



Lake Park Town Commission, Florida
Special Call Community Redevelopment Agency
Meeting Agenda

Wednesday, December 20, 2023 at 6:30 PM

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403

Roger Michaud	—	Chair
Kimberly Glas-Castro	—	Vice-Chair
John Linden	—	Agency Member
Carmen Rodriguez	—	Agency Member
Mary Beth Taylor	—	Agency Member
Judith Thomas	—	Agency Member
Henry K. Stark	—	Agency Member
John O. D’Agostino	—	Executive Director
Thomas J. Baird, Esq.	—	Agency Attorney
Vivian Mendez, MMC	—	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.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATION/REPORT:

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.

EXECUTIVE DIRECTOR/BOARD MEMBER COMMENTS:

CONSENT AGENDA:

1. December 6, 2023 Community Redevelopment Agency Meeting Minutes

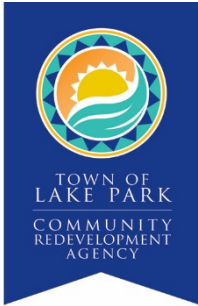
NEW BUSINESS:

2. 1301 10th Street – Lake Park Group Progress Report and 2nd Grant Disbursement

AGENCY MEMBER REQUESTS:

ADJOURNMENT:

FUTURE MEETING DATE: The next scheduled Community Redevelopment Agency Meeting will be conducted on March 6, 2024.



Special Call Community Redevelopment Agency Agenda Request Form

Meeting Date: December 20, 2023

Agenda Item No.

Agenda Title: December 6, 2023 Community Redevelopment Agency Meeting Minutes.

☐ SPECIAL PRESENTATION/REPORT ☒ **CONSENT AGENDA**
☐ OLD BUSINESS ☐ NEW BUSINESS
☐ OTHER:

Approved by Executive Director: Bambi McKibbon-Turner **Date:** 2023-12-06 16:14:38 -0500
Digitally signed by Bambi McKibbon-Turner
 DN: cn=Bambi McKibbon-Turner, o=Town of Lake Park,
 ou=Assistant Town Manager/Human Resources Director,
 email=btturner@lakeparkflorida.gov, c=US

Laura Weidgans, Deputy Town Clerk

Originating Department: Agency Clerk	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Meeting Minutes Exhibits A-B Public Comment Card
	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_____ or Not applicable in this case <u>LW</u> . Please initial one.

Recommended Motion: I move to approve the December 6, 2023 Community Redevelopment Agency Meeting Minutes.



Lake Park Town Commission, Florida

Community Redevelopment Agency Meeting Minutes

Wednesday, December 06, 2023 at 6:30 PM

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403

Roger Michaud	—	Chair
Kimberly Glas-Castro	—	Vice-Chair
John Linden	—	Agency Member
Carmen Rodriguez	—	Agency Member
Mary Beth Taylor	—	Agency Member
Judith Thomas	—	Agency Member
Henry K. Stark	—	Agency Member
Bambi McKibbon-Turner	—	Asst. Town Manager/ HR Director
Thomas J. Baird, Esq.	—	Agency Attorney
Vivian Mendez, MMC	—	Agency Clerk
Laura Weidgans	—	Agency Deputy 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.

CALL TO ORDER/ROLL CALL

6:32 pm

PRESENT

Chair Roger Michaud

Vice-Chair Kimberly Glas-Castro

Board Member John Linden

Board Member Carmen Rodriguez

Board Member Mary-Beth Taylor

Board Member Judith Thomas

Board Member Henry Stark

PLEDGE OF ALLEGIANCE

Led by Joanne Linden

SPECIAL PRESENTATION/REPORT: NONE**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.

-Jason Ramos from Lokal Gastropub spoke about the holiday lights and displays and also stated that there was confusion as to why the roads were closed. He feels that the Town should consider reducing speed as opposed to closing the roads.

EXECUTIVE DIRECTOR/BOARD MEMBER COMMENTS:

Assistant Town Manager/HR Director McKibbon-Turner provided comments (Exhibit A).

Board Member Linden had no comments.

Board Member Thomas spoke about how beautiful the holiday lights are.

Board Member Stark also feels that the holiday lights are better than he expected and would like to see the Board and the Town Manager work more closely with the business associates in the CRA. He would like to see the holiday display improved next year to include music. He also asked about the alleyway behind 801 Park Avenue. Community Development Director Nadia DiTommaso advised that there are sections of alleyway that are complete, but the section between 9th and 8th streets is not complete. Board Member Stark asked about the future use of this area. Community Development Director DiTommaso stated that the area could potentially be used as a parking area. Board Member Stark asked about the progress of the Oceana site. Vice-Chair Glas-Castro stated that she also was looking for an update on the progress of this site. Community Development Director DiTommaso explained that Oceana has all of the necessary permits in hand and they have moved forward with construction. Vice-Chair Glas-Castro asked if the site was ready for vertical construction. Board Member Taylor asked what the cost was for the holiday lights project. Finance Director Jeffrey Duvall explained that the cost for the lights was \$129,000.

Board Member Taylor asked if there would be an assessment to see if the holiday lights were successful as far as generating more business in the CRA business district. Assistant Town Manager/HR Director McKibbon-Turner stated that there would be a discussion with staff and the Town Manager to evaluate the success and staff would reach out to business owners to assess the effects of the holiday lights.

Board Member Rodriguez asked about signage indicating where the businesses were located. Chair Michaud advised there was a sign that advised the road was closed and directing traffic to the parking area.

Vice-Chair Glas-Castro expressed concerns with releasing money to Oceana without a progress report from staff.

Board Member Linden thanked Public Works for fixing the pot holes.

