

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: May 14, 2024

Consent Regular
 Ordinance Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the First Amendment to Concessionaire Lease Agreement with GC Ventures FL, LLC, exercising the first of two one (1) year renewal options, extending the term from August 16, 2024 to August 15, 2025.

Summary: On July 13, 2021, the Board of County Commissioners approved a Concessionaire Lease Agreement (Agreement) with GC Ventures FL, LLC (R2021-0944) for the operation of a food and beverage concession at Okeeheelee Golf Course at Okeeheelee Park. The initial term of the Agreement was three (3) years with two (2) successive 1-year renewal options for the management of approximately 1,800 SF of indoor and outdoor space known as the Okee Grill. GC Ventures submitted timely notification of its intention to exercise the first renewal option. This First Amendment extends the lease term from August 16, 2024 to August 15, 2025. All other terms and conditions of the Agreement remain unchanged. The Parks and Recreation Department (Parks) will continue to have administrative responsibility for the Agreement. **(Property & Real Estate Management) District 2 (HJF)**

Background and Justification: The Agreement was initially approved in 2021 as a result of a Request for Proposals. The Agreement includes an initial term of three (3) years plus two (2) successive 1-year options to extend. The Agreement also provides for rental rate increases of 3% each year. Subsequent to the approval of this First Amendment, there will be one 1-year option to extend remaining. The current rent is \$12,731 per year through August 15, 2024. On August 16, 2024, the rent will increase to \$13,113 per year. Parks manages this Agreement and is satisfied with the performance of the Concessionaire and joins Facilities Development and Operations in recommending approval of this First Amendment. The ownership percentages for GC Ventures are identified in the Disclosure of Beneficial Interest included as attachment 4.

Attachments:

- 1. Location Map
- 2. Option to extend letter
- 3. First Amendment to Concessionaire Lease Agreement
- 4. Disclosure of Beneficial Interests

Recommended By: *P. Sami C. Neal* *4/8/24*
Department Director Date

Approved By: *M. Baker* *4/19/24*
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$1,657)	(\$11,456)	(- 0 -)	(- 0 -)	(- 0 -)
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$1,657)	(\$11,456)	(- 0 -)	(- 0 -)	(- 0 -)
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes **X** No

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

Does this item include the use of state funds? Yes No

Budget Account No: Fund 1384 Dept 581 Unit 5287 RSRC 4729
 Program _____

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

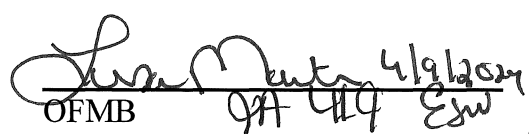

The first of two one (1) year renewal options, extending the term from August 16, 2024, to August 15, 2025 with a 3% annual increase beginning on August 16, 2024.

Fixed Asset Number N/A

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

<p><u></u> 4/9/24 OFMB <u>JH 4/9</u> <u>ESW</u> 4-9-24</p>	<p><u></u> 4/17/24 Contract Development and Control 706 4/16/24</p>
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B. Legal Sufficiency:

 4/17/24
 Assistant County Attorney

C. Other Department Review:

Jennifer Cirillo
Digitally signed by Jennifer Cirillo
 DN: cn=Jennifer Cirillo, o=County of Santa Clara, ou=County of Santa Clara, email=jcirillo@countyofsc.org, c=US
 Department Director

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

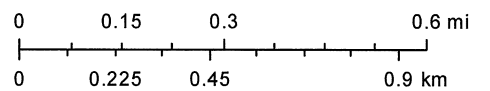
Okechee Golf Course



March 29, 2024

LOCATION MAP

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Attachment # 1

Attachment # 2

Option to Extend Letter

GC VENTURES FL, LLC.
1127 Royal Palm Beach Blvd #508
Royal Palm Beach, FL 33411



2/14/2024

Dear Indira Persaud,

GC Ventures FL, LLC., would like to exercise our option to renew concessionaire lease agreement R-2021-0944 for the following property:

(Okee Grill at Okeeheelee Golf Course)

Please let me know if you need anything else.

Regards,

A handwritten signature in black ink, appearing to read "Andy Studebaker", with a long horizontal flourish extending to the right.

