

AGENDA

Community Redevelopment Agency Meeting
 Wednesday, November 2, 2011, 6:30 pm
 Lake Park Town Hall
 535 Park Avenue

James DuBois	—	Chair
Kendall Rumsey	—	Board Member
Steven Hockman	—	Board Member
Jeanine Longtin	—	Board Member
Tim Stevens	—	Board Member
Christiane Francois	—	Board Member
Gladys Bryant	—	Board Member
.....		
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

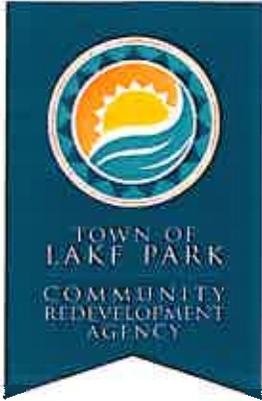
to complete a public comment card located on either side of the Chambers and given to the Agency Clerk. Cards must be submitted before the item is discussed.

Consent Agenda Items Recommended For Approval:

1. CRA Board Meeting Minutes of April 6, 2011 Tab 1
 2. CRA Board Meeting Minutes of September 21, 2011 Tab 2
 3. Palm Beach County Sheriff's Office CRA Contract Modification Tab 3
- F. **DISCUSSION AND POSSIBLE ACTION:**
4. Grant for Don Ramon's Baja Grill Cantina & Tequila Bar Tab 4
 5. Complete Review of the CRA Tab 5
- G. **BOARD MEMBER COMMENTS**
- H. **EXECUTIVE DIRECTOR COMMENTS**
- I. **ADJOURNMENT**

Consent Agenda

TAB 1



**CRA
Agenda Request Form**

Meeting Date: November 2, 2011

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 |

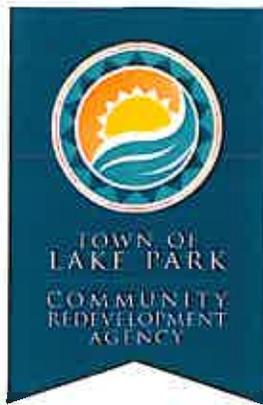
SUBJECT: CRA Meeting Minutes of April 6, 2011

RECOMMENDED MOTION/ACTION: To approve the CRA Meeting Minutes of April 6, 2011

Staff Signature Vivian Lemley Date: 10/21/11
 Approved by Executive Director W. Davis Date: 10/24/11

Prepared By: Vivian Lemley, Agency Clerk	Costs: \$ 0 Funding Source: Acct. #	Attachments: Agenda CRA Board Meeting Minutes of April 6, 2011
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Summary Explanation/Background:



AGENDA

Community Redevelopment Agency Meeting
Wednesday, April 6, 2011, 7:00 p.m.
Lake Park Town Hall
535 Park Avenue

Desca DuBois	—	Chair
Kendall Rumsey	—	Vice-Chair
Steven Hockman	—	Board Member
Jeanine Longtin	—	Board Member
Patricia Osterman	—	Board Member
Christiane Francois	—	Board Member
Gladys Bryant	—	Board Member
.....		
Maria V. Davis	—	Executive Director
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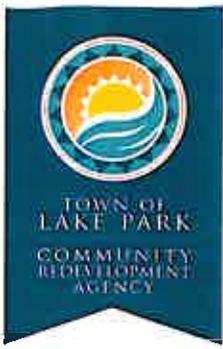
Consent Items For Approval:

- | | |
|--|-------|
| 1. CRA Board Meeting Minutes of December 15, 2010 | Tab 1 |
| 2. CRA Board Meeting Minutes of January 5, 2011 | Tab 2 |
| 3. Second Addendum to the Palm Beach County Sheriff's Office
CRA Contract | Tab 3 |

F. **BOARD MEMBER COMMENTS**

G. **EXECUTIVE DIRECTOR COMMENTS**

H. **ADJOURNMENT**



Minutes
Town of Lake Park, Florida
Community Redevelopment Agency Board Meeting
Wednesday, April 6, 2011, 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Community Redevelopment Agency Board met on Wednesday, April 6, 2011 at 7:00 p.m. Present were Chair Desca DuBois, Vice-Chair Kendall Rumsey, Board Members Steven Hockman, Jeanine Longtin, Patricia Osterman, Gladys Bryant, Christiane 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.

Chair DuBois announced that she has asked Vice-Chair Rumsey to Chair the meeting because she was not feeling well and may leave the meeting early.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA
 None

Motion: A motion was made by Board Member Francois to approve the Agenda; Chair DuBois made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Gladys Bryant	X		
Board Member Christiane Francois	X		
Board Member Steve Hockman	X		
Board Member Jeanine Longtin	X		
Board Member Patricia Osterman	X		
Vice-Chair Kendall Rumsey	X		
Chair Desca DuBois	X		

Motion passed 7-0

CONSENT AGENDA:

1. CRA Board Meeting Minutes of December 15, 2010
2. CRA Board Meeting Minutes of January 5, 2010

3. Second Addendum to the Palm Beach County Sheriff's Office CRA Contract

Public Comment Open.

None

Public Comment Closed.

Board Member Longtin stated that she wanted to pull item number 3 for discussion.

Motion: A motion was made by Chair DuBois to approve item numbers 1 and 2 of the Consent Agenda; Board Member Francois made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Gladys Bryant	X		
Board Member Christiane Francois	X		
Board Member Steve Hockman	X		
Board Member Jeanine Longtin	X		
Board Member Patricia Osterman	X		
Vice-Chair Kendall Rumsey	X		
Chair Desca DuBois	X		

Motion passed 7-0

Board Member Longtin asked if a representative of the Palm Beach County Sheriff's Office would explain what areas would be patrolled by the contract.

Executive Director Davis explained that the CRA area of Town would be patrolled by the deputies with this contract.

Lt. Pete Palenzuela greeted the CRA Board and answered questions of Board Member Longtin.

Board Member Longtin stated that she was aware that the contract was for the CRA area of Town, but asked if the deputies were going to patrol the entire CRA.

Lt. Palenzuela explained that the deputies would patrol the downtown area as well as the surrounding residential area of the CRA. He explained that the deputies work with the business owners and residents of the area to maintain a good quality of life.

Board Member Longtin asked if the industrial area of the CRA would be patrolled as well.

Lt. Palenzela stated that the industrial area would also be patrolled.

Motion: A motion was made by Chair DuBois to approve item number 3 of the Consent Agenda; Board Member Osterman made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Gladys Bryant	X		
Board Member Christiane Francois	X		
Board Member Steve Hockman	X		
Board Member Jeanine Longtin	X		
Board Member Patricia Osterman	X		
Vice-Chair Kendall Rumsey	X		
Chair Desca DuBois	X		

Motion passed 7-0

COMMENTS BY BOARD MEMBERS AND EXECUTIVE DIRECTOR

Board Member Bryant stated that she was pleased with the decisions that were being made for the CRA.

Board Member Hockman
None

Board Member Francois stated that the medians on 10th Street looked great after they were pressure cleaned, and give a great impression when someone drives into the Town.

Board Member Longtin
None

Board Member Osterman
None

Chair DuBois
None

Vice-Chair Rumsey stated that he had lunch with Ed Chase, President and CEO of the Northern Palm Beach County Chamber of Commerce, and that Mr. Chase spoke very highly of all the work that has been done on Park Avenue in the CRA district. He stated that Mr. Chase made several references about Ms. Davis and the great work she is doing

for the Town. He stated that he was very glad to hear all the positive feedback from Mr. Chase about the CRA. He congratulated all those involved with the Seeds of Hope Community Garden. He invited everyone to go by and see how all the hard work has really made the garden blossom. He stated that if anyone is interested in taking part in the community garden they should contact the project coordinator Erin Flaherty at 561-252-7179.

Executive Director Davis introduced and welcomed Dee Carnelli as the new Art Studio and Gallery Manager and gave a brief biography of her education and career in fine arts. She provided a brief update on the three restaurants that will be opening on Park Avenue. She stated that the first is called Casper's on Park, which is a French bistro located at 850 Park Avenue which would be opening its doors on May 1, 2011. She stated that the restaurant is located on the corner of 9th Street and Park Avenue directly across from the Post Office. She stated that another restaurant will be opening where the former Mario's Restaurant was located. She stated that they have run into a small delay and that they would be opening up shortly. She stated that the third restaurant is a Vietnamese restaurant next to Saigon Market. She stated that permits have been completed and construction will begin in two weeks. She stated currently there is a bid for the "Eyes on Park Avenue Security Cameras", which has been advertised with the bid opening occurring on April 26, 2011 at 11:00 a.m. She stated that a pre-bid meeting has been scheduled for April 12, 2011 at 10:00 a.m., where prospective bidders will be discussing the project.

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 Chair DuBois, by unanimous vote, the meeting adjourned at 7:10 p.m.