Board Member Thomas spoke about Oceana and is unsure if Oceana has begun vertical construction and what the definition of vertical construction is. She feels that making another disbursement to Oceana is pre-mature because they haven't met the vertical construction requirement. She asked for clarification from staff as to what constitutes vertical construction. Community Development Director DiTommaso stated that the site passed the rebar inspection on December 5, 2023. Chair Michaud asked for staff to provide a complete report of what has been completed so far. Assistant Town Manager/HR Director McKibbon-Turner advised that this item would be placed on the December 20th agenda and that the next disbursement of \$200,000 to Oceana has not been released yet. Chair Michaud stated that we should hold off on releasing those funds for a little bit longer.

CONSENT AGENDA:

Motion to approve the consent agenda made by Board Member Thomas, Seconded by Board Member Taylor.

Voting Yea: Chair Michaud, Vice-Chair Glas-Castro, Board Member Linden, Board Member Rodriguez, Board Member Taylor, Board Member Thomas, Board Member Stark.

1. October 18, 2023 Special Call Community Redevelopment Agency Meeting Minutes
2. November 15, 2023 Special Call Community Redevelopment Agency Meeting Minutes

NEW BUSINESS:

3. Lake Park Car Show and Cruise

Special Events Director Riunite Franks explained the item (Exhibit B).

AGENCY MEMBER REQUESTS:

Chair Michaud requested that staff provide a progress report on the Oceana Coffee site at the next meeting and would like Oceana to be in attendance.

ADJOURNMENT:

7:10 pm

Motion to adjourn made by Board Member Stark, Seconded by Board Member Thomas.

Voting Yea: Chair Michaud, Vice-Chair Glas-Castro, Board Member Linden, Board Member Rodriguez, Board Member Taylor, Board Member Thomas, Board Member Stark.

FUTURE MEETING DATE: The next scheduled Special Call Community Redevelopment Agency Meeting will be conducted on December 20, 2023.

Chair, Roger D. Michaud

Town Clerk, Vivian Mendez, MMC

Deputy Town Clerk, Laura Weidgans

Town Seal

Approved on this _____ of _____, 2023



CRA EXECUTIVE DIRECTOR COMMENTS

COMMUNITY REDEVELOPMENT AGENCY MEETING Wednesday, December 6, 2023

COMMUNITY REDEVELOPMENT

- **Oceana Coffee at 1301 10th Street** is moving forward with their construction. They have met the provisions of the grant agreement so far in that they demolished the building on or before August 15, 2023 and they received their permit for site work and vertical construction on or before September 15, 2023. Their 2nd disbursement of \$200,000 is scheduled to be released this Friday, December 8. They are also coordinating an 'official' groundbreaking ceremony on January 19. Staff is working with them on the details and more information is forthcoming. Of course, the CRA Board will be invited.
- **Two CRA expansion areas** were previously presented to the CRA Board and approved by the Board and transmitted to the County. A meeting with the County is scheduled for January 2024 to discuss the Finding of Necessity at a staff level. We are hopeful it will then move forward to their Board of Commissioners sometime thereafter. The CRA Executive Director will update the CRA Board following the County meeting as needed.
- **754 Park Avenue:** Staff met with the owner, his team and his contractor again on November 28. At this meeting, we reviewed their permit resubmittal requirements (for the exterior redevelopment of the property) again and they guaranteed the Town would receive a complete permit submittal by the end of last week (maybe this week). While it has yet to be received, Code Compliance does have a pending case for the permits and the property owner will be subject to a timeline them to have a permit in hand by early February so that construction can continue in February 2024. The owner acknowledged this timeline and confirmed resuming construction in February is feasible. We have confirmed with the property owner that the property is not currently for sale.
- Staff has been in discussions with the **Kelsey Market owners on Park Avenue**. Staff met with them to discuss some code violations and encourage them to revitalize their property and possibly work with the neighboring owner as well. The owner is open to the idea and is currently working with an architect and engineer to develop plans and a cost estimate. A CRA grant may be requested, but more information is forthcoming.
- **801 Park Avenue (One Park Place):** Staff has meet with the owner several times. The owner is working with a consultant on developing plans for the redevelopment of the alleyway directly behind their property to accommodate

additional parking. Once the plans are ready, along with construction costs discussions on a CRA partnership for a possibly cost sharing will be coordinated. A dessert and coffee shop tenant (cheesecakes and more) is in negotiations with the owner on their two easternmost ground floor units. The tenant (Wow Concoctions) is a mother-daughter run business and the business owners live in Town and have been in business for several years (their previous location was in Jupiter). Staff is working with them on coordinating build out, grease trap requirements, and so on. Hopefully they will be able to open in early to mid-2024.

- **10th Street corridor (south of Park Avenue):** Staff is in continued discussions with several property owners along 10th, south of Evergreen Drive. A vision plan that includes an extension of the downtown into this area is being discussions, so as to promote redevelopment in this area as well, promote streetscape improvements, and promote a refreshed entryway coming from Silver Beach Road, with a blend of active uses, residential and open spaces. More info is forthcoming. A follow-up (internal) meeting with stakeholders is scheduled for next week.

HUMAN RESOURCES

Job Opening:

The following job opening is being advertised for the Community Redevelopment Agency:

- Community Redevelopment Administrator – Salary rate \$90,000.00 per year. This position is open until filled.

To view the complete job posting for the above position or to download an employment application, please visit the Town's official website at www.lakeparkflorida.gov . For additional information please contact the Town's Human Resources Department at 561-881-3300 and choose Option 8.



Exhibit B

Item 1.

DATE/TIME RECEIVED:

11/28 1pm

SN

TOWN OF LAKE PARK SPECIAL EVENTS DEPARTMENT SPECIAL EVENT PERMIT APPLICATION

For Events being held on Town Property, Town services may be requested for an additional fee(s). Please schedule a pre-submittal meeting with the Special Events Director at least 60 days in advance of your event by calling 561-840-0160.

This Application must be completed and submitted by the Event Organizer ("Applicant")

If this Event requires a Town facility rental, please contact our Special Events Department at 561-840-0160 regarding the completion of the Facility Usage Application PRIOR to submitting this application.

