

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

Meeting Date: April 4, 2017 **Consent** **Regular**
 Ordinance **Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

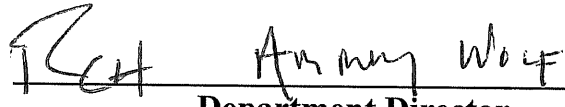

Motion and Title: Staff recommends motion to receive and file: notice of exercise of the eighth option to extend the term of the Lease Agreement with Theodore W. Winsberg and Gertrude K. Winsberg (R99-842D) for one (1) year for rent of \$1/yr.

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 three (3) years. Exercising this eighth extension option will extend the term of the Lease Agreement through May 1, 2018. The Winsbergs have the right to exercise their option to extend 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 Agreement upon 120 days notice. The annual rental rate for this extension will continue to be \$1/yr. Two (2) one (1) year extension options remain available to the Winsbergs. WUD supports the extension and will continue to have administrative responsibility for this Lease Agreement. 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), the fourth extension option was exercised on April 2, 2013, (R2013-0378), the fifth option was exercised on April 15, 2014, (R2014-0509), the sixth option was exercised on April 21, 2015 (R2015-0481), and the seventh option was exercised on April 19, 2016 (R2016-0506) extending the term of the Lease Agreement through May 1, 2017. Exercise of this eighth extension option will extend the term through May 1, 2018. 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:		3/10/17
	Department Director	Date
Approved By:		3/23/17
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures					
Operating Costs	(1)	(1)			
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	<u>(1)</u>	<u>(1)</u>			
# 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:

Fixed Asset Number n/a

C. Departmental Fiscal Review: _____ *3-13-17*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Jeff D. Webb
 OFMB *Er 3/15 @ 3/15 QHA 3/17*

