

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

Meeting Date:	January 13, 2015	<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 option to extend the Lease Agreement (R2007-1590) with Walter J. Hatcher of 2.45 acres of property off Indiantown Road just west of Riverbend Park for 1 year.

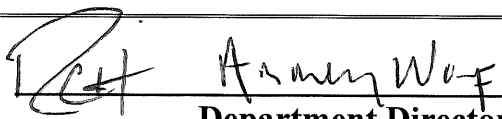

Summary: In February 2008, the County acquired 84 acres of property on Indiantown Road west of Riverbend Park, across from the Cypress Creek Natural Area, from Walter Hatcher and Joyce Hatcher (the "Hatchers"). As a condition of the sale, the Hatchers retained a leasehold interest in 6.54 acres of the property which included their house, until such time as ERM was ready to commence development of its planned wetland habitat restoration project. On February 4, 2014, (R2014-0189), the Board approved a First Amendment to the Lease which extended the term for one (1) year with an option to extend for an additional one (1) year, without payment of rent, and delegated authority to the County Administrator or his designee to approve or reject the exercise of the option. The current expiration date of the Lease is February 13, 2015. Mr. Hatcher recently requested the County's consent to exercise the additional one (1) year extension option, and ERM agreed to the extension through February 13, 2016. ERM and the Parks Department intend to convert the home into a visitors center for the natural area and the adjacent Riverbend Park. **(PREM) District 1 (HJF)**

Background and Justification: On September 11, 2007, the Board entered into an Agreement for Purchase and Sale (R2007-1589) with Indiantown – Jupiter Venture and Hatcher for the acquisition of 230 acres of property on the northwest side of Riverbend Park. The Hatchers owned 84 acres of the overall 230 acres. The Agreement for Purchase and Sale required the County to enter into a lease with the Hatchers allowing them to occupy 6.54 acres of the 84 acres, which included their home, for five (5) years, with two (2) one (1) year options to extend. The County received a \$125,000 credit against the purchase price for the rental value of the property. ERM's wetland habitat restoration project was delayed due to funding not being available. In January 2013, (R2013-0052), the Board approved the first extension option which expired on February 13, 2014. On February 4, 2014, the Board approved the First Amendment which reduced the premises to 2.45 acres, extended the term for one (1) year, and provided for one (1) additional one (1) year extension option at no rent. The First Amendment also terminated the Hatchers right to remove expensive wood beams and paneling from

Continued on page 3

Attachments:

1. Location Map
2. Extension Option Request Letter from Walter J. Hatcher, dated October 27, 2014
3. Letter to Walter J. Hatcher, dated December 1, 2014

Recommended By:		12/20/14	
	Department Director	Date	
Approved By:		1/13/15	
	County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	* <u>-\$0-</u>	<u>-\$0-</u>	<u>-\$0-</u>	<u>-\$0-</u>	<u>-\$0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____

Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
Program _____

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

* No fiscal impact

Fixed Asset Number N/A

C. Departmental Fiscal Review: _____ *121704*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature] 12/29/14
OFMB *8/12/14* *adw 12/24* *So* *Barbara Wheeler* 12-30-14
Contract Development and Control

B. Legal Sufficiency:

[Signature] 1/5/15
Assistant County Attorney

C. Other Department Review:

Department Director

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

Background and Justification continued:

the house, so that the County could use the house as a visitors center. ERM and the Parks Department project that funds will be available to proceed with the conversion of the home to a visitors center in FY 2016.

Florida Statutes Section 286.23 does not require that a Disclosure of Beneficial Interests be obtained.

