Agenda Item #: 3H-1

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

| Meeting Date: | June 3, 2025 | [X] Consent [] Ordinance | [] Regular [] Public Hearing |
|---------------|--------------|------------------------------|-----------------------------------|
| _ | | | |

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: a notice to exercise an option to extend the Governmental Center Lease Agreement (R2019-1059) (Lease) with LJL Food Management Inc. d/b/a The Hideout Kitchen & Café (Hideout) for the continued operation of food and beverage services at the Governmental Center Parking Garage located at 215 North Olive Avenue in West Palm Beach, extending the term from August 1, 2024 through July 31, 2029, with a current annual rent of \$23,185.70 (\$1,932.14/month) increasing 2% each year.

Summary: On July 25, 2019, the Board of County Commissioners (BCC) approved the current Lease with Hideout to provide food and beverage services at the Governmental Center Parking Garage for a term of five (5) years at an initial annual rent of \$21,000 (\$1,750/month), with 2% annual rent increases on each anniversary of the commencement date for the duration of the term. The Lease provided Hideout with one (1) option to extend the Lease term for a period of five (5) years. On April 23, 2024, Hideout provided timely notice of its intent to exercise its extension option. This extension extends the Lease Term from August 1, 2024 through July 31, 2029, with a current monthly rental rate of \$1,932.14 in accordance with the terms of the Lease which shall continue to increase 2% each year. All other terms and conditions of the Agreement shall remain in full force and effect. The Property and Real Estate Management Division will continue to have management responsibilities for this lease. (**Property & Real Estate Management) District 7** (**HJF**)

Background and Justification: On July 25, 2019, the BCC approved the Lease with Hideout. Florida Statutes do not require a Disclosure of Beneficial Interests to be obtained when the County leases property to a tenant. However, the attached updated Disclosure of Beneficial Interest provides that Petro Bikos now maintains 100% ownership interest of Hideout.

Attachments:

- 1. Location Map
- 2. Notice to Exercise Option to Extend
- 3. Disclosure of Beneficial Interests

| Recommended By: P | Dorna' 1. hyal latto | 4/23/25 |
|-------------------|------------------------|---------|
| 3 | | Date |
| Approved By: | 10 201 & Blues | 5(22/25 |
| | : County Administrator | Date / |

| Fiscal Years | 2025 | 2026 | 2027 | 2028 | 2029 |
|--|--------------------|-------------------|-------------------|-------------------|-------------------|
| Capital Expenditures Operating Costs External Revenues | (\$22,807) | (\$23,263) | (\$23,728) | (\$24,203) | (\$24,687) |
| Program Income (County) In-Kind Match (County | | | | | |
| NET FISCAL IMPACT | <u>(\$22,807)</u> | <u>(\$23,263)</u> | <u>(\$23,728)</u> | <u>(\$24,203)</u> | <u>(\$24,687)</u> |
| # ADDITIONAL FTE POSITIONS (Cumulative) | | <u></u> | | | |
| Is Item Included in Current Bud | get: Yes | <u>x</u> N | lo | | |
| Does this item include the use of | federal fund | s? Yes | No | | |
| Does this item include the use of | state funds? | Yes | No <u>X</u> | | |
| - | 0001 Dept ogram | <u>410</u> U | Jnit <u>4240</u> | Object <u>62</u> | 25 |

B. Recommended Sources of Funds/Summary of Fiscal Impact: The term of this Lease is extended for five (5) years commencing August 1, 2024 through July 31, 2029 with a 2% annual increase. The current annual rent is \$22,731.09 (\$1,894.26/monthly). Total rent from October 01, 2024 to July 31, 2025 is \$18,942.60. Effective August 1, 2025, annual rent will increase to \$23,185.70 (\$1,932.14/monthly) Total rent from August 1, 2025 to September 30, 2025 will be \$3,864.28. Total for FY 2025 is \$22,807.

| | Fixed Asset Number: | PCN/Number: 74-43-43-21-01-053-0000 |
|----|-----------------------------|-------------------------------------|
| C. | Departmental Fiscal Review: | Andre |

