

AGENDA

Community Redevelopment Agency Meeting
 Wednesday, October 7, 2009,
 Immediately Following the Special Call Meeting
 of the Town Commission
 Lake Park Town Hall
 535 Park Avenue

Desca DuBois	—	Chair
Jeff Carey	—	Vice-Chair
Edward Daly	—	Board Member
Patricia Osterman	—	Board Member
Kendall Rumsey	—	Board Member
Christiane Francois	—	Board Member
Michelle McKenzie-Suiter	—	Board Member
<hr style="border-top: 1px dashed black;"/>		
Maria V. Davis	—	Executive Director
Thomas J. Baird, Esq.	—	Agency Attorney
Vivian M. Lemley, CMC	—	Agency Clerk

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**
- B. **PLEDGE OF ALLEGIANCE**
- C. **ROLL CALL**
- D. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**
- 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 Board member 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 Agency Clerk. Cards must be submitted before the item is discussed.

Consent Items For Approval:

- | | |
|--|-------|
| 1. Special Call CRA Meeting Minutes of September 2, 2009 | Tab 1 |
| 2. CRA Meeting Minutes of September 16, 2009 | Tab 2 |
| 3. Approval for an Agreement to Use A Portion of Vacant Land Next To the Building at One Park Place as a Community or Town Green | Tab 3 |
| 4. Award of Bid for Roof Replacement, 800 Park Avenue to Southern Coast Enterprises, Inc. in the amount of \$34,789.48 | Tab 4 |

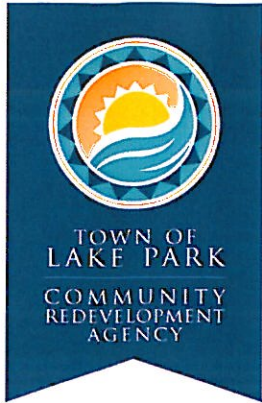
F. BOARD MEMBER COMMENTS

G. EXECUTIVE DIRECTOR COMMENTS

H. ADJOURNMENT

Consent Agenda

TAB 1



**CRA
Agenda Request Form**

Meeting Date: October 7, 2009

Agenda Item No. *Tab 1*

- | | | | |
|--------------------------|-----------------------------|-------------------------------------|----------------|
| <input type="checkbox"/> | Public Hearing | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | Ordinance on Second Reading | <input type="checkbox"/> | Discussion |
| <input type="checkbox"/> | Ordinance on First Reading | <input type="checkbox"/> | Bid RFP/Award |
| <input type="checkbox"/> | General Approval of Item | <input checked="" type="checkbox"/> | Consent |
| <input type="checkbox"/> | Presentation | <input type="checkbox"/> | Other |

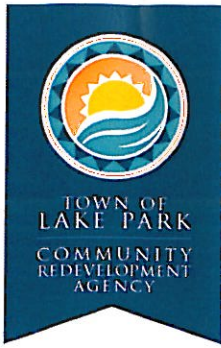
SUBJECT: CRA Meeting Minutes of September 2, 2009

RECOMMENDED MOTION/ACTION: To Approve the CRA Meeting Minutes of September 2, 2009

Approved by Executive Director *W. Davis* Date: *9/30/09*

<p>Prepared By: Jessica Shepherd Deputy Town Clerk</p>	<p>Costs: \$ Funding Source: Acct. #</p>	<p>Attachments:</p>
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Summary Explanation/Background:



**Town of Lake Park
Community Redevelopment Agency Meeting
Town Hall Commission Chambers
535 Park Avenue, Florida 33403
Wednesday, September 2, 2009 7:30 p.m.**

The Community Redevelopment Agency met for the purpose of a CRA Meeting on Wednesday, September 2, 2009 at 7:30 p.m. Present were Chair DuBois, Vice-Chair Carey, Board Members Daly, Rumsey, Osterman, Suiter, Francois, Executive Director Maria Davis and Agency Clerk Vivian Lemley.

Chair DuBois led the Pledge of Allegiance.
Agency Clerk Vivian Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Discussion regarding 800 Park Avenue was added to the Agenda.

Motion: A motion was made by Vice-Chair Carey to approve the agenda as modified; Board Member Osterman made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Daly	X		
Board Member Rumsey	X		
Board Member Osterman	X		
Vice Chair Carey	X		
Chair DuBois	X		
Board Member Francois	X		
Board Member Suiter	X		

Motion passed 7-0.