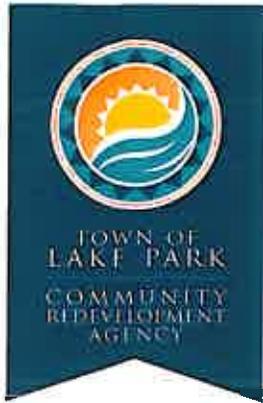
Chair

Agency Clerk, Vivian Lemley, CMC

Town Seal

Approved on this _____ of _____, 2011

TAB 2



**CRA
Agenda Request Form**

Meeting Date:

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 Board Meeting Minutes of September 21, 2011

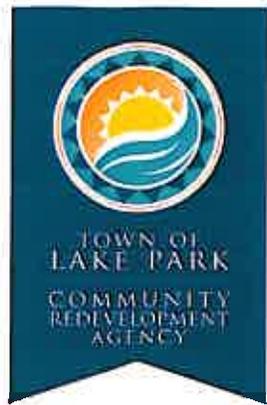
RECOMMENDED MOTION/ACTION: To Approve the CRA Board Meeting Minutes of September 21, 2011

Staff Signature *Kelly Owens* **Date:** *10/24/11*

Approved by Executive Director *W. Davis* **Date:** *10/26/11*

Prepared By:	Costs: \$	Attachments: <i>Agenda;</i> Exhibit A, B, C, D
	Funding Source:	
	Acct. #	

Summary Explanation/Background:



AGENDA

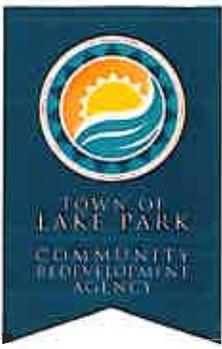
Community Redevelopment Agency Meeting
 Wednesday, September 21, 2011, 6:30 pm
 Lake Park Town Hall
 535 Park Avenue

James DuBois	—	Chair
Kendall Rumsey	—	Board Member
Steven Hockman	—	Board Member
Jeanine Longtin	—	Board Member
Tim Stevens	—	Board Member
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- A. **CALL TO ORDER**
- B. **PLEDGE OF ALLEGIANCE**
- C. **ROLL CALL**
- D. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**
- E. **PRESENTATION:**
 - 1. **CRA Budget**
 - **Staff Report**
 - **Public Comments**
 - **Board Deliberation**

- F. **DISCUSSION:**
 - 2. Resolution No. 33-09-11 Adoption of CRA Budget.
 - 3. Renewal of the Property, Casualty and Liability Insurance.
- G. **BOARD MEMBER COMMENTS**
- H. **EXECUTIVE DIRECTOR COMMENTS**
- I. **ADJOURNMENT**



Minutes
Town of Lake Park, Florida
Community Redevelopment Agency Board Meeting
Wednesday, September 21, 2011, 6:30 p.m.
Town Commission Chamber, 535 Park Avenue

The Community Redevelopment Agency Board met on Wednesday, September 21, 2011 at 6:30 p.m. Present were Chair James DuBois, Vice-Chair Kendall Rumsey, Board Members Steven Hockman, Jeanine Longtin, Tim Stevens, and Christiane Francois, Executive Director Maria Davis, and Agency Clerk Vivian Lemley. Gladys Bryant arrived at 6:35 p.m.

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

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Board member Hockman requested the addition of the CRA Board membership requirements. Chair DuBois explained that the membership requirements are part of Florida State Statute 163.153. The item was placed under Board Member Comments to allow staff to pull up the Statute.

Motion: A motion was made by Board Member Francois to approve the Agenda as amended; Board member Stevens made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Gladys Bryant	X		
Board Member Christiane Francois	X		
Board Member Steve Hockman	X		
Board Member Jeanine Longtin	X		
Board Member Tim Stevens	X		
Vice-Chair Kendall Rumsey	X		
Chair James DuBois	X		

Motion passed 7-0

PRESENTATION:
CRA Budget

Finance Director Anne Costello provided the CRA Board with a brief presentation on the CRA budget (Exhibit A). She explained what a Tax Increment Fund (TIF) is as demonstrated on slide 3 of Exhibit A. She explained how the TIF is calculated on slides 4 and 5 of Exhibit A. She explained what the Taxable Value have been in the last 10 years in the CRA on slide 6 of Exhibit A. She showed the Comparison of Values on slide 7 of Exhibit A. She explained the Revenue on slide 8 of Exhibit A. She compared the TIF for fiscal year 2011 versus 2012 on slide 9 of Exhibit A. She gave a history of the TIF on slide 10 of Exhibit A. She moved on to the expenditures and explained what positions are funded by the CRA on slide 12 of Exhibit A. She continued to explain the expenditures as demonstrated on slide 13 through 16 of Exhibit A. She explained other expenditures represented in the budget on slide 17 and 18 of Exhibit A. She explained the Co-op expenditures on slide 19 of Exhibit A. She explained that there will be no Capital Improvement in this budget. She explained the programs on slide 21 of Exhibit A. She then opened the floor to any questions from the board members.

Board Member Francois had no questions at this time.

Board Member Longtin asked for clarification on the Cop-op Expenditures.

Executive Director Davis explained that there are not enough TIF funds available to continue to operate the Art Gallery and therefore recommended closing the Gallery.

Board Member Longtin asked if those numbers were in the budget that she had reviewed.

Executive Director Davis explained that on page six of the CRA Proposed Budget the last column shows dashes indicating no funds being allocated.

Board Member Longtin asked what was being proposed to be done with the building.

Executive Director Davis explained that it can either be rented or sold.

Board Member Longtin asked for clarification on the current year value of \$88 million and how that is calculated to get that figure.

Finance Director Costello explained that the figure is the value of all the properties within the CRA boundaries as provided by the Palm Beach County Property Appraisers Office.

Board Member Stevens had no questions at this time.

Vice-Chair Rumsey asked when was it decided to close the Art Gallery.

Executive Director Davis stated that the decision was made about a month ago when the budget was being prepared.

Vice-Chair Rumsey asked if anyone on the Board had been made aware of the closure.

Chair DuBois indicated that he had been made aware.

Board Member Stevens stated that he had been made aware yesterday.

No other Board members indicated that they had been made aware.

Executive Director Davis explained why the Board members were not made aware several weeks ago when the decision was made.

Vice-Chair Rumsey expressed concern with the closure of the Art on Park Gallery and how the Board members were made aware. He stated that several weeks ago he had requested information on grants that had been awarded in the CRA. He pointed out that in this budget there is a request for a \$40,000 grant for an anchor restaurant. He asked for clarification because the understanding had been that there was no money in the CRA for grants.

Executive Director Davis explained that due to several projects that fell through there were funds available, which she was recommending for the restaurant.

Vice-Chair Rumsey asked for clarification on the \$500,000 delinquent payment being made to the CRA and how it is broken down.

Finance Director Costello explained that it is the liability that is outstanding from the delinquent TIF, which is a payment from the General Fund to the CRA.

Vice-Chair Rumsey asked if it was the same as the \$250,000 that was in the General Fund budget.

Finance Director Costello explained the process for showing the payment being made from the General Fund to the CRA.

Vice-Chair Rumsey explained a proposal he had made to lower the payment from the General Fund to the CRA and the discussions that have taken place since then. He asked Finance Director Costello to explain what she had explained to him at their meeting.

Finance Director Costello explained that the money Vice-Chair Rumsey proposed to be used was not available to be allocated to the general expenditures of the Town. She explained that it is a liability on the Town's General Fund balance sheet, and as such a liability cannot be used to fund the General Fund appropriations to the CRA.

Vice-Chair Rumsey stated that since that conversation he requested information from the Agency Attorney on the TIF. He asked Agency Attorney Tom Baird to explain the memo (see Exhibit B) that was provided to the Board regarding how the TIF needs to be repaid to the Town.

Agency Attorney Baird explained that the memo provided has nothing to do with the issue Finance Director raised, which is an accounting issue. He explained that the auditors had provided a memo yesterday regarding repayment of the TIF. He stated that

he and the auditors discussed the issues and they are on the same page. He explained that in the current fiscal year if the Board decided to reduce the liability, then the liability could be allocated into the General Fund. He stated that the information he researched was regarding whether or not penalties and interest or any of the principal can be waived. He stated that he was not able to find any guiding opinions, included Attorney General opinions, therefore they revert back to general principles regarding debts and owed debts. He explained that there is no written agreement between the parties (CRA and the Town) and that repayment of the debt would need to be restructured. He stated that if the CRA is agreeable to restructuring the debt, then that new arrangement can be made. He explained the State Statute that was referenced in his memo (Exhibit B) to the Board, in that if a taxing authority fails to pay the TIF, the Board has a legal remedy to collect that TIF. He explained the process that could be followed and provided a recommendation of establishing an Interlocal Agreement between the Town and the CRA for repayment of the TIF. He explained that the members of the CRA Board are also the Commission and that legally they are two separate governmental entities. He provided an example of how the CRA Board could enforce the payment of the TIF.

Board Member Longtin clarified that the Board can forgive any or all of the debt the Town owes.

Agency Attorney Baird stated that he is not recommending that no payment be made to the CRA, but that legally there is no impediment in doing so and in good public policy there would need to be some reasons why the CRA would forgive the debt. He recommended leaving the principal intact and provided an example to explain further.

Board Member Bryant asked if both sides would win in this situation.

Agency Attorney Baird stated that the question was more of a policy or administrative question to be answered by staff.

Vice-Chair Rumsey asked additional questions regarding the total amount due with penalty, liabilities and the principal owed to the CRA.

Board Member Stevens clarified that the total amount due to the CRA will be \$140,000.

Board Member Hockman asked questions regarding the closure of the Art on Park and the possible relocation of the CRA office to that space.

Executive Director Davis stated that it would be more beneficial to the CRA to rent the facility.

Board Member Hockman questioned how high the CRA office phone bill is. He also questioned the number of cell phones that appear as Special Pay on the budget.

Executive Director Davis clarified that the bill included the office and cell phone. She stated that when it shows as a Special Pay it is a stipend.

Board Member Hockman asked for clarification on the amount of deputies that would be patrolling the CRA.

Executive Director Davis stated that the CRA would maintain one deputy and that Palm Beach County Sheriff's Office (PBSO) would provide adequate coverage on a regular basis.

Board Member Hockman continued to ask questions of staff on the CRA Budget and Executive Director Davis and Finance Director Costello responded to his questions.

Board Member Hockman questioned the Community Development Corporation (CDC) website because it shows that it was created by the Information Technology Department (IT).

Agency Clerk Lemley explained that the website created for the CDC was done by an independent webhost that was hired by the Town. The IT department has nothing to do with the website for the CDC or any other website.

CDC Board Member Virginia Martin explained that the CDC website was paid for by a donation from a private individual.

Board Member Hockman continued to ask questions of Ms. Martin regarding the CDC and she responded to the questions.

Board Member Longtin asked if the records of the 501(c)(3) were open to public inspection.

CDC Board Member Martin stated that the records are open to the extent that the Internal Revenue Service (IRS) makes them.

Chair DuBois stated that the time was quickly approaching 7:30 p.m., which was the time that the Final Public Hearing of the Budget had been advertised to begin.

