

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	April 16, 2013	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		

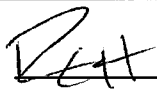
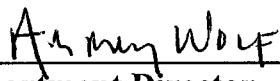
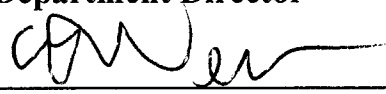
I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: a notice of exercise of the 12th one (1) year extension option under the Lease Agreement with Bedner Farm, Inc. (R2001-0582) for Bedner Farm's continued agricultural use of approximately 246 acres located in the Ag Reserve for \$122,918.50/year.

Summary: On April 17, 2001, the Board approved the Lease Agreement with Bedner Farm, Inc. for the use of two (2) parcels of property in the Ag Reserve for row crops. One (1) parcel is approximately 156 acres located just west of the Turnpike and north of Atlantic Avenue. The other parcel is approximately 90 acres located west of U.S. 441 and north of Boynton Beach Boulevard. The initial term of the Lease Agreement was for one year ending May 31, 2002, with nine (9) one (1) year extension options. The Board previously approved various amendments (R2007-0827 and R2010-0083) which provided for additional renewal options and rent reduction. The current expiration date of the Lease Agreement is May 31, 2013. Exercising this twelfth option will extend the term to May 31, 2014. There remain nine (9) annual extension options through May 31, 2023. The annual rental rate is currently \$122,918.50/year (\$500/acre). Pursuant to the Lease Agreement, Bedner Farm has the right to exercise its option and the Board has no discretionary authority to deny the exercise of the option. **(PREM) Districts 5 and 6 (HJF)**

Background and Justification: On April 17, 2001, the Board accepted an assignment from the Nature Conservancy of an Option Agreement for Sale and Purchase (R2001-0582) to acquire approximately 262 acres in the Ag Reserve conditioned upon a lease back of the property to Bedner Farm, Inc. On May 15, 2007, the Board approved the First Amendment (R2007-0827) extending the term for an additional twelve years thru 2023. On January 12, 2010, the Board approved the Second Amendment (R2010-0083) reducing the rent from \$659/acre to \$500/acre. Florida Statutes does not require that a Disclosure of Beneficial Interests be obtained, and as this is an exercise of an option to extend a Lease Agreement which was previously approved by the Board, Staff did not request a new Disclosure. Previous Disclosures identified Stephen W. Bedner (33-1/3%), Charles Bedner (33-1/3%), and Bruce Bedner (33-1/3%) as holding interests in Bedner Farm, Inc.

- Attachments:**
- 1. Location Map A
 - 2. Location Map B
 - 3. Extension option request letter
 - 4. Budget Availability Statement

Recommended By:			3/16/13
		Department Director	Date
Approved By:			4/4/10
		County Administrator	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	<u>(\$61,459.25)</u>	<u>(\$61,459.25)</u>	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>(\$61,459.25)</u>	<u>(\$61,459.25)</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes X No _____

Budget Account No: Fund 1222 Dept 800 Unit 8011 Object 6225
Program _____

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

C. Departmental Fiscal Review: _____ *W 3/19/13*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature] 3/28/2013 *[Signature]* 4/1/13
 OFMB *ice 3/21/13 3/21/13* Contract Development and Control *4-1-13 Bedner*

