

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: September 10, 2019 [X] Consent [ ] Regular  
[ ] Ordinance [ ] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) adopt a Resolution authorizing an Amended and Restated Lease Agreement with the School Board of Palm Beach County (School Board) for its continued use of approximately 10,266 SF of land and a 3,000 SF+/- building located at 4400 Australian Avenue, West Palm Beach, for educational services and programs for at-risk youths; and

B) approve an Amended and Restated Lease Agreement with the School Board extending until February 22, 2029, for \$1 per year.

**Summary:** On February 23, 2010, the Board approved an Agreement of Lease (R2010-0256) for a 3,000 SF+/- County owned building and a total of 10,266 SF+/- of land currently supporting three (3) School Board owned portable classrooms. The School Board utilizes the building and portable classrooms to provide educational services and truancy programs to at risk youths at the Sabal Palm/High Ridge School. On May 1, 2012, a First Amendment (R2012-0631) modified the term from automatic renewals on a year to year basis to a fixed term of 10 years expiring on February 22, 2022, to coincide with the useful life of portable classrooms the School Board intended to replace. Lack of funding has delayed replacing the portable classrooms and the School Board has requested a seven (7) year extension to the term to support its investment. This Amended and Restated Lease Agreement replaces the existing Agreement of Lease, extends the term through February 22, 2029, updates County standard provisions, and retains the delegated authority to the Director of Facilities Development & Operations (FDO) for the approval of modular replacement plans, which plans were approved in June 2019. This Amended and Restated Lease Agreement may be cancelled by either party for any reason upon one hundred eighty (180) days' notice to the other party. The annual rent is \$1 per year. The School Board is responsible for all utility fees, maintenance, repairs and removal of its property and restoration of the premises at expiration or termination of the Amended and Restated Lease Agreement. Property and Real Estate Management will have administrative responsibility for this Amended and Restated Lease Agreement. **(Property and Real Estate Management) District 7 (HJF)**

**Background and Justification:** The School Board has occupied this property since the early 1980s in support of the County's Sabal Palm/High Ridge School. Florida Statutes, Section 286.23, does not require that a Disclosure of Beneficial Interests be obtained.

**Attachments:**

- 1. Location Map
- 2. Resolution
- 3. Amended and Restated Lease Agreement (2)

Recommended By: [Signature] Department Director Date: 7/31/19

Approved By: [Signature] County Administrator Date: 8/23/19

**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>	<\$1>	<\$1>	<\$1>
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	=====	=====	=====	=====	=====
# 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 0001 Dept 410 Unit 4240  
Revenue Source 6201 Program Code \_\_\_\_\_

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

Fixed Asset Number \_\_\_\_\_

C. Departmental Fiscal Review: *Ken Sikes*

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development Comments:**

*Robert Rowles* 8/14/19  
OFMB <sup>RP</sup> 8/13

*Ann G. Jacobson* 8/15/19  
Contract Development and Control 8/15/19

**B. Legal Sufficiency:**

*[Signature]* 8/16/19  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

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