

3H-2

Agenda Item #:3H-2

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: April 16, 2019 [X] 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 tenth option to extend the term of the Lease Agreement with Theodore W. Winsberg and Gertrude K. Winsberg (R99-842D) for one (1) year to May 1, 2020 at an annual rental of \$1.

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 tenth extension option will extend the term of the Lease Agreement through May 1, 2020. The Winsbergs have the right to exercise their option to extend. 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. This is the last extension option available to the Winsbergs. WUD supports the extension and will continue to have administrative responsibility for this Lease Agreement. This parcel can not be used for affordable housing due to deed restrictions. 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 next phase of the Water Reclamation Project is not expected to be implemented within the next three (3) years and the parcel is not suitable for any type of housing project due to deed restrictions. 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), the seventh option was exercised on April 19, 2016 (R2016-0506), the eighth option was exercised on April 4, 2017 (R2017-0423) and the ninth option was exercised on April 10, 2018 (R2018-0409) extending the term of the Lease Agreement through May 1, 2019. Exercise of this tenth and final 1 year extension option will extend the term through May 1, 2020. 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: [Signature] Annmy Wolf 4/3/19
Department Director Date
Approved By: [Signature] 4/5/19
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<\$1>_____	<\$1>_____	_____	_____	_____
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

Does this item include the use of federal funds? 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: 

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 3/29/19
 OFMB ACD LH 3/29
 3/29

 4/11/19
 Contract Development and Control
 4/19/19

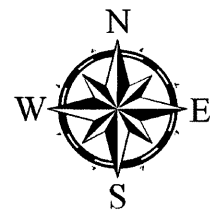
B. Legal Sufficiency:

 4/2/19
 Assistant County Attorney

C. Other Department Review:

 Department Director

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



LOCATION MAP

Attachment #1

203

2/12/19

Board of County Commissioners
West Palm Beach, FL

Re: R-99-842-0

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

10th year (final year of existing lease)

Ted & Trudy Winsberg

(Theodore W and Bertrude K. Winsberg)

RECEIVED
FEB 25 2019
BY: *M. Jones*

ATTACHMENT NO. 2

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BUDGET AVAILABILITY STATEMENT

REQUEST DATE: March 1, 2019 REQUESTED BY: Richard C. Bogatin PHONE: 561-233-0214
 FAX: 561-233-0210

9PROJECT TITLE: Winsberg Farm Lease Option No 10 of 10 PROJECT NO.:2019-5.003

Fiscal Years	2019	2020	2021	2022	2023
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: _____)
- Grant (source/type: _____)
- Park Improvement Fund (source/type: _____)
- General Fund Operating Budget Federal/Davis Bacon
- _____ _____ _____

SUBJECT TO IG FEE? YES _____ NO X

Department: Wvd

BAS APPROVED BY: [Signature] DATE: 3/1/19

C:\Users\Geggertsson\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\CX7JDLQ2\BAS revenue_expense (022912).WIN 7.docx

ATTACHMENT NO. 3

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