

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

Meeting Date: July 2, 2024

Consent
 Ordinance

Regular
 Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

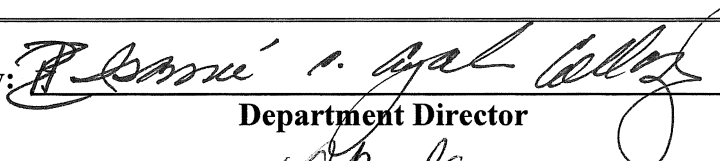

Motion and Title: Staff requests Board direction: Regarding a potential rent abatement for the Historical Society of Palm Beach County for the period of November 1, 2023 through October 31, 2028.

Summary: The Historical Society of Palm Beach County (Society) has occupied a portion of the 1916 Courthouse for the operation of the Palm Beach County History Museum and its administrative offices since 2008. The original Agreement (R2004-0257) with the Society was approved by the Board of County Commissioners (Board) on February 3, 2004 and has been restated and amended numerous times. Currently, the Society occupies 8,695 SF at the 1916 Courthouse for the museum and administrative offices. On February 4, 2014 (R2014-0138), the Board approved full abatement of the rent until October 31, 2018 subject to an annual review of Society’s plans for expenditure of the rental savings. On October 18, 2018 (R2018-1566), the Board, extended the abatement of rent for five (5) years from November 1, 2018 through October 31, 2023, subject to an annual review of Society’s programs and expenditures. Under the Agreement, the Society is currently required to pay \$46,600.10 in annual rent. On October 17, 2023, the Society requested an extension of the rent abatement. Staff requires direction whether to proceed with the extension of rent abatement for the Society. **Property and Real Estate Management (Countywide/District 7) (HJF)**

Background & Policy Issues: On February 3, 2004, the Board approved a 30-year Agreement (which commenced on January 1, 2008) with the Society for approximately 6,111 SF of space at the 1916 Courthouse for the operation of the Palm Beach County History Museum and its administrative offices. On February 15, 2005, the Board approved the First Restated Agreement (R2005-0370) which increased the total square footage to 8,695 SF, changed the space allocation within the Courthouse to reduce the Society’s capital investment requirement and increase operating efficiency, and increased the Society’s Project Budget from \$500,000 to \$650,000. On June 6, 2006, the Board approved a Second Restated Agreement (R2006-0979) that increased the Society’s Project Budget from \$650,000 to \$920,825. On March 17, 2009, the Board approved the Third Restated Agreement (R2009-0414), which limited the use of the 1916 Courthouse for third party non-County activities to those activities which are either educational or directly related to the court or judicial system, limited the Society’s use of the leased premises for its special events and fund raising activities to those that are approved by the County via issuance of a County Facility Use Permit, and limited Society’s right to enter into any agreements for the use and/or sale of images of the restored 1916 Courthouse without the County’s consent. On October 5, 2010, the Board approved the First Amendment (R2010-1540) allowing Society the right to request consent to make exterior modifications. On November 5, 2013, Staff presented an agenda item to the Board for the approval of a Second Amendment providing for the expansion of the premises to include the exclusive use of a 41SF custodial closet within the second floor women’s restroom but recommended against approval of rental abatement requested by the Society. The Board conceptually approved (R2013-1606) the expansion and a five (5) year rental abatement. The Second Amendment was not executed, as it did not contain the rental abatement language. On February 4, 2014, the Board approved the Third Amendment (R2014-0138) which memorialized what was conceptually approved by the Board on November 5, 2013, reduced the required security deposit to \$150,000, and replaced the Second Amendment attached to the November 5, 2013, agenda item. On October 18, 2018, the Board approved the Fourth Amendment (R2018-1566) expanded the premises to include the exclusive use of the walls of the first floor hallway and the stairwell located in the north corridor closest to the courtroom and the courtroom balcony, extended the abatement of rent for five (5) years from November 1, 2018 through October 31, 2023, subject to an annual review of Society’s programs and expenditures, deleted the security deposit requirement (subject to Society continuing to maintain \$700,000 in unrestricted reserves), added termination rights (whole or partial) for the office and storage closet, added and updated standard provisions, and added Exhibit “A-1” for the custodial closet approved in the Third Amendment.