Attorney Baird explained the procedure to recess this CRA Board meeting and convene the Final Public Hearing on the Budget, and that then the CRA Board meeting can be reconvened after the Final Public Hearing on the Budget has concluded.

Motion: A motion was made by to Board Member Francois to recess the CRA Board Meeting at 7:26 p.m.; Board Member Stevens made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Gladys Bryant	X		
Board Member Christiane Francois	X		
Board Member			

Steve Hockman	X		
Board Member Jeanine Longtin	X		
Board Member Tim Stevens	X		
Vice-Chair Kendall Rumsey	X		
Chair James DuBois	X		

Motion passed 7-0

The CRA Board Meeting reconvened at 9:25 p.m.

Public Comment:

1. *Richard Ahrens, 803 Park Ave.* - expressed his appreciation and support for the CRA and stressed that it should remain in existence.
2. *Giuseppe Cianflone, 850 Park Ave.* – expressed his appreciation and support for the Lake Park CRA.
3. *Patricia West, 748B Park Ave.* – provided a letter read by Mayor DuBois (Exhibit C)
4. *Bill Davison, 126 10th St.* – provided a letter read by Agency Clerk Vivian Lemley (Exhibit D)

Public Comment Closed.

Board Deliberation on the Budget:

Chair DuBois explained the process.

Board Member Christine Francois reassured everyone that she is still a CRA business owner. She believes the TIF should remain as it has been. She wanted to know if they did give the money back to the General Fund, what it would be used for.

Board Member Jeanine Longtin asked how much space in the CRA did the Town rent.

Executive Director Davis explained that it was one office.

Board Member Longtin asked what the possible anchor restaurant was going to be.

Executive Director Davis explained that she could not divulge that information at this time and why.

Board Member Longtin expressed her disappointment that the Art Gallery was closing and that the Board was not informed of it beforehand.

Board Member Tim Stevens expressed his appreciation that the staff was able to answer his questions. He mentioned that he read the article that was in the paper concerning the CRA. He wants to continue the events that we currently have. He stated that he does not know what can be cut out of the TIF.

Chair James DuBois explained that he is opposed to forgiving the principal portion of the TIF. He stated that he would be willing to forgive the penalty of that TIF. He stated that he would support the budget as proposed.

Vice-Chair Kendall Rumsey stated that the CRA is great for our Town and is not opposed to it. He stated that the Board should forgive the penalty. He stated that he is willing to do what is necessary.

Board Member Steve Hockman expressed his concern with the Art Gallery closing and its maintenance. He gave his suggestions for trimming some of the expenses of the CRA. He does not approve of the \$40,000 grant. He stated that he is in favor of eliminating the penalty as well as possibly the interest on the TIF.

Board Member Gladys Bryant stated she has seen the CRA just sit with no changes until the CRA office opened up and thinks Jennifer Spicer is doing a great job. She does not agree with forgiveness of the loan. She is also in favor of the new restaurant and would like to see more of a variety of businesses come in.

Board Member Jeanine Longtin does not agree with paying the penalty back.

Chair DuBois reminded everyone that the CRA does belong to the Town.

Board Member Stevens asked what the total payment due was.

Finance Director Costello informed the Board that the amount due as of September 30, 2011 is \$865,382.

Board Member Stevens asked a few other budget questions and Finance Director Costello answered them. He stated that the principal of the TIF should be paid. He stated we owe some interest, but not at 12 percent. He proposed that the penalty should be forgiven (\$69,000) and a portion of the interest if it is feasible. He suggested that the \$40,000 grant could be a possible cut and we could rebid the contractual services.

Discussion ensued.

Agency Attorney Tom Baird explained the interest collected.

Motion: A motion was made by Board Member Stevens to forgive the \$69,000 penalty and have staff engage in an austerity plan to possibly reduce the interest for future years; Vice-Chair Rumsey made the second.

Board Member Francois asked where they were going to cut the \$69,000 if they cut the penalty.

Finance Director Costello explained and Board Member Stevens gave an option.

Discussion ensued.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Gladys Bryant	X		
Board Member Christiane Francois	X		
Board Member Steve Hockman	X		
Board Member Jeanine Longtin	X		
Board Member Tim Stevens	X		
Vice-Chair Kendall Rumsey	X		
Chair James DuBois	X		

Motion passed 7-0

Agency Attorney Baird explained more on the penalty payment.

Motion: A motion was made by to Board Member Longtin to decrease the interest rate to four percent; Board Member Hockman made the second.

Board Member Hockman stated that he felt that we should possibly reduce it to half of the current rate to at least six percent.

Vice-Chair Rumsey stated that he supported Board Member Longtin's suggestion of reducing but not at four percent, but at six percent.

Board Member Hockman withdrew his second on the motion.

Motion: A motion was made by to Board Member Longtin to decrease the interest rate to six percent; Board Member Hockman made the second.

Agency Attorney Baird suggested the interest could be something that is discussed at a future meeting.

Board Member Stevens requested that the discussion on the interest be tabled.

Vice-Chair Rumsey suggested that it be brought back to the meeting in October.

Executive Director Davis stated that they could do that.

Board Member Hockman withdrew his second on the motion.

Board Member Longtin withdrew her motion.

DISCUSSION & POSSIBLE ACTION:

Resolution No. 33-09-11 Adoption of CRA Budget

Motion: A motion was made by to Board Member Francois to adopt Resolution No. 33-09-11 Adoption of CRA Budget; Board Member Stevens made the second.

Board Member Stevens asked questions concerning the budget.

Executive Director explained the answers to his concerns.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Gladys Bryant	X		
Board Member Christiane Francois	X		
Board Member Steve Hockman		X	
Board Member Jeanine Longtin		X	
Board Member Tim Stevens	X		
Vice-Chair Kendall Rumsey	X		
Chair James DuBois	X		

Motion passed 5-2

Renewal of the Property, Casualty and Liability Insurance

Ellen Jones from the Gehring Group explained to the CRA Board the property, casualty and liability insurance renewal proposal.

Board Member Longtin wanted to see what others are bidding for the future.

Motion: A motion was made by to Board Member Francois to accept the Renewal of the Property, Casualty and Liability Insurance; Board Member Stevens made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Gladys Bryant	X		
Board Member Christiane Francois	X		
Board Member Steve Hockman	X		
Board Member Jeanine Longtin	X		
Board Member Tim Stevens	X		
Vice-Chair Kendall Rumsey	X		
Chair James DuBois	X		

Motion passed 7-0

CRA Board Requirements

Agency Attorney Baird read the Florida Statute 163.356 (3) (B) regarding the CRA board membership criteria.

Chair DuBois read the Florida Statute 163.357 (1) (A & C) on the same subject.

Agency Attorney Baird clarified the Statute for the Board – that the criteria does include being an owner of a business in the CRA.

Board Member Hockman stated the reason this was brought up was because he had been questioned about Board Member Francois meeting the requirements to stay on the Board.

Discussion ensued.

It was determined that Board Member Francois did meet the requirements to stay on the Board.

ADJOURNMENT

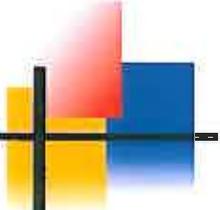
There being no further business to come before the CRA Board and after a motion to adjourn by Vice-Chair Rumsey and seconded by Board Member Stevens, by unanimous vote, the meeting adjourned at 10:41 p.m.