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

- 4/25/25 ESW 4/2925 **OFMB**

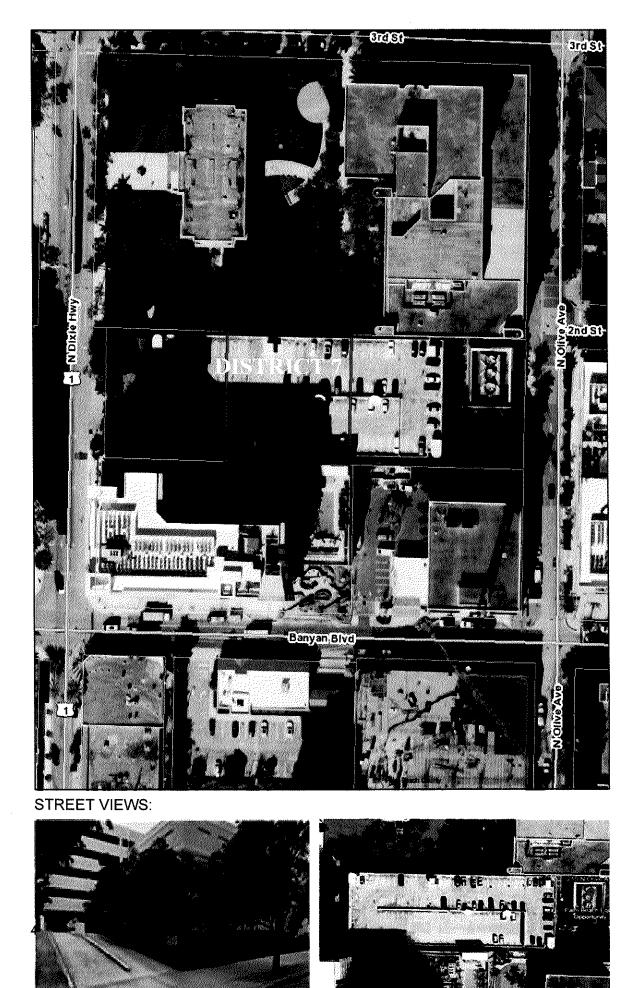
25/25-Contract Development and Control

Legal Sufficiency: Assistant County Attorney

C Athar Danartmant Daviaw.

B.

LOCATION MAP 74-43-43-21-01-053-0000



ATTACHMENT #1

ATTACHMENT #2 Notice to Exercise Option (1 page) April 23, 2024

Ms. Purvi A. Bhogaita, Director Property & Real Estate Management 2633 Vista Parkway West Palm Beach, FL 33411-5605

> Subject: LJL Food Management, Inc. Lease Agreement (R2019-1059) Exercising Option to Extend

To whom it may concern,

Please accept this letter as our right to extend our option to extend the Term of the Lease Agreement for a period of five (5) years under the same terms and conditions as the original Agreement and commencing upon the initial Term of the Agreement or any extension thereof.

Should you need anything further, please do not hesitate to contact us at your earliets convenience.

Looking forward to another fantastic five years

Thanking you in advance for everything,

Petro Bikos

Petro Bikos Owner

ATTACHMENT #3 Disclosure of Beneficial Interest (3 pages)

TENANT'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 <u><u>KETKO</u></u>, hereinafter referred to as "Affiant", who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the <u>HCS ACTJ</u> (position - i.e. president, partner, trustee) of <u>CHL FODD</u> <u>MVMQRM0AH</u> (name and type of entity - i.e. ABC Corporation, XYZ Limited Partnership), (the Tenant") which entity is providing concession services on the real property legally described on or depicted in the attached Exhibit "A" (the "Premises").

| 2. | Affiant's address is: | 215 | NI-Dive | Ave. | |
|----|-----------------------|--------|---------|------|------|
| | | Ste 1 | ID | | |
| | l | N.P.B. | _FL 3 | 340 | _ |

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 tenant and the percentage interest of each such person or entity.