Consent Agenda

1. Request for Grant and Loan for Someplace Restaurant

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Chair Carey to approve the Consent Agenda; Board Member Daly made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Daly	X		
Board Member Rumsey	X		
Board Member Osterman	X		
Vice Chair Carey	X		
Chair DuBois	X		
Board Member Francois			Abstained from voting
Board Member Suiter	X		

Motion passed 6-1.

Discussion & Possible Action

800 Park Avenue Façade Design/Build

Executive Director Davis explained that a design/build proposal for façade treatments was put out for the building on 800 Park Avenue. There were two designs for the Board to choose from. She gave a PowerPoint presentation of the designs. Option one design (see page 2 of Exhibit "A") was by Bonilla Torregroza Architecture.

Mr. Bragg explained the different color pallets that were recommended for the building. He explained the different aspects of design option one (see page 2 of Exhibit "A").

Chair Dubois asked for clarification of where the art could be displayed in or on the building.

Mr. Bragg explained how the art could be displayed in the window or in the signage area. He stated that it was important to maintain the awning on the building to protect the artwork.

Board Member Rumsey asked if the proposed sign on the building was a lighted sign.

Mr. Bragg explained that the sign itself was not presently in their scope of work but there was an allowance for electrical wiring that would be brought to the sign.

Mr. Brian Kramer of Bert Bejarano, P.E. introduced himself and explained design option two for the 800 Park Avenue building (see page 4 of Exhibit "A").

Board Member Francois asked if the designs on the bottom of the building would be made of tile.

Mr. Kramer explained that the designs could be made of either tile or stucco.

Board Member Osterman recommended the design made by the University of Miami as an option for the 800 Park Avenue building.

Executive Director Davis explained that the design options could be brought back for discussion with the University of Miami design as an option or the Board could make a selection and negotiate for additional services to modify the design.

Chair DuBois stated she was concerned about the timeline.

Board Member Osterman stated she was also concerned about the timeline and recommended negotiating one of the designs.

Board Member Rumsey stated that design option one incorporated most of the design elements in the University of Miami design. He stated that he was also concerned about the timeline and recommended making a decision on one of the options presented. He recommended design option one.

Discussion ensued between the Board members regarding the different design options.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Board Member Rumsey to approve the Design Option 1 with modifications; Board Member Osterman made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Daly	X		
Board Member Rumsey	X		
Board Member Osterman	X		
Vice Chair Carey	X		
Chair DuBois			Abstained from voting
Board Member Francois	X		
Board Member Suiter	X		

Motion passed 6-1.

CRA BOARD MEMBER COMMENTS

Chair DuBois

None

Board Member Suiter stated that the banner announcing the Book and Bake Sale at the corner of 8th St. and Park Avenue was a great attention grabber.

Executive Director Davis explained she would soon have the capability of putting banners across the entire street because the Town had spare aluminum light poles and has decided to use them to hang banners on Park Avenue, 10th Street, and Federal Highway.

Board Member Rumsey

None

Vice-Chair Carey

None

Board Member Daly

None

Board Member Osterman

None

Board Member Francois

None

Executive Director Davis stated that the asbestos flooring at the 800 Park Avenue building has been removed and the environmental consultant will provide the Certified Air Clearance letter tomorrow. The cost to remove the flooring was \$2,850. The purchase order had been issued to Paul Davis Construction Company to perform the interior demolition of the building at a cost of \$8,500. She is hoping that the demolition will commence sometime next week. The invitation to bid for the re-roof of 800 Park Avenue was advertised in the Palm Beach Post and the bid opening was scheduled for September 29, 2009. The approximate cost is \$30,000.

She stated that the bid opening for the demolition of the Foresteria properties is scheduled for September 8, 2009. The approximate cost will be \$25,000. She stated that she has not forgotten about the Community Garden. She also stated that she was working with a company to decide where to place the security cameras on Park Avenue.

Vice-Chair Carey asked how the re-roof of 800 Park Avenue would affect the parapet walls in the new design of the building.

Executive Director Davis stated that CRA Project Manager Richard Pittman has coordinated the design and re-roof of the building with the contractors and architects.

CRA Project Manager Richard Pittman explained how he addressed the re-roof of 800 Park Avenue taking into consideration the parapet walls with the architects and contractors.

ADJOURNMENT

There being no further business to come before the CRA Board and after a motion to adjourn by Board Member Osterman and seconded by Board Member Francois, and by unanimous vote, the meeting adjourned at 8:03 p.m.