Chair, James DuBois

Agency Clerk, Vivian Lemley, CMC

Town Seal

Approved on this _____ of _____, 2011

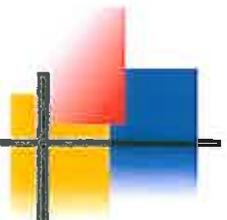


Community Redevelopment Agency

Budget Review

September 21, 2011

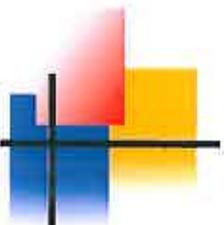
Proposed Budget FY 2012



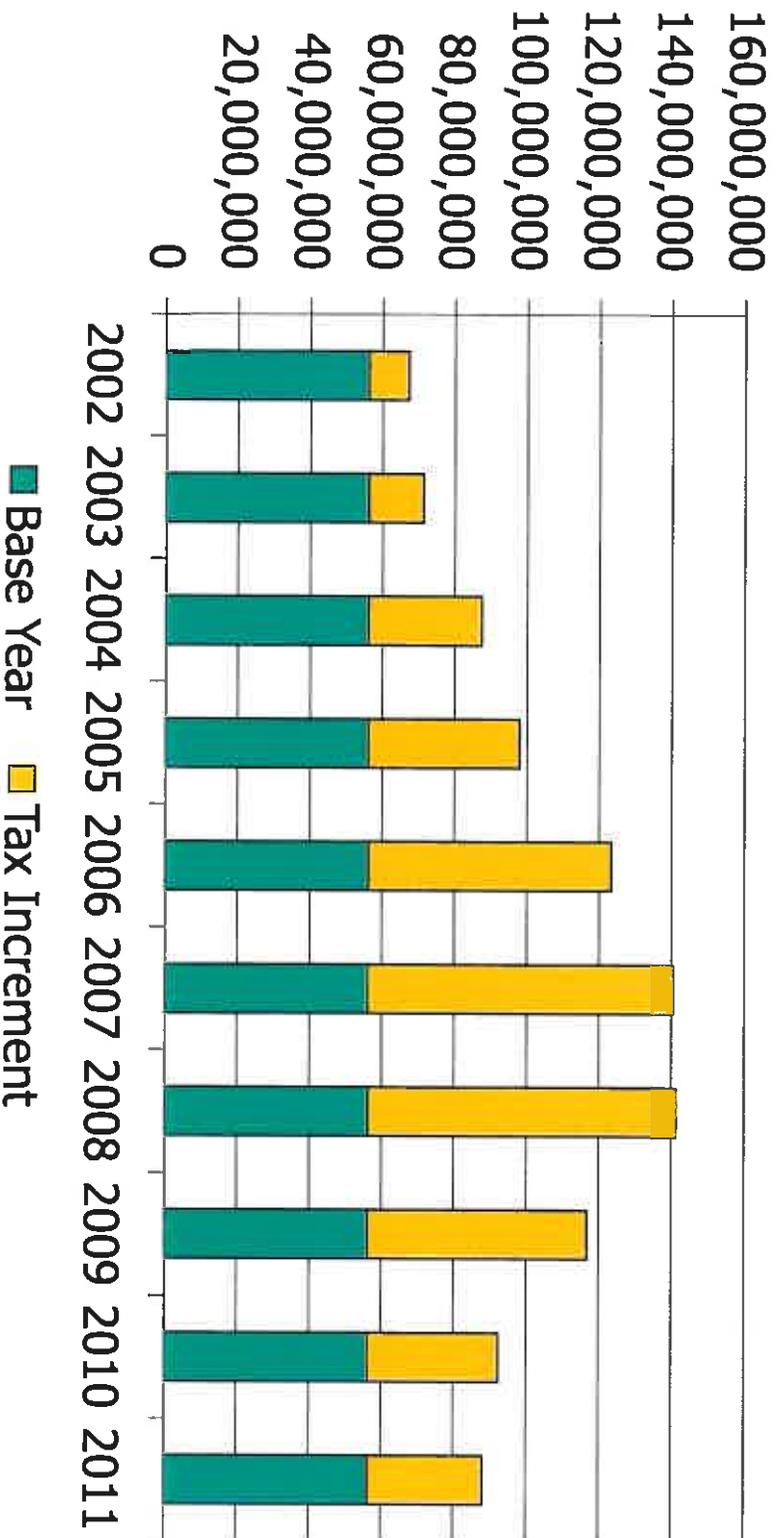
Revenue

Values and Tax Increments

Expenditures



Tax Increment – What is it?





How is the TIF Calculated?

- Current year value 88,215,665
- Minus Base year (56,070,754)
- Tax Increment 32,144,911
- Tax Increment Funds? How are they determined?



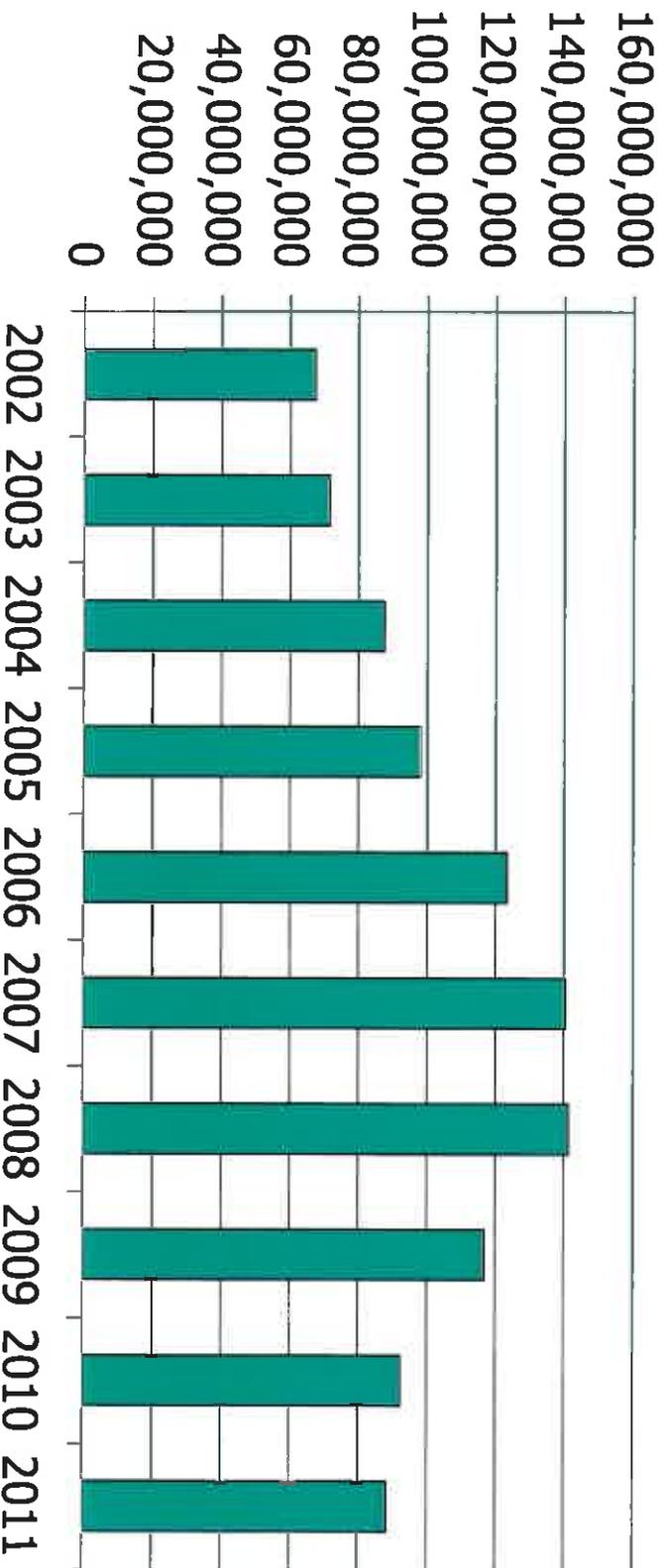
TIF Calculation Continued...

- Tax Increment $32,144,911 /$
 $\underline{1,000}$
- Divided by 1000 $32,145$
- Mult. by 95% $\underline{\times .95}$
- = Value of 1 Mill $30,538$
- x Tax Rate (Millage Rate) $\underline{\times 8.5163}$
- Tax Increment Funds (TIF) $\underline{260,070}$

Taxable Values in CRA Area Last 10 Years



Taxable Value





Comparison of Values

2010 Value \$ 92,402,211

2011 Value \$ 88,215,665

Decrease \$ 4,186,546

4.5% Decrease in Taxable Value



Revenue

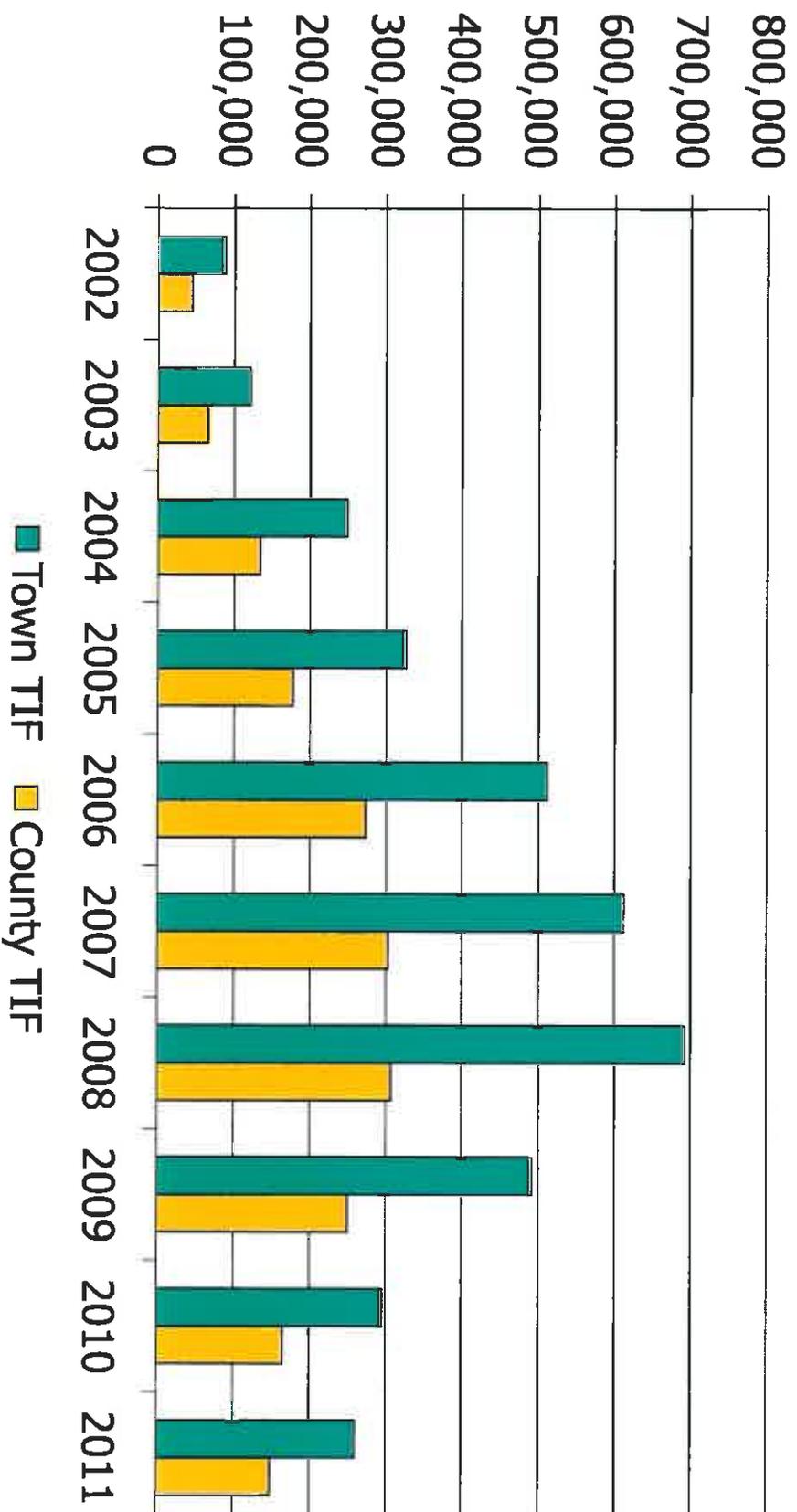
■ 1999 Base Year Value	\$ 56,070,754
■ 2011 Taxable Value	\$ 88,215,665
■ Tax Increment	\$ 32,144,911
■ Town Tax Increment Funds	\$ 260,070
■ County Tax Increment Funds	<u>\$ 148,550</u>
■ Total Tax Increment Funds	\$ 408,620
■ Delinquent Payment	<u>\$ 500,000</u>
■ Total Revenue	<u><u>\$ 908,620</u></u>

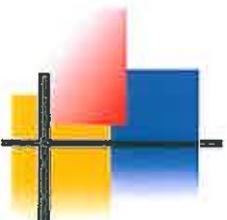


Tax Incremental Funds FY 2011 vs. FY 2012

TIF	FY 2011	FY 2012	DIFF	% chg.
TOWN	295,600	260,070	(35,530)	-12.0%
COUNTY	165,050	148,550	(16,500)	-10.0%
TOTAL	460,950	408,620	(52,330)	-11.4%

History of Tax Incremental Funds (TIF)





Expenditures



Expenditures

- Economic Dev. Dir. Full Time
- Project Manager 25 hrs/week
- Shared positions with General Fund:
 - Grants Writer 50%
 - Recreation Director 50%
 - Comm. Dev. Director 20%
 - Planner 10%
 - Code Comp. Officer 10%



Expenditures – continued...