TWP
40

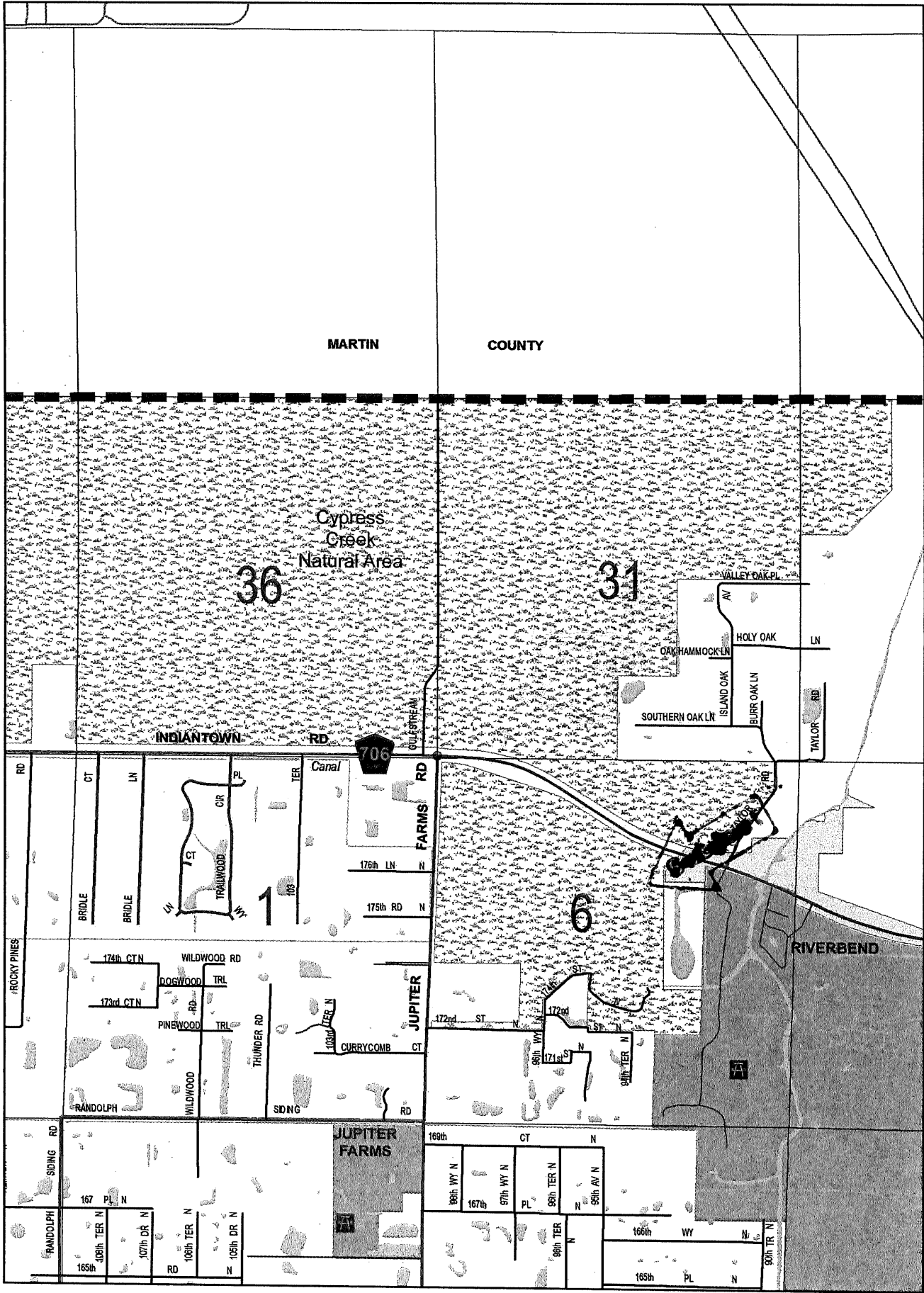
1

TWP
40

2

TWP
41

3



RNG 41

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RNG 42

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LOCATION MAP

II

Walter Hatcher
9424 Indiantown Road
Jupiter, FL 33478
561-746-8648

October 27, 2014

Property & Real Estate Management Division
Attn: Director
2633 Vista Parkway
West Palm Beach, Florida 33411-5605

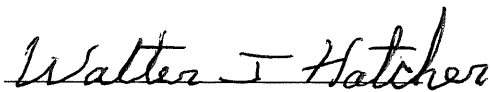
Re: Lease Agreement between Palm Beach County and Walter and Joyce (deceased 6/27/13)
Hatcher

Pursuant to Article 1, Section 1.03 of our lease agreement dated September 11, 2007 and effective February 14, 2008, and the 1st amendment dated February 4, 2014, I hereby exercise my option to request the renewal of the lease for Parcel A for one (1) year under the terms and conditions of this lease.