Dr. J. Jacobson
 Contract Development and Control *3/22/17*
3/21/17

B. Legal Sufficiency:

AD C. P. M.
 Assistant County Attorney *3/23/17*

C. Other Department Review:

 Department Director

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

TWP 45

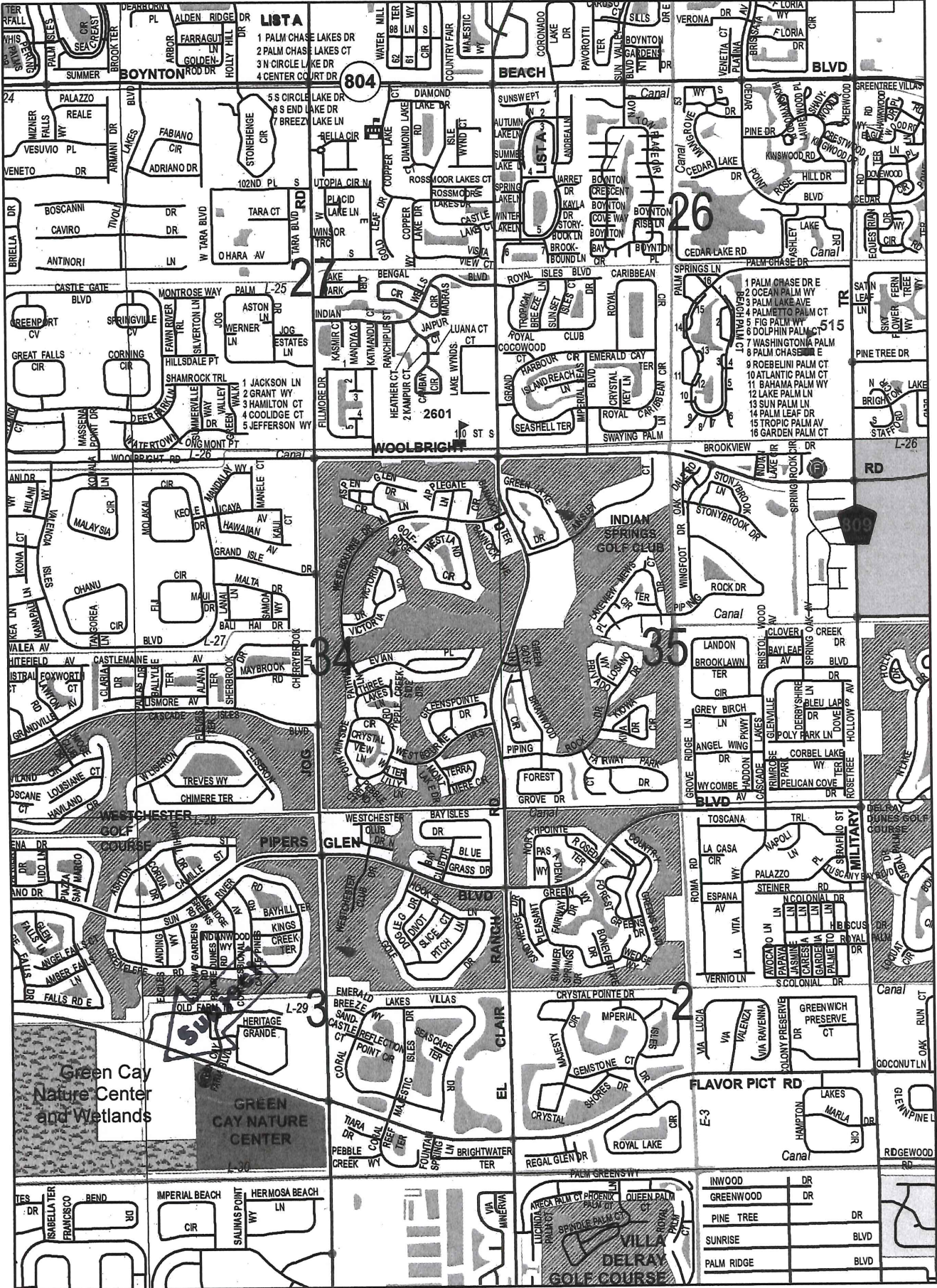
TWP 45

TWP 46

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RNG 42

See pg 109

RNG 42

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LOCATION MAP

Attachment 1

1 of 1





GREEN CAY FARMS, INC.

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

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

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

1/5/17

Board of County Commissioners
West Palm Beach, FL

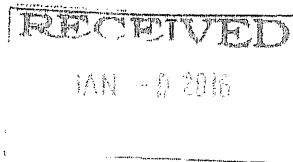
Re:

R 99-8420

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

ced & Trudy Winsberg

ch # 14270 lease payment enclosed



Attachment 2
1 of 1

BUDGET AVAILABILITY STATEMENT

REQUEST DATE: January 10, 2017

REQUESTED BY: Richard C. Bogatin

PHONE: 561-233-0214

FAX: 561-233-0210

PROJECT TITLE: Winsberg Farm Lease Option No 8 PROJECT NO.: 2017-5.00__

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$1.00)	(\$1.00)	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>(\$1.00)</u>	<u>(\$1.00)</u>	_____	_____	_____
# 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: wid area fee)
- Grant (source/type: _____)
- Park Improvement Fund (source/type: _____)
- General Fund
- Operating Budget
- Federal/Davis Bacon
- _____

SUBJECT TO IG FEE? YES _____ NO X

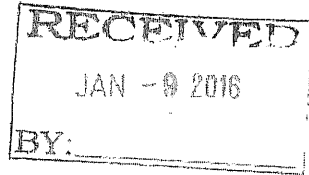
Department: WATER UTILITIES

BAS APPROVED BY: [Signature] DATE: 1/10/17

*Attachment 3
1 of 1*

STATEMENT OF EXEMPTION FROM WORKER'S COMPENSATION REQUIREMENT

TO: Palm Beach County Board of County Commissioners
Property and Real Estate Management
Attn: Director
2633 Vista Parkway
West Palm Beach, FL 33411



This will affirm that:

1. We are not engaged in the "construction industry" as defined in FL Chapter 440 and do not employ more than three persons (including Corporate Officers, if any).
2. We do not carry Florida Workers Compensation insurance.
3. Any persons that we may engage to work will have legal status as independent contractors, and not employees.
4. All such independent contractors have been advised that they are not covered for Workers Compensation insurance, and would be responsible for carrying their own such coverage if they desire.
5. If we should fall under Florida's requirement for carrying Workers Compensation insurance, we shall immediately obtain such coverage and provide evidence of it to you.

Accordingly, we hereby apply for exemption from Palm Beach County's requirement for carrying Workers Compensation insurance.

Theodore W. Winsberg Green Cay Farms Inc
(Please Print Name)

Theodore W. Winsberg 1/5/17
Signature/Title Date

Green Cay Farms Inc
Company Name

12750 Hagen Ranch Rd Boynton Beach FL
Company Street Address/City/State/Zip Code
33437

Summary of Certificates

This report displays detailed Certificate of Insurance information for a selected Insured. Any items shown in red are deficient.

Monday, February 27, 2017

- Simple View
- Certificate Images
- Documents
- Call Log

Insured: Theodore W. Winsberg & Gertrude K. Winsberg; Green Cay Farms, Inc. Insured ID: R99-842D

Status: Compliant (with overrides)

ITS Account Number: PLC1381

Project(s): Palm Beach County - Facilities PREM

Insurance Policy	Required	Provided	<u>Override</u>
<u>General Liability</u>			
Expiration: 2/4/2018			
General Aggregate:	\$1,000,000	\$1,000,000	
Products - Completed Operations Aggregate:	\$1,000,000	\$1,000,000	
Personal And Advertising Injury:	\$1,000,000	\$500,000	X
Each Occurrence:	\$1,000,000	\$500,000	X
Fire Damage:	\$100,000	\$50,000	X
Medical Expense:	\$5,000	\$5,000	
<u>Excess/Umbrella Liability</u>			
Expiration: 2/4/2018			
Each Occurrence:	\$0	\$1,000,000	
Aggregate Limit:	\$0	\$1,000,000	
<u>Workers Compensation/Employers Liability</u>	WC Stat. Limits	not provided	X

Missing Policy Information Override

The original Certificate of Insurance received did not include policies for the following coverages:

- Workers Compensation/Employers Liability X

Notifications ([Show All](#))

There were no deficiency letters issued.

Do you have an updated Certificate? Click the button below to submit a Certificate.

Certificate Submittal