Chair DuBois

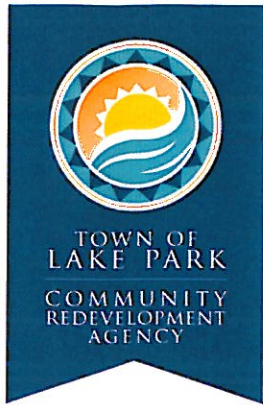
Agency Clerk Jessica Shepherd

Agency Clerk Vivian Lemley

(Town Seal)

Approved on this _____ day of _____, 2009

TAB 2



**CRA
Agenda Request Form**

Meeting Date: October 7, 2009

Agenda Item No. *Tab 2*

- | | | | |
|--------------------------|-----------------------------|-------------------------------------|----------------|
| <input type="checkbox"/> | Public Hearing | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | Ordinance on Second Reading | <input type="checkbox"/> | Discussion |
| <input type="checkbox"/> | Ordinance on First Reading | <input type="checkbox"/> | Bid RFP/Award |
| <input type="checkbox"/> | General Approval of Item | <input checked="" type="checkbox"/> | Consent |
| <input type="checkbox"/> | Presentation | <input type="checkbox"/> | Other |

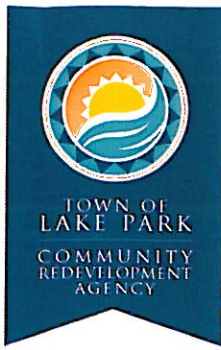
SUBJECT: CRA Meeting Minutes of September 16, 2009

RECOMMENDED MOTION/ACTION: To Approve the CRA Meeting Minutes of September 16, 2009

Approved by Executive Director *W. Davis* Date: *9/30/09*

<p>Prepared By: Jessica Shepherd Deputy Town Clerk</p>	<p>Costs: \$ Funding Source: Acct. #</p>	<p>Attachments:</p>
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Summary Explanation/Background:



**Town of Lake Park
Community Redevelopment Agency Meeting
Town Hall Commission Chambers
535 Park Avenue, Florida 33403
Wednesday, September 16, 2009 7:30 p.m.**

The Community Redevelopment Agency met for the purpose of a CRA Meeting on Wednesday, September 16, 2009 at 7:30 p.m. Present were Chair DuBois, Vice-Chair Carey, Board Members Daly, Rumsey, Osterman, Francois, Executive Director Maria Davis and Agency Clerk Vivian Lemley. Board Member Suiter was absent.

Chair DuBois led the Pledge of Allegiance.
Agency Clerk Vivian Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None

Motion: A motion was made by Board Member Osterman to approve the agenda; Board Member Rumsey made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Daly	X		
Board Member Rumsey	X		
Board Member Osterman	X		
Vice Chair Carey	X		
Chair DuBois	X		
Board Member Francois	X		
Board Member Suiter			Absent

Motion passed 6-0.

Consent Agenda

1. Special Call CRA Meeting Minutes of August 19, 2009
2. Award of Bid for Building Demolition 711 & 761 Foresteria Drive
3. Resolution No. 41-09-09 Adopt CRA Budget

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Board Member Rumsey to approve the Consent Agenda; Board Member Daly made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Daly	X		
Board Member Rumsey	X		
Board Member Osterman	X		
Vice Chair Carey	X		
Chair DuBois	X		
Board Member Francois	X		
Board Member Suiter			Absent

Motion passed 6-0.

Discussion & Possible Action

Approval of Façade Treatment for 800 Park Avenue

Executive Director Davis explained that at the last board meeting the board asked her to return with a design option that was closer in design with the University of Miami design. She showed a slide (see Exhibit "A") of the revised design option that was designed by Bonilla Torregroza Architecture.

Board Member Osterman stated that she liked the design and that it was a big improvement from the design options presented at the last meeting.

Board Member Rumsey asked how large the porch area would be.

Mr. Bragg of Bonilla Torregroza Architecture explained that the existing walk was five feet and they could not come out further because there was a handicap parking space there.

Board Member Rumsey asked if they would keep the same color scheme as before.

Mr. Bragg explained that the color scheme was still open to changes and that they changed the colors to match the terra cotta barrel tile and to follow the design elements of the clock tower.

Discussion ensued between the Board Members and Mr. Bragg regarding the changes made to

the design.

Motion: A motion was made by Board Member Francois to approve the new design option by Bonilla Torregraza Architecture for the 800 Park Avenue building; Board Member Osterman made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Daly	X		
Board Member Rumsey	X		
Board Member Osterman	X		
Vice Chair Carey	X		
Chair DuBois			Abstained from voting
Board Member Francois	X		
Board Member Suiter			Absent

Motion passed 5-0.

