

# AGENDA

**Community Redevelopment Agency Meeting**  
**Wednesday, December 7, 2016, 6:30 p.m.**  
**Lake Park, Town Hall**  
**535 Park Avenue**

<b>James DuBois</b>	—	<b>Chair</b>
<b>Kimberly Glas-Castro</b>	—	<b>Vice-Chair</b>
<b>Rhonda “Jo” Brockman</b>	—	<b>Board Member</b>
<b>Erin Flaherty</b>	—	<b>Board Member</b>
<b>Christiane Francois</b>	—	<b>Board Member</b>
<b>Anne Lynch</b>	—	<b>Board Member</b>
<b>Michael O’Rourke</b>	—	<b>Board Member</b>
<b>John O. D’Agostino</b>	—	<b>Executive Director</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Agency Attorney</b>
<b>Vivian Mendez, CMC</b>	—	<b>Agency Clerk</b>

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk’s office by calling 881-3311 at least 48 hours in advance to request accommodations.*

**A. CALL TO ORDER/ ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. SPECIAL PRESENTATION/REPORT**

None

**D. PUBLIC COMMENT**

This time is provided for addressing items that **do not** appear on the Agenda. Please complete a comment card and provide it to the Agency Clerk so speakers may be announced. Please remember comments are limited to a **TOTAL** of three minutes.

**E. CONSENT AGENDA: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete**

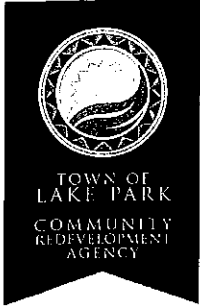
a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

1. Special Call CRA Budget Meeting minutes of August 10, 2016 Tab 1
  2. Professional Services Contract to Town Engineering Firm, Calvin, Giordano & Associates, Inc. for the Survey of Park Avenue Sidewalks Tab 2
- F. NEW BUSINESS:
3. Resolution No. 57-12-16 License Addendum for use of 800 Park Avenue by the Artists of Palm Beach County and Permission to use the Kiln in the newly established Kiln Room. Tab 3
- G. EXECUTIVE DIRECTOR REPORT:
- H. BOARD MEMBER COMMENTS
- I. ADJOURNMENT

The next scheduled CRA Board Meeting will be conducted on March 1, 2017

# Consent Agenda

# TAB 1



**CRA  
Agenda Request Form**

Meeting Date: December 7, 2016

Agenda Item No. Tab 1

Agenda Title: **Special Call CRA Board meeting minutes of August 10, 2016**

- |                          |                              |                                     |                          |
|--------------------------|------------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | SPECIAL PRESENTATION/REPORT  | <input checked="" type="checkbox"/> | <b>CONSENT AGENDA</b>    |
| <input type="checkbox"/> | OLD BUSINESS                 | <input type="checkbox"/>            | NEW BUSINESS: Resolution |
| <input type="checkbox"/> | DISCUSSION FOR FUTURE ACTION | <input type="checkbox"/>            | OTHER: General Business  |

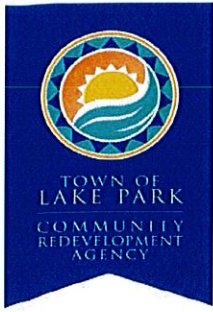
Approved by Executive Director:  Date: 8-23-16

Vivian Mendez, CMC - Agency Clerk  
Name/Title

<b>Originating Department:</b>  Agency Clerk	Costs: \$ 0.00 Funding Source: Acct. # [ ] Finance _____	<b>Attachments:</b> <b>Agenda</b> <b>Minutes</b> <b>Exhibit "A"</b>
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**Summary Explanation/Background:**

**Recommended Motion: To adopt the Special Call CRA Board meeting minutes of August 10, 2016.**



# AGENDA

## Special Call

Community Redevelopment Agency Meeting  
 Wednesday, August 10, 2016, 6:30 pm  
 Lake Park, Town Hall  
 535 Park Avenue

<b>James DuBois</b>	—	<b>Chair</b>
<b>Kimberly Glas-Castro</b>	—	<b>Vice-Chair</b>
<b>Rhonda “Jo” Brockman</b>	—	<b>Board Member</b>
<b>Erin Flaherty</b>	—	<b>Board Member</b>
<b>Christiane Francois</b>	—	<b>Board Member</b>
<b>Anne Lynch</b>	—	<b>Board Member</b>
<b>Michael O’Rourke</b>	—	<b>Board Member</b>

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<b>John O. D’Agostino</b>	—	<b>Executive Director</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Agency Attorney</b>
<b>Vivian Mendez, CMC</b>	—	<b>Agency Clerk</b>

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk’s office by calling 881-3311 at least 48 hours in advance to request accommodations.*

**A. CALL TO ORDER/ ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. SPECIAL PRESENTATION/REPORT:**

1. Discussion of the Fiscal Year 2016/2017 Budget and Approval of Resolution No. 27-08-16 to adopt the CRA Budget for 2016/2017

Tab 1

**D. PUBLIC COMMENT**

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Agency Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

**E. CONSENT AGENDA: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence**

**on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.**

**2. Approval of CRA Board Meeting minutes of June 1, 2016**

**Tab 2**

**F. New Business:**

**3. Authorizing and Directing the Executive Director to Accept Property and Casualty Insurance Coverage through the Preferred Governmental Insurance Trust for The Community Redevelopment Agency for Fiscal Year 2017.**

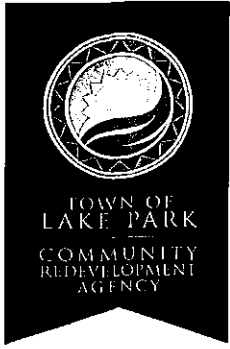
**Tab 3**

**G. EXECUTIVE DIRECTOR REPORT:**

**H. BOARD MEMBER COMMENTS:**

**I. ADJOURNMENT**

**The next scheduled CRA Board Meeting will be conducted on September 7, 2016**



**Minutes**  
**Town of Lake Park, Florida**  
**Special Call**  
**Community Redevelopment Agency**  
**Board Meeting**  
**Wednesday, August 10, 2016, 6:30 p.m.**  
**Town Commission Chamber, 535 Park Avenue**

The Special Call Community Redevelopment Agency Board met for a regular meeting on Wednesday, August 10, 2016 at 6:30 p.m. Present were Chair James DuBois, Vice-Chair Kimberly Glas-Castro, Board Members Rhonda “Jo” Brockman, Christine Francois, Erin Flaherty, Anne Lynch, and Michael O’Rourke (arrived at 6:43 p.m.), Executive Director John D’Agostino, Agency Assistant Attorney Kelly Gardner, and Agency Clerk Vivian Mendez.

Agency Clerk Mendez performed the roll call and Chair DuBois lead the pledge of allegiance.

**Special Presentation/Report:**

**1. Discussion of the Fiscal Year 2016/2017 Budget and Approval of Resolution No. 27-08-16 to adopt the CRA Budget for 2016/2017.**

Executive Director D’Agostino explained the \$750,229 CRA budget. He explained that the CRA budget increased by \$90,000 primarily by the property value increases in the CRA. He explained the Operating Fund, Capital Fund, Debt Service, and Non-expenditures. He explained that \$260,000 was dedicated to Debt Service, which would continue until the 2028. He explained the Revenues collected from Palm Beach County, the Tax Increment Financing, and the Town. Resolution 27-08-16 (Exhibit “A”) contains the budget.