- Professional Services \$ 13,500
 - Lobbyist – 50%

- Contractual Services \$104,020
 - Landscape Maintenance Contract
 - Holiday Decorations
 - Custodial Services
 - Telvue Bulletin Board for Ch. 18



Expenditures – continued...

- Contract Services PBSO \$ 112,350
 - Cost of One Deputy for Downtown

- Administrative Fee to General Fund
 \$ 72,050

- Repair & Maintenance \$ 5,000
 - Repairs of Downtown Infrastructure



Expenditures – continued...

- Printing \$ 3,000
 - Newsletters

- Promotional Activity \$ 1,500
 - Tree Lighting Festival



Other

- **Trans. to General Fund** \$ 84,250
 - One Deputy in General Fund Contract
- **Trans. To Gen. Fd. – ILA 08 \$ 169,575**
 - Contribution for Debt Service per Inter-local Agreement (ILA)
 - Alleyway Improvement Project
 - Purchase of Foresteria Property (725)



Other – continued...

- Trans. to Gen. Fd. – ILA 09 \$ 54,795
 - Contribution for Debt Service per Inter-local Agreement (ILA)
 - Foresteria Property (711 & 761) and site demolition and restoration



Co-op Expenditures

- Closure of Gallery Effective October 1st
- Trans. To Gen. Fd. – ILA 09 \$ 36,530
 - Contribution for Debt Service per Inter-local Agreement
 - Purchase of 800 Park Avenue Building and Renovations



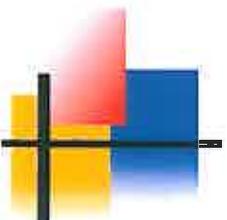
Capital Improvements

NONE



Programs

- Currently in Negotiations with
Anchor restaurant on Park Avenue
 - \$40,000 Grant



Board Member Comments







Business Development Grants

- 6/18/09 Brown Baggin It \$ 3,357
- 11/06/09 Prime Plaza Inc. \$ 12,500
- 12/16/09 Batho Trust \$ 8,030
- 2/03/10 Centered, LLC \$ 5,000
- 11/03/10 Mos Art Theater \$ 3,458
- 12/15/10 Hot Pot Restaurant \$ 25,000
- 1/05/11 Totally Wireless \$ 4,000



Business Development Loans

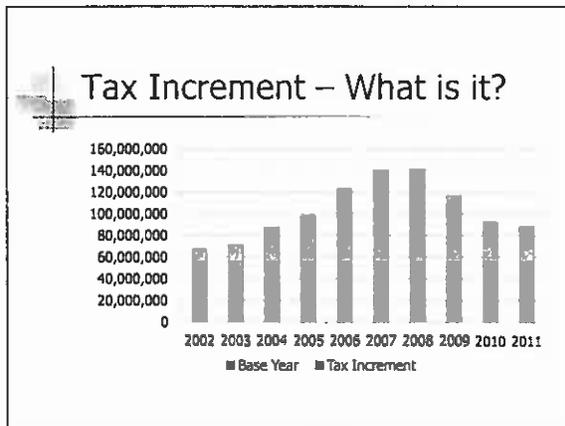
- 11/06/09 Prime Plaza Inc. \$ 50,000
- 1/12/10 Confusion Records \$ 6,000
- 2/3/10 Centered, LLC \$ 14,000
- 12/1/10 Casper's on Park \$ 10,000
- 12/15/10 Hot Pot Restaurant \$ 50,000

Community Redevelopment Agency

Budget Review
September 21, 2011

Proposed Budget FY 2012

Revenue
Values and Tax Increments
Expenditures



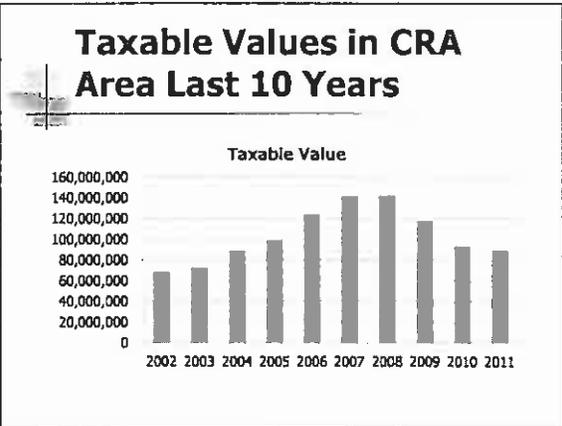
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- Tax Increment 32,144,911

- Tax Increment Funds? How are they determined?

TIF Calculation Continued...

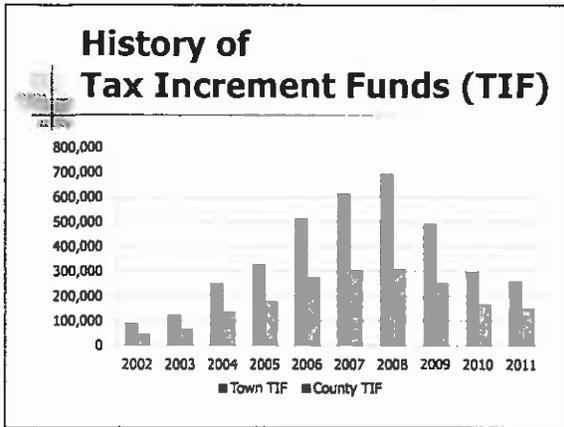
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 1,000
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- Mult. by 95% x .95
- = Value of 1 Mill 30,538
- x Tax Rate (Millage Rate) x 8.5163
- Tax Increment Funds (TIF) 260,070



Comparison of Values	
2010 Value	\$ 92,402,211
2011 Value	\$ 88,215,665
Decrease	\$ 4,186,546
4.5% Decrease in Taxable Value	

Revenue	
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TOTAL	460,950	408,620	(52,330)	-11.4%



Expenditures

- ### Expenditures
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 - Shared positions with General Fund:
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 - Recreation Director 50%
 - Comm. Dev. Director 20%
 - Planner 10%
 - Code Comp. Officer 10%

Expenditures – continued...

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▪ Lobbyist – 50%	
▪ Contractual Services	\$104,020
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▪ Holiday Decorations	
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▪ Telvue Bulletin Board for Ch. 18	

Expenditures – continued...

▪ Contract Services PBSO	\$ 112,350
▪ Cost of One Deputy for Downtown	
▪ Administrative Fee to General Fund	\$ 72,050
▪ Repair & Maintenance	\$ 5,000
▪ Repairs of Downtown Infrastructure	

Expenditures – continued...

▪ Printing	\$ 3,000
▪ Newsletters	
▪ Promotional Activity	\$ 1,500
▪ Tree Lighting Festival	

Expenditures – continued...	
■ Operating Expenses	\$ 2,000
■ Street Light Replacements	
■ Paver Repairs	
■ Holiday Lights and Decorations	
■ Memberships & Dues	\$ 2,510
■ Business Development Board	
■ NPB Chamber of Commerce	
■ FL Redevelopment Association	
■ State of FL Annual Fee	

Other	
■ Trans. to General Fund	\$ 84,250
■ One Deputy In General Fund Contract	
■ Trans. To Gen. Fd. – ILA 08	\$ 169,575
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Other – continued...	
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Capital Improvements

NONE

Programs

- Currently in Negotiations with Anchor restaurant on Park Avenue
 - \$40,000 Grant

Board Member Comments

JONES
FOSTER
JOHNSTON
& STUBBS, P.A.

Attorneys and Counselors

Memo

To: CRA Board of Commissioners
From: Thomas J. Baird, Town Attorney
Date: September 21, 2011
Subject: Delinquent TIF

Commissioner Rumsey has requested that I respond to his question of whether the CRA Board can accept less than the full amount of the tax increments owed to it by the Town? A second question he posed was whether the current terms of the Town's repayment of the TIF to the CRA may be modified or re-structured. The short answer to both questions is: Yes

1. Once it was determined by the Town Manager that the Town had failed to pay to the CRA the tax increments due from 2000-2007, the Commission decided that it would repay the CRA the total amount of the delinquent increment, which includes: \$1,390,019 for tax increments, \$371,153 for interest and \$69,501 in penalties. This amount was based on Fla. Stat. §163.387(2)(b) which states:

Any taxing authority that does not pay the increment revenues to the trust fund ... shall pay to the trust fund an amount equal to 5% of the amount of the increment revenues [as penalty] and ... interest on the ... unpaid increment revenues equal to 1% for each month the increment is outstanding, provided the agency may waive such penalty ...

The obvious intent is to give CRA's a statutory remedy to collect the increment due from any taxing authority who does not pay it. While unlikely, it is possible that a taxing authority who did not pay the increment, or who disputed the amount of the increment due would leave a CRA with no choice to recover the amount due by filing suit to recover the increment. In such case, as in all cases, the parties to a litigation may elect to settle the dispute by compromising. The CRA and the delinquent taxing authority could then enter into a Settlement or other agreement regarding the amount of the repayment.

