Bailey Community Center	\$70,000	\$201,000	125 BG + 15 P = 140	\$500	\$1,435	\$ 1,935
Expansion Option					,	<u> </u>

In addition to the Bill Bailey Community Center Expansion Option being have the least costly start-up costs, and an annual per youth served cost approximately 50% less than at the Pahokee Youth Center, the Bill Bailey Community Center Expansion Option has the possibility of 1) securing donations from private parties for capital expenses as well as an operating endowment, and 2) creates an opportunity for the colocation of the Youth Empowerment Center which could re-direct operating, and potentially eliminate duplicative facility expenses. In either option, annual contributions from Police Athletic League's raised funds should be considered.

Location Map Bill Bailey Community Center



Attachment 2



GREAT FUTURES START HERE.

Boys & Girls Clubs of Paim Beach County General Services Center (all mall) 800 Northpoint Parkway, Suite 204 West Palm Beach, FL 33407-1978 Ph 561-683-3287 Fax 561-683-1618 www.bgcpbc.org

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President & CEO Mary T. O'Connor

Club Locations: Belle Glade, Boca Raton, Canal Point, Delray Beach, Pahokee, Riviera Beach, South Bay, Wellington, West Palm Beach

Children's United

September 10, 2012

Ms. Audrey Wolf, Director Palm Beach County Facilities Development & Operations 2633 Vista Parkway West Palm Beach, FL 33411-5603

Dear Audrey,

As we stated in our December 16, 2011 letter, we have been providing services at the gym in Belle Glade for nearly ten years and know we have made a difference in the lives of hundreds of middle and high school youth during that time. So it is with deep concern that I must inform you that the Board of Directors of the Boys & Girls Clubs of Palm Beach County is reexamining its ability to continue to provide services at the Bill Bailey Gymnasium.

Unfortunately, due to the change in the way Children's Services Council has funded after school programs through Family Central, we have lost more than \$1.3 million over the past several years. That, in combination with the current economic conditions and other revenue reductions have placed us in a situation where we do not feel we will be able to meet the financial burden to cover the overhead, insurances, and maintenance at the gym. Because our first priority is the children, we will continue to operate out of the adjacent Teen Center to provide our education, leadership, technology, health, life skills, and arts programming for the area's teens.

While we understand the County, like the rest of us, has had to make numerous tough decisions, we are hoping there is a way to help each other so that the Glades' area youth continue to receive the vital programs offered at the gym.

We want to thank you for your continued support over the years and hope you understand we truly hope to find a mutually beneficial solution. I hope we can discuss this further after the first of the year.

Sincerely,

Mary T. O'Connor President & CEO

Mary J. O'Connar

MTO:jaj

THIRD AMENDMENT TO SUB-LEASE AGREEMENT

THIS THIRD AMENDMENT TO SUB-LEASE AGREEMENT (the "Third Amendment") is made and entered into _______ by and between PALM BEACH COUNTY, a political subdivision of the State of Florida ("County"), and BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY, INC., a Florida not-for-profit corporation ("B&G Clubs"). County and B&G Clubs are sometimes referred to herein collectively as the "parties".

WITNESSETH:

WHEREAS, County and B&G Clubs entered into that certain Sub-Lease Agreement dated May 1, 2001 (R2001-0656) (the "Lease"), for the use of the Premises as defined in the Lease, which Lease commenced on October 30, 2001, and has since been extended and amended by the First Amendment to Sub-Lease Agreement dated October 18, 2011(R2011-1595) and the Second Amendment to Sub-Lease Agreement dated March 20, 2012 (R2012-0465); and

WHEREAS, County leases the Premises from School Board pursuant to the Primary Lease dated October 31, 2000 (R2000-1807); and

WHEREAS, County and B&G Clubs wish to modify the terms of Article VI of the Lease.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

- 1. The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning ascribed to them in the Lease.
- 2. Article VI, Utilities, is hereby modified to add the following language:

Notwithstanding the above, the parties agree that commencing on February 1, 2013, County shall be responsible for payment of, and shall pay directly to the utility provider(s), all charges and assessments for electricity, water, sewer and solid waste disposal used on the Premises.