Chair DuBois noted that the proposed Town Budget reflects that a transfer to the CRA of \$485,562. He asked if that included the Palm Beach County amount paid to the Town that was then transferred to the CRA. Finance Director Blake Rane explained that the last line in the Revenue section of the budget was calculated as the Millage Rate times the Tax Increment Financing (TIF) value, subtracting the base year from the current taxable value, which was the amount that the Town owes the CRA based upon the CRA Plan.

Chair DuBois asked how much of the debt had been brought down since last year. Finance Director Rane stated that last year it was \$391,433 (see page 5 of Exhibit “A”). He stated that it included the County TIF and Town TIF. Chair DuBois asked if the CRA owes the Town. Finance Director Rane explained that in the Debt section of the budget it reflects that the Town still owes the CRA for all the loans that the Town took out of about \$260,500. Chair DuBois asked if that amount included the repayment to the Town.



Finance Director Rane explained that to his understanding the CRA was unable to secure its own debt with outside banks, so it secured debt from the Town, who borrowed from Bank of America. Chair DuBois verified that the CRA was paying back the Town. Finance Director Rane stated that the CRA was paying back the Town.

Finance Director Rane brought other items to the CRA Boards attention (see page 5 and 6 of Exhibit "A"), such as: Professional Services for \$25,000; Promotional Activity for \$10,000; Advertising for \$5,000; Improvements other than buildings for \$50,000; and Grants for \$20,000. He stated that staff was seeking direction from the Board on how to utilize the funds that were allocated.

Executive Director D'Agostino explained that one of the concepts for revitalizing the Downtown was to extend the landscape architecture on Park Avenue from 7<sup>th</sup> Street to 10<sup>th</sup> Street. He stated that Calvin Giordano & Associates (CGA) and staff walked the length of the roadway looking for deficiencies, opportunities to put in new landscape, ability to create a canopy type environment for events, and the alignments and re-alignments of the sidewalks. He stated that staff would like to align the streets to create a buffer between the sidewalk and the road surface so that they could begin to plant larger trees and canopy trees. He stated that CGA and staff met with safety officials and asked that they review the plan and received approval. He explained that the intersection of Park Avenue and 10<sup>th</sup> Street was widened to three lanes not allowing for the landscape to continue through that block.

Chair DuBois explained that All Aboard Florida has changed the engineering and design plans from Park Avenue and 10<sup>th</sup> Street to the railroad tracks and that the Palm Beach County 5-Year Road Way Improvement Plan includes changes as well. Executive Director D'Agostino explained that the funds allocated for landscape would be for the actual design; the implementation would occur over several years. He stated that there are no estimated cost because a bid had not been prepared. He stated that the project would take a significant amount of time and funds to complete and would move incrementally.

Board Member Brockman questioned if the CRA should spend the money on the project now. She preferred that the funds be spent on a project that would provide immediate results versus spending the funds to plan a project in the future. Chair DuBois explained that the Town Commission had discussed refurbishing the planting between the streets and the sidewalks. Board Member O'Rourke stated that in the Town budget there was an item addresses Board Member Brockman's concern. Executive Director D'Agostino explained that the combined funds from the Town and CRA would support the milling, overlaying, and the paver bricks design process for the landscape. Chair DuBois asked how much was being allocated in the Town budget. Executive Director D'Agostino stated that \$60,000. Chair DuBois asked if the CRA would be expected to payback the Town for the work. Executive Director D'Agostino stated no; the funds were allocated for streets and road work necessary in the Town. Finance Director Rane explained that thing that occur and funds being expended Town-wide need to be spent in the CRA from the Town budget. He stated that the CRA budget should include work that was not Town-wide and are specific for the CRA area. He stated that milling and overlaying would be

done on any street in Town, therefore the Town would budget the expense from the Streets and Roads budget. He explained that projects that would not be completed throughout the Town would be budgeted by the CRA.

Board Member Francois asked for clarification of where the new landscape design would include and asked specifically about the corner of 10<sup>th</sup> Street and Silver Beach Road. Executive Director D'Agostino stated that they were looking to create two entry ways into the business district. There were two (2) initiatives to change the landscape into the business district on Park Avenue to 10<sup>th</sup> Street. Board Member Francois asked specifically about the corner of 10<sup>th</sup> Street and Silver Beach Road. Executive Director D'Agostino stated that he was referring to Park Avenue and 10<sup>th</sup> Street. Board Member Francois asked if the project had been extended to include Silver Beach Road. She stated that there were plants on Park Avenue and 10<sup>th</sup> Street. Executive Director D'Agostino explained the plants were placed much later in the project and were not part of the original landscape design of Park Avenue. He explained that the sidewalks are so wide in that area of Park Avenue that staff may have placed the plants in the area to fill up the space, but it was out of character for the area. He explained that they were trying to create two (2) entry ways in the business district and this would be the second of the entry ways. He stated that it would require to relook at the traffic flow in the area between 9<sup>th</sup> and 10<sup>th</sup> Streets on Park Avenue. He explained that currently there are three (3) lanes of traffic leaving the Town and would be redesigning to reduce to one lane of traffic. Board Member Francois explained not enough effort was being focused on 10<sup>th</sup> Street between Park Avenue and Northlake Blvd., which was an entrance to the Town. She stated that there are empty buildings on 10<sup>th</sup> Street between Silver Beach Road and Park Avenue. She asked if the funds could be saved until there were more funds and then create a big project that makes a difference. She asked if the funds had to be expended or could they be saved year after year.

Chair DuBois explained that for many years the CRA has been financial unable to do any projects and had to defer the maintenance, which now was expensive to catch up on. Executive Director D'Agostino stated that if marketing becomes a focus, now would be the time to make the improvements in the CRA. He stated that it could cost as a wild estimate about ½ million dollars to do the landscape alone. Chair DuBois explained that debt refinancing was sought several years ago but at the time was not possible; it might be possible now. Executive Director D'Agostino stated that it was a goal to decrease the CRA debt as quickly as possible.

Vice-Chair Glas-Castro asked for clarification as to when the CRA was established. Executive Director D'Agostino stated 1996-1997. Vice-Chair Glas-Castro asked what the Interlocal Agreement stated as the lifespan of the CRA. Finance Director Rane stated that it was a 40-year Interlocal Agreement. Vice-Chair Glas-Castro stated that the CRA has 20 more years to try and accomplish everything.

Board Member Brockman would prefer to see a plan that has already been established to be fulfilled than pay a company to design a plan. Executive Director D'Agostino explained that some of the original landscape plan was not fulfilled, and the plan stop

short of extending to 10<sup>th</sup> Street because of the changes. He explained that the road was intended to narrow into one lane on each side. Board Member Brockman questioned if the roadway could be narrowed. She stated that it would not be fruitful to pay someone to design a plan that was relevant, since there needs to be turn lanes. Chair DuBois explained that there was a median planned for the area directly in front of the Fire Station.