Instructions:

This **completed** Special Event Permit Application and **all** relevant attachments must be submitted to the Special Events Department not less than thirty **(30) calendar days** prior to the date of the proposed Event. For events being proposed wholly or partially on Town Property, the deadline to submit is sixty **(60) calendar days** prior to the date of the proposed Event.

Application Fee Due and Payable Upon Submittal: \$100.00 (\$50.00 for individuals or Non-profit organizations). *Note: Application Fees are Non-Refundable.*

Non-Profit IRS Tax Identification Number (required if Applicant is a non-profit):

23-7167701 - non profit

(If applicable)

Name of Applicant (i.e. Event Organizer):

Kimberly Thomson & Carlo Vernia

Name of Event:

Lake Park car show and cruise

Address/Location of Event:

796 10th St. Lake Park

Are you interested in sponsorship from the Town of Lake Park? Yes ☒ No ☐

Dates/Times of the event (as applicable):

	Date	Day	Begin Time	End Time
Event Day 1	Sunday Dec 10, 2023		() AM (x) PM 3:00	() AM (x) PM 7:00
Event Day 2			() AM () PM	() AM () PM
Event Day 3			() AM () PM	() AM () PM
Event Day 4			() AM () PM	() AM () PM
Event Day 5			() AM () PM	() AM () PM
Event Day 6			() AM () PM	() AM () PM

Additional Applicant Information:Name: Kimberly Thomson Carlo VerniaAddress: 796 10th St. Lake ParkState/Zip Fl. 33403CONTACT PHONE: 561.309.2820Alternate Phone # 914.906.0905

Fax: _____

E-mail: estatespalmbeach@gmail.com**Description and Purpose of the Event**

Charity Event: see Attached - Please
wave application fee: it is a non profit
event - please see attached

Estimated number of participants? 200Has this event ever occurred in the Town of Lake Park? Yes _____ No ✓Has this site had a Special Event Permit this calendar year? Yes _____ No ✓Will there be an admission fee for the Event? If yes, how much? Yes ✓ (\$ 10.00) No _____
donation

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Special Event Permit Application

Revised: January 2023

Previous Editions Obsolete

****THE FOLLOWING SECTIONS MAY NOT APPLY TO
NON-COMMERCIAL EVENTS****

Will your event require road closure?

Yes ☒ No ☐

If YES, describe the requested street segment closure and time and provide a Traffic Circulation Plan prepared by a Traffic Engineer, including a detour signage plan. You are responsible for notifying affected businesses/entities, including Palm Tran, regarding affected routes: CRA TO provide MOT Plan
(Initial to acknowledge statement)

EVENT COMPONENTS (Check the items that will be associated with your event.)

- ☒ Road closure
- ☐ Electric service hook-up required
- ☐ Water service hook-up required
- ☒ Sidewalks blocked
- ☐ Municipal park(s) prepared
- ☐ Booths or other temporary structures
- ☒ Parking lots to be partially or completely closed - parking for guests at Town Hall, Library, CRA Parking Lot
- ☒ Food Vendors (Liquid Propane Gas Log).
- ☐ Town litter pick-up or street sweeping
- ☐ Tents (if yes, describe type and size _____)
- ☒ Barricades ordered (TOWN) → MOT PLAN
- ☐ Alcohol served
- ☐ Security/Law Enforcement
- ☒ Music, bands, DJ Inside Coastal Karma
- ☐ Rides or other amusements
- ☐ Animals
- ☐ Fireworks
- ☐ Bleachers
- ☒ Designated parking area
- ☐ Town Restroom (if yes, please describe _____)
- ☐ Portable Restrooms (if yes, please describe _____)
- ☒ Dumpsters/Trash Receptacles (TOWN)
- ☐ Portable stage
- ☐ Other (e.g., bounce house, etc.)

EVENT VENDOR(S) LIST ALL NAMES (identify which ones are food trucks)

Queen P Smoothies _____

Smash em up Burger _____

Tacos Veracruz _____

92 Golf _____

Will the event require the use of electricity? Yes ☐ No ☒

Will the event require water hook-up? Yes ☐ No ☒

*Will food and/or beverages be served? Yes ☒ No ☐

*Will the event have vendors or concession sales, including food? Yes ☒ No ☐

**If the answer to the above question is YES, the Applicant/Event Organizer is responsible for securing all respective Palm Beach County and State of Florida Health Certificates for food vendors, as well as copies of all other commercial vendor licenses.*

WILL THE EVENT INCLUDE FOOD TRUCKS? Yes ☒ No ☐

**If the answer to the above question is YES, all food trucks must have the proper State license, PBC Business Tax Receipt, and a current PBC Fire Rescue Safety Inspection Report. Copies of these documents must be provided to the Town no later than fourteen (14) calendar days prior to the event.*

For events on Town property, the Liquid Propane Gas tanks will be inspected the day of the event for leaks prior to operating any gas appliances. Applicants must provide staff with their LPG Log at each event to ensure proper safety measures have been followed.

For events on Town property, Applicants must also provide to the Town a Certificate of Insurance issued no more than thirty (30) days prior to the date of the event and naming the Town of Lake Park (and the CRA, if the event is taking place within the CRA area) as certificate holder and an additional insured with respect to commercial general liability. The required limits are \$1 million per occurrence and \$2 million aggregate. \$100,000 damage to rented premises must also be provided.

Applicants who are found to have attempted to circumvent this requirement by using another person/entity for the purposes of obtaining the required insurance coverage shall be barred from obtaining another special event permit within the Town for three years.