CRA BOARD MEMBER COMMENTS

Chair DuBois

None

Board Member Suiter

Absent

Board Member Rumsey

None

Vice-Chair Carey

None

Board Member Daly

None

Board Member Osterman

None

Board Member Francois

None

Executive Director Davis stated that the demolition of the 711 and 761 Foresteria Dr. buildings should commence next week. The interior demolition of the 800 Park Avenue building should be completed by Monday, September 21, 2009. The bid opening for the replacement of the roof for 800 Park Avenue is scheduled for September 29, 2009. The project should take six to eight weeks. The interior renovation will go out to bid next week and she is working on the location of the security cameras for Park Avenue. She invited residents to attend the “Nourishing Communities One Vegetable Garden at a Time” program which would take place at the Palm Beach County Cooperative Extension located at 559 North Military Trail from 9 a.m. to 4 p.m.

ADJOURNMENT

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

Chair DuBois

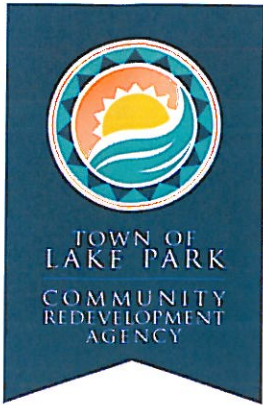
Agency Clerk Jessica Shepherd

Agency Clerk Vivian Lemley

(Town Seal)

Approved on this _____ day of _____, 2009

TAB 3



**CRA
Agenda Request Form**

Meeting Date: 10-7-09

Agenda Item No. *Tab 3*

- | | | | |
|-------------------------------------|---------------------------------|--------------------------|---------------|
| <input type="checkbox"/> | Public Hearing | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | Ordinance on Second Reading | <input type="checkbox"/> | Discussion |
| <input type="checkbox"/> | Ordinance on First Reading | <input type="checkbox"/> | Bid RFP/Award |
| <input checked="" type="checkbox"/> | General Approval of Item | <input type="checkbox"/> | Consent |
| <input type="checkbox"/> | Presentation | <input type="checkbox"/> | Other |

SUBJECT: Approval of an agreement to use a portion of vacant land next to the building at One Park Place as a community or Town green in exchange for maintaining the above mentioned property.

RECOMMENDED MOTION/ACTION: Approval

Approved by Executive Director *M. J. Davis* Date: *10/2/09*

<p>Prepared By: <i>[Signature]</i> <i>10/2/09</i></p>	<p>Costs: \$ Funding Source: Acct. #</p>	<p>Attachments: AGREEMENT</p>
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Summary Explanation/Background: One Park Place never completed its buildout and left half the site vacant. The Town wishes to utilize the vacant half as a community/Town green to be used for special events in the downtown area. Park Avenue, LLC (Richard Ahrens) has agreed to enter into a 5 year license agreement that allows the Town to utilize the area for community uses in exchange for maintaining the vacant piece of land. The area is approximately half an acre in the middle of our downtown and will provide a place for our different community events, such as the upcoming arts festival and Christmas celebration.

**This instrument prepared by:
and return to:**

Thomas J. Baird, Esq.
Law Offices of Baird & Roselli
11891 U.S. Highway One, Suite 100
North Palm Beach, FL 33408

Do not write above this line - this space reserved for recording purposes

EXCLUSIVE LICENSE AGREEMENT

This License Agreement ("Agreement") is made this _____ day of October 2009, by and between the **COMMUNITY REDEVELOPMENT AGENCY OF THE TOWN OF LAKE PARK, FLORIDA**, a public agency created pursuant to Section 163, Part III, Fla. Stat., whose principal place of business is located at 535 Park Avenue, Lake Park, Florida 33408, (the "CRA"), and **Park Avenue, LLC** (the "Licensor") a Florida Limited Liability Company whose principal place of business is located at 1461 Kinetic Road, Lake Park, FL 33403.

WITNESSETH:

WHEREAS, the CRA is a distinct legal entity with such powers and authority as set forth in Section 163, Part III,

Fla. Stat. (2009), as amended from time to time; and

WHEREAS, the CRA has the authority to enter into contracts, agreements, and other instruments which are necessary to carry out and effectuate the purposes and provisions of Part III of Chapter 163, as more specifically detailed in Section 163.370, Fla. Stat.; and

WHEREAS, the Licensor is the sole fee simple owner of record of a 1.8± acre parcel of real property bearing a physical address of 801 Park Avenue, and which is generally located at the corner of 9th Street and Park Avenue (the "Property") in the Town of Lake Park, Palm Beach County, Florida; and