Board Member O'Rourke asked for clarification of the area being discussed and would it include curbing so that it reduces the road to two (2) lanes instead of the four (4) lanes currently at that intersection. Executive Director D'Agostino stated that according to the original landscape plan that was what it called for. Board Member O'Rourke asked when was that plan created because he felt that the Town had hoped that the Palm Beach County Five-Year Improvement plan to extend Park Avenue would be part of the improvement plan. He stated that there may be a need for the turn lanes in that area and we could start our landscape design east of the intersection, since it would be an enormous expense to improve that intersection. Executive Director D'Agostino agreed that it would be an enormous expense, and the Board had requested that the landscape be extended to 10<sup>th</sup> Street. He explained that staff has been trying to fulfill that direction, but if the Board would prefer to change now would be the appropriate time to state the change. Board Member O'Rourke explained that he was not suggesting that they change the curbing, but instead place landscaping along the sides and do something better than what was currently at that intersection. Executive Director D'Agostino stated that with the three (3) lanes in that intersection it was taking up most of the landscape area that was originally planned. He explained that the Town was providing easy access out of the CRA District with the three (3) lanes of traffic and no access into the CRA. He explained that the lanes narrows accommodating those leaving the Town but little accommodation for those entering the Town. Board Member O'Rourke explained that it was no difference than what happens on Atlantic Avenue in the City of Delray Beach. Executive Director D'Agostino explained that if you take a look at the concentration of businesses in the City of Delray Beach it's down to two (2) lanes. Board Member O'Rourke expressed concern with the expense of "moving earth".

Chair DuBois recapped that the proposal was to design the removal of the sidewalk or widened 10<sup>th</sup> Street. Executive Director D'Agostino explained that the desire was to keep the sidewalks the same width they currently are on Park Avenue. He state that the changes are to the lanes that funnels east with the desire was to put shrubbery, trees, and landscape there. Chair DuBois pointed out that there was stripping along the one side of the road. Executive Director D'Agostino pointed out that there are two (2) driveway access points next to one another and one could be eliminated with a cross-access agreement and create landscape opportunities in the area. The objective would be to create an access point into Park Avenue from 10<sup>th</sup> Street. Chair DuBois stated that according to the CRA plan 10<sup>th</sup> Street was the main concern of the CRA at this time. Executive Director D'Agostino recapped that what was being discussed was that the Board wants to spend the funds on a reality that could be accomplished today versus putting the plans together. He reminded the Board that in order to do anything staff needs plans. Chair DuBois pointed out that there are plans that staff wants to implement at that

corner of 10<sup>th</sup> Street and Park Avenue that would cost approximately \$110,000. Executive Director D'Agostino included that the cost includes replacement of paver bricks and other things. He stated that the amount that the plan would cost would be less than the estimated \$110,000. Chair DuBois asked for clarification that the budget for the corner itself would cost \$60,000. Executive Director D'Agostino explained that the plans were not expected to cost \$60,000. Chair DuBois asked if the entire plan would come back before the Board. Executive Director D'Agostino stated "correct". Chair DuBois thought that the Board was viewing two (2) plans, one for the corner of 10<sup>th</sup> Street and Park Avenue and the second plan for pre-existing, which would be more along the lines of maintenance. He stated that what was being proposed was a Capital Improvement at 10<sup>th</sup> Street and Park Avenue plus maintenance further east.

Board Member Lynch asked what was being proposed for the northeast corner of 10<sup>th</sup> Street and Park Avenue (where a restaurant used to be) to that parking lot as well as southeast corner (where the liquor store and bar are). Executive Director D'Agostino explained that the Town has entered into an agreement with the property owner of southeast corner property where improvements are being imposed and the property owner has received their permit to begin work. The permit stated that work must begin within six (6) months of the date the permit was issued. He has proposed to the property owner to demolish the building and start over, which might be cheaper than the expense of the work necessary to bring the property into compliance. He shared his thoughts of the property should the Town have the funds to purpose it. He stated that the CRA has huge debt and would not want to incur additional debt. Board Member Lynch asked if the CRA could wait to spend the funds as Board Member Brockman and Francois have suggested. Executive Director D'Agostino reminded the Board that they want to increase the visibility, increase the appeal, and increase the look.

Board Member O'Rourke asked how practical it was to put Capital Improvements in that intersection if there are variables. Executive Director D'Agostino recapped what was being said as should staff spend the funds before knowing what the private sector was going to dictate. He explained that some private sectors take a long time to make a decision. Board Member O'Rourke announced that something was going on with the 801 Park Avenue building, which would have an impact on what was going to happen on Park Avenue.

Executive Director D'Agostino announced that 801 Park Avenue would have occupants by mid-September.

Chair DuBois recapped that it would be up to the Board to decide to continue the Capital Improvement from 9<sup>th</sup> to 10<sup>th</sup> Street on Park Avenue. It appeared that the Commission's direction was to improve the area with landscape, milling of the roadway and the brick pavers. Executive Director D'Agostino asked that the Board keep in mind that the resurfacing of the roadway would extend through 10<sup>th</sup> Street. Chair DuBois asked if the funds were simply for the design. Executive Director D'Agostino stated that it would include the design and could begin plantings. Chair DuBois announced the final recap as repaving of Park Avenue, include some design to capture the corner of 10<sup>th</sup> Street and

Park Avenue as well as do the maintenance (and smaller repairs) landscaping to the east, and an entire plan to resurface. Executive Director D’Agostino stated “we can do that”.

Board Member Brockman stated that it does not make sense to spend good money after bad since the CRA was tied into the private sectors. She suggested to wait and see what happens and do what was possible without spending a lot of money to try and make a plan when there wasn’t a lot of flexibility in a plan that the CRA had right now. She would like to see the funds used more wisely by repaving, getting the streets up and running, and eventually revisiting when the CRA has some changes.

**Motion: Board Member O’Rourke moved to approve Resolution 27-08-16; Board Member Lynch made the second.**

Chair DuBois stated that the roads would be repaved, and as part of the repaving process we would be looking at what we do at the corner of 10<sup>th</sup> Street and Park Avenue, to combine them together would make more sense than to pave the road and then come back afterwards and try to figure out what to do with how the traffic moves in that intersection.

Board Member Francois asked if they would only be resurfacing the road. Chair DuBois explained that resurfacing was part of it, but they want to be able to plan for the corner when the resurfacing happens. He stated that the remainder was maintenance with some hard improvements but it would be extensions of the maintenance further east.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Erin Flaherty	X		
Board Member Christiane Francois	X		
Board Member Anne Lynch	X		
Board Member Michael O’Rourke	X		
Board Member Rhonda “Jo” Brockman	X		
Vice-Chair Kimberly Glas-Castro	X		
Chair James DuBois	X		

Motion passed 7-0.

Board Member Brockman asked what had the Board just decided. Chair DuBois explained that the Board decided to do what was proposed, which was to design the corner of 10<sup>th</sup> Street and Park Avenue so that when the repaving were scheduled there would be a design to implement, they also agreed to pay for the improvements to the landscaping east of that point, road improvements along the way. Board Member Brockman asked if the \$50,000 would cover it. Chair DuBois explained that it was a total of \$110,000, with the Town paying \$60,000 for roads and the CRA paying \$50,000 for the landscaping.