(Applicant initial to acknowledge statement)

The Applicant holds full responsibility and liability for its vendors. CV
(Initial to acknowledge statement)

**Will alcoholic beverages be served? Yes ☐ No ☒

***If the answer to the above question is YES, additional liquor legal liability insurance usual to the insured's operations with a \$1million limit must be included on the Certificate of Insurance.*

***Are you proposing signage? Yes ☐ No ☒

****If the answer to the above question is YES, please fill out the Signage Permit Application available in the Community Development Department. An additional \$100.00 application fee is required for this signage application. This application will be deemed incomplete if signage is proposed and a signage application is not submitted.*

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Special Event Permit Application
Revised: January 2023
Previous Editions Obsolete

CRA to cover liability per Town Manager

Will the event have an official "Flyer" and/or promotional materials? Yes No
If yes, please provide a copy of the "Flyer".

Please provide a sketch of the Special Event site including: Proposed location of parking, tent(s), concession stand(s), booth(s), stage(s), etc. OR provide an attachment:

NOTE: Public parking spaces are on a first-come, first-serve basis, and may be metered depending on where your event is being held.

IF TENTS ARE BEING UTILIZED:

MAXIMUM ALLOWABLE TENT SIZE IS 35' X 45'.

For ALL tents larger than 10 ft. x 10 ft. (pop-up style), a *Certificate of Flame Resistance* is required and must accompany this Special Event Permit Application.



LAKE PARK CAR SHOW & CRUISE

Benefitting the

Sean M. Thomson Foundation

SUNDAY DECEMBER 10, 2023

3:00 -7:00

796 10TH ST, LAKE PARK

FOOD TRUCKS & BREWS

LIVE BAND

\$10 ADMISSION FEE PER CAR

CONTACT:

KIM THOMSON 561.309.2820



GORDON & PARTNERS

Empire State Barbershop

Item 1.

Waterfront Services Inc

892

Road Closures

Coastal Karma Brewing

Parking Lot
Closed for
Car Show

Lucky Meat & Products
Temporarily closed

Food Trucks

Attendee Parking

UPS Access
Point location

Advance Auto Parts
Conventional Or
Full-Synthetic

(All requirements imposed by any of the reviewing entities below, will be communicated to the Applicant early-on and must be secured no later than 14 calendar days in advance of the event, with verification provided to the Town prior to the issuance of the Special Events permit)

(FOR OFFICE USE ONLY)
SIGNATURES/APPROVALS:

Please Sign and Date

SPECIAL EVENTS DIRECTOR:

_____ DATE: _____

PUBLIC WORKS DIRECTOR:

_____ DATE: _____

MARINA DIRECTOR:

_____ DATE: _____

PALM BEACH COUNTY SHERIFF:

_____ DATE: _____

PALM BEACH COUNTY FIRE-RESCUE:

_____ DATE: _____

RISK MANAGEMENT:

_____ DATE: _____

COMMUNITY DEVELOPMENT DIRECTOR:

_____ DATE: _____

A copy will be provided to the Staff Member and/or Code Officer if on duty.

ADA Requirements

Insurance
Requirements

Additional Comments (reviewers may include attachments):

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 Special Event Permit Application
 Revised: January 2023
 Previous Editions Obsolete

APPLICANT SIGNATURE:

Carlo Vernia

APPLICANT PRINTED NAME:

Carlo Vernia

DATE:

Kimberly ThomsonPROPERTY OWNER: *(If Property Owner is not the Applicant)*

DATE:

PROPERTY OWNER PRINTED NAME:

Carlo VerniaDATE: 11/14/2023



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

Item 1.

MEETING DATE: 12-6-2023

Cards must be submitted before the item is discussed!!

*****Three (3) minute limitation on all comments**

Name: Jason Ramos
Address: 748 Park Ave

If you are interested in receiving Town information through Email, please provide your E-mail address: _____

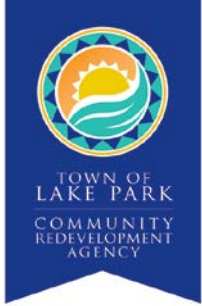
I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):

Park Ave Road Closure

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.

* locale Gastropub. Business owner



CRA – Special Call Agenda Request Form

Meeting Date: December 20, 2023**Agenda Item No.****Agenda Title: 1301 10th Street – Lake Park Group Progress Report and 2nd Grant Disbursement**

☐ SPECIAL PRESENTATION/REPORT ☐ CONSENT AGENDA
☒ **OLD BUSINESS** ☐ NEW BUSINESS
☐ DISCUSSION FOR FUTURE ACTION ☐ OTHER: General Business

Approved by Executive Director: John D'Agostino **Date:** _____

Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake
Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.gov,
c=US
Date: 2023.12.14 10:52:06 -0500

Nadia Di Tommaso, Community Development Director

Originating Department: Town Manager/Community Development	Costs: \$200K (2nd (of 5) grant disbursement) Funding Source: CRA-Grants-Business Development / Legal #108 Acct. # 110-55-552-520-82111 <input type="checkbox"/> Finance <small>Jeffrey P. Duvall</small>	Attachments: → Resolution 36-04-23, including grant agreement
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Background and Summary

On May 3, 2023, the CRA Board approved a first amendment to the grant agreement with Oceana, Kiss Kitchens and Florida Canning Company (collectively the *Lake Park Group*) for \$1,000,000 to be paid in 5 annual disbursements on or before December 31 (2022, 2023, 2024, 2025, and 2026). After extensive discussion between Board Members and the Town Attorney at the May 3rd meeting, the first amendment to the grant agreement was approved pursuant to some additional conditions that were included into the agreement as follows (see page 3 of the enclosed First Amendment to the Grant Agreement):

4. Initiation of Construction and Completion. The completion of the Project shall be in compliance with the Amended Development Order. **Pursuant to the Amended Development Order, CIDC or the Lake Park Group shall obtain a demolition permit and demolish the structures on the Property and obtain a final inspection of the Property confirming the demolition no later than August 15, 2023. Pursuant to the Amended Development Order, CIDC or the Lake Park Group shall obtain a building permit for the site work and vertical construction of the Project no later than September 15, 2023.** A final certificate of completion or occupancy for the Project must be achieved within 18 months of when construction is initiated, or no later than December 15, 2024. Notwithstanding the foregoing, the Lake Park Group shall not be held liable or responsible for a delay in the completion of the Project if it is demonstrated to the reasonable satisfaction of the CRA Board that such delay is the result of a force majeure as defined in paragraph 20.