3. Except as set forth herein, the Lease remains unmodified and in full force and effect.

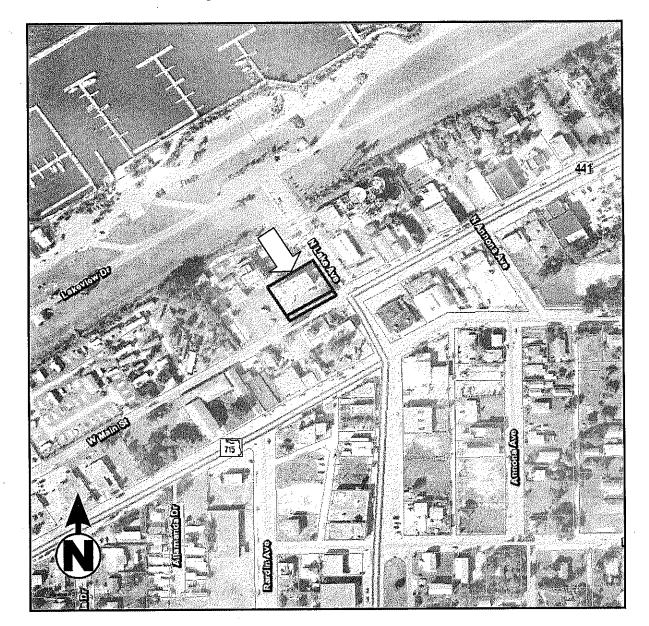
4. This Third Amendment is expressly contingent upon the approval of the Palm Beach County Board of County Commissioners and shall become effective only when signed by all parties and approved by the Palm Beach County Board of County Commissioners.

IN WITNESS WHEREOF, the parties have duly executed this Second Amendment as of the day and year first written above.

ATTEST: SHARON R. BOCK	COUNTY: PALM BEACH COUNTY, a political subdivision of the State of Florida		
CLERK & COMPTROLLER			
By:	By:		
By: Deputy Clerk	By: Steven L. Abrams, Chairman		
Signed and delivered in the presence of:			
Witness Signature			
Print Witness Name			
Witness Signature			
Print Witness Name			
APPROVED AS TO FORM	APPROVED AS TO TERMS		
AND LEGAL SUFFICIENCY	AND CONDITIONS		
Assistant County Attorney	Audrey Wolf, Director Facilities Development & Operations		

WITNESSES:	B&G CLUBS: BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY, INC., a Florida not-fo profit corporation		
	Ву:		
Witness Signature	By: Mary O'Connor, President		
Print Witness Name			
	(SEAL) Corporation not-for-profit		
Witness Signature	_		
Print Witness Name	_		

Location Map
Old Fire Rescue Station No. 72



Attachment 5

Audrey Wolf

Subject:

FW: City of Pahokee - Fire Station Lease

From: JP Sasser [mailto:jpsasser@cityofpahokee.com]

Sent: Thursday, September 06, 2012 9:49 AM

To: Jess Santamaria

Cc: Felisia Hill; Diane Walker; Allie Biggs; BKWBabbir@aol.com

Subject: FW: City of Pahokee - Fire Station Lease

Good Morning Jess.

I am taking the liberty of forwarding you this e-mail. We have been planning for quite some time to let the PASO use the old fire station for the pals boxing program. Right now all of our kids are having to travel to Belle Glade.

We think the cost will be minimal. Mr. Moore's email gives more detail. It puts an unnecessary hardship on the small kids to travel 20 miles round trip when we can keep them at home.

Any assistance you can be on this will be very much appreciated.

Take Care.