**Public Comment:**

*Derrick Dorsett*, owner of Kangaroo Sub Shop on 10<sup>th</sup> Street, stated that he received a violation for signage. Chair DuBois explained that since his business was not in the CRA District the comment would be more appropriate to be heard by the Town Commission. Mr. Dorsett stated he would wait to make his public comment during the Commission meeting.

**Consent Agenda:**

**2. Approval of CRA Board Meeting Minutes of June 1, 2016.**

**Motion: Board Member O’Rourke moved to approve the consent agenda; Board Member Lynch seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Erin Flaherty	X		
Board Member Christiane Francois	X		
Board Member Anne Lynch	X		
Board Member Michael O’Rourke	X		
Board Member Rhonda “Jo” Brockman	X		
Vice-Chair Kimberly Glas-Castro	X		
Chair James DuBois	X		

Motion passed 7-0.

**NEW BUSINESS:**

**3. Authorizing and Directing the Executive Director to Accept Property and Casualty Insurance Coverage through the Preferred Governmental Insurance Trust for The Community Redevelopment Agency for Fiscal Year 2017.**

**Motion: Board Member O’Rourke moved to approve; Board Member Lynch seconded the motion.**

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Erin Flaherty	X		
Board Member Christiane Francois	X		
Board Member Anne Lynch	X		
Board Member Michael O’Rourke	X		
Board Member Rhonda “Jo” Brockman	X		
Vice-Chair Kimberly Glas-Castro	X		
Chair James DuBois	X		

Motion passed 7-0.

**EXECUTIVE DIRECTOR REPORT:**

Executive Director D’Agostino had no report.

**BOARD MEMBERS COMMENTS:**

**Board Member Francois** had no comments.

**Board Member Brockman** had no comments.

**Board Member Lynch** had no comments.

**Board Member Flaherty** had no comments.

**Board Member O'Rourke** had no comments.

**Vice-Chair Glas-Castro** had no comments.

**Chair DuBois** thanked and congratulated staff for explaining the CRA budget. He hoped that all comes out well and looks as good and they anticipate. Executive Director D'Agostino thanked the Board.

**ADJOURNMENT**

There being no further business to come before the CRA Board and after a motion to adjourn by Board Member O'Rourke and seconded by Board Member Lynch, and by unanimous vote, the meeting adjourned at 7:43 p.m.

\_\_\_\_\_  
Chair, James DuBois

\_\_\_\_\_  
Agency Clerk, Vivian Mendez, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2016



Exhibit "A"

**RESOLUTION NO. 27-08-16**

**A RESOLUTION OF THE COMMUNITY  
REDEVELOPMENT AGENCY OF THE TOWN OF  
LAKE PARK, FLORIDA, ADOPTING THE 2016-2017  
FISCAL YEAR BUDGET.**

**WHEREAS**, the Town of Lake Park ("Town") has previously created a Community  
Redevelopment Agency (CRA), pursuant to Section 163.356, *Florida Statutes*; and

**WHEREAS**, the Lake Park CRA has all of the statutory powers conferred upon it by  
Section 263.370, *Florida Statutes*; and

**WHEREAS**, the staff of the Lake Park CRA has prepared a budget governing operating  
and capital expenditures for Fiscal Year 2016-2017.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE  
COMMUNITY REDEVELOPMENT AGENCY OF THE TOWN OF LAKE PARK,  
FLORIDA:**

**Section 1:** The Fiscal Year 2016-2017 budget prepared for the Lake Park Community  
Redevelopment Agency is hereby approved, a copy of which is attached and incorporated herein.

**Section 2.** This resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Board Member O'Rourke who moved its adoption. The motion was seconded by Board Member Lynch and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
CHAIR JAMES DUBOIS	/	—
VICE-CHAIR KIMBERLY GLAS-CASTRO	/	—
BOARD MEMBER ERIN FLAHERTY	/	—
BOARD MEMBER ANNE LYNCH	/	—
BOARD MEMBER MICHAEL O'ROURKE	/	—
BOARD MEMBER CHRISTIANE FRANCOIS	/	—
BOARD MEMBER RHONDA "JO" BROCKMAN	/	—

The Community Redevelopment Agency thereupon declared the foregoing Resolution NO. 27-08-16 duly passed and adopted this 10 day of August, 2016.

TOWN OF LAKE PARK, FLORIDA

BY: James Dubois  
 JAMES DUBOIS  
 CHAIR

ATTEST:

Vivian Mendez  
 VIVIAN MENDEZ  
 AGENCY CLERK



Approved as to form and legal sufficiency:

BY: Thomas J. Baird on behalf of  
 THOMAS J. BAIRD  
 AGENCY ATTORNEY

# **TOWN OF LAKE PARK**

## **PROPOSED BUDGET**

### **COMMUNITY REDEVELOPMENT AGENCY**

#### **FISCAL YEAR**

**October 1, 2016 through September 30, 2017**

**TOWN OF LAKE PARK - ANNUAL BUDGET  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
BUDGET SUMMARY  
FISCAL YEAR 2016-17**

**Schedule 1**

	Actual Expenses 2013-14	Actual Expenses 2014-15	Budget 2015-16	Estimate for the Year 2015-16	Department Proposed 2016-17	Manager Proposed 2016-17	Adopted Budget 2016-17
Revenue	444,706	517,033	605,686	602,704	750,229	750,229	-
Personal Services	25,495	63,123	66,691	66,441	138,842	138,842	-
Operating Expenses	196,490	179,798	240,070	218,730	264,070	264,070	-
Capital Outlay	-	-	-	-	50,000	50,000	-
Debt Service	208,055	205,168	260,579	260,648	260,579	260,579	-
Non-Operating	194	-	38,346	-	36,738	36,738	-
Total Expenses	430,234	448,089	605,686	545,819	750,229	750,229	-
Surplus (Deficit)	14,472	68,944	-	56,886	-	-	-

2016/17 Increment	\$ 58,045,372
Town Millage	5.3474 \$ 294,872
Palm Beach County Fire/Rescue Millage	3.4581 \$ 190,690
Palm Beach County Millage	4.7815 \$ 263,667
<b>TOTAL</b>	<b>\$ 749,229</b>

**TOWN OF LAKE PARK - ANNUAL BUDGET  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
DEPARTMENTAL BUDGET DETAIL  
FISCAL YEAR 2016-17**