WHEREAS, the location and legal description of the entirety of the Licensor's Property (the "Property") is set forth in **Exhibit "A"** attached hereto and made a part hereof; and

WHEREAS, the CRA and the Licensor have agreed that the Licensor shall allow the CRA to have a five year exclusive license to utilize a portion of the Licensor's Property (the "Licensed Property"), in exchange for the CRA's agreement to maintain and improve the Licensed Property, to the extent which is more specifically described herein, at the CRA's sole cost and expense, as well as allowing the CRA to perform other permitted uses and make additional improvements to and on the Licensed Property which are also detailed herein; and

WHEREAS, the location and legal description of the specific portion of the Licensor's Property which is the subject of this License Agreement, and which is intended to be used by the CRA as the Licensed Property and for the exclusive use and benefit of the CRA (excluding only the Licensor as provided herein), for the 5-year term of this Agreement is set forth in **Exhibit "B"**, which is attached hereto and made a part hereof; and

WHEREAS, the Parties desire to establish their respective rights and responsibilities with regard to this Agreement, and have therefore memorialized the terms of the Agreement in this instrument.

NOW, THEREFORE, in consideration of the covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Recitals**. The above-stated recitals are true and correct and are hereby incorporated herein by reference.
2. **Representation of Ownership Rights**. The Licensor represents that it is the fee simple owner of the Property; that the Licensor has the right to enter into this Agreement; and that the person signing this Agreement has the authority to sign and execute this Agreement on behalf of the Licensor.

3. **Grant of Five-Year Exclusive License Agreement.**

- (a) The Licensor desires to provide an exclusive license to the CRA, its successors and assigns, tenants, employees, agents, contractors, and the general public to use the Licensed Property for purposes of allowing the CRA, and its contractors, employees, agents, and other authorized persons, to maintain, use and improve the Licensed Property at any time during the term of the Agreement.
- (b) The Licensor hereby grants an exclusive License to the CRA, the CRA's successors and assigns, tenants, licensees, employees, guests, agents, contractors, invitees, and the general public to use, maintain, and improve the Licensed Property, as well as perform any additional mutually agreed upon improvements to the Licensed Property during the term of the Agreement.
- (c) The legal description of the Licensed Property, and the location of the Licensed Property are depicted on the location sketch attached hereto as **Exhibit "B"**, which is made a part hereof.
- (d) The commencement date (the "Commencement Date") of this Agreement shall be upon execution of the Agreement by the chair of the CRA, following the initial execution of the Agreement by the Licensor, which shall occur first.
- (e) The termination date (the "Termination Date") of this Agreement shall be five years from the Commencement Date, unless the Agreement is terminated for breach or otherwise at an earlier time by either of the Parties as provided for hereinbelow.

4. **Scope of License Rights of the CRA.** The License created, granted and conveyed by this instrument, includes the creation and conveyance of all incidental and ancillary rights reasonably necessary for the use, maintenance, improvement, and enjoyment of the Licensed Property by the CRA for its intended purposes, which are to use, maintain, and improve the Licensed Property, which also includes the right to hold public and community events and to park on site.

5. The License Term shall be for a period of five (5) years, unless either Party gives the other Party written intent to terminate the License Agreement at least 90days prior to the effective date of the termination of the Agreement. In addition, if either Party commits a material breach of this Agreement, the non-breaching Party shall have the right to terminate the Agreement effective immediately, unless the non-breaching party chooses to give the breaching Party an opportunity to cure the condition of the breach or default. This License shall be binding upon the Licensor and its successors and assigns, and shall run with, and be binding upon the Licensed Property and the Property, from the Commencement Date to the Termination Date, unless the Agreement is terminated earlier by either of the Parties. The Licensor. may for its own purposes, continue to utilize the Licensed Property, and shall retain a right of free ingress and egress under, over, and upon its Licensed Property, provided however, that the Licensor shall not grant any Agreement, lease, license, sublease, nor make any covenants or agreements permitting the use or occupancy of the Licensed Property to any other third party during the term of this Agreement without the advance written consent of the CRA.
6. **No Public Dedication**. Notwithstanding the intended broad use of the License herein granted, neither this instrument, nor anything done in connection herewith, shall constitute a dedication of any of the Property owned by the Licensor to either the general public, the Town of Lake Park, Palm Beach County, or any other governmental entity.
7. **Governing Law**. This Agreement shall be construed in accordance with the laws of the State of Florida, with venue for any litigation concerning this Agreement to be in a court of competent jurisdiction located in Palm Beach County, Florida.
8. **Entire Agreement**. This Agreement (including the Exhibits) constitutes the entire Agreement deed, and supersedes all prior written and verbal agreements, representations, promises or understandings.
9. **Notices**. All communications given pursuant to this Agreement by registered or certified mail, return receipt requested, hand delivery, or

national overnight receipted delivery service (e.g. Federal Express) to the address of the Licensor stated below, or to such other address as the Licensor may hereafter give:

Licensor: Park Avenue, LLC
1461 Kinetic Road
Lake Park, FL 33403

CRA: Town of Lake Park Community Redevelopment Agency
Lake Park Town Hall
535 Park Avenue
Lake Park, FL 33408

10. **Severability.** If any provision of this Agreement is invalid or unenforceable, the remainder of the Agreement or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, will not be affected and each provision of this Agreement will be valid and enforceable to the fullest extent permitted by law.
11. **Successors and Assigns.** Beginning on the Commencement Date, this Agreement applies to and binds the heirs, successors, executors, administrators, and assigns of the Licensor.
12. **Headings.** The headings used in this Agreement are for convenience only, shall in no way define or limit the scope or content of this Agreement, and shall not be considered in any construction or interpretation of this Agreement or any part hereof.
13. **Binding Effect.** All of the terms and provisions of this Agreement shall run with the Property, and shall be binding upon the Licensor and its legal representatives, successors and permitted assigns, whether so expressed or not. In the event of the transfer of fee simple title in and to any portion of the Property, the conveying property owner shall be exonerated and relieved of all liabilities and obligations under this Agreement, which arise or take effect from and after the date on which the title is transferred to the subsequent owner, but the Licensor of the Agreement shall remain

responsible for those liabilities and obligations which arise or take effect under this Agreement prior to the date on which the title is transferred.

14. **Modifications.** Except as specifically set forth herein, this Agreement may not be modified in any respect whatsoever or rescinded, in whole or in part, without the written consent of the Town Commission of the Town of Lake Park, and then only by written instrument duly executed, acknowledged, and duly recorded in the Public Records of Palm Beach County.
15. **Limited Release of Liability by CRA.** In connection solely with this License Agreement, the CRA releases, acquits, and discharges the Licensor from any and all liability, causes of action, sums of money, accounts, reckonings, damages, judgments, claims and demands, in law or in equity, which the CRA may have at the time this Agreement is effective, and which directly arises out of the CRA's use, occupancy, maintenance and improvement of the Licensed Property during the term of this Agreement or any earlier period if the Agreement is terminated by either Party prior to the natural expiration of the term of the Agreement.
16. **Attorney's Fees.** The prevailing party in any action or proceeding in any court to enforce the terms of this Agreement shall be entitled to receive its reasonable attorney's fees and other reasonable costs and expenses from the non-prevailing party.

IN WITNESS WHEREOF, the Licensor, Park Avenue, LLC, and the CRA have executed this License Agreement.

WITNESSES:

LICENSOR:

Park Avenue, LLC,
a Florida Limited Liability Company

BY: Michele Ball Vaughn
Print Name: Michele Ball-Vaughn

By: Richard C. Adams
Name: RICHARD C. ADAMS
Title: Managing Member?

BY: Rosemary Laules
Print Name: Rosemary Laules

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 1st day of October 2009, by RICHARD C. ANDREWS as Managing Member of Park Avenue, LLC, a Florida limited liability Company, on behalf of the Company. He is personally known to me or has produced DRIVERS LICENSE as identification.

Rosemary Lawless

Signature of Notary Public
Rosemary Lawless

Name of Notary Typed, Printed or Stamped

(Notary Seal)



CRA:

WITNESSES:

TOWN OF LAKE PARK COMMUNITY REDEVELOPMENT AGENCY

BY: _____
Print Name: _____

By: _____
Name: _____
Title: Chairperson

BY: _____
Print Name: _____

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this ____ day of October 2009, by _____, as the Chairperson of the TOWN OF LAKE PARK COMMUNITY REDEVELOPMENT AGENCY, legal entity governed by the Lake Park City Commission, for a number of legal purposes which are set forth in Section 163, Part III, Fla. Stat. (2009), as amended from time to time and who is personally known to me or has produced _____ as identification.

(Notary Seal)

Signature of Notary Public

Name of Notary Typed, Printed or Stamped

LIST OF EXHIBITS:

Exhibit "A": The location and legal description of the Property as depicted on a site sketch.

Exhibit "B": The location and legal description of the Licensed Property as depicted on a site sketch.