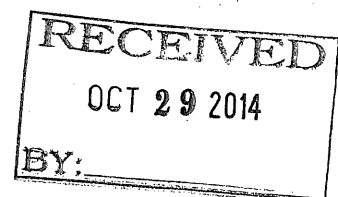
If you have questions or need additional information, please call our representative, Kim Hatcher Beaumont at Traylor, Gratton & Beaumont, LLC, 561-737-7900.

We appreciate your assistance in this matter.

Sincerely,


Walter Hatcher
10/25/14

cc: Palm Beach County Attorney's Office
Department of Environmental Recourse's Management





Department of Environmental
Resources Management
2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743
(561) 233-2400
FAX: (561) 233-2414
www.pb.gov.org/erm

■
Palm Beach County
Board of County
Commissioners

Shelley Vana, Mayor
Mary Lou Berger, Vice Mayor

Hal R. Valeche
Paulette Burdick
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator
Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"

December 1, 2014

Mr. Walter J. Hatcher
9424 West Indiantown Road
Jupiter, FL 33478

Dear Mr. ^{Walter} ~~Hatcher~~:

SUBJECT: EXERCISE OF ONE (1) YEAR OPTION TO RENEW
LEASE AGREEMENT DATED SEPTEMBER 11, 2007
(R2007-1590) AS AMENDED

Pursuant to the provisions of Section 1.03 of the above referenced Lease Agreement as modified in the First Amendment dated February 4, 2014, Palm Beach County hereby agrees that the Lease term for the 2.45 acre Parcel "A" shall be renewed for one (1) year extending the Lease through February 13, 2016, as requested by Walter J. Hatcher.

Should you have any questions concerning this lease, please contact me at 561/233-2400, or Benji Studt at 561/681-3885.

Sincerely,

Robert Robbins, Director
Environmental Resources Management

RR:bjs

c: Ross C. Hering, Director, PREM, FD&O
Shannon Fox, Assistant County Attorney
Eric Call, Director, Parks and Recreation Department
Kim Hatcher Beaumont, CPA

RECEIVED BY:

Walter J. Hatcher

ACORD™ CERTIFICATE OF LIABILITY INSURANCE					DATE (MM/DD/YY) 12/02/2014	
PRODUCER David Beaumont Inc. 1260 S Federal Highway Suite 102 Boynton Beach, FL 33435			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.			
			INSURERS AFFORDING COVERAGE			
INSURED Walter Hatcher 9424 W Indiantown Rd Jupiter, FL 33478			INSURER A: Pacific Specialty Insurance Company			
			INSURER B:			
			INSURER C:			
			INSURER D:			
			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	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY	WNO 0036883	10/10/2014	10/10/2015	EACH OCCURRENCE	\$ 500,000
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY				FIRE DAMAGE (Any one fire)	\$
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$
					PERSONAL & ADV INJURY	\$
					GENERAL AGGREGATE	\$ 500,000
					PRODUCTS - COMP/OP AGG	\$
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS					
<input type="checkbox"/> NON-OWNED AUTOS						
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
	<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC	\$
					AUTO ONLY: AGG	\$
A	EXCESS LIABILITY	WNR 0031250	10/10/2014	10/10/2015	EACH OCCURRENCE	\$ 2,000,000
	<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE	\$
						\$ 1,000
	<input type="checkbox"/> DEDUCTIBLE					\$
	<input type="checkbox"/> RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				<input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER	
	E.L. EACH ACCIDENT				\$	
	E.L. DISEASE - EA EMPLOYEE				\$	
	E.L. DISEASE - POLICY LIMIT				\$	
	OTHER					
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS						
CERTIFICATE HOLDER		<input checked="" type="checkbox"/> ADDITIONAL INSURED; INSURER LETTER:		CANCELLATION		
Palm Beach County Board of County Commissioners, a political Subdivision of the State of Florida, its Officers, Employees and Agents C/O Property & Real Estate management Division 2633 Vista Parkway West Palm Beach, Fl 33411-5605				SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL _____ 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 David Beaumont		
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