Schedule 2

ACCOUNT NUMBER	DESCRIPTION	ACTUAL 2013-14	ACTUAL 2014-15	CURRENT YEAR BUDGET 2015-16	ACTUAL AS OF 6/30/2016	ESTIMATE FOR THE YEAR 2015-16	THE DEPT. PROPOSED BUDGET BY 2016-17	TOWN MGT. PROPOSED BUDGET 2016-17	ADOPTED BUDGET 2016-17
<b>REVENUES</b>									
110-311.115	Ad Valorem Taxes - County	154,465	179,547	212,553	210,394	210,394	263,667	263,667	
110-361.100	Interest Earnings	103		100		-	-	-	
110-361.120	Interest Income - Bus. Dev. Loans	1,806	1,218	1,500	658	877	1,000	1,000	
110-369.100	Miscellaneous Revenue	781		-		-	-	-	
110-369.300	Refund Prior Year Expense	16	604	100		-	-	-	
110-381.001	Transfer from General Fund	287,535	335,664	391,433	391,433	391,433	485,562	485,562	
	<b>TOTAL REVENUE</b>	<b>444,706</b>	<b>517,033</b>	<b>605,686</b>	<b>602,485</b>	<b>602,704</b>	<b>750,229</b>	<b>750,229</b>	<b>-</b>
<b>EXPENDITURES</b>									
110-55-552-520-19900	Wages Reclassified	21,158	62,848	66,691	49,831	66,441	138,842	138,842	
110-55-552-520-25100	Unemployment Compensation	4,337	275	-	-	-	-	-	
	<b>TOTAL PERSONNEL EXPENSES</b>	<b>25,495</b>	<b>63,123</b>	<b>66,691</b>	<b>49,831</b>	<b>66,441</b>	<b>138,842</b>	<b>138,842</b>	<b>-</b>
110-55-552-520-31000	Professional Services		-	15,000	2,530	3,373	25,000	25,000	
110-55-552-520-31100	Professional Services - CRA Attorney	4,454	2,394	10,000	6,141	9,212	10,000	10,000	
110-55-552-520-34000	Contractual Services	76,127	77,436	98,000	44,818	97,104	98,000	98,000	
110-55-552-520-34901	Administrative Fee	51,176	70,000	70,000	52,500	70,000	70,000	70,000	
110-55-552-520-34910	Bad Debt Expense	39,905	6,182						
110-55-552-520-40000	Travel & Training				111	111	2,000	2,000	
110-55-552-520-41200	Postage & Shipping	7		1,000	8	100	1,000	1,000	
110-55-552-520-43000	Utilities	12,051	12,213	12,000	7,911	11,867	12,000	12,000	
110-55-552-520-43250	Garbage & Trash	550		1,000	520	520	1,000	1,000	
110-55-552-520-44100	Equipment Rentals	600	400	2,000	600	600	2,000	2,000	
110-55-552-520-45000	Insurance	9,696	10,023	12,000	8,291	8,291	12,000	12,000	
110-55-552-520-46000	Repair & Maintenance	1,129	159	11,800	2,262	8,383	11,800	11,800	
110-55-552-520-47000	Printing		103	-	-	-	500	500	
110-55-552-520-48000	Promotional Activity			-	-	-	10,000	10,000	
110-55-552-520-48100	Advertising		93	-	433	650	5,000	5,000	

**TOWN OF LAKE PARK - ANNUAL BUDGET  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
DEPARTMENTAL BUDGET DETAIL  
FISCAL YEAR 2016-17**

Schedule 2

ACCOUNT NUMBER	DESCRIPTION	ACTUAL 2013-14	ACTUAL 2014-15	CURRENT YEAR BUDGET 2015-16	ACTUAL AS OF 6/30/2016	ESTIMATE FOR THE YEAR 2015-16	THE DEPT. PROPOSED BUDGET BY 2016-17	TOWN MGT. PROPOSED BUDGET 2016-17	ADOPTED BUDGET 2016-17
110-55-552-520-48101	Office Supplies			-		-	250	250	
110-55-552-520-48102	Operating Expenses			-		-	250	250	
110-55-552-520-52000	Operating Supplies	-		2,475	2,814	3,800	2,475	2,475	
110-55-552-520-54200	Memberships, Dues, & Subscription	795	795	795	795	795	795	795	
110-55-552-520-82113	Grant - Artists of Palm Beach County			4,000	3,925	3,925		-	
	<b>TOTAL OPERATING EXPENSES</b>	<b>196,490</b>	<b>179,798</b>	<b>240,070</b>	<b>133,659</b>	<b>218,730</b>	<b>264,070</b>	<b>264,070</b>	<b>-</b>
110-55-552-520-63000	Improvements other than buildings						50,000	50,000	
110-55-552-520-64100	Machinery & Equipment		3,295						
	<b>TOTAL CAPITAL OUTLAY</b>		<b>3,295</b>				<b>50,000</b>	<b>50,000</b>	
110-55-552-520-91010	Transfer to General Fund - ILA	169,516	169,325	169,256	112,883	169,325	169,256	169,256	
110-55-552-520-91030	Transfer - ILA 2009	2,009	(687)	54,793	36,529	54,794	54,793	54,793	
110-55-552-525-91030	Transfer to General Fund - ILA	36,530	36,530	36,530	24,353	36,530	36,530	36,530	
	<b>TOTAL DEBT SERVICE</b>	<b>208,055</b>	<b>205,168</b>	<b>260,579</b>	<b>173,765</b>	<b>260,648</b>	<b>260,579</b>	<b>260,579</b>	<b>-</b>
110-55-552-520-82111	Grants						20,000	20,000	
110-55-552-520-96200	Unrealized Gain/Loss on Invest	194	-	-	-	-	-	-	
110-389.900	Fund Balance Surplus	-	-	38,346	-	-	16,738	16,738	
	<b>TOTAL OTHER EXPENSES</b>	<b>194</b>	<b>-</b>	<b>38,346</b>	<b>-</b>	<b>-</b>	<b>36,738</b>	<b>36,738</b>	<b>-</b>
	<b>TOTAL CRA EXPENDITURES</b>	<b>430,234</b>	<b>451,384</b>	<b>605,686</b>	<b>357,255</b>	<b>545,819</b>	<b>750,229</b>	<b>750,229</b>	<b>-</b>
	<b>SURPLUS/(DEFICIT)</b>	<b>14,472</b>	<b>65,649</b>	<b>-</b>	<b>245,230</b>	<b>56,886</b>	<b>-</b>	<b>-</b>	<b>-</b>

**TOWN OF LAKE PARK - ANNUAL BUDGET  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
EXPENSE DETAIL & ANALYSIS  
FISCAL YEAR 2016-17**

**Schedule 4**

Account #	Account Name	Task, Description, and/or Vendor	Cost
520-19900	Wages Reclassified	20% of the Town Manager, 15% of the Finance Director, 20% of the Assistant to the TM, 5% of the Town Clerk and the Assistant to the Town Clerk, 10% of the Public Works Director, 10% the Project Manager, 10% of the Irrigation Tech 2, 5% of the Grounds Maintenance Foreman, 40% of the Special Events Director, and 20% of the Recreation Supervisor	\$ 138,842
		<b>TOTAL PERSONNEL EXPENSES</b>	<b>\$ 138,842</b>
520-31000	Professional Services	Property marketing, networking, and consulting	\$ 25,000
520-31100	Prof. Ser. - Attorney	Town Attorney	10,000
520-34000	Contractual Services	Terracon Services, Inc. landscape maintenance (\$97,105), & Web hosting (\$895)	98,000
520-34901	Administrative Fee	Services provided the CRA by other Town staff members	70,000
520-40000	Travel & Training		2,000
520-41200	Postage & Shipping	Miscellaneous items	1,000
520-43000	Utilities	FP&L and Seacoast Utility Authority	12,000
520-43250	Garbage & Trash	SWA Fee	1,000
520-44100	Equipment Rentals	Lift for decorations, etc.	2,000
520-45000	Insurance	Property and Casualty	12,000
520-46000	Repair and Maintenance	Irrigation system repairs (\$1,800), reset of plant materials (\$10,000)	11,800
520-47000	Printing		500
520-48000	Promotional Activity		10,000
520-48100	Advertising		5,000
520-48101	Office Supplies		250
520-48102	Operating Expenses		250
520-52000	Operating Supplies	Irrigation materials (\$1,200), fertilizer (\$1,275)	2,475
520-54200	Memberships, Dues, & Subscriptions	Florida Redevelopment Association (\$620) State of Florida (\$175)	795
		<b>TOTAL OPERATING EXPENSES</b>	<b>\$ 264,070</b>