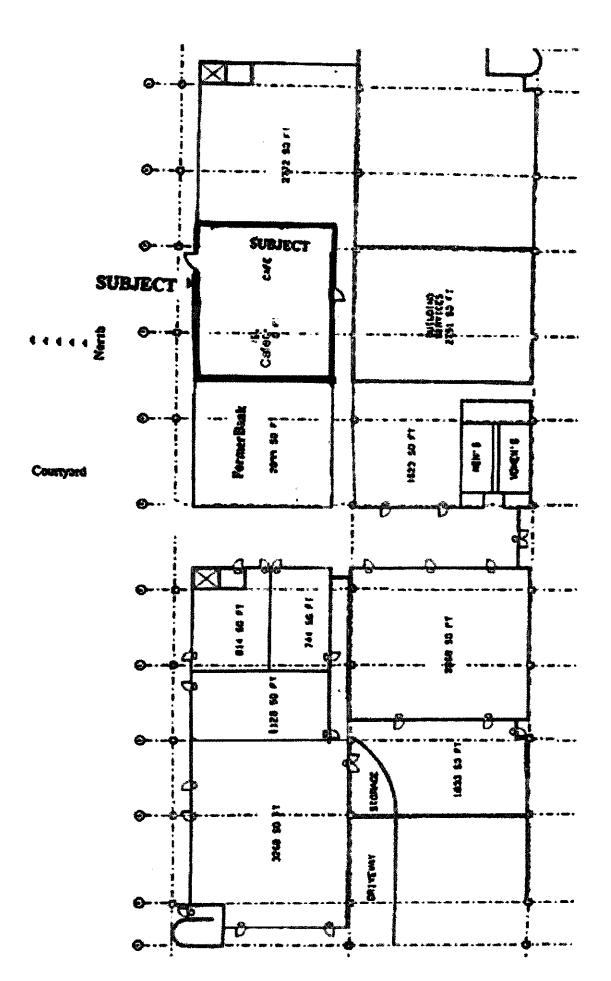
4. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

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 Tenant Lease Agreement for the Premises.

HTNAUGHT. FURTHER AFF ŃT SA Affiant Print Affia LOS Vame: The foregoing instrument was sworn to, subscribed and acknowledged before me this 21 _, 20 24 by Petro Biko day of Nortember Who is personally known to me or [] who has produced as identification and who did take an oath Ann Notary Public (Print Notary Name) JOHANNAL, REEVES NOTARY PUBLIC Commission # HH 216197 State of Florida at Large Expires January 12, 2026 My Commission Expires:_

EXHIBIT "A"

TENANT'S DISCLOSURE OF BENEFICIAL INTERESTS



PREMISES

EXHIBIT "B" TENANT'S DISCLOSURE OF BENEFICIAL INTERESTS

SCHEDULE TO BENEFICIAL INTERESTS

Tenant is only required to identify five percent (5%) or greater beneficial interest holders. If none, so state. Tenant must identify individual interest holders. If, by way of example, Tenant is wholly or partially owned by another entity, such as a corporation, Tenant must identify such other entity, its address and percentage interest, as well as such information for the individual interest holders of such other entity.

| NAME | ADDRESS | PERCENTAGE OF INTEREST | |
|---------------------------------------|---------------------------------------|------------------------|----------|
| Petro Bikos | 965 Lighthouse? | DE N.P.B., FL 33408 | _10070 |
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NONGOVERNMENTAL ENTITY HUMAN <u>TRAFFICKING AFFIDAVIT (§ 787.06(13), Fla. Stat.)</u> THIS AFFIDAVIT MUST BE SIGNED AND NOTARIZED

I, the undersigned, am an officer or representative of <u>UL Food</u> <u>Manacle MonA</u> (CONTRACTOR) and attest that CONTRACTOR does not use coercion for labor of services as defined in section 787.06, Florida Statutes.

Under penalty of perjury, I hereby declare and affirm that the above stated facts are true and correct

letro Bikos

(signature of officer or representative)

(printed name of officer or representative)

State of Florida, County of Palm Beach

Sworn to and subscribed before me by means of P physical presence or \Box online notarization this, $\underline{\mathcal{H}^{\text{st}}}$ day of $\underline{\mathcal{M}^{\text{st}}}$ day of $\underline{\mathcal{M}^{\text{st}}}$, by $\underline{\mathcal{H}^{\text{st}}}$, by $\underline{\mathcal{H}^{\text{st}}}$.

Personally known \square OR produced identification \square .

Type of identification produced

anna NOTARY PUBLIC

My Commission Expires: State of Florida at large

JOHANNA L. REEVES Commission # HH 216197 Expires January 12, 2026

(Notary Seal)