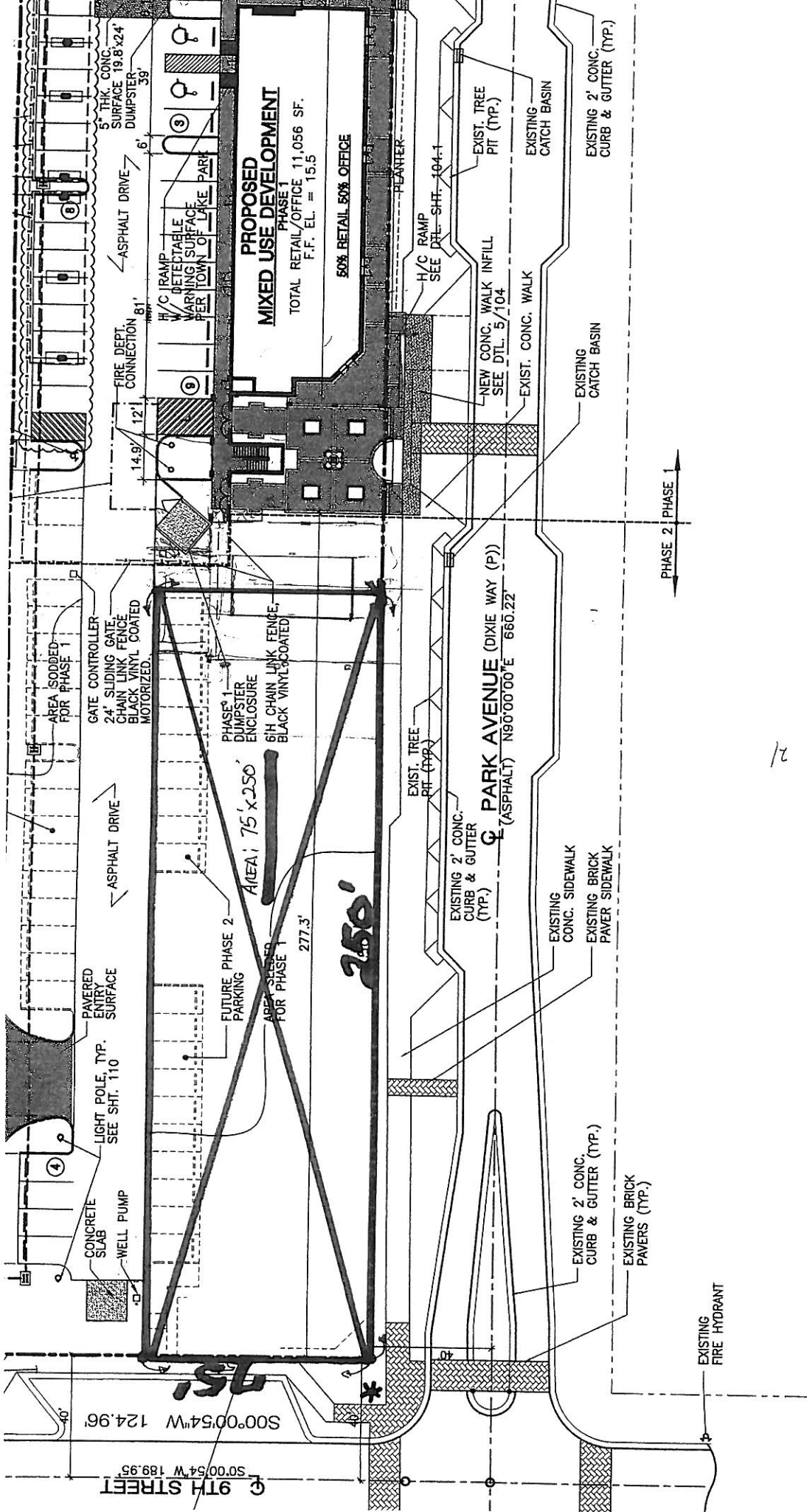
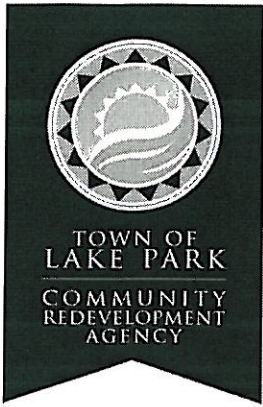


EXHIBIT "B"

PLAN - PHASE I

21

TAB 4



**CRA
Agenda Request Form**

Meeting Date: October 7, 2009

Agenda Item No. *Tab 4*

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|---------------|
| <input type="checkbox"/> | Public Hearing | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | Ordinance on Second Reading | <input type="checkbox"/> | Discussion |
| <input type="checkbox"/> | Ordinance on First Reading | <input type="checkbox"/> | Bid RFP/Award |
| <input checked="" type="checkbox"/> | General Approval of Item | <input type="checkbox"/> | Consent |
| <input type="checkbox"/> | Presentation | <input type="checkbox"/> | Other |