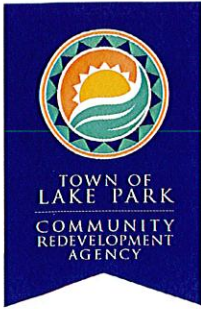
**TOWN OF LAKE PARK - ANNUAL BUDGET  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
PROPOSED INITIATIVES with DETAIL  
FISCAL YEAR 2016-17**

**Schedule 5**

Project Title	Description and Justification	Revenue	Cost
Landscape/Brick Paver Replacement	In conjunction with FY 17 Streets and Roads project for sidewalk improvements (\$60,000) perform landscape resets and sidewalk paver brick enhancements in the 700,800,900 blocks of Park avenue		\$ 50,000
<b>TOTALS FOR INITIATIVES <u>THAT ARE INCLUDED</u> IN THE PROPOSED BUDGET</b>			\$ 50,000
Construct Surface Parking Lot 1/2 block of Seeds of Hope Community Garden	The CRA initiative proposes to increase parking to the Park Avenue Business by providing surface parking using Public Works to construct the surface lot and stripe the location. Also extend the fence to include 1/2 of the landarea occupied by Community Garden		\$ 75,000
Housing Grants	Another CRA initiative will be to provide housing grants to homeowners in the CRA to repair code violations, roof repairs or replacement, heating and air condition systems that have failed or are in near failing condition.		\$ 100,000
Façade Grants	Another initiative is to provide Façade Grants for businesses on 10th and Park Avenue refurbish storefronts in accordance with the architectural styles in the Lake Park Design Approach Manual 2009		\$ 50,000
Street Festivals	Working with the Events Director, the planning and implementation of street festivals in conjunction with existing businesses located on Lake Park and 10th Street will be an important initiative		\$ 25,000
<b>TOTALS FOR INITIATIVES <u>THAT ARE NOT INCLUDED</u> IN THE PROPOSED BUDGET</b>			\$ 250,000
<b>COMBINED TOTALS</b>			\$ 300,000



# TAB 2



**CRA  
Agenda Request Form**

Meeting Date: December 7, 2016

Agenda Item No. Tab 2

**Agenda Title: Professional Services Contract to Town Engineering Firm, Calvin, Giordano & Associates, Inc. for the Survey of Park Avenue Sidewalks**

- |                          |                              |                                     |                          |
|--------------------------|------------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | SPECIAL PRESENTATION/REPORT  | <input checked="" type="checkbox"/> | <b>CONSENT AGENDA</b>    |
| <input type="checkbox"/> | OLD BUSINESS                 | <input type="checkbox"/>            | NEW BUSINESS: Resolution |
| <input type="checkbox"/> | DISCUSSION FOR FUTURE ACTION | <input type="checkbox"/>            | OTHER                    |

Approved by Executive Director: *J. Argytes* Date: 11/22/16

*David Hunt*  
David Hunt / Public Works Director

<b>Originating Department:</b>  Public Works	Costs: \$ 9,000.00 Funding Source: CRA FY 2017 Operating Budget Acct. # 520-31000 [X] Finance <u><i>BKR</i></u>	<b>Attachments:</b> - CGA Proposal for Survey Services
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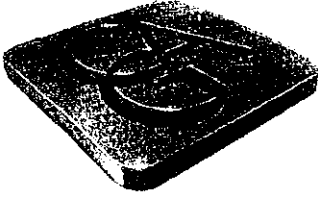
**Summary Explanation/Background:** Sidewalk and driveway approaches flanked by landscaping throughout the CRA's three blocks of Park Avenue have been lifted by roots. A scope of work detailing the extent of concrete that has to be cut, removed, formed, and poured needs to be prepared for bidding purposes. Since the areas in need of repair are so extensive, it would be a good time to consider re-alignment and total replacement of the sidewalks rather than making repairs to the existing structures. Sidewalks currently meander between the private property right of way lines and the Park Avenue traffic lanes.

A current survey would be used to help conceptualize and define where a new back-of-sidewalk could be placed. If sidewalks were placed immediately adjacent to the property line, it might encourage future development that would build store fronts closer to the street. Businesses could flow out onto the sidewalks without having to contend with a landscape barrier.

Relocating the sidewalks would also provide opportunities for changes to the landscape design as some planter beds would be eliminated while others would be expanded. A new survey would serve as a new construction base map whether it be for sidewalk work or new landscape design.

Calvin, Giordano & Associate's proposal for survey services is within the CRA Director's signing authority. This agenda item serves to inform the CRA Board, not only of the pending survey, but also of the future sidewalk and landscaping concepts that the Board may wish to consider.

**Recommended Motion:** I move to approve the Professional Surveying Services contract with Calvin, Giordano & Associates for the survey of the 700, 800, and 900, blocks of Park Avenue in the amount of \$9,000.00.



Calvin, Giordano & Associates, Inc.  
EXCEPTIONAL SOLUTIONS™

## Additional Services Agreement

**DATE:** June 8, 2016  
**RE:** Park Avenue Streetscape Repair Survey  
**CLIENT:** Town of Lake Park  
535 Park Avenue  
Lake Park, FL 33403  
**ATTENTION:** Mr. Dave Hunt  
**CGA NO.:** 15-2748.22

CGA HAS BEEN ADVISED TO PROCEED WITH THE FOLLOWING ADDITIONAL SERVICES:

Due to the client's request for work outside the original scope of services, Calvin, Giordano & Associates, Inc. will provide the following additional services:

### I. Professional Surveying Services

#### A. Topographic Design Survey

1. Calvin, Giordano and Associates, Inc. (CGA) shall prepare a Topographic Survey in accordance with Rule 5J-17.050 of the Florida Administrative Code (F.A.C.) for Park Avenue.

- Limits of the survey being Park Avenue beginning at 10th Street east bound to 7th Street, and including the entire limits of the right-of-way and extending outside of the right of way to the edge of parking of the adjoining property's or to a limit to capture ground features that impact the grade of existing walks.
- Services shall include creating a base map with the right-of-way, adjoining platted blocks and lots. Services shall also include the field location of all existing visible site improvements including but not limited to: all surface features including but not limited to, walks, curbs, trees (locations only), above ground utilities, overhead utility wires and all improvements within limits described above.

