

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: April 15, 2014 ☒ Consent ☐ Regular
☐ Ordinance ☐ Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: notice of exercise of the fifth option to extend under the Lease Agreement with Theodore W. Winsberg and Gertrude K. Winsberg (R99-842D) for the Winsbergs' continued agricultural use of approximately 60 acres located on Hagen Ranch Road in Boynton Beach.

Summary: In 1996, the County purchased 175 acres of property from the Winsbergs for the development of the Water Utilities Department's Green Cay Wetlands Water Reclamation project. The property is located off Hagen Ranch Road between Boynton Beach Boulevard and Atlantic Avenue. The Board approved the original Lease Agreement in May of 1999 (R99-842D), which allowed the Winsbergs to continue to farm the property until the Water Utilities Department (WUD) was ready to construct its project. Over time, as WUD constructed phases of the Water Reclamation Project, the area leased to the Winsbergs was reduced and the Winsbergs currently lease approximately 60 acres. The next phase of the Water Reclamation Project is not expected to be implemented within the next four (4) years. In April of 2008, the Board approved the Fourth Amendment (R2008-0629) which extended the term of the Lease Agreement through May 1, 2010, and provided the Winsbergs with ten (10) additional one (1) year options to extend the term of the Lease Agreement. Exercising this fifth option will extend the term of the Lease Agreement through May 1, 2015. The Winsbergs have the right to exercise their option and the Board has no discretionary authority to not allow the exercise of the option. The County will continue to have the right to terminate this Lease upon 120 days notice. The annual rental rate for this option period will continue to be \$1/yr. Five (5) one (1) year options remain available to the Winsbergs. All other terms of the Lease Agreement remain in full force and effect. **(PREM) District 5 (HJF)**

Background and Justification: The Lease Agreement was approved in May of 1999 (R99-842D). The Winsbergs exercised the first option on April 6, 2010, (R2010-0519). The second extension option was exercised on April 5, 2011 (R2011-0504), the third extension option was exercised on April 17, 2012, (R2012-0566), and the fourth extension option was exercised on April 2, 2013, (R2013-0378) extending the term of the Lease Agreement through May 1, 2014. Exercise of this fifth extension option will extend the term through May 1, 2015. Florida Statutes does not require that a Disclosure of Beneficial Interests be obtained.

Attachments:

1. Location Map
2. Option to Extend Letter
3. Budget Availability Statement

Recommended By: Army Wang 3/21/14
Department Director Date

Approved By: [Signature] 4/7/14
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<\$1.00>	<\$1.00>	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<\$1.00>	<\$1.00>	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes ☒ No _____

Budget Account No: Fund 4000 Dept 720 Unit 4200 Object RSRC 6999
Program _____

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

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature] 3/27/2014
OFMB 326 3/27