2. This same principal of entering into an agreement can be applied in this instance, regardless of whether there is threatened or actual litigation to enforce the statute. In other words, given that the CRA and Town are separate legal entities there is no legal impediment to the two entities agreeing to the terms of the repayment of the TIF. Because both parties are governmental entities the use of an Interlocal Agreement is a potential vehicle for agreeing to a repayment plan. . In this scenario, the CRA could agree that some or all of the TIF due to it be forgiven, or reduced, with the terms of the repayment expressed in the Interlocal Agreement. I am also aware of Interlocal Agreements between municipalities and CRA being used to loan one governmental entity funds. In fact, the Town and CRA currently have such an arrangement related to the alleyway improvements. The amount of the Town's debt could also be converted to a loan from the CRA to the Town with the amount due set forth in a payment plan.

CONCLUSION

Although Fla. Stat. §163.387 provides CRAs a remedy to collect delinquent tax increments, ultimately it is up to the CRA Board as to how to exercise that authority, and to what extent. From a legal perspective, there are no cases or Attorney General Opinion which express a contrary opinion. There are several reasonable choices for the Board to choose from, including the reduction of the payments the Town previously agreed to make. In some ways, the most reasonable choice, if the Board chooses to "forgive" some portion of the \$1.8+ million due would be to require only the repayment of the principal. Should the Board choose to do so the debt would be reduced by \$440,654 as this is the amount of the interest and penalty. The Board should be aware that any reduction in the current repayment schedule currently in place will have an effect on the CRA budget. Consequently, the Board may want to request that the Executive Director present it with the financial ramifications to its budget based on the amount, if any the Board agrees to forgive." Alternatively, the Board could choose to reduce this year's payment, extend the years of payment, or some variation of the two.

S-EGM PROPERTIES

RE: Jennifer Spicer

I have worked here in Lake Park for 3 years and lived here for 6. I see numerous activities taking place and I guess in the back of my mind I thought magic put it together. It was not until lately that I was able to see how that magic worked. Just recently I did a project for the Friends of the Lake Park Library and Jennifer came into the scene to create her magic. She knows every business in this town, the owners, the staff and their business concerns. She is able to pull resources from one business to help with efforts needed from another. Jennifer works behind the scene to bring new businesses to Lake Park in an everyday proactive role. If you have a concern about an opportunity, she is there to sort out any problems she can to the best of her knowledge. If she does not have the answer, she will direct you to the right source.

I know her position and salary are on the line and I can truly say as a town we need to try every means possible to keep her on staff. First of all it would take a new person, years to make the contacts she has secured in her period with Lake Park. Secondly, we need someone in that position or else we will never grow to be the town we want to be. Lastly, a new person would cost as much as her salary and not carry with it the history she has with the businesses here in Lake Park and North Palm. I am wondering how we cannot afford to keep her. I am asking you please; take a really long, hard and positive look at what she does before you decide to void her position.

Thank you for your consideration.

Sarah Mozley
Finance Manager
S-EGM Properties

SIGNS OF PROGRESS
126 10TH STREET
LAKE PARK, FL 33403
561-845-0080

September 21, 2011

Town of Lake Park
650 Park Ave.
Lake Park, FL 33403

To Town of Lake Park Council Members:

As a property and business owner in Lake Park, I am writing this letter to you let you know my feelings on the CRA located within the community. I feel that the CRA should remain in place so that as the economy gets better there is already an established liason to work with the business / property owner(s) and the town directly.

The communication between myself and your staff at the CRA office has been rewarding. It is nice to be able to call or walk into the office and get answers to some basic questions.

I personally like the fact that CRA is creating events to create a positive atmosphere for business owners like myself within the town. I was personally was involved in coordinating a motorcycle event.

I feel this division will help promote the future growth in Lake Park.

Bill Davison

Signs of Progress, Inc.
126 10th Street
Lake Park, FL 33403
561-845-0080

TAB 3



CRA
Agenda Request Form

Meeting Date: November 2, 2011

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 type="checkbox"/> | General Approval of Item | <input checked="" type="checkbox"/> | Consent |
| <input type="checkbox"/> | Presentation | <input type="checkbox"/> | Other |

SUBJECT: Third Addendum to the Law Enforcement Service Agreement

RECOMMENDED MOTION/ACTION: Approve

Approved by Executive Director *W. G. Davis* Date: *10/24/11*

Prepared By: Executive Director	Costs: \$65,530 Funding Source: Contract PBC Sheriff Acct. #110-55-552-520-34010	Attachments: Addendum, Agreement
---	--	--

Summary Explanation/Background: The CRA Board voted to hire two Palm Beach County Sheriff's Office deputies to patrol the CRA in March 2009. The annual term of the contract is May 1 through April 30. The Contract was renewed by the Board on April 6, 2011 in the amount of \$224,675 for the period of May 1, 2011 through April 30, 2012. Due to budgetary concerns, the Board voted to reduce the contract from two deputies to one effective October 1, 2011. The attached addendum reflects the change in coverage and covers the period from October 1, 2001 through April 30, 2012.



**CRA
Agenda Request Form**

Meeting Date: November 2, 2011

Agenda Item No.

- | | | | |
|--------------------------|-----------------------------|-------------------------------------|----------------|
| <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 |
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RECOMMENDED MOTION/ACTION: Approve

Approved by Executive Director _____ Date: _____

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JDB 10-26-11

THIRD ADDENDUM TO THE LAW ENFORCEMENT SERVICE AGREEMENT
SHERIFF RIC L. BRADSHAW AND LAKE PARK COMMUNITY REDEVELOPMENT AGENCY

This Third Addendum to the Law Enforcement Service Agreement is made by and between Lake Park Community Redevelopment Agency (hereinafter referred to as "Lake Park CRA"), a public body corporate and politic, duly created and operated pursuant to Chapter 163, Part III, Florida Statutes, located in Palm Beach County, and Ric L. Bradshaw, Sheriff of Palm Beach County, Florida (hereinafter referred to as "Sheriff"). Lake Park CRA and the Sheriff shall hereinafter be referred to as the "Parties."

WHEREAS, the Parties executed a Law Enforcement Service Agreement effective May 01, 2009, a First Addendum effective May 01, 2010, and a Second Addendum effective May 01, 2011, (the "Agreement"), by which the Sheriff agreed to perform law enforcement services; and

WHEREAS, the Parties wish to adjust the level of service by eliminating the service of 1 deputy sheriff.

NOW, THEREFORE, in consideration of the mutual covenants herein contained the receipt and sufficiency of which are hereby acknowledged, it is agreed upon as follows:

1. Section 1 of the Agreement is amended to reflect a decrease in the number of hours of service to forty (40) hours per week for the remainder of the term of this Agreement, that being October 01, 2011 through April 30, 2012.
2. Section 3 of the Agreement is amended as to the required level of service to no less than forty (40) hours per week, or 8 hours per day, five days per week.
3. Section 5 of the Agreement is amended as to the cost as follows: The total cost of personnel and equipment for the contracted forty (40) hours per week for this term shall be \$65,530.00. Monthly payments shall be \$9,361.43. The last monthly payment shall be \$9,361.42.
4. In all other respects and unless otherwise stated, the terms and conditions of the Agreement shall continue unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed the Addendum to the Agreement as of the last date all signatures below are affixed.

PALM BEACH COUNTY SHERIFF'S OFFICE

**LAKE PARK COMMUNITY
REDEVELOPMENT AGENCY**

BY: _____
Ric L. Bradshaw, Sheriff

BY: _____

Title: Sheriff

Print Name: _____

Title: _____

Witness: _____
Daniel R. Smith, Major

Witness: _____

DATE: _____

DATE: _____

**SECOND ADDENDUM TO THE LAW ENFORCEMENT SERVICE AGREEMENT
SHERIFF RIC L. BRADSHAW AND LAKE PARK COMMUNITY REDEVELOPMENT AGENCY**

This Second Addendum to the Law Enforcement Service Agreement is made by and between Lake Park Community Redevelopment Agency (hereinafter referred to as "Lake Park CRA"), a public body corporate and politic, duly created and operated pursuant to Chapter 163, Part III, Florida Statutes, located in Palm Beach County, and Ric L. Bradshaw, Sheriff of Palm Beach County, Florida (hereinafter referred to as "Sheriff"). Lake Park CRA and the Sheriff shall hereinafter be referred to as the "Parties."

WHEREAS, the Parties executed a Law Enforcement Service Agreement effective May 01, 2009, and a First Addendum effective May 01, 2010, (the "Agreement"), by which the Sheriff agreed to perform law enforcement services; and

WHEREAS, the Parties wish to renew said Agreement for an additional twelve (12) months, effective May 01, 2011.

NOW, THEREFORE, in consideration of the mutual covenants herein contained the receipt and sufficiency of which are hereby acknowledged, it is agreed upon as follows:

1. In accordance with Section 5 of the Law Enforcement Service Agreement, the Parties have agreed to renew the Agreement for an additional twelve (12) month term. The term of this renewal is May 01, 2011 through April 30, 2012.
2. Section 5 of the Law Enforcement Service Agreement is amended as to the cost as follows: The total cost of personnel and equipment shall be \$224,675.00. Monthly payments shall be \$18,722.92. The last monthly payment shall be \$18,722.88.
3. In all other respects and unless otherwise stated, the terms and conditions of the Agreement shall continue unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed the Addendum to the Agreement as of the last date all signatures below are affixed.

PALM BEACH COUNTY SHERIFF'S OFFICE

**LAKE PARK COMMUNITY
REDEVELOPMENT AGENCY**

BY: [Signature]
Ric L. Bradshaw, Sheriff

BY: [Signature]

Title: Sheriff

Print Name: Kendall Remy

Title: Vice-Mayor

Witness: [Signature]
Daniel R. Smith, Major

Witness: [Signature]

DATE: 4/18/11

DATE: April 6, 2011



**FIRST ADDENDUM TO THE LAW ENFORCEMENT SERVICE AGREEMENT
SHERIFF RIC L. BRADSHAW AND LAKE PARK COMMUNITY REDEVELOPMENT AGENCY**

This First Addendum to the Law Enforcement Service Agreement is made by and between Lake Park Community Redevelopment Agency (hereinafter referred to as "Lake Park CRA"), a public body corporate and politic, duly created and operated pursuant to Chapter 163, Part III, Florida Statutes, located in Palm Beach County, and Ric L. Bradshaw, Sheriff of Palm Beach County, Florida (hereinafter referred to as "Sheriff"). Lake Park CRA and the Sheriff shall hereinafter be referred to as the "Parties."