Building Code Services  
Coastal Engineering  
Code Enforcement  
Construction Engineering  
and Inspection  
Construction Services  
Contract Government  
Data Technologies  
and Development  
Emergency Management  
Services  
Engineering  
Environmental Services  
Facilities Management  
Indoor Air Quality  
Landscape Architecture  
Municipal Engineering  
Planning  
Public Administration  
Redevelopment  
and Urban Design  
Surveying and Mapping  
Traffic Engineering  
Transportation Planning

*GSA Contract Holder*

560 Village Boulevard  
Suite 340  
West Palm Beach, FL  
33409  
561.684.6161 phone  
561.684.6360 fax


[www.cgasolutions.com](http://www.cgasolutions.com)

- Elevations relative to the North American Vertical Datum of (NAVD 88) shall be determined at the point of field locations and random spots to determine ground contours.
- Benchmarks shall be established on permanent monumentation pursuant to the requirements of Chapter 5J-17.050, F.A.C. for future construction.
- A survey engineering design base file prepared in AutoCAD shall be submitted as deliverables.

<b>COST OF THESE SERVICES (Lump Sum )</b>	
<b>I Professional Surveying Services</b>	<b>\$9,000.00</b>
<b>TOTAL (Plus Hourly Services)</b>	<b>\$9,000.00</b>

**AUTHORIZATION**

**Kindly sign and return this authorization at your earliest convenience.  
Calvin, Giordano & Associates, Inc.  
will proceed upon receipt of authorization.**

By: \_\_\_\_\_ By:   
 Mr. Dave Hunt Dennis J. Giordano  
 Public Works Director President

Date: \_\_\_\_\_ Date: 6/7/2016

# **New Business**

# TAB 3



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: December 7, 2016

Agenda Item No. Tab 3

**Agenda Title: License Addendum for use of 800 Park Avenue by the Artists of Palm Beach County and Permission to Use the Kiln in the newly established Kiln Room.**

- SPECIAL PRESENTATION/REPORTS     CONSENT AGENDA  
 BOARD APPOINTMENT     OLD BUSINESS  
 PUBLIC HEARING ORDINANCE ON \_\_\_\_\_ READING  
 NEW BUSINESS  
 OTHER: \_\_\_\_\_

Approved by Town Manager *John O. D'Agostino* Date: 11/25/16  
John O. D'Agostino, Town Manager

Name/Title

<b>Originating Department:</b>  Town Manager	Costs: \$ 0 Funding Source: General Fund Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> <ul style="list-style-type: none"> <li>• Resolution providing for an addendum to the original license agreement and authorizing the Mayor to Sign.</li> <li>• License Agreement and attached Exhibit A for the use of 800 Park Avenue by the Artists of Palm Beach County</li> </ul>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone JOD or Not applicable in this case _____ <b>Please initial one.</b>



**Summary Explanation/Background:** The initial agreement between the CRA and the Artists of Palm Beach County expired on October 14, 2013 and has not been renewed until now. The new agreement is for a term of One Year primarily because the non-profit has operated without a new agreement for a period of three additional years. The License period is from the First of December to the end of November, 30, 2017.

Tonight under this Agenda Request Form, the Commission will also be asked to consider the Non-Profit's request to use the Kiln and relocate the Kiln to a room to the side of the existing building. The non-profit has sought permits for proper ventilation with the Palm Beach Fire Department and the license agreement requires that the Kiln room must be properly supervised by a person with extensive knowledge and experience operating Kilns. I am told that the Artist who will be using the Kiln will be present to answer any questions.

In speaking with the Town Attorney, the existing License Agreement incorporates the Kiln room location in the agreement. The License Amendment also extends the use of the building by one year.

**Recommended Motion:** Move to approve the License Addendum permitting the Artists of Palm Beach County the use of the 800 Park Avenue location for one year and to grant permission to the non-profit to relocate the Kiln and to utilize the Kiln under proper supervision as outlined in the agreement, Resolution NO. 57-12-16

**RESOLUTION NO. 57-12-16**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO THE LICENSE AGREEMENT WITH ARTISTS OF PALM BEACH COUNTY FOR THE USE OF THE TOWN'S PROPERTY AT 800 PARK AVENUE; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Town has all of the powers and authority conferred upon it pursuant to the Florida constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission has previously approved a License Agreement with Artists of Palm Beach County (Artists) for the use of the Town's property at 800 Park Avenue. The Agreement provides that the tenant is responsible for all terms and conditions set forth in the License Amendment; and

**WHEREAS**, the Town Manager recommends that the Town enter into a second Amendment to the License Agreement to permit Artist to continue its occupancy of the Property from commencing on December 1, 2016 thru November 30, 2017.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:**

**Section 1.** The foregoing recitals are incorporated herein.

**Section 2.** The Mayor is hereby authorized and directed to execute the License Agreement with The Artists of Palm Beach County attached hereto and incorporated herein as **APPENDIX "A"**.

**Section 3.** This Resolution shall be effective upon execution.

## LICENSE AGREEMENT

**THIS LICENSE AGREEMENT (the License)**, entered into this \_\_\_ day of \_\_\_\_\_, 2012, between the TOWN OF LAKE PARK Community Redevelopment Agency, whose address is 535 Park Ave, Lake Park, FL 33403, (hereinafter CRA) and ARTISTS OF PALM BEACH COUNTY (hereinafter Tenant)

In consideration of the covenants and agreements recited herein below the CRA hereby rents to Tenant the property at 800 Park Avenue, Lake Park, Florida, 33403 (the Premises).

1. The Premises are to be used as an Art Gallery and for art classes and public education and for such other uses as the CRA specifically allows.
2. The Tenant's responsibilities to maintain this License throughout the term and any renewals include the Tenant providing:
  - Art class programs to the community and general public;
  - A monthly schedule of Arts and Crafts classes that shall be open to the general public, including:
  - At least one (1) Arts/Crafts class at no cost to the public shall be held at least once a month beginning within 30 days of the execution of this Agreement and then Arts/Crafts classes at no cost to the public held at least four (4) times per month beginning November 1, 2016 and continuing through the end of the Agreement period.
  - Operating the Studio Gallery Monday through Saturday as well a during sponsored Town of Lake Park, or CRA events;
  - A posting of written hours of operation for the Art Studio and Gallery.
  - The Gallery name "Art on Park Studio and Gallery" shall remain the same.
3. The Premises is to be licensed for a one year term. The term shall begin the 1<sup>st</sup> day of December, 2016, and end on November. 30<sup>th</sup>, 2017.

4. There shall be no rent during the term of this Agreement, however Tenant shall be responsible for all operating expenses listed below and operating expenses shall be registered in the name of the Tenant.
  - Utilities: Electric and Water;
  - Garbage/Trash;
  - Sanitation;
  - Monthly telephone and internet;
  - Interior/exterior cleaning;
  - Grounds maintenance;
  - Insurance:
    - The Tenant shall be responsible for providing and paying for the cost of personal property (renters) insurance on all contents of the Premises.
    - The Tenant shall be responsible for reimbursing the CRA for the cost of property insurance on the building.
5. Tenant accepts the space "as is, where is" with no additions or alterations by the CRA. Any structural changes to the Gallery property will require Town Commission and Town of Lake Park CRA Board prior approval.
6. At the end of the term, the parties may agree to exercise mutual options to renew the License for an additional term, or for such modified term to which the parties mutually agree to.
7. The Tenant shall not assign the License, nor sub-let the Premises or any part thereof.
8. The CRA will keep the equipment listed in Exhibit "A" attached hereto and incorporated herein at the Property for Tenant's use. Said equipment whether maintained or operated shall be done at the Tenant's expense. Equipment that requires specialized instruction or operation, must be staffed by a qualified instructor/operator at the expense of the Tenant.

