

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$396,608)	(\$415,762)	(\$428,235)	(\$328,349)	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>(\$396,608)</u>	<u>(\$415,762)</u>	<u>(\$428,235)</u>	<u>(\$328,349)</u>	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____

Does this item include the use of federal funds? Yes _____ No X _____

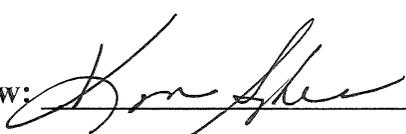
Budget Account No: Fund 1222 Dept 800 Unit 8011 Revenue Source 6225

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

The annual rent is subject to CPI adjustment each July. For this purpose, only an estimated 3% increase is being used. Fiscal year 2020 includes a prorated rental amount due to the County having a 78.9% ownership interest in the Property for the month of October. All other subsequent months are calculated based on the County having a 100% ownership interest.

A Security Deposit in the amount of \$147,258.66 to be held in escrow pursuant to the terms of the Lease.

Fixed Asset Number N/A

C. Departmental Fiscal Review: 

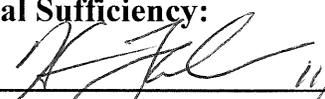
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 11/4/19
OFMB 11/11

 11/5/19
Contract Development and Control

B. Legal Sufficiency:

 11/7/19
Assistant County Attorney

C. Other Department Review:

Department Director

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

ATTACHMENT NO. 2
Assignment of Lease – 3 Pages



SOUTH FLORIDA WATER MANAGEMENT DISTRICT ASSIGNMENT

4600002862

**ASSIGNMENT OF LEASE
BETWEEN
SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND PALM BEACH COUNTY
AND
PERO FAMILY FARMS, LLC**

THIS ASSIGNMENT (“Assignment”) is effective as of November 1, 2019, by and between South Florida Water Management District, a governmental entity created under Chapter 373, Florida Statutes (“SFWMD”) and Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (“PBC”). SFWMD and PBC may be referred to as “Party” or “Parties” as may be reflected herein.

WHEREAS, pursuant to the terms of that certain Third Amendment to Interlocal Agreement effective on February 8, 2018 (the “I/L Agreement”), PBC has purchased one hundred percent (100%) of SFWMD’s fee interest in the real property which fee interest is encumbered by that certain Lease dated June 18, 2013, (referred to herein as the “Lease”) by and between SFWMD and Palm Beach County (collectively “Lessor”) and Pero Family Farms, LLC, a Florida limited liability company (“Tenant”), including all rights and obligations set forth in the Lease (referred to as the “Acquisition”); and

WHEREAS, as a result of the Acquisition, SFWMD is to transfer all right, title and interest to the Lease, together with all obligations under the Lease to PBC; and

WHEREAS, PBC has purchased one hundred percent (100%) of the fee interest in the real property of SFWMD which is encumbered by the Lease thereby creating the need for this Assignment; and

WHEREAS, PBC will assume all right, title and interest to the Lease, as well as assume all responsibility for the obligations of SFWMD under the Lease;

NOW THEREFORE, in consideration of good and valuable consideration the receipt and sufficiency of which is hereby acknowledged by the Parties, together with the promises and benefits flowing from each to the other, the Parties agree as follows:

1. **RECITALS**. The recitals set forth above are hereby restated in their entirety. **PBC** has the ability to assume the entire right, title, interest and obligations of **SFWMD** under the Lease.

Contract No. 4600002862



SOUTH FLORIDA WATER MANAGEMENT DISTRICT ASSIGNMENT

2. **ASSIGNMENT BY SFWMD/EFFECTIVE DATE.** SFWMD hereby irrevocably assigns, conveys and transfers to PBC all right, title and interest, as well as the delegation of all performance duties, responsibilities and obligations under the Lease. This Assignment will be effective as of November 1, 2019.

3. **ASSUMPTION BY PBC.** PBC hereby assumes all right, title and interest to the Lease. Further, PBC agrees to assume the performance of all the duties, responsibilities and obligations of SFWMD under the Lease.

4. **LEASE IN FULL FORCE AND EFFECT.** SFWMD hereby verifies and represents to County that the Lease is in full force and effect and enforceable according to the terms of the Lease.

IN WITNESS HEREOF the parties have caused this Assignment to be executed in their respective names on the dates set forth below.

SFWMD:
SOUTH FLORIDA WATER MANAGEMENT
DISTRICT

By: Candida Heater
Candida Heater, Director
Administrative Services Division

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SFWMD Procurement Approved:

Linda Greer
Linda Greer

Date: 10/2/19

SFWMD Legal Form Approved

Thomas R. Sawyer
Thomas R. Sawyer

Date: 10/1/19



SOUTH FLORIDA WATER MANAGEMENT DISTRICT ASSIGNMENT

ATTEST:
SHARON R. BOCK
CLERK & COMPTROLLER

COUNTY:
PALM BEACH COUNTY, a political
subdivision of the State of Florida

By: _____
Deputy Clerk

By: _____
Mayor

Date: _____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Assistant County Attorney

By: _____
Department Director

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