SUBJECT: Award of Bid for Roof Replacement, 800 Park Avenue, to Southern Coast Enterprises, Inc. in the amount of \$34,789.48

RECOMMENDED MOTION/ACTION: Approve

Approved by Executive Director *W. Davis* Date: *9/30/09*

<p>Prepared By: Richard Pittman CRA Project Manager</p>	<p>Costs: \$ 34,789.48</p> <p>Funding Source: CRA 800 Park Ave. Improvements Acct. # 110-55-552-520-63106</p>	<p>Attachments: Bid Tabulation</p>
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Summary Explanation/Background: The CRA owned building addressed as 800 Park Avenue is in need of a new roof. Although there is no major water intrusion into the buildings interior, roof membrane failure is eminent. A project to replace the roof was advertised for bid on August 30th. Bids were opened on September 29th with five responsive bids having been received. The lowest responsive bid was submitted by Southern Coast Enterprises, Inc (see attached bid tabulation).

The project bid documents required bidders to bid a membrane roofing system having a R-19 insulation value. Bid Alternates were provided for contractors to price additional roof insulation up to a R-30 value. The bid submitted by Southern Coast Enterprise including R-30 insulation plus payment and performance bond totals \$34,789.48.

The roofing project includes removal and disposal of the existing roofing material down to the concrete deck and walls, replacement with a JohnsManville four ply system with new wall flashing and cap flashing, flat and tapered insulation to R-30, roof warranty, and miscellaneous scupper and rain gutter modification. The bid also includes clay barrel roofing tile at the entrance overhang to be coordinated with the building façade construction.

Southern Coast Enterprises, Inc. is based in Deerfield Beach, Fl. This company has been in business since 1991. Their references include numerous condominiums, the Fort Lauderdale Airport and more locally a major contractor based in West Palm Beach. The roofing consultant for this roofing project has no reservations using this roofing company.

Approval of the award of bid to Southern Coast Enterprises, Inc. is recommended.

BID TABULATION
ROOF REPLACEMENT 800 PARK AVENUE
TOWN OF LAKE PARK BID NO. 04-09

ITEM No.	ITEM DESCRIPTION	SOUTHERN COAST ENT.	ANDERSEN SOUTH INC.	BUILT RIGHT CONST. INC.	RYMAN CONST. OF FLORIDA	WEISS & WOOLRICH
1	INDEMNIFICATION	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
2	Mobilization, Registration with the Town, Town Permit	\$ 500.00	\$ 3,077.00	Incl.	\$ 2,000.00	\$ 4,000.00
3	Provide labor, equipment and material to remove and dispose of existing three roof syste.	\$ 2,850.00	\$ 7,693.00	\$ 5,844.55	\$ 14,700.00	\$ 20,000.00
4	Provide labor, equipment and material to install specified roof with R-19 insulation incl. east & west parapet, gutters, scuppers & hood	\$ 25,563.00	\$ 18,259.00	\$ 26,484.45	\$ 39,100.00	\$ 45,900.00
5	Provide labor, equipment and materials to install Clay Barrel Tile Roof and north parapet wall flashing per Addendum No. 1	\$ 2,220.00	\$ 4,721.00	\$ 2,269.00	\$ 3,000.00	\$ 7,000.00
6	Misc. incl. 2yr. & 20 yr. guarantee	\$ 1,100.00	\$ 750.00	\$ 1,000.00	\$ 1,800.00	\$ 1,000.00
	BASE BID: TOTAL ITEMS 1 thru 6	\$ 32,333.00	\$ 34,600.00	\$ 35,698.00	\$ 60,700.00	\$ 78,000.00
	ALTERNATE 1: Additional for R-25 insulation	\$ 790.00	\$ 1,900.00	\$ 3,015.80	\$ 1,200.00	\$ 3,000.00
	ALTERNATE 2: Additional for R-30 insulation	\$ 1,600.00	\$ 3,400.00	\$ 3,670.82	\$ 1,900.00	\$ 4,500.00
	Performance & Payment Bond	\$856.48				

TOTAL BASE BID, ALT. 2 & BOND \$ 34,789.48 Compiled by: Richard Pittman, CRA Project Manager

Bid received from Preventive Maintenance Support Services in the amount of \$18,900 was deemed non-responsive.
 Sept.29, 2009