9. Tenant agrees to abide by the Required Professional Disciplines outlined in Article II of the Request for Qualifications.
10. All personal property placed or moved into the Premises above described shall be at the risk of the Tenant or owner thereof, and the CRA shall not be liable for any damage to said personal property as a result of any fire, water damage from flooding, or the bursting or leaking of water pipes, or from any act of negligence of any occupants of the building or of any other person whomsoever. Tenant acknowledges that the CRA does not maintain insurance for the benefit of its Tenants' personal property, and that it is Tenant's responsibility to maintain its own insurance.
11. The Tenant shall comply with all statutes, ordinances, rules, orders, regulations and requirements of the Federal, State, County, the CRA and the Town of Lake Park and shall also promptly comply with and execute all rules, orders and regulations of the same, including, but not limited to all applicable building, and fire prevention codes. Tenant shall be responsible for obtaining from the Town of Lake Park all necessary licenses and permits to operate the Premises.
12. In the event the Premises shall be destroyed or so damaged or injured by fire or other casualty during the term of the License, whereby the same shall be rendered in the opinion of the Town un-tenantable, then the CRA shall have the right to render said Premises tenantable by repairs within 90 days there from. If said Premises are not in the opinion of the CRA rendered tenantable within said time, either party may cancel this License, and in the event of such cancellation

the Tenant shall coordinate any change in responsibility for the utilities with the CRA.

13. The prompt payment of the utilities for the Premises and the faithful observance of any rules and regulations which may be made by the CRA, are the conditions upon which the License is made and accepted and any failure on the part of the Tenant to comply with the terms of the License, or any of said rules and regulations which may be hereafter prescribed by the License shall at the option of the CRA, work a forfeiture of the License, and all of the rights of the Tenant hereunder.
14. If the Tenant shall abandon or vacate the Premises on or before the expiration of the term, the CRA may enter the Premises without notice and without being liable in any way therefore, and maintain possession of the Premises and take such other actions thereafter as it deems appropriate.
15. The Tenant hereby pledges and assigns to the CRA all personal property, including, but not limited to, the furniture, fixtures, goods and chattels of Tenant, which shall or may be brought or put on the Premises as security for the payment of the rent, and Tenant agrees that a lien against same may be enforced by distress foreclosure or otherwise at the election of the CRA.
16. It is hereby agreed between the parties that in the event the CRA decides to remodel, alter or demolish all or any part of the Premises, or in the event of the sale of all or any part of the Premises; requiring this space, the Tenant shall vacate the Premises upon 30 days advance written notice. It is furthered agreed

between the parties that should any of these events occur Tenant may elect to cancel the License upon 30 days advance written notice to CRA.

17. The CRA, or any of his agents, shall have the right to enter the Premises during all reasonable hours, to examine the same, to make such repairs, additions or alterations as may be deemed necessary for the safety, comfort, or preservation of the Premises. The right of entry shall likewise exist for the purpose of removing place cards, signs, fixtures, alterations, or additions, which do not conform to the License, or to any written rules and regulations pertaining to the Premises.
18. CRA hereby acknowledges that the Premises are in good order and repair, unless otherwise indicated herein. Tenant shall, at its own expense and at all times, maintain the premise in good and safe condition, including plate glass, doors, locks, electrical wiring, plumbing and heating and air conditioning installations and any other system or equipment upon the premise. Tenant shall surrender the Premises in the condition they are in at the beginning of the first term of the License and shall maintain the Premises in the same condition, order and repair as they are at the commencement of said term, excepting only reasonable wear and tear arising from the use thereof, and to make good to said CRA immediately upon demand, any damage to water apparatus, or electric lights or any fixture, appliances or appurtenances of said premises, or of the building, caused by any act or neglect of Tenant, or of any person or persons in the employ or under the control of the Tenant. The Town will keep the equipment listed in **Exhibit 'A'** which is attached hereto and incorporated herein at the

Property for Tenant's use. Said equipment shall be maintained by the Tenant at the Tenant's expense.

19. The License shall bind the parties and their assigns or successors, heirs, and personal representatives.
20. It is understood and agreed between the parties that the written notice via certified mail or hand delivered to the parties at their respective addresses referenced hereinabove shall constitute sufficient notice for the receiving party to comply with any of the terms of the License.
21. The rights of the CRA under the foregoing shall be cumulative, and failure on the part of the CRA to exercise promptly any rights given hereunder shall not operate to forfeit any of the said rights.
22. It is further understood and agreed between the parties hereto that any charges against the Tenant by the CRA for service or for work done on the Premises by order of the Tenant or otherwise accruing under this License shall be the financial responsibility of the Tenant and shall be subject to the written approval of the CRA.
23. It is hereby agreed by the parties that any signs to be installed, or awnings, in connection with the use of the Premises shall be subject to the approval of the CRA. Any signs or awnings installed must also be permitted by the Town of Lake Park and Tenant is responsible for complying with all Town codes associated with such installation.
24. **RADON GAS NOTIFICATION:** Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present



health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings. Additional information regarding radon and radon testing may be obtained from the Palm Beach County Public Health unit.

25. The License shall be construed in accordance with the laws of Florida. Venue for any action by either party to enforce the terms of the License shall be in Palm Beach County.

26. In the event either party shall be required to enforce the terms of the License, the prevailing party shall be entitled to recover its costs and attorney's fees.

**IN WITNESS WHEREOF**, the parties hereto have executed this instrument for the purpose herein expressed, the day and year above written.

**LAKE PARK COMMUNITY  
REDEVELOPMENT AGENCY**

By \_\_\_\_\_

Approved as to form  
And Legal Sufficiency

By \_\_\_\_\_  
Thomas J. Baird, Esquire

**ARTISTS OF PALM BEACH COUNTY**

By \_\_\_\_\_

### Exhibit "A"

- Lighting System
- Air conditioning unit – must be maintained by Tenant
- Refrigerator/Microwave/towel holder
- 1 Safe box
- 1 Wall hand dryer
- 1 wall mirror
- Partitions – 11 (white) 7 (grey)
- Pedestals – 8 (white) 2 (black)
- (3) potters wheels
- 1 Desk
- 1 Jewelry case
- 3 Chairs
- Trash can – 1 tall (bathroom) 1 small (reception area)
- Filing cabinet
- 1 Lg. artificial plant
- 1 Art on Park entrance carpet
- 1 Fire extinguisher
- 1 Easel
- 1 Ladder and 1 broom
- 1 Aluminum shelving
- 1 Counter for cash register
- Security cameras/system shall remain on premises and be maintained by Tenant
- When in use, the Kiln Room must be staffed and operated by a qualified staff person with a working knowledge of Kiln operations.

In the event that the lighting system needs to be changed/replaced, a written request shall be submitted to the Town Clerk's office by the Tenant, for CRA Board and Commission approval.

It is required that the AC Unit be maintained periodically and filters changed on a monthly basis at the Tenant's expense