JP

James P Sasser
Mayor
City of Pahokee
207 Bacom Point Rd
Pahokee, Fla. 33476
561-924-5534
jpsasser@cityofpahokee.com

From: Derrek Moore

Sent: Thu 9/6/2012 8:08 AM

To: Robert Weisman

Cc: Gary Brandenburg (<u>Gary@brandenburgpa.com</u>) **Subject:** FW: City of Pahokee - Fire Station Lease

Good morning Mr. Weisman,

Mr. Brandenburg and I were directed by the City Commission to work out a lease for PBSO to utilize the old Pahokee Fire Station for the PALS boxing program and use by PBSO officers that patrol this area. Fire Rescue is presently occupying the station and is scheduled to move into their new station sometime in October. We lease the station to Fire Rescue for \$1.00 per year and they pay the utilities and maintain the building. We were trying to work out a similar arrangement with PBSO; however I was told by PBSO officials that Ms. Wolf has informed them that it would not be financially feasible for the County to pick up the cost (primarily maintenance& utilities) for the old fire station (i.e., Pahokee PALS boxing program and space for PBSO officers patrolling this area). Since Fire Rescue has been occupying the facility for some time now, I do not believe there are any structural or code issues with the building that would prevent PBSO from

making use of the building. The utility and maintenance costs should be minimal (\$200 - \$300.00 per month), especially given the fact that they will only be in the building a few hours each day.

By-the-way, our PALS boxing program has been very successful and both the children and parents would like to see our children train in Pahokee. They are presently bused each afternoon over to Belle Glade to their PALS site. Additionally, this will provide a place for PBSO officers to do their paperwork, take lunch, have meetings and take care of other police related matters.

I have reviewed the City's budget and we anticipate laying a number of employees off and will not be able to pick up the cost for the maintenance and utilities. If there is anything that you can do to assist with this matter, I would greatly appreciate it. I would like to discuss this matter further with you, when your schedule will permit.

Thank you for your attention to the request.

From: Gary Brandenburg [mailto:Gary@brandenburgpa.com]

Sent: Wednesday, August 08, 2012 2:44 PM

To: Derrek Moore

Subject: Fwd: City of Pahokee - Fire Station Lease

FYI

Sent from my iPhone Gary Brandenburg

Begin forwarded message:

From: Audrey Wolf < AWolf@pbcgov.org > Date: August 8, 2012 2:16:22 PM EDT

To: Gary Brandenburg < Gary@brandenburgpa.com >

Cc: Ross Hering < RHering@pbcgov.org >, "Alonso, Reinaldo" < AlonsoR@pbso.org >, Derrek Moore

<<u>DerrekMoore@cityofpahokee.com</u>>, City Clerk <<u>cityclerk@cityofpahokee.com</u>>

Subject: RE: City of Pahokee - Fire Station Lease

Gary -

Received your emails and yes, we will prepare the fire rescue lease termination documentation and any new subsequent lease for consideration by the City. However, Staff and myself are quite busy through August 22, 2012 with four large and controversial BCC items and/or transactions and will not be able to pick up this until after that date. Expect to hear from me shortly after that date.

If you have any questions, please do not hesitate to call.

Audrey

From: Gary Brandenburg [mailto:Gary@brandenburgpa.com]

Sent: Tuesday, August 07, 2012 3:47 PM

To: Audrey Wolf

Cc: Ross Hering; Alonso, Reinaldo; Derrek Moore; City Clerk

Subject: FW:

Dear Audrey;

I have enclosed the lease with Pahokee for the old fire station. The City would like to terminate the lease so the City can then lease it to the SO for the PAL program. I have been told that you do the leasing for

the SO. Do you have a form you would like to use for the new PAL lease or would you like me to draft one?
Thanks for your help
Gary

Gary Brandenburg, Esq.
Brandenburg & Associates, P.A.
11891 U.Ş. Highway One, Suite 100
North Palm Beach, FL 33408
(561) 799-1414
(561) 371-1824 (cell)
(561) 758-7496 (Sandy cell)
Gary@BrandenburgPA.com

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