[Signature] 3/31/14
Contract Development and Control

B. Legal Sufficiency:

[Signature] 4/3/14
Assistant County Attorney

C. Other Department Review:

Department Director

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

TWP 45

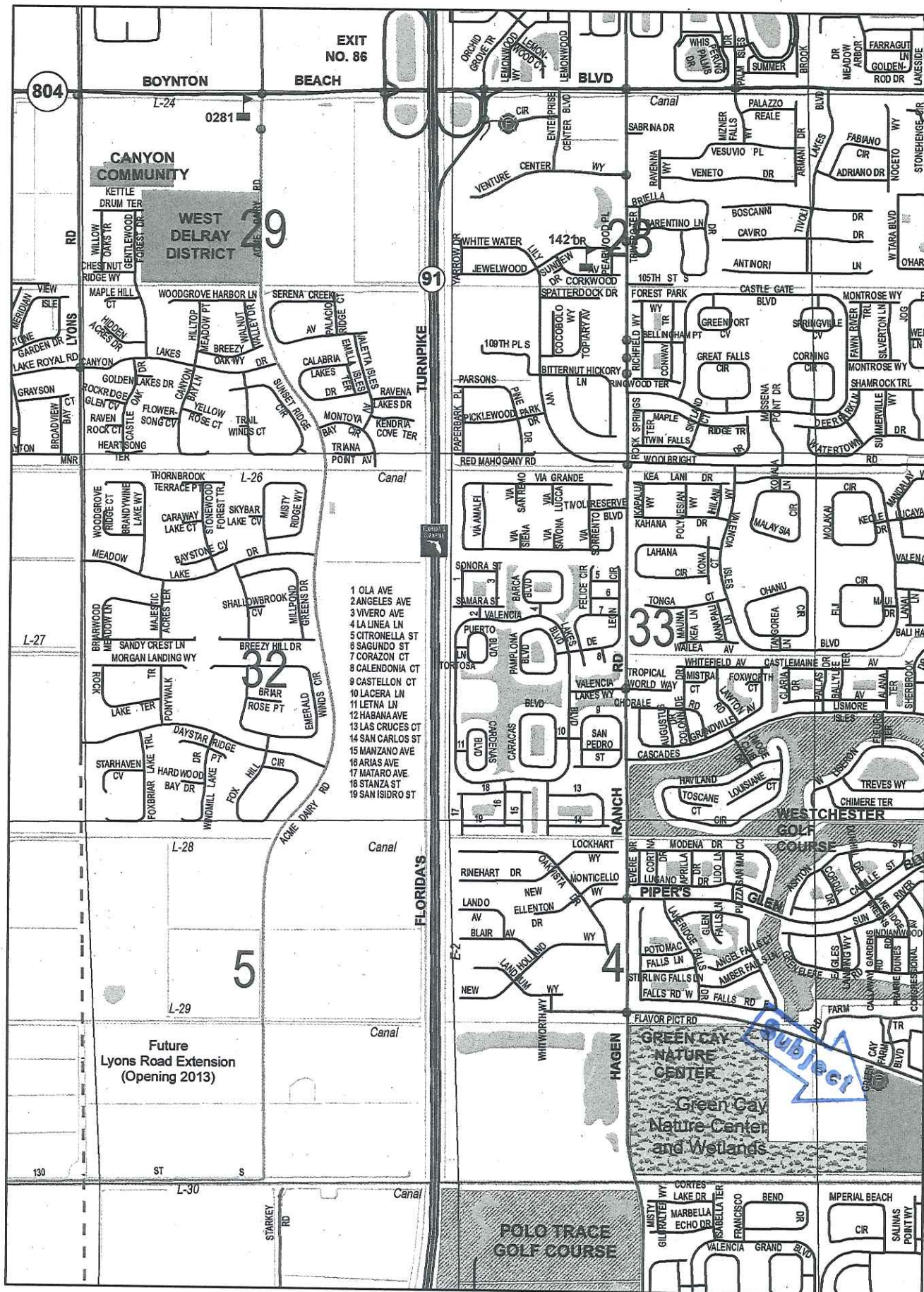
TWP 45

TWP 46

31

32

33



RNG 42

See pg 103

RNG 42



GREEN CAY FARMS, INC.

PHONE: (561) 499-5345
FAX: (561) 637-0611

THEODORE W. WINSBERG, PRES.
GERTRUDE K. WINSBERG, SEC. TREAS.
SYLVIA WINSBERG, VICE PRES.

Growers and Packers of Fancy Florida Winter Vegetables
12750 HAGEN RANCH ROAD -- BOYNTON BEACH, FL 33437-9727

02/11/14

Board of County Commissioners
West Palm Beach, FL

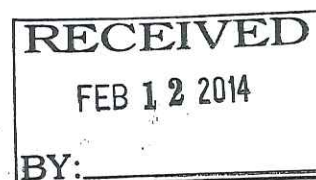
Re: R99-842D

We would like to renew our lease on the county property listed above.

Sincerely,
Ted and Trudy Winsberg

Ted & Trudy Winsberg

*check #14453 enclosed
BCC \$1.00*



BUDGET AVAILABILITY STATEMENT

REQUEST DATE: February 21, 2014

REQUESTED BY: Richard C. Bogatin

PHONE: 561-233-0214

FAX: 561-233-0210

PROJECT TITLE: Winsberg Farm Lease Option No 5 PROJECT NO.: 2014-5.0__

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$1.00)	(\$1.00)	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$1.00)	(\$1.00)	_____	_____	_____
# 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: 4000 DEPT: 720 UNIT: 4200 OBJ: RSRC 6999 SUB OBJ:

ENCUMBRANCE NUMBER:

IS ITEM INCLUDED IN CURRENT BUDGET: YES X 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 X

Department: WATER UTILITIES

BAS APPROVED BY: Emily Eggertsson DATE: 2/24/14