

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

Meeting Date: May 16, 2017 **Consent** **Regular**
 Ordinance **Public Hearing**

Department: **Facilities Development & Operations**

I. EXECUTIVE BRIEF

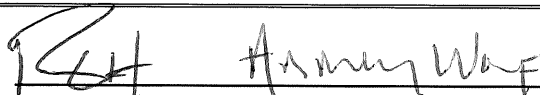
Motion and Title: Staff recommends motion to receive and file: a notice of exercise of the third extension option under the Lease Agreement (R2002-1464) with Verizon Wireless Personal Communications, L.P. for the continued use of nine (9) wireless communication antennas located on the roof top of the Southern Region Water Reclamation Facility in Boynton Beach.


Summary: Since August 20, 2002, Verizon Wireless Personal Communications, L.P. (Verizon) has operated and maintained nine (9) wireless communication antennas and radio equipment on the rooftop of the Southern Region Water Reclamation Facility located at 12751 Hagen Ranch Road in Boynton Beach. The initial term of the Lease Agreement was for five (5) years ending on August 19, 2007, and contained five (5) extension options, each for a period of five (5) years. Verizon is exercising its third five (5) year extension option for the period of August 20, 2017 through August 19, 2022. The annual rent will be increased by three percent (3%) from \$45,377.71 to \$46,739.04 effective August 20, 2017. The Water Utilities Department is satisfied with Verizon's performance and will continue to have administrative responsibility of the Lease Agreement. Pursuant to the terms of the Lease Agreement, Verizon has the right to exercise its option and the Board has no discretionary authority to not allow the exercise of the option. There remain two (2) five (5) year options available to Verizon. All other terms and conditions of the Lease Agreement will remain in full force and effect. **(PREM) District 5** (HJF)

Background and Justification: The Lease Agreement with Verizon was approved on August 20, 2002 (R2002-1464). Verizon exercised the first option on August 21, 2007 (R2007-1316), extending the term of the Lease Agreement through August 19, 2012. On December 18, 2012 (R2012-1885), the Board approved the First Amendment to the Lease Agreement adding three (3) additional antennas for Verizon and permitting equipment modifications by both parties. The second extension option was exercised on June 19, 2012 (R2012-0891) extending the term through August 19, 2017. On July 12, 2016 (R2016-0882), the Board approved a Second Amendment to the Lease Agreement allowing equipment modifications by both parties. Exercise of this third extension option will extend the term from August 20, 2017, through August 19, 2022. Verizon is an entity registered with the Federal Securities Exchange Commission whose interest is for sale to the general public. Florida Statutes does not require that a Disclosure of Beneficial Interests be obtained.

Attachments:

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

Recommended By:  **Department Director** 4/27/17 **Date**

Approved By:  **County Administrator** 5/9/17 **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	<\$46,739. >	<\$48,141. >	<\$49,585. >	<\$51,073. >
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	*	<\$46,739. >	<\$48,141. >	<\$49,585. >	<\$51,073. >
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____

Budget Account No: Fund 4000 Dept 720 Unit 4200 Rev SRCE 6225
 Program _____

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

*FY-17 Rent of \$45,377.71 was received in October 2016/ 3% annual increases.

Fixed Asset Number N/A

C. Departmental Fiscal Review: Kayn Lykes 4/28/17

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature] 5/3/17
 OFMB ETS/2 AS/2 OAM/5/3

