Agenda Item #: 3H/

### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	September 14, 2021	[X] Consent [ ] Ordinance	[ ] Regular [ ] Public Hearing
Department:	Facilities Development	& Operations	

#### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a resolution requesting an assignment of lease from the Florida Department of Environmental Protection (FDEP), Division of State Lands ("State Lands"), for the state-owned real property located at 1837 and 1839 East Main Street in the City of Pahokee.

**Summary:** The State of Florida owns approximately 1.72 acres of improved real property located on the west side of East Main Street/State Road 715 in the City of Pahokee. The property is improved with an approximately 3,600 square foot single story building, 31 vehicular parking spaces, an approximately 320-foot tall communication tower, and other various site improvements. The existing building was most recently occupied by the Florida Department of Health Palm Beach County (FDOH PBC) as a community clinic. The clinic is no longer in active operation and FDOH PBC desires to assign its existing lease of the property with State Lands to Palm Beach County for its use and management of the facility for local service needs. Prior to assigning a leasehold interest to the County, State Lands requires a resolution of the Board of County Commissioners requesting the proposed assignment of the lease. Adoption of this resolution will thereafter fulfill an application requirement for the County to formally pursue a lease of the property from State Lands. There is no cost to the County to make application to State Lands requesting the proposed lease, and the formal assignment shall be subject to final approval by the County. (FDO Admin) District 6 (MWJ)

**Background and Justification:** In December 2020, FDOH PBC informed FDO of its desire to potentially assign its existing lease of the subject property with State Lands to the County for its use. FDO proceeded to commission a professional condition assessment of the property, less the communication tower that would remain the responsibility of the Florida Forest Service (FSS), to assess the viability of adaptively reusing the existing improvements for County service delivery. That assessment concluded that the facility is in good overall condition inside and out, with various improvements being needed or recommended for preservation of the asset, consistency with modern standards, and compliance with current regulations. Based upon the fact that the facility was last renovated in 2010 for clinical service purposes, combined with the fact that the Animal Care and Control (ACC) facility in Pahokee has reached end of life since services were suspended during the recent recession, FDO has identified ACC as the most logical and best-suited occupant for the facility, and requiring the least amount of renovation to support County operations. The facility is seen by FDO staff as the least costly option for returning ACC services to a fixed location in the Glades region and providing additional operating capacity during the upcoming Renewal and Replacement (R/R) project at ACC's main facility on Belvedere Road in West Palm Beach. ACC operations in the space will be limited to clinic-type needs, akin to a veterinary spay/neuter clinic; construction of external kennels is not being considered as to not disrupt the residential nature of the neighborhood. ACC representatives have visited the facility, concur with FDO's position and welcome the opportunity to commence operations from the facility following completion of the aforementioned improvements and other minor measures to tailor the facility to ACC operations. Accommodations would also be made for a PBSO District 12 field station to replace a City-owned facility that was removed from service due to structural damage and return PBSO personnel to their assigned patrolling and service area. Per the City of Pahokee's regulations, the property is zoned Single Family Mixed Used (SFMU) which permits it to be used for public safety facilities operated by public agencies. As of the date of submission of this agenda item, Staff has been invited to attend a City of Pahokee Commission Workshop on August 24, 2021 and present a summary of the County's proposed lease application. Concurrently, Staff is pursuing community outreach efforts which it expects to have concluded before bringing back to the Board the formal assignment of lease for its consideration. If granted the lease, FDO intends to include \$250,000 for professional design services in its FY2022 Capital Improvement Program (CIP) and \$2.25M for permitting and construction of those improvements in FY2023. The resolution that is the subject of this item is required by State Lands as a component of a formal application toward the assignment of a lease for the premises to the County. It would be the intent of State Lands to simultaneously assign a leasehold interest to the Florida Forest Service (FFS) for the existing communication tower and improvements directly related thereto in order to allow FFS to continue its existing equipment operations on the tower. FDO staff recommends that the Board adopt the subject resolution to authorize staff to proceed with a formal application to State Lands toward securing a lease for the facility, which would extend thru December 4, 2057 per the lease term currently in effect with FDOH PBC. Although FDO staff did inquire about the potential for a conveyance of the property in lieu of a lease, a lease was determined to be the preference of State Lands and least complicated approach to accomplish the County's immediate interest in the property.

