

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: July 11, 2023

Consent **Regular**
 Ordinance **Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) adopt a Resolution authorizing a five (5) year Lease Agreement with Okeeheelee BMX Parents Council, Inc. for the continued use of the 3.78-acre BMX facility in Okeeheelee Park for public recreational purposes as a Bicycle Moto-Cross Track; and
- B) approve a Lease Agreement with Okeeheelee BMX Parents Council, Inc., for the continued use of the 3.78-acre BMX facility in Okeeheelee Park for public recreational purpose as a bicycle Moto-Cross track for a term of five (5) years at an annual rental rate of \$1.

Summary: Since July 21, 1998 Okeeheelee Parents Council, Inc. (BMX) has operated under the current Lease Agreement (R98-1015) for the management of a bicycle moto-cross track in the southwest corner of Okeeheelee Park for public recreation purposes. The current term of the Lease Agreement expires on July 20, 2023 with no remaining options to extend. Since Parks and Recreation Department is satisfied with BMX's performance and since no other not-for-profit has expressed an interest in providing these services at this location, a new five (5) year Lease Agreement with the option to extend the term for two (2) successive period(s) of five (5) years each under the same terms and conditions was negotiated. The annual rent is one dollar (\$1). Parks will continue to have administrative responsibility for this Lease Agreement. **(Property & Real Estate Management) District 2 (HJF)**

Background and Justification: On July 20, 1993, a five year Lease Agreement was approved by the Board of County Commissioners (Board) granting BMX use of the 3.78-acre property in Okeeheelee Park for operation of a bicycle moto-cross track (R93-847-D). On July 21, 1998, a new Lease Agreement provided BMX an additional five (5) year term (R98-1015-D) with one five (5) year option to renew. On July 8, 2008, the Board approved a First Amendment (R2008-1179) to the Lease Agreement which extended the term to July 20, 2013, with two (2) options to extend for a period of five (5) years each. BMX exercised its first option (R2013-0875) and second option (R2018-0857) extending the term through July 20, 2023. As BMX has provided exceptional service to the public and has provided a well-run program, staff negotiated another lease agreement with BMX to continue operating the facility for the benefit of the public. Florida Statutes do not require a Disclosure of Beneficial Interest be obtained; however, BMX has provided a disclosure of Beneficial Interest dated May 25, 2023, identifying it as a not-for-profit corporation with no individual holding an interest in the corporation.

Attachments:

- 1. Location Map
- 2. Resolution
- 3. Lease Agreement
- 4. Budget Availability Statement
- 5. Disclosure of Beneficial Interests

Recommended By: *[Signature]* 4/15/23
 Department Director Date

Approved By: *[Signature]* 7/5/23
 County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<u>(\$1)</u>	<u>(\$1)</u>	<u>(\$1)</u>	<u>(\$1)</u>	<u>(\$1)</u>
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u><u>(\$1)</u></u>	<u><u>(\$1)</u></u>	<u><u>(\$1)</u></u>	<u><u>(\$1)</u></u>	<u><u>(\$1)</u></u>
# 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 580 Unit 5110 RSRC 4902
 Program _____

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

Fixed Assets Number _____ n/a _____

C. Departmental Fiscal Review: Robert Eric McCallister

Hobm

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

ASD/CA 6/20/23
 OFMB QA 6/20 ESW
CB 6/20 6-20-23

John S. [Signature] 6/27/23
 Contract Development and Control
Toni 6/27/23

B. Legal Sufficiency:

[Signature] 6/28/23
 Assistant County Attorney

C. Other Department Review:

Jennifer Cirillo 
 Department Director

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