Andy Studebaker
713-385-6363
andy@swhgrp.com

Attachment # 3

First Amendment (2 @ 3 pages each)

FIRST AMENDMENT TO CONCESSIONAIRE LEASE AGREEMENT

THIS FIRST AMENDMENT TO CONCESSIONAIRE LEASE AGREEMENT (R2021-0944), (“First Amendment”) is made and entered into _____, by and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, (“County”) and **GC VENTURES FL, LLC.**, a Florida Limited Liability Company, (“Concessionaire”) collectively referred to as the “Parties”).

WHEREAS, County and Concessionaire, entered into that certain Concessionaire Lease Agreement dated July 13, 2021 (R2021-0944) (the “Agreement”) for the use of the Premises as defined in the Agreement, with a commencement date of August 16, 2021, for a term of three (3) years with two extension options of one (1) year each; and

WHEREAS, the Term of the Agreement currently expires on August 15, 2024; and

WHEREAS, Concessionaire has provided County with written notice that Concessionaire wishes to exercise the first of two available one (1) year renewal options; and,

WHEREAS, County is satisfied with the performance of Concessionaire; and

WHEREAS, County acknowledges timely notification of the request to extend and consents to the extension of the lease term for a period of one (1) year.

NOW, THEREFORE, in consideration of the mutual covenants and agreement hereinafter set forth, and various other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Agreement, as amended.
2. The term of the Agreement is hereby extended for a period of one (1) year commencing on August 16, 2024, and extending to August 15, 2025, unless sooner terminated pursuant to the provisions of this First Amendment.
3. Except as modified by this First Amendment, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof.

Remainder of this page intentionally left blank

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be executed as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

CONCESSIONAIRE:

GC Ventures FL, LLC, a Florida Limited
Liability Company

By: [Handwritten Signature]
Witness Signature

By: [Handwritten Signature]
Signature

Breana Moeller
Witness Printed Name

Anderson Stachurski
Print Name

By: [Handwritten Signature]
Witness Signature

Member
Title

Caleb Acosta
Witness Printed Name

ATTEST:

**JOSEPH ABRUZZO
CLERK OF THE CIRCUIT COURT
& COMPTROLLER**

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

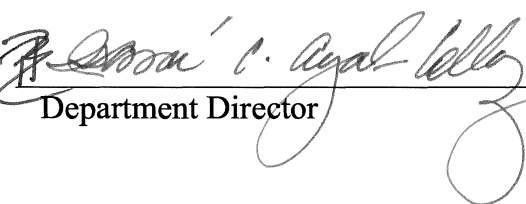
By: _____
Deputy Clerk

By: _____
Maria Sachs, Mayor

**APPROVED AS TO LEGAL
SUFFICIENCY:**

**APPROVED AS TO TERMS AND
CONDITIONS:**

By: 
Assistant County Attorney

By: 
Department Director

Attachment # 4

Disclosure of Beneficial Interest (3 pages)

CONCESSIONAIRE'S DISCLOSURE OF BENEFICIAL INTERESTS

TO: PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Anderson Studebaker, hereinafter referred to as "Affiant", who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Member (position - i.e. president, partner, trustee) of GC Ventures FL, LLC (name and type of entity - i.e. ABC Corporation, XYZ Limited Partnership), (the "Concessionaire") which entity is providing concession services on the real property legally described on or depicted in the attached Exhibit "A" (the "Licensed Area").

2. Affiant's address is: 1127 Royal Palm Beach Blvd #508 Royal Palm Beach, FL 33411

3. Attached hereto, and made a part hereof, as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater beneficial interest in the concessionaire and the percentage interest of each such person or entity.

4. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

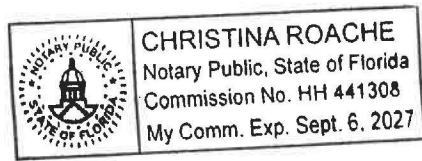
5. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete, and will be relied upon by Palm Beach County relating to its entering into a Concessionaire Service Agreement for the Licensed Area.

FURTHER AFFIANT SAYETH NAUGHT.

[Signature] Affiant
Print Affiant Name: Anderson Studebaker

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of [X] physical presence or [] online notarization this 25th day of March, 2024, by Anderson Studebaker [] who is personally known to me or [X] who has produced FDL S331-001-74-097-C as identification and who () did () did not take an oath.