Following the May 2023 approval, the property owner and their contractor (Morganti) worked closely with the Town's Community Development Department to achieve the following, resulting in satisfaction of their grant agreement conditions for demolition and permit issuance:

Project ID	Project Title	Inspection Type	InspectionC ompleted	Inspection Result	Inspection Sub Type
943238	23-000036- Temp Fence - Daniels Fence Corp PERMIT ISSUED: 05/23/2023	Building Inspection	6/28/2023 7:08	PASS	FENCE OR WALL FINAL
1031278	23-000250- Demolition - Rapid Removal INC PERMIT ISSUED: 06/13/2023	Building Inspection	DEMO COMPLETED 7/13/2023 7:50	PASS	BUILDING FINAL
1058883	23-000365- Site Work and Structural/Vertical Construction - The Morganti Group PERMIT ISSUED: 09/14/2023 All sub-permits also issued on 09/14/2023 (Electrical, Fire Sprinklers; Sub- Mechanical; Roofing; Plumbing; Gas) and office trailer on 09/08/23.	Building Inspection	12/5/2023 12:41	PASS	FOUNDATION/ REBAR/SLAB REINFORCING
1070586	23-TP0139- Temporary Power- Stryker Electric ISSUED: 09/19/2023	Electrical Inspection	11/7/2023 7:33	PASS	ELECTRICAL TEMP FOR TEST

In addition to the demolition and permit issuance being met, the contractor also moved forward with the foundation and vertical construction. The foundation/slab/rebar reinforcement was inspected on 12/05/2023 and passed. The contractor will also be available at the meeting, along with the owner, to provide additional updates. An official groundbreaking ceremony is also being coordinated for January 19 at 2pm (details are forthcoming). The first two layers of masonry block walls started to be installed as well and here are some photos from 12/13/2023 (see next page):

11/27/2023 Aerial Image (prior to block walls):



Southwest View (12/13/23):



West View (12/13/23):



North to South View (12/13/23):

The Lake Park Group is in compliance with their demolition and permit conditions pursuant to the grant agreement. Consequently, the 2nd \$200K is due on or before December 31, 2023. The grant agreement also requires project completion no later than December 15, 2024. The disbursement next year will wait for final completion to occur first before additional funds are distributed.

REMINDER OF FINAL PROJECT RENDERINGS (as previously approved)

Nighttime View (with lit coffee beans)



Daytime View



Recommended Motion: For discussion.

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE CHAIRMAN TO SIGN A FIRST AMENDMENT TO THE GRANT AGREEMENT WITH OCEANA LOGISTICS INTERNATIONAL, INC., KISS KITCHENS LLC, AND FLORIDA CANNING COMPANY LLC, COLLECTIVELY REFERRED TO AS THE LAKE PARK GROUP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the CRA has such powers and authority as have been conferred upon it by Chapter 163, Part III, of the Florida Statutes; and

WHEREAS, the CRA has the authority pursuant to Chapter 163, Part III, Fla. Stat., to provide financial incentives in the form of grants to property owners within the CRA provided the property owner is redeveloping its property and increasing its valuation; and
1301

WHEREAS, the property having an address of ~~1301~~ 10th Street, Lake Park, Florida (the Property) is currently owned by CIDC; and

WHEREAS, CIDC and the corporate representatives and individuals who are associated with the Lake Park Group has represented to the CRA that they intend to create a condominium for the Property and convey certain right, title and interests in the Property to Oceana, Kiss Kitchens, and Florida Canning Company (hereinafter collectively as the "Lake Park Group"); and

WHEREAS, based upon the representations of the corporate representatives and individuals of the Lake Park Group, the CRA agreed to provide a redevelopment grant in the amount of One Million Dollars \$1,000,000.00 (the Grant) to be used for a redevelopment project ("the Project") which had previously been approved pursuant to Resolution 82-12-21 (the Development Order) for the Property; and

WHEREAS, the Grant required and was contingent upon the Lake Park Group's compliance with the terms of the Development Order regarding, among other things, obtaining a building permit from the Town and initiating construction of the Project on the Property within a specific timeframe; and

WHEREAS, the Lake Park Group did not comply with the terms of the Development Order, and thus the Grant; and

WHEREAS, the Lake Park Group has requested that the CRA amend the Development Order and Grant which would allow the Lake Park Group to modify certain design and development standards associated with the Project ; and

WHEREAS, CIDC Lake Park LLC submitted an application to amend the site plan previously approved by the Town Commission pursuant to the Development Order; and

WHEREAS, the Town Commission approved Resolution 29-04-23 amending Resolution 82-12-21 (the Amended Development Order); and

WHEREAS, a copy of the Amended Development Order is attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, the receipt of the Grant is expressly conditioned upon CIDC complying with its representations to the CRA to create a condominium and to comply with the terms of the Amended Development Order; and the corporate entities of the Lake Park Group, complying with the terms of the Amended Development Order; and

WHEREAS, the CIDC and the corporate entities of the Lake Park Group agree, jointly and severally to comply with all of the obligations of the Grant, this Agreement, and the terms of Amended Development Order; and

WHEREAS, the CRA's Executive Director has recommended that the CRA's Board of Commissioners ("the Commission") continue to provide the Grant in the amount of \$1,000,000 to the CIDC and the Lake Park Group in furtherance of the redevelopment of the Property in accordance with the Amended Development Order; and

WHEREAS, the CRA finds that the Grant of \$1,000,000 is necessary for the Project to be developed in accordance with the Amended Development Order; and

WHEREAS, the CRA finds that the award of a Grant in the amount of \$1,000,000 is necessary and appropriate to facilitate the development of the Project and increase the valuation of the Property; and

WHEREAS, the CRA finds that the development of the Project would serve as the revitalization anchor of the 10th Street area of the CRA; and

WHEREAS, the CRA is willing to make the Grant of \$1,000,000 to the Lake Park Group in reliance upon the representations made to it by CIDC and the corporate and individual representatives of the Lake Park Group and based upon the terms set forth in the Amended Development Order, and this Agreement; and

WHEREAS, the Grant is contingent on the terms of this Agreement and the Lake Park Group's redevelopment of the Project of the Property in accordance with the Amended Development Order.