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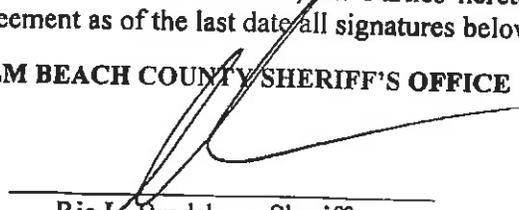
WHEREAS, the Parties wish to renew said Agreement for an additional twelve (12) months, effective May 01, 2010.

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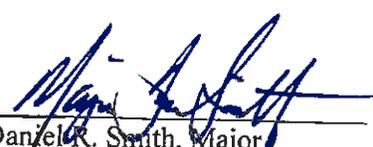
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2. Section 5 of the Law Enforcement Service Agreement is amended as to the cost as follows: The total cost of personnel and equipment shall be \$224,675.00. Monthly payments shall be \$18,722.92. The last monthly payment shall be \$18,722.88.
3. In all other respects, the terms and conditions of the Agreement shall continue unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed the Addendum to the Agreement as of the last date all signatures below are affixed.

PALM BEACH COUNTY SHERIFF'S OFFICE

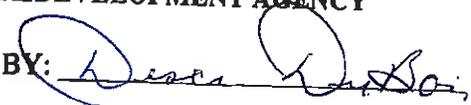
BY: 
Ric L. Bradshaw, Sheriff

Title: Sheriff

Witness: 
Daniel R. Smith, Major

DATE: 3/30/10

**LAKE PARK COMMUNITY
REDEVELOPMENT AGENCY**

BY: 
Desca DuBois

Print Name: Desca DuBois

Title: Mayor

Witness: 
Vin Lerly

DATE: 3/17/2010

LAW ENFORCEMENT SERVICE AGREEMENT

This Agreement was made and entered into on the 26th day of MARCH, 2009, between Ric L. Bradshaw, Sheriff of Palm Beach County, Florida, hereinafter referred to as the Sheriff, and Lake Park Community Redevelopment Agency, a public body corporate and politic, duly created and operated pursuant to Chapter 163, Part III, Florida Statutes, located in Palm Beach County, Florida hereinafter referred to as Lake Park CRA.

Whereas, the Lake Park CRA, pursuant to its authority as provided in Section 163.370, Florida Statutes, wishes to contract with the Sheriff for performance of law enforcement / security services and related functions within its boundaries in Palm Beach County, Florida, and the Sheriff is agreeable to rendering these services on the terms and conditions hereafter set forth:

1. In entering into this Agreement, it is Lake Park CRA intent to contract for the service of two deputy sheriff's within the boundaries of the Lake Park CRA for 80 hours per week. The purpose of doing so is to have a high profile patrol specifically dedicated to the area encompassed by the boundaries of the Lake Park CRA to promote a higher degree of protection and security for the property, residents, businesses, and visitors within the boundaries of the Lake Park CRA. The Lake Park CRA shall provide an outline of specific problems to be addressed by the Sheriff and services desired to be performed by the Sheriff, which when reviewed and accepted by the Sheriff shall become the operating profile of this Agreement.
2. The Sheriff shall provide law enforcement/security services within the geographical area which comprises the Lake Park CRA. The Sheriff shall exercise the authority granted to him by the laws of the State of Florida and as prescribed by the Florida Constitution, Florida Statute Chapter 30 and Florida Statute Chapter 316, and as further outlined under the codes of Palm Beach County and the Town of Lake Park.
3. In order to perform these services, the Sheriff shall furnish and supply all necessary labor, supervision, equipment and supplies necessary to maintain the services rendered. The activities of deputies assigned to perform services, pursuant to this Agreement, shall be reported and documented and records will be maintained as required by the Sheriff's Office and Florida State Statutes. The rendition of services, standards of performance, discipline and other matters incident to the performance of such services and the control of personnel employed shall be within the sole discretion of the Sheriff consistent with the operating profile referenced hereinabove.

In the event of a dispute between the parties as to the extent of the duties and functions rendered hereunder, the final determination shall be made by the Sheriff. The Sheriff shall be required, pursuant to this Agreement, to provide services of no less than 80 hours per week or 16 hours per day, five days per week. Additional hours per week will be secured through PBSO Extra-Duty Permit agreements at the then current extra-duty permit hourly rate. Specific duty hours and days of service will vary depending on assessed need, and they will be

adjusted by agreement between the liaison representing Lake Park CRA and the Captain of District 10 of the Sheriff's Office.

4. Persons employed in the performance of services provided are employees of the Sheriff and not employees of Lake Park CRA. As such they receive all benefits, compensation, training and promotions from the Sheriff.
5. The initial term of this Agreement shall be 12 months, beginning May 1, 2009 and ending on April 30, 2010. This Agreement may be renewed by the parties, subject to computation of cost at the time of renewal and a written Amendment extending the term.

Total cost of personnel and equipment, for the contracted 80 hours/week, during the initial term of the Agreement shall be \$215,000. Monthly payments shall be in the amount of \$17,916.67. The last (12th) month's payment shall be \$17,916.63. Said amount shall be paid in advance and received by the Sheriff by the 25th day of the month preceding the month for which the payment is due. If payment is not received by the last day of the month for which it is due, the Agreement shall be in default and the Sheriff shall provide written notice of same and shall give the Lake Park CRA five days to cure the default before terminating the Agreement for non-payment.

Additional hours secured through extra-duty permits will be billed separately through the Extra-duty permits office.

6. This Agreement may be cancelled by either party for any reason providing the canceling party gives the other party 60 days advance written notice.
7. This Agreement may be modified only if such modification is in writing and signed by both parties.
8. All notices and the exchange of information by and between the parties to this Agreement shall be as follows:
 - A. The authorized representative for Lake Park CRA shall be its Executive Director Davis, at (561) 881-3304, 535 Park Avenue, Lake Park, Florida 33403.
 - B. The authorized representative of the Sheriff is the Major of Agency Operations, Palm Beach County Sheriff's Office (561) 688-3188, 3228 Gun Club Road, West Palm Beach, Florida 33406, or his/her successor.
9. To the extent permitted by law, and without waiving any constitutional or statutory sovereign immunity protections, the Sheriff shall indemnify and hold harmless Lake Park CRA against any actions, claims or damages which may arise out of the negligence and/or intentional act of the Sheriff, his deputies, agents, and employees in furtherance of this Agreement and in the course and scope of his/her employment. Lake Park CRA shall indemnify and hold harmless the Sheriff, his

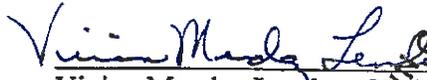
deputies, agents, and employees against any actions, claims or damages arising out of Lake Park CRA, and its officers' and agents' negligence and/or intentional acts in connection with the services provided under this Agreement.

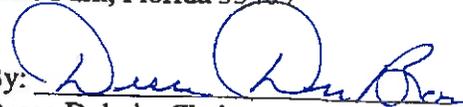
10. This Agreement shall not be assigned.
11. If a party to this Agreement intends to provide any publicity, public relations, advertisements or signs with respect to any activities conducted in association with this Agreement, the party intending to publicize the activity shall obtain the other party's approval of the materials being used to advertise the activity prior to the materials being posted.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year first written above.

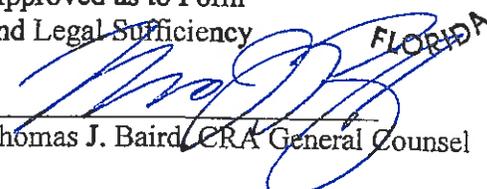
Lake Park Community
Redevelopment Agency
535 Park Avenue
Lake Park, Florida 33403

ATTEST


Vivian Mendez Lemley, Clerk

By: 
Desca Dubois, Chair

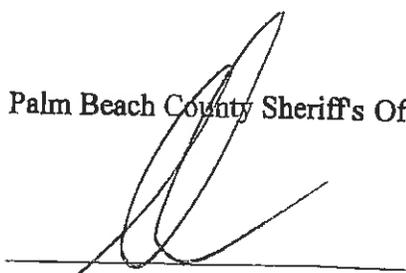
Approved as to Form
and Legal Sufficiency


Thomas J. Baird, CRA General Counsel

ATTEST:

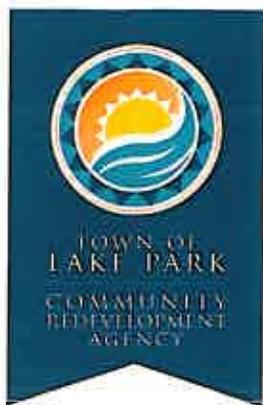

Michael Veccia, Major

Palm Beach County Sheriff's Office


Ric L. Bradshaw, Sheriff

Discussion And Possible Action

TAB 4



**CRA
Agenda Request Form**

Meeting Date: **November 2, 2011**

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: Grant for Don Ramon's Baja Grill Cantina & Tequila Bar

RECOMMENDED MOTION/ACTION: Approval

Approved by Executive Director *W. G. Davis* Date: *10/28/11*

<p>Prepared By: Nadia Di Tommaso, <i>Community Development Director</i></p>	<p>Costs: \$40,000 Funding Source: CRA Grant Fund Acct. #</p>	<p>Attachments: Grant Application</p>
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Summary Explanation/Background: Don Ramon's Baja Grill Cantina & Tequila Bar has filed an application with the CRA requesting a Grant for \$40,000. The purpose of this grant is to help establish a new Cuban/Mex restaurant along Park Avenue in the Town of Lake Park. The new restaurant will create ten (10) job opportunities in our Town. The job opportunities are described in the attached business plan. Mr. Juan J. Rubio, business owner with more than 20 years of experience in the restaurant business, has chosen Lake Park to establish this new concept as a spin-off to the well-renowned Don Ramon Restaurant. Jennifer Spicer, Economic Development Director, has been in communication with Don Ramon for well over two years and has been working with him very closely throughout the course of this year. Staff feels this is a great opportunity for the Downtown as it will serve as an anchor to attract other businesses. Staff has reviewed the request and recommends approval.