#### Attachments:

- 1. Location Map
- 2. Resolution

Recommended By:	ZEN Dorni I. ayala cellas	8/10/2021
Approved By:	Department Director	Date 7/20/2/
	County Administrator	Date // /

### II. FISCAL IMPACT ANALYSIS

#### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures Operating Costs External Revenues					
In-Kind Match (County)					
NET FISCAL IMPACT					
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current Budg Does this items include use of fede		Yes Yes		X X	
Budget Account No: Fund	Dept	Unit	_ Object	Program	n

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

This item has no fiscal impact.

Departmental Fiscal Review: С. III. <u>REVIEW COMMENTS</u>

A. OFMB Fiscal and/or Contract Development Comments:

611712 8.16

Contract Development and Control

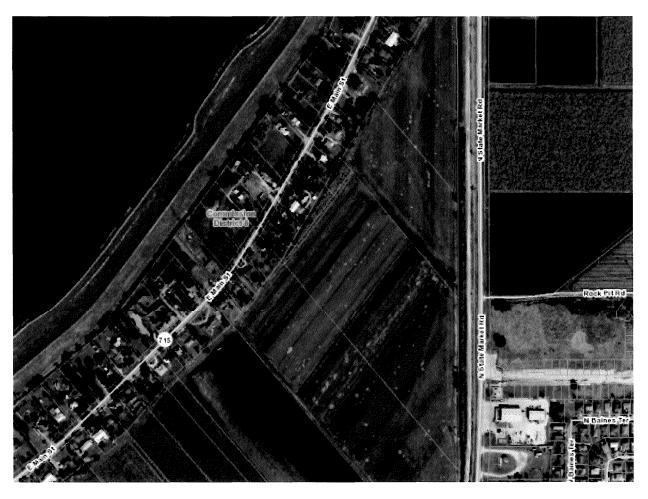
B. Legal Sufficiency: 8/17/21 Assistant County Attorney

C. Other Department Review:

Department Director

# ATTACHMENT 1

### Location Map



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#### RESOLUTION NO. 2021-\_\_\_

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REQUESTING AN ASSIGNMENT OF LEASE FROM THE STATE OF FLORDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF STATE LANDS, FOR THE STATE-OWNED REAL PROPERTY LOCATED AT 1837 AND 1839 EAST MAIN STREET IN THE CITY OF PAHOKEE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the State of Florida Department of Environmental Protection, Division of State Lands (hereinafter "State Lands"), administers the assignment of leases for real property owned by the State of Florida; and

WHEREAS, the Florida Department of Health Palm Beach County (FDOH PBC) holds a Lease Agreement (Lease Number 4564) with the State of Florida for state-owned real property located at 1837 and 1839 East Main Street in the City of Pahokee; and

WHEREAS, FDOH PBC no longer actively operates the facility from its leased premises at 1837 and 1839 East Main Street in the City of Pahokee and has identified the County as a potentially interested party; and

WHEREAS, the County has identified an opportunity to repurpose the facility for delivery of County services; and

WHEREAS, the Board of County Commissioners finds it to be in the best interest of the County to lease the state-owned real property located at 1837 and 1839 East Main Street in the City of Pahokee for County service delivery.

## NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The Board of County Commissioners hereby requests that State Lands assign the County a lease for the state-owned real property located at 1837 and 1839 East Main Street in the City of Pahokee for the remaining duration of the Lease Agreement with FDOH PBC (Lease Number 4564), which extends to December 4, 2057. The assignment shall be subject to final approval by the County.

SECTION 3. This Resolution shall become effective upon passage.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Commissioner Dave Kerner, Mayor	
Commissioner, Robert S. Weinroth Vice Mayor	
Commissioner Maria G. Marino	
Commissioner Gregg K. Weiss	
Commissioner Maria Sachs	
Commissioner Melissa McKinlay	
Commissioner Mack Bernard	

The Mayor thereupon declared the Resolution duly passes and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By:

APPROVED AS TO FORM AND ITS LEGAL SUFFICIENCY

County Attorney

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS JOSEPH ABRUZZO, CLERK

Deputy Clerk