B. Legal Sufficiency:

[Signature] 4/2/13
 Assistant County Attorney

C. Other Department Review:

Department Director

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

TWP 46

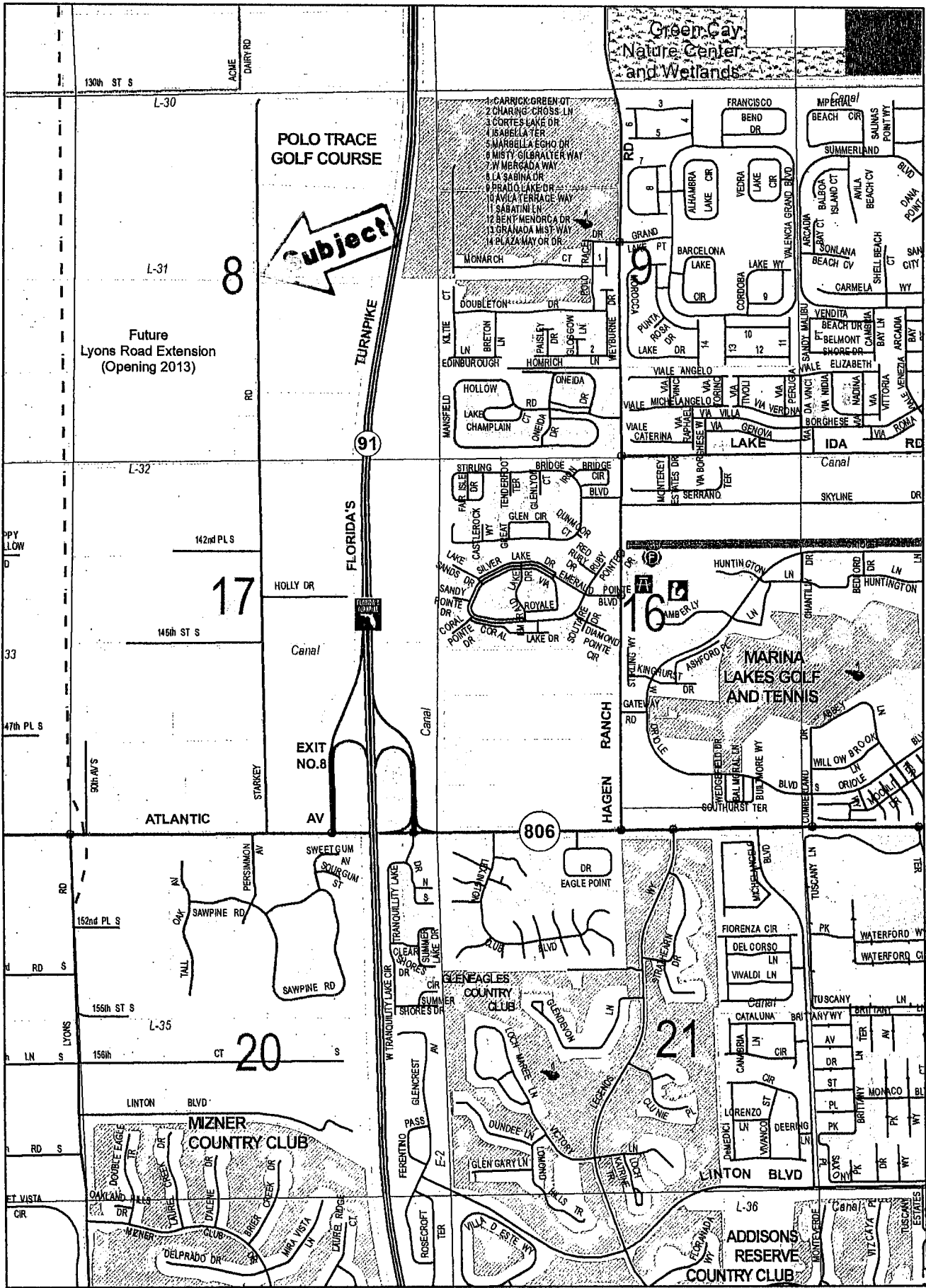
TWP 46

TWP 46

34

35

36



RNG 42

See pg 115

RNG 42

LOCATION MAP

"A"



"B"

BEDNER FARMS, INC
10066 LEE ROAD
BOYNTON BEACH, FL 33473
561-733-5490
561-733-5492 fax

Palm Beach County Property & Real Estate Management
2633 Vista Parkway
West Palm Beach, FL
33411-5605

January 30, 2013

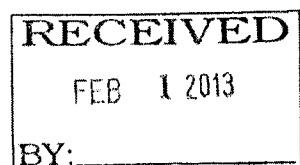
Please be advised this letter serves as Bedner Farms, Inc notice for the option to renew the lease agreement with Palm Beach County.