[Signature] 5/24/17
 Contract Development and Control
 5/4/17 TW

B. Legal Sufficiency:

[Signature] 5/5/17
 Assistant County Attorney

C. Other Department Review:

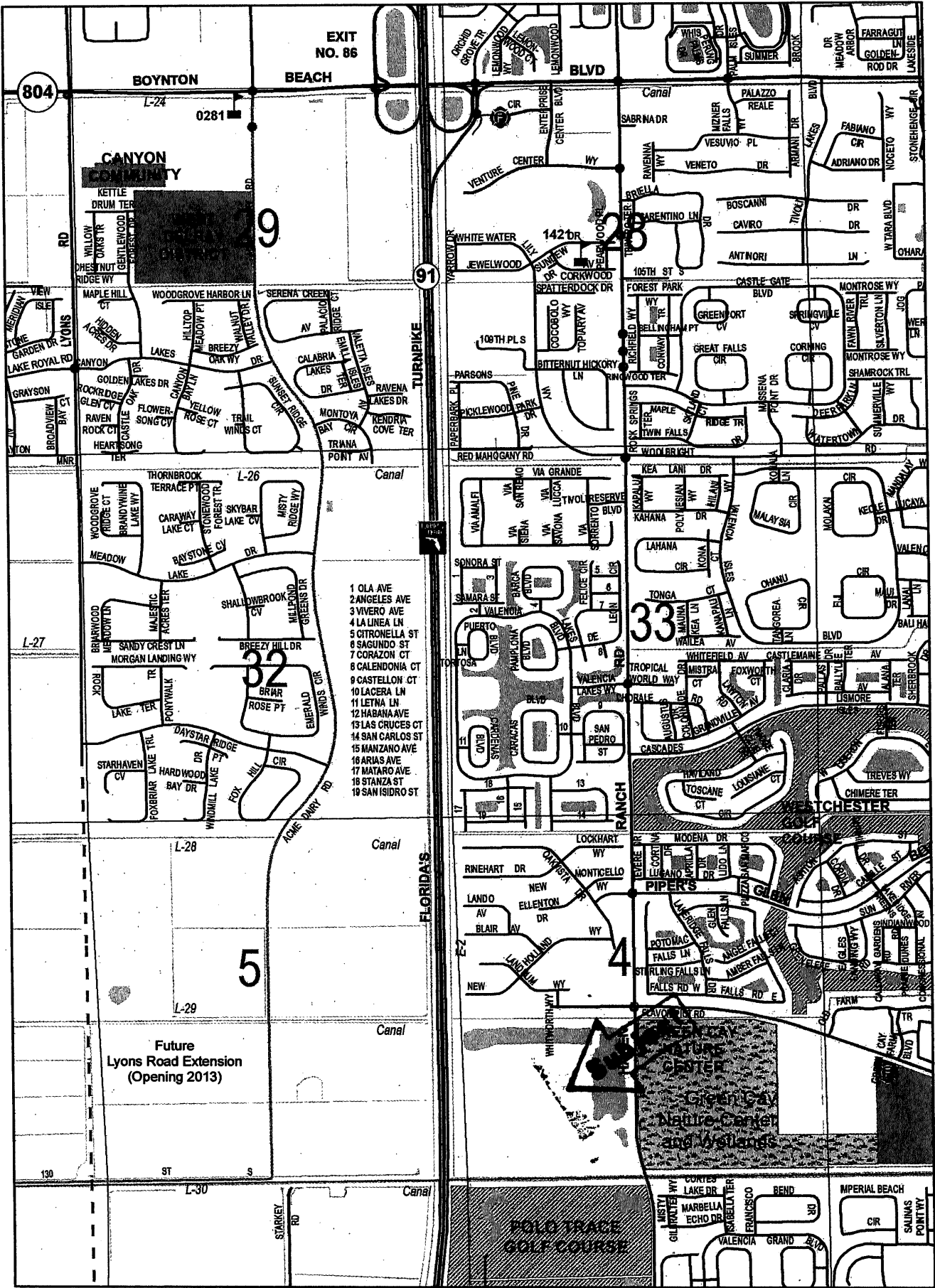
 Department Director

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

TWP 45

TWP 45

TWP 46



RNG 42

See pg 108

RNG 42

LOCATION MAP

Attachment 1
1/8'





January 12, 2017

4700 Exchange CT
Suite 100
Boca Raton, FL 33431

Palm Beach County, FL
Property & Real Estate Management
Attn: Director
2633 Vista Parkway
West Palm Beach, FL 33411

RE: NOTICE TO RENEW: Lease Agreement dated August 20, 2002, by and between Palm Beach County, Florida and Verizon Wireless Personal Communications LP, d/b/a Verizon Wireless for the use of the property identified below.

To Whom It May Concern:

This letter serves as notification that Verizon Wireless is exercising its right to extend the Agreement for an additional term, which term shall commence on August 20, 2017 and continue through August 19, 2022. Should you have any questions regarding this notice please call Network Real Estate at 866-862-4404.

Sincerely,

Joe Weibel
Director of Network Engineering/System Performance

Property:

VZW Site Name Palm Beach County Water Reclamation Facility
Contract# 51846
Address: 12751 Hagen Ranch Rd, Boynton, Florida

Cc: Palm Beach County, FL, Water Utilities Dept., Attn: Director, 8100 Forest Hill Blvd, West Palm Beach, Florida

Palm Beach County, FL Attn: County Attorney, 301 N Olive Ave., Ste 601, West Palm Beach, FLL

Attachment 2
1 of 1

BUDGET AVAILABILITY STATEMENT

REQUEST DATE: March 6, 2017 REQUESTED BY: Richard Bogatin PHONE: 561.233.0214
 PROJECT TITLE: Verizon Opt 3 of 3, 2017-2022 PROJECT NO.: 2017.5.006
 FAX:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	<\$46,739.04>	<\$48,141.21>	<\$49,585.45>	<\$51,073.01>
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	<\$46,739.04>	<\$48,141.21>	<\$49,585.45>	<\$51,073.01>
# 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.
 (*FY-17 \$45,377.71 collected in October) FY-22 is projected for <\$52,605.20>

BUDGET ACCOUNT NUMBER

FUND: 4000 DEPT: 720 UNIT: 4200 REV SRCE: 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
- REVENUE _____ _____

SUBJECT TO IG FEE? YES NO

Department: WVD
 BAS APPROVED BY: [Signature] DATE: 3/6/17

Attachment 3
1 of 1

Below is information is justification for the figures listed below. This Third Option will exercise Verizon's third of Five 5-year by-right renewal options extending the lease period form 8/19/2017 through 8/20/2022 for the continued use of six (9) wireless communication antennas located on the roof top of the Southern Region Water Reclamation Facility in Boynton Beach.

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<u>\$46,739.04</u>	<u>\$48,141.21</u>	<u>\$49,585.45</u>	<u>\$51,073.01</u>	<u>\$52,605.20</u>
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$46,739.04</u>	<u>\$48,141.21</u>	<u>\$49,585.45</u>	<u>\$51,073.01</u>	<u>\$52,605.20</u>

For FY18:

- The Agreement with Verizon is scheduled to expire on 8/19/2017.
- The current annual rent for FY17 (paid in October 2016) is \$45,377.71.
- Per Lease Agreement (R2002-1464), the term is being extended five (5) years from 8/20/17 to 8/19/22.
- The rent will be adjusted 3% annually.
- \$45,377.71 X 103% = \$46,739.04

FY18 TOTAL = \$46,739.04

For FY19:

- \$46,739.04 X 103% = \$48,141.21

FY19 TOTAL = \$48,141.21

For FY20:

- \$48,141.21 X 103% = \$ 49,585.45

FY20 TOTAL = \$49,585.45

For FY21:

- \$49,585.45 X 103% = \$51,073.01

FY21 TOTAL = \$51,073.01

For FY22:

- \$51,073.01 X 103% = \$52,605.20

FY22 TOTAL = \$52,605.20