

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

REVISÉD

Meeting Date: May 5, 2015

☒ Consent
☐ Ordinance

<input type="checkbox"/>	Regular	
<input type="checkbox"/>	Public Hearing	

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) adopt a Resolution authorizing a Restated Lease Agreement to Lutheran Services Florida, Inc., a not-for-profit 501(c)(3) corporation ("LSF") for the provision of Head Start services at 6415 Indiantown Road, Jupiter ("Jupiter");

B) approve a Restated Lease Agreement with LSF for Jupiter;

C) adopt a Resolution authorizing a Restated Lease Agreement to LSF for the provision of Head Start services at 1440 W. Martin Luther King Blvd., Riviera Beach ("Riviera Beach");

D) approve a Restated Lease Agreement with LSF for Riviera Beach;

E) adopt a Resolution authorizing a Restated Lease Agreement to LSF for the provision of Head Start services at 3691 Oswego Avenue, West Palm Beach ("Westgate");

F) approve a Restated Lease Agreement with LSF for Westgate; and

G) adopt a Resolution amending Resolution No. 2013-1470, the resolution identifying the County facilities determined to be critical to public safety or security and critical to criminal justice information security, by amending Exhibit "A", the list of critical facilities, by deleting Head Start facilities and by adding Senior Center facilities.

Summary: On May 20, 2014, the Board approved Lease Agreements with LSF for space within County occupied buildings at Jupiter (R2014-0705), Riviera Beach (R2014-0707), and Westgate (R2014-0709) (Shared Facilities) to enable LSF to assume responsibility for the provision of Head Start program services in Palm Beach County. The Leases allocated repair and maintenance responsibilities between the County and LSF and required the parties to reevaluate the facility maintenance and repair responsibilities by May 2015, in order to evaluate the allocation of maintenance and repair responsibilities based on actual facility usage. The Restated Leases continue the current division of maintenance and repair responsibilities and establish an Annual Service Charge to be paid by LSF to County. The Annual Service Charge is a pro rata share of the County's annual maintenance, repair and utility expenditures reported in the Annual Maintenance Report prepared by County. LSF's pro rata share of the annual costs is calculated based on the proportion of the total space in the facility. County will prepare an Annual Maintenance Report containing all of the annual expenditures for each facility. Beginning in January 2016, and annually thereafter, County shall notify LSF of the Annual Service Charge for each facility, which will be payable in July. Upon Lease termination or expiration, LSF shall pay a pro rata Annual Service Charge based on expenditures reported from July 1 to date of termination. The annual rent is One Dollar (\$1.00) and the term of each Lease is to May 19, 2019. The Restated Leases clarify various provisions regarding pest control, indoor air quality assessment and compliance related service responsibilities and update the standard nondiscrimination clause. In all other respects the Restated Lease Agreements remain the same. The Resolution amends Resolution No. 2013-1470 by amending Exhibit "A" the list of Critical Facilities to remove Head Start facilities from the list, and to add the North County, Mid County and West County Senior Center facilities to the list.

(PREM) District(s) 1, 2 & 7 (HJF)

Background and Justification: On September 24, 2013 the Board authorized staff to initiate negotiations with LSF to assume Head Start programming cumulating in Board approval of seven (7) Lease Agreements (Jupiter, Riviera Beach, Westgate, South Bay, West Palm, San Castle and Four Points). The Shared Facilities Lease are occupied by County departments and LSF. The Restated Leases address the need to equitably allocate expenses based on actual facility usage. LSF is a Florida not-for-profit corporation and has provided the Statement of Beneficial Interests.

Attachments:

- Attachments:
- (A) Resolution (6415 Indiantown Road, Jupiter)
 - (B) Restated Lease Agreement (6415 Indiantown Road, Jupiter)
 - (C) Resolution (1440 W. Martin Luther King Blvd., Riviera Beach)
 - (D) Restated Lease Agreement (1440 W. Martin Luther King Blvd., Riviera Beach)
 - (E) Resolution (3691 Oswego Avenue, West Palm Beach)
 - (F) Restated Lease Agreement (3691 Oswego Avenue, West Palm Beach)
 - (G) Resolution

Recommended By:

Department Director

Date _____

Approved By:

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		162,396	162,396		
External Revenues		(\$102,396)	(\$102,396)		
In-Kind Match (County)					
NET FISCAL IMPACT		\$ 0	\$ 0		
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current Budget:	Yes	X	No		
Budget Account No:	Fund 0001	Dept 410	Unit 5270	Rev 4901	

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

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

_____ 4-20-15
OFMB 4/23 for Contract Development and Control 5-1-15

B. Legal Sufficiency:

_____ 5/11/15
Assistant County Attorney

C. Other Department Review:

Department Director