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

Section 1. The foregoing recitals are incorporated herein.

Section 2. The Commission hereby directs and authorizes the Chairman of the Commission to execute the Redevelopment Grant Agreement with the Lake Park Group, a copy of which is attached hereto and made a part hereof.

The foregoing Resolution was offered by Commissioner Thomas,
 who moved its adoption. The motion was seconded by Vice Mayor Glas-Castro,
 and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
CHAIR ROGER D. MICHAUD	<u>✓</u>	<u> </u>
VICE-CHAIR KIMBERLY GLAS-CASTRO	<u>✓</u>	<u> </u>
BOARD MEMBER JOHN LINDEN	<u> </u>	<u>✓</u>
BOARD MEMBER HENRY STARK	<u>✓</u>	<u> </u>
BOARD MEMBER MARY BETH TAYLOR	<u> </u>	<u>✓</u>
BOARD MEMBER JUDITH E. THOMAS	<u>✓</u>	<u> </u>

The Community Redevelopment Agency thereupon declared the foregoing Resolution
36-04-23 duly passed and adopted this 3rd day of may, 2023.

TOWN OF LAKE PARK, FLORIDA


BY: 
 ROGER D. MICHAUD
 CHAIR

ATTEST:


 VIVIAN MENDEZ Laura Weidman's
 AGENCY CLERK - Deputy



Approved as to form and legal
 sufficiency:

BY: 
 THOMAS J. BAIRD
 AGENCY ATTORNEY

FIRST AMENDMENT TO THE REDEVELOPMENT GRANT AGREEMENT

THIS FIRST AMENDMENT TO THE REDEVELOPMENT GRANT AGREEMENT (hereinafter ("the Agreement")) is made this 3 day of May, 2023, by and between the Town of Lake Park Community Redevelopment Agency ("CRA"), having an address at 535 Park Avenue, Lake Park, Florida 33403, and CIDC Lake Park LLC (CIDC), having an address of 15375 Blue Fish Circle, Lakewood Ranch, FL 34202, Oceana Logistics International, Inc. ("Oceana") having an address at 221 Old Dixie Hwy, Suite 1, Tequesta, FL 33469, Kiss Kitchens LLC, having an address at 15375 Blue Fish Circle, Lakewood Ranch, FL 34202 ("Kiss Kitchens"), and, Florida Canning Company, LLC, having an address at 15375 Blue Fish Circle, Lakewood Ranch, FL 34202 ("Florida Canning Company")

RECITALS

WHEREAS, the CRA has such powers and authority as have been conferred upon it by Chapter 163, Part III, of the Florida Statutes; and

WHEREAS, the CRA has the authority pursuant to Chapter 163, Part III, Fla. Stat., to provide financial incentives in the form of grants to property owners within the CRA provided the property owner is redeveloping its property and increasing its valuation; and

WHEREAS, the property having an address of 13011 10th Street, Lake Park, Florida (the Property) is currently owned by CIDC; and

WHEREAS, CIDC and the corporate representatives and individuals who are associated with the Lake Park Group has represented to the CRA that they intend to create a condominium for the Property and convey certain right, title and interests in the Property to Oceana, Kiss Kitchens, and Florida Canning Company (hereinafter collectively as the "Lake Park Group"); and

WHEREAS, based upon the representations of the corporate representatives and individuals of the Lake Park Group, the CRA agreed to provide a redevelopment grant in the amount of One Million Dollars \$1,000,000.00 (the Grant) to be used for a redevelopment project ("the Project") which had previously been approved pursuant to Resolution 82-12-21 (the Development Order) for the Property; and

WHEREAS, the Grant required and was contingent upon the Lake Park Group's compliance with the terms of the Development Order regarding, among other things, obtaining a building permit from the Town and initiating construction of the Project on the Property within a specific timeframe; and

WHEREAS, the Lake Park Group did not comply with the terms of the Development Order, and thus the Grant; and

WHEREAS, the Lake Park Group has requested that the CRA amend the Development Order and Grant which would allow the Lake Park Group to modify certain design and development standards associated with the Project ; and

WHEREAS, CIDC Lake Park LLC submitted an application to amend the site plan previously approved by the Town Commission pursuant to the Development Order; and

WHEREAS, the Town Commission approved Resolution 29-04-23 amending Resolution 82-12-21 (the Amended Development Order); and

WHEREAS, a copy of the Amended Development Order is attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, the receipt of the Grant is expressly conditioned upon CIDC complying with its representations to the CRA to create a condominium and to comply with the terms of the Amended Development Order; and the corporate entities of the Lake Park Group, complying with the terms of the Amended Development Order; and

WHEREAS, the CIDC and the corporate entities of the Lake Park Group agree, jointly and severally to comply with all of the obligations of the Grant, this Agreement, and the terms of Amended Development Order; and

WHEREAS, the CRA's Executive Director has recommended that the CRA's Board of Commissioners ("the Commission") continue to provide the Grant in the amount of \$1,000,000 to the CIDC and the Lake Park Group in furtherance of the redevelopment of the Property in accordance with the Amended Development Order; and

WHEREAS, the CRA finds that the Grant of \$1,000,000 is necessary for the Project to be developed in accordance with the Amended Development Order; and

WHEREAS, the CRA finds that the award of a Grant in the amount of \$1,000,000 is necessary and appropriate to facilitate the development of the Project and increase the valuation of the Property; and

WHEREAS, the CRA finds that the development of the Project would serve as the revitalization anchor of the 10th Street area of the CRA; and

WHEREAS, the CRA is willing to make the Grant of \$1,000,000 to the Lake Park Group in reliance upon the representations made to it by CIDC and the corporate and individual representatives of the Lake Park Group and based upon the terms set forth in the Amended Development Order, and this Agreement; and

WHEREAS, the Grant is contingent on the terms of this Agreement and the Lake Park Group's redevelopment of the Project of the Property in accordance with the Amended Development Order.