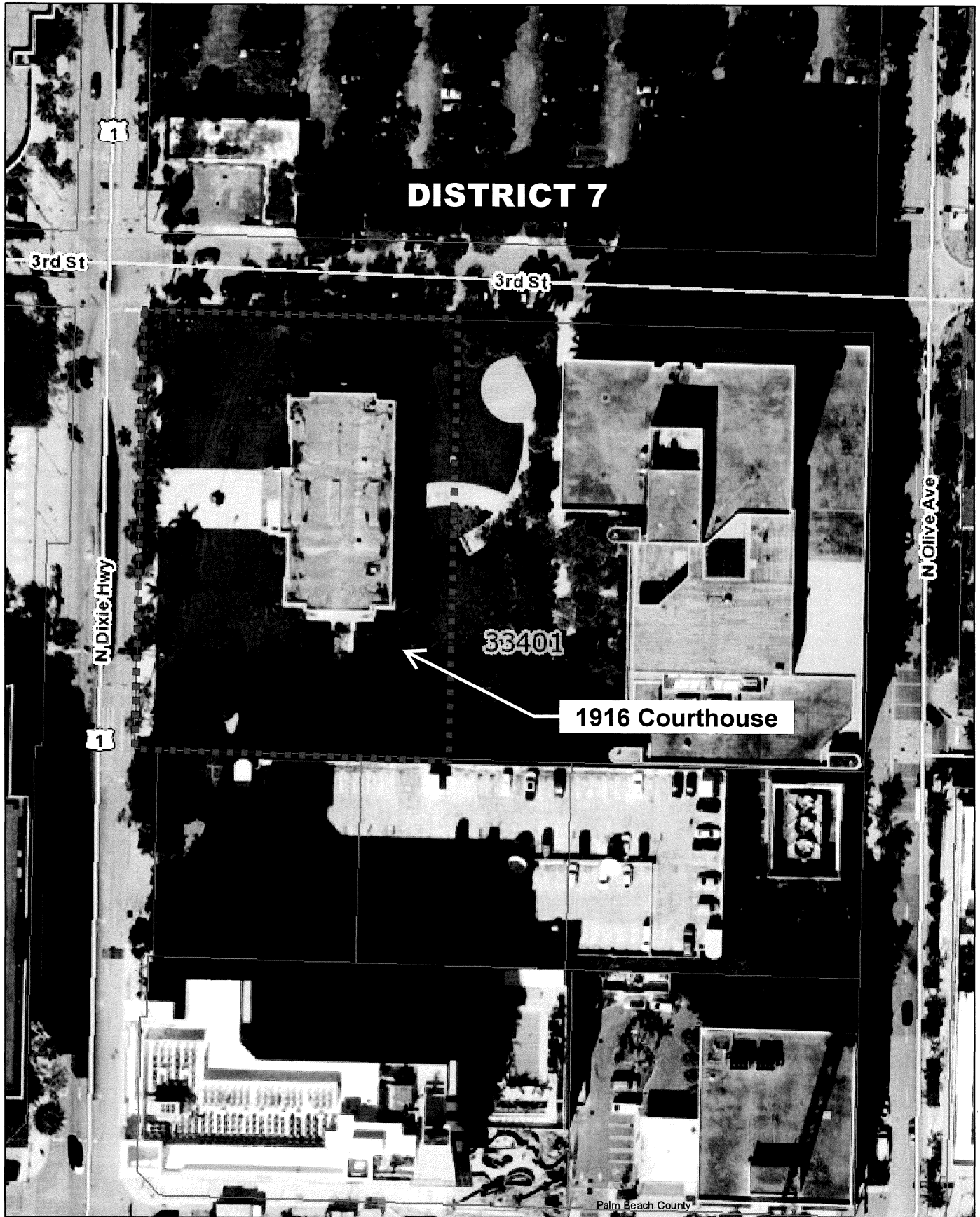
Attachments:

1. Location Map
2. Society’s request for rent abatement

Recommended By:	 _____ Department Director	5/16/24 _____ Date
Approved By:	 _____ County Administrator	6/12/24 _____ Date

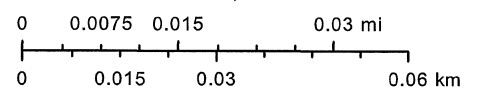
LOCATION MAP

74-43-43-22-12-008-0010



May 2, 2024

1:1,128



Attachment 1

Attachment #2
Society's request for rent abatement

Vaneeta Arora

From: Purvi Bhogaita
Sent: Monday, May 13, 2024 9:24 AM
To: Vaneeta Arora
Subject: FW: Historical Society Rent 2023 May Rent Abatement Report

From: Jeremy Johnson <jjohnson@pbchistory.org>
Sent: Tuesday, October 17, 2023 11:27 AM
To: Della Lowery <DLowery@pbcgov.org>; Sharon Poss <sposs@pbchistory.org>
Cc: Agustin Quevedo <AQuevedo@pbcgov.org>; Vaneeta Arora <VArora1@pbcgov.org>
Subject: RE: Historical Society Rent 2023 May Rent Abatement Report

This Message Is From an External Sender

This message came from outside your organization.

Hi Della,

Please forgive the delay in my reply. I was out of town last week and did not stay connected. This is what I provided to the County originally. Please let me know if this suffices.

In consideration for a temporary abatement of rent for the administrative offices of the Historical Society of Palm Beach County (Society) located within the historic 1916 Palm Beach County Court House, the Society agrees to reallocate the financial resources that would have been paid in rent into expanding and enhancing programming for our county's students, residents, and visitors. The Society agrees to provide a report annually to the Board of County Commissioners on the initiatives undertaken and the amounts invested in the initiatives.

Warm regards,
JJ

Jeremy W. Johnson, CAE
President & Chief Executive Officer
Historical Society of Palm Beach County
300 N Dixie Highway, Suite 471
West Palm Beach, FL 33401
Phone 561-832-4164 ext. 102 Fax 561-832-7965
www.pbchistory.org [pbchistory.org]