[Signature]
Notary Public

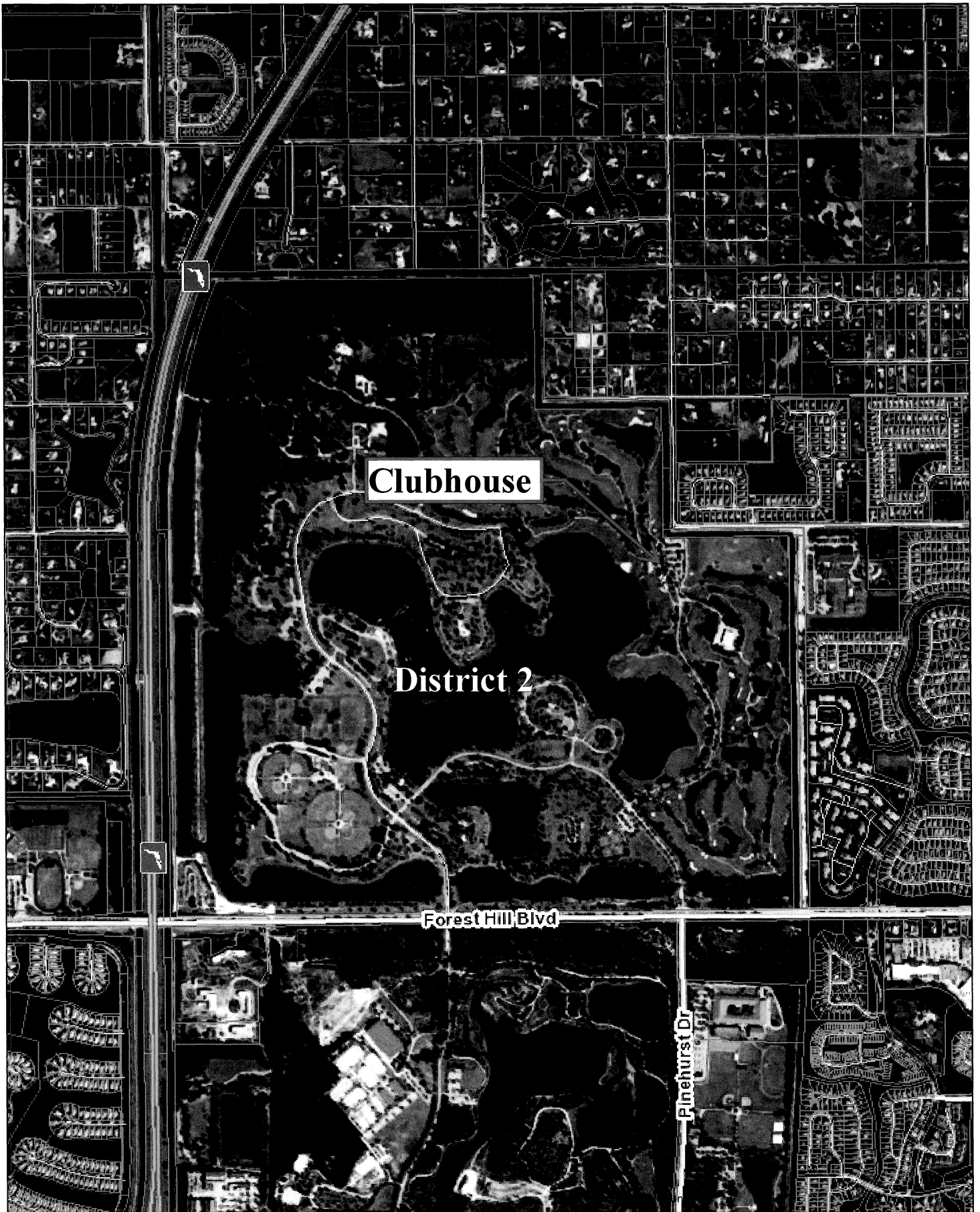


Christina Roache
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large

My Commission Expires: Sept 6, 2027

EXHIBIT "A"
LICENSED AREA
Okeeheelee Golf Course



March 29, 2024

1:18,056