NOW THEREFORE, in consideration of the above recitals and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. **Recitals.** The recitals above are incorporated herein.

2. Grant. The Town of Lake Park Community Redevelopment Agency (the “CRA”) agrees to provide the Lake Park Group with a Grant in the amount of One Million Dollars (\$1,000,000.00) payable in equal increments of Two Hundred Thousand Dollars (\$200,000.00) on or before December 31 of each of the next five (5) consecutive years following the execution of this Agreement, with the parties acknowledging and confirming that the initial payment which has already been paid shall be the first installment paid retroactively as of December 31, 2022, and the final increment to be paid on or before December 31, 2026. The Grant is contingent upon the individuals and corporate representatives of the CIDC and the Lake Park Group and their compliance with all of the terms of this Agreement and the development of the Project on the Property in accordance with the Amended Development Order.

3. Construction Cost and Condition Precedent. Enclosed as Exhibit “B” is a copy of the executed construction contract for the Project that demonstrating that construction of the Project is projected to cost in excess of \$6,000,000.00, assuming it is constructed in accordance with the Amended Development Order.

4. Initiation of Construction and Completion. The completion of the Project shall be in compliance with the Amended Development Order. **Pursuant to the Amended Development Order, CIDC or the Lake Park Group shall obtain a demolition permit and demolish the structures on the Property and obtain a final inspection of the Property confirming the demolition no later than August 15, 2023. Pursuant to the Amended Development Order, CIDC or the Lake Park Group shall obtain a building permit for the site work and vertical construction of the Project no later than September 15, 2023.** A final certificate of completion or occupancy for the Project must be achieved within 18 months of when construction is initiated, or no later than December 15, 2024. Notwithstanding the foregoing, the Lake Park Group shall not be held liable or responsible for a delay in the completion of the Project if it is demonstrated to the reasonable satisfaction of the CRA Board that such delay is the result of a force majeure as defined in paragraph 20.

5. Use of Funds. The funds from the Grant shall be used by the CIDC and the Lake Park Group, or their successors and assigns, provided any successor or assign has been approved in accordance with paragraph 13 and the approved successor developer of the Project remains in compliance with this Agreement and the Amended Development Order for the Property.

6. Entitlement To Grant Funds Contingent Upon Initiation and Completion of Construction. In order to be entitled to retain the initial Two Hundred Thousand Dollar (\$200,000.00) installment of the Grant that has already been paid, and any installment thereafter, the Lake Park Group shall initiate construction and shall complete construction in accordance with paragraph 4 (except for events of force majeure as defined in paragraph 20 below). The failure to initiate, continue, or complete construction of the Project on or before the dates set forth in paragraph 4 shall constitute a breach of the Agreement and shall immediately render the CRA’s obligations to provide any further installments null and void. Furthermore, the CIDC and the corporate entities which comprise Lake Park Group agrees to return to the CRA any funds provided to it that have not already been deployed into the Project in the event it does not comply with these dates.

7. Subordination. The CRA acknowledges that after the execution of this Grant, the Lake Park Group may obtain loans pertaining to the construction of the Project and that the Grant shall be subordinate to the said loans.

8. Term of Operation. The terms of this Agreement shall be for 10 years. In order to be excused from the repayment of the funds from the Grant the businesses known as Oceana Coffee, Kiss Kitchens and Florida Canning Company, and any affiliated companies, or approved successors and assigns shall continuously operate their respective businesses from the date of the execution of this Agreement for 10 consecutive years, or until April 1, 2033. It shall be a breach of this Agreement, if, at any time during the 10 years, the entities comprising the Lake Park Group cease operating one or more of the three business(es) on the Property. In such case, the funds provided to the Lake Park Group pursuant to the Grant shall be returned to the CRA upon the CRA's written notice.

9. Sale or Transfer of the Lake Park Group Businesses/Properties. Should any or all of the entities comprising the Lake Park Group, elect to sell or transfer its or their condominium or business ownership interests in the Property to any third party during the Term, it or they shall obtain the written consent of the CRA for the sale or transfer. The CRA's consent shall not be unreasonably withheld, provided the businesses continue to be operated consistent with the Amended Development Order and this Agreement. The Lake Park Group shall provide the CRA with any written request of its intention to sell or transfer any property interest in the Property and/or any of the three businesses at least 90 days in advance of the proposed sale or transfer of its or their ownership interest in the Property, or the businesses. If the CRA approves of the sale or transfer of an interest in the Property and/or any of the businesses located on the Property during the term, the successors or assigns to the property interest in the Property, or a business shall become responsible for compliance with the terms of this Agreement. Notwithstanding the foregoing and supplementing such terms, it shall be unreasonable for the CRA to not grant its permission provided such sale or transfer is to a third party who uses its interest in the Property for the same use and purpose and can demonstrate that it is employing the same number of employees from within the corporate limits of the Town of Lake Park as the companies which comprise the Lake Park Group.

10. Lien. This Agreement shall be recorded in the property records of Palm Beach County and shall replace the original Agreement and shall constitute a lien against the Property, enforceable by foreclosure or for an action for a money judgement.