It is our intent to occupy the premise for another year starting June 1, 2013 to May 31, 2014.

The semi-annual rent shall be submitted by the date of May 31, 2013.

Sincerely,

Charles A. Bedner
President



BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 2/6/2013 REQUESTED BY: Richard C. Bogatin PHONE: 561.233.0214
Property Specialist / PREM FAX: 561.233.0210

PROJECT TITLE: Bedner Farm Renewal Option 12 of 21 PROJECT NO.: 2013-5.0

Fiscal Years	2013	2014	2016	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$61,459.25)	(\$61,459.25)	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$61,459.25)	(\$61,459.25)	=====	=====	=====
# 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: 1222 DEPT: 800 UNIT: 8011 REVENUE SOURCE: 6225
SUB OBJ:

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: Environmental Resources Management

BAS APPROVED BY: Liz Lewis DATE: 1/12/13

ENCUMBRANCE NUMBER:

CERTIFICATE OF INSURANCE

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 LISTED BELOW.

FLORIDA FARM BUREAU INSURANCE COMPANIES P.O. BOX 147030 GAINESVILLE, FLORIDA 32614-7030	COMPANIES AFFORDING COVERAGES: Company Letter A: Florida Farm Bureau General Ins. Co. Company Letter B: Florida Farm Bureau Casualty Ins. Co.
NAME AND ADDRESS OF INSURED: BEDNER FARM INC C/O FLORIDA TRUST REALTY INC 210 N UNIVERSITY DRIVE STE 200 CORAL SPRINGS, FL 33071	

The policies of insurance listed below have been issued to the insured named above and are in force at this time. 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.

CO. LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	ALL LIMITS IN THOUSANDS	
A	General Liability: <input checked="" type="checkbox"/> Commercial General Liability (Occurrence Form) <input type="checkbox"/> Owner's & Contractor's Protective <input type="checkbox"/> Farmer's Personal Liability	COP 9521697	07/19/2012	07/19/2013	General Aggregate	\$ 2,000
					Products-completed operations aggregate	\$ 2,000
					Personal & Advertising Injury	\$ 1,000
					Each Occurrence	\$ 1,000
					Fire Damage (Any one fire)	\$ 50
					Medical Expense (Any one person)	\$ 5
	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	\$
					Bodily Injury (Per Person)	\$
					Bodily Injury (Per Accident)	\$
					Property Damage	\$
	Excess Liability: <input type="checkbox"/> Umbrella Form <input type="checkbox"/> Other than Umbrella form				Each Occurrence	Aggregate
					\$	\$
	Employers Liability: <input type="checkbox"/> Farm Employer's Liability <input type="checkbox"/> Farm Employee's Medical					\$ (Each Occurrence)
						\$ (Each Employee)
	Other:					\$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES:

LEASE AGREEMENT R-2001-0582
13056 STARKEY RD., DELRAY BEACH, FL 33466
BARNs, STABLEs, OUTBUILDINGS-TYPE 3 FRAME FARM SHOP-LIMIT OF LIABILITY \$40,000
BARNs, STABLEs, OUTBUILDINGS-TYPE 1 NCII FARM EQUIPMENT BUILDING-LIMIT OF LIABILITY \$50,000
WIND/HAIL DEP. 5% AOP DEP. \$500.00

CANCELLATION: Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the below named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.

NAME AND ADDRESS OF CERTIFICATE HOLDER:

AND ADDITIONAL INSURED
PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
C/O PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 VISTA PARKWAY, WEST PALM BEACH, FL 33411

COUNTY CODE 50 DATE ISSUED 01/30/13

Served by PALM BEACH County Farm Bureau

RICHARD MOURFIELD

AUTHORIZED REPRESENTATIVE