11. Guarantees. As part of the execution of the original Grant Agreement, the President and the AMBRs of the CDIC and corporate entities comprising the Lake Park Group provided the CRA with personal and corporate guarantees as collateral for the performance of the obligations under the original Grant Agreement. These originally executed Guarantees are attached hereto and incorporated herein as Exhibit "D" and shall serve as the personal and corporate guarantees for this Agreement. In the event the Lake Park Group is in breach of any of the terms of the Amended Development Order or this Agreement the CRA shall be entitled to recover any of the incremental grant proceeds already paid from the individuals who have executed guarantees personal on behalf of themselves personally and as the President and AMBRs for the corporate entities on whose behalf they have executed the attached Guarantees. The CRA shall also be entitled to pursue any and all remedies,

including damages against any of the corporate entities and their President, or AMBRs, jointly and severely.

12. Recovery of Grant funds. In addition to the remedies and guarantees in paragraph 11, the CRA may also be entitled to recover the funds from the Grant paid during the Term in the event the Lake Park Group is not developing or has not completed the Project in accordance with the Amended Development Order.

13. Assignment Subject To CRA's Advanced Written Approval. This Agreement may only be assigned with the written approval of the CRA. Any other purported assignment shall be null and void.

14. Amendment. This Agreement shall not be revised, changed or amended except by a written amendment executed by both parties.

15. Governing Law/Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of Florida, without giving effect to choice of law rules. Venue shall be in the federal or state courts located in Palm Beach County, Florida.

16. Counterparts. This Agreement may be executed in duplicate counterparts or electronically by DocuSign or other recognized software program which when compiled and taken together shall constitute a single original instrument.

17. Severability. Any provision of this Agreement which is deemed by a court of competent jurisdiction shall, as to such jurisdiction, be ineffective shall be reworked and revised only to the extent of such prohibition or unenforceability and without invalidating the remainder of such provision or the remaining provisions hereof or affecting the validity or enforceability of such provision in any other jurisdiction.

18. Indemnification. Each party hereto hereby agrees to indemnify and hold the other harmless and their elected or appointed officers, employees, agents, and consultants from and against any and all liability, expense, or damage of any kind or nature and from any suits or claims, including reasonable legal fees and expenses, on account of any matter, whether in suit or not, arising out of this Agreement. This provision is not intended to, nor does it waive the CRA's rights of sovereign immunity pursuant to Fla. Stat. § 768.28.

19. Attorney Fees. In the event either party is required to enforce the terms of this Agreement, the prevailing party, following a full adjudication on the merits and the waiving or exhaustion of all appeals, shall be entitled to the reimbursement of its attorney fees.

20. Force Majeure. Neither party shall be liable for delays in performing its obligations under this Agreement to the extent that the Lake Park Group provides written documentation that the delay is caused by force majeure, defined as Acts of God, a pandemic, supply chain for construction materials, labor strikes, riots, or wars.

21. Successors and Assigns. This Agreement and the terms herein shall inure to the benefit of and be legally binding upon the parties and their respective successors and assigns.

22. Notices. All notices between the parties shall be in writing and be made by certified mail, return receipt requested or by hand delivery at the following addresses:

Community Redevelopment Agency:

Attn: Executive Director
535 Park Avenue
Lake Park, FL 33403

CIDC Lake Park, LLC

Attn: Frances M. Brandt
15375 Blue Fish Circle
Lakewood Ranch, FL 34202

Oceana Logistics International, Inc.

Attn: Amy Angelo
221 Old Dixie Hwy, Suite 1
Tequesta, FL 33469

Kiss Kitchens LLC

c/o Richard Kooris
15375 Blue Fish Circle
Lakewood Ranch, FL 34202

Florida Canning Company LLC

c/o Charles Schorr Lesnick
15375 Blue Fish Circle
Lakewood Ranch, FL 34202

The parties hereto have duly executed this First Amendment to the Agreement on the day and year first above written.

[BALANCE OF PAGE LEFT INTENTIONALLY BLANK - SIGNATURES TO FOLLOW]

TOWN OF LAKE PARK CRA

By: 
Roger Michaud, Chairman

OCEANA LOGISTICS INTERNATIONAL, INC.

By: 
Amy Angelo, President

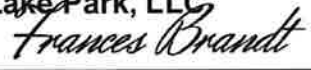
KISS KITCHENS LLC

By: 
Richard Kooris, AMBR

FLORIDA CANNING COMPANY, LLC

By: 
Charles Schorr Lesnick, AMBR

CIDC Lake Park, LLC

By: 
Frances M. Brandt, AMBR

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SENT

04 / 04 / 2023
21:19:16 UTC

Sent for signature to Richard Kooris (rkooris@501studios.com), Chuck Lesnick (chuck.schorr.lesnick@gmail.com), Amy Angelo (amy.angelo@oceanacoffee.com) and Frances M. Brandt (cidc_mal@live.com) from nkilcoyne@mdw.law
IP: 94.8.45.173



VIEWED

04 / 04 / 2023
21:50:23 UTC

Viewed by Frances M. Brandt (cidc_mal@live.com)
IP: 47.205.38.207



VIEWED

04 / 04 / 2023
22:09:43 UTC

Viewed by Amy Angelo (amy.angelo@oceanacoffee.com)
IP: 98.249.177.207



SIGNED

04 / 04 / 2023
22:10:01 UTC

Signed by Amy Angelo (amy.angelo@oceanacoffee.com)
IP: 98.249.177.207



Audit trail

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 SIGNED	04 / 04 / 2023 22:20:14 UTC	Signed by Richard Kooris (rkooris@501studios.com) IP: 166.196.68.119
 VIEWED	04 / 11 / 2023 15:57:29 UTC	Viewed by Chuck Lesnick (chuck.schorr.lesnick@gmail.com) IP: 69.118.109.74
 SIGNED	04 / 11 / 2023 15:57:50 UTC	Signed by Chuck Lesnick (chuck.schorr.lesnick@gmail.com) IP: 69.118.109.74
 COMPLETED	04 / 11 / 2023 15:57:50 UTC	The document has been completed.