REQUIRED DOCUMENTATION CHECKLIST

- LETTER STATING PURPOSE FOR LOAN/GRANT
- RESUME S (for all involved)
- REFERENCES (3) (Professional creditors and/or vendors references preferred)
- REFERENCES PERSONAL (3) (friends, customers, etc)
- ZONING COMPLIANCE LETTER (from Community Development Department)
- PROFORMA (minimum 3 year carry out)
- BUSINESS PLAN FOR PROPOSED BUSINESS
- MARKETING PLAN FOR PROPOSED BUSINESS
- N/A COPIES OF EXPENDITURES TO DATE (IF APPLICABLE)
- N/A ASSET LIST
- LEASE OR LETTER OF INTENT TO RENT FROM LANDLORD (if renting)
- N/A PROPERTY DEED (if property owner)
- N/A COPY OF MENU (Restaurants only)

EXISTING BUSINESS REQUIREMENTS

- (2) MOST CURRENT FEDERAL TAX RETURNS (**existing** business only)
- COPY OF CURRENT BUSINESS ENTITY CERTIFICATE FROM FL. DEPT. OF STATE
- CERTIFICATE OF FICTITIOUS NAME FROM FL. DEPT. OF STATE (If required)
- COPY OF CURRENT PALM BEACH COUNTY OCCUPATIONAL LICENSE
- COPY OF CURRENT TOWN OF LAKE PARK OCCUPATIONAL LICENSE

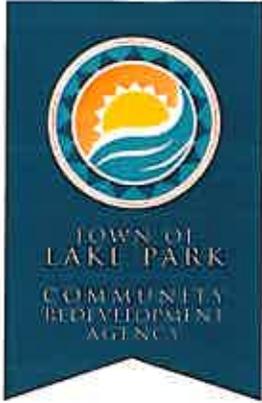


Jennifer Spicer – Economic Development Director



DATE





TOWN OF LAKE PARK
Community Redevelopment Agency (CRA)

BUSINESS DEVELOPMENT
LOAN OR GRANT
APPLICATION FORM

Application Date: 08-11-11

Amount requested: Loan: \$ N/A Grant: \$40,000

Total Project Cost: \$140,000

Applicants Name: Juan J. Rubio Title: Business Owner
Applicants Address: 3701 S. Flagler Drive WPB. FL 33405
Telephone: (561) 346-6050 Fax: _____
Email: jjrubio1963@yahoo.com
Location of the business: 933 Park Avenue Lake Park FL 33403
Property Control Number: 36-43-42-20-01-003-0310
Name of the Business: Don Ramon's Baja Grill Cantina & Tequila Bar
Business Federal ID# (not yet applicable) or SS# On File
Type of Ownership (circle): Corporation Sole Proprietorship LLC Other _____
(In progress, final registration contingent on approvals)
Mailing Address of Business: 933 Park Avenue Lake Park FL 33403
Business Contact Person: Juan J. Rubio
Telephone: (561) 346- 6050 Fax: _____

Proposed Business Development Activity

To establish a new Cuban/Mex restaurant in the Downtown Park Avenue

Please see attached documentation for further details.

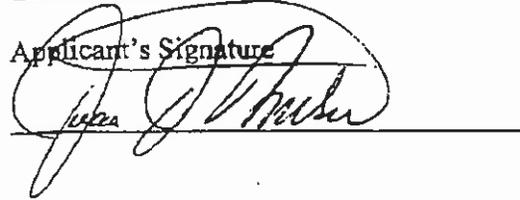
Town of Lake Park, Florida, Community Redevelopment Agency

NOTE: A copy of your Proposed or Executed Lease is REQUIRED.

Applicant Name (Printed)

Juan J. Rubio

Applicant's Signature



A handwritten signature in black ink, appearing to read 'Juan J. Rubio', is written over a horizontal line.

Date: 8/11/11

Name of Site Owner of Record

JPL Properties
933 Park Avenue
Lake Park, FL 33403

Town of Lake Park CRA Signature

Date: _____



Don Ramon's

**BAJA GRILL
CANTINA & TEQUILA BAR**

933 PARK AVENUE
LAKE PARK, FLORIDA 33403

The purpose for the grant is to help establish this new Cuban/Mex restaurant in the Town of Lake Park. This will create (10) job opportunities in our town. As a Restaurateur, I will be assisting the Town of Lake Park CRA, in increasing traffic and economy.

As a current business owner in Florida, this will also benefit me in my current restaurants and business reputation. This grant will assist with the expenses for the interior and exterior of the restaurant. I am looking forward to expand and assist the Town in making Park Avenue a friendly and welcoming environment for all age groups. As a successful business owner, I am fully confident that this new restaurant will be beneficial to the town and its goals.

Juan J. Rubio

3701 S. Flagler Drive
West Palm Beach, FL 33405
Cell: (561)346-6050

QUALIFICATIONS:

Over 20 years of experience in Restaurant administration.

EXPERIENCE:

1992-1998	Restaurant owner (Don Ramon)	Palm Beach Gardens, FL
1998-2011	Restaurant owner (Don Ramon)	Dixie Hwy, FL
2000-2004	Bakery Owner	
2001-2008	Restaurant owner (Don Ramon)	Jupiter, FL

SKILLS:

Business Management

LANGUAGE

Bilingual

REFERENCES

References are available upon request

Don Ramon's

BAJA GRILL
CANTINA & TEQUILA BAR

933 PARK AVENUE
LAKE PARK, FLORIDA 33403

CREDITORS- BANK REFERENCES

- ❖ INTERAMERICAN BANK- Contact # (561) 396-5357
Contact name: Business Account Representative- Nivaldo Vazquez
Comments: Mr. Vazquez verified that Mr. Rubio has been had a 25 yr relationship with Interamerican Bank, he also included that there have never been any concerns or negative comments pertaining Mr. Rubio's business transactions and relationship with the bank institution.

- ❖ SYSCO FOOD- Contact # (561) 379-6622
Contact name: Account representative- Alex Pabon
Comments: Mr. Pabon verified that Mr. Rubio has been doing business with Sysco for over 20 yrs. There have not been any insufficient funds checks or late payments. Mr. Rubio's credit status has been excellent, and his balances have been paid prior to the due date.

- ❖ CBI- Cheney Bros- Contact # (561) 309-6428
Contact name: Sales representative Alma Huatzin
Comments: Mr. Rubio has been doing business with CBI for over 5 years, Ms. Huatzin has verified that the business relationship has been excellent. And currently continue to be in good standings.

PERSONAL REFERENCES

1. Abe Szmukler- Contact # (561) 596-5334 - Known for 25 years.
Comments: Not available

2. Patrick Schneider- Contact # (561) 543-6511 - Known for over 10 years.
Comments: He has been Juan Rubio's, personal friend, customer and electrical contractor for over 10 yrs. He described Juan Rubio as an honest, personable and a loyal individual.

3. Francisco Muñoz- Contact # (786) 306-3933 - Known for 25 years.
Comments: He's known Mr. Juan Rubio for over 25 yrs. He only had great things to say on a personal level and business as well. He described Mr. Rubio as a humble, positive, serious business and family oriented individual.





The Town of Lake Park
Community Development Department

August 18, 2011

Mr. Juan J. Rubio
933 Park Avenue
Lake Park, FL 33403

Re: Restaurant and Retail Ice-Cream Shop

Mr. Juan J. Rubio:

The Town has reviewed the Zoning and Land Use designations for 933 Park Avenue. The subject property is located in the Park Avenue Development District (PADD) with a Downtown Land Use.

The Restaurant and Retail Ice-Cream Shop is consistent with the Town's Zoning and Land Use designations.

Do not hesitate to contact me at 881-3319 should you have any further questions.

Sincerely,

Nadia Di Tommaso
Director, *Community Development Department*

Don Ramon's
Baja Grill Cantina
& Tequila Bar

933 PARK AVENUE
LAKE PARK, FLORIDA 33403

BUSINESS PLAN

Menu Contents
Serving Lunch & Dinner

- Soups
- Stews
- Vegetables
- Meats
- Seafood
- Full Liquor Bar

Staffing (10)

- Restaurant Manager
- Assistant Manager
- Bartender
- Chef
- Assistant to Chef
- Dishwasher
- (4) Servers

Seating

- 20 Tables
- 80 Seating
- Hispanic Music

Hours of Operation

- 7 days a week
- 11:00- 9:00
- ❖ Schedule is subject to change to remain open to later hours

Price Point

- \$ 12.00 to \$20.00 pp

Don Ramon's

**BAJA GRILL
CANTINA & TEQUILA BAR**

933 PARK AVENUE
LAKE PARK, FLORIDA 33403

MARKETING PLAN

Don Ramon's Baja Grill Cantina & Tequila Bar Restaurant, will be the only restaurant in the surroundings, which focuses the entire menu on Cuban/Mex cooking. It will bring an unique concept to the Town of Lake Park and it's vicinities. I will be offering a complete menu full of exquisite dishes. Once they have tried the restaurant, their experience will be reinforced by friendly, efficient, knowledgeable service. Return and repeat business will be our goal and it will be accessible to take-out orders, outdoor dining and periodic live entertainment.

Competitive Strategy

There are four major ways in which we will create an advantage over our competitors:

- 1- Current business reputation
- 2- Quality and uniqueness
- 3- High employee motivation and good sales attitude
- 4- Family oriented environment

Marketing Strategy

- Signage
- Hand outs & coupons
- Mailers
- Menu tasting during Grand Opening
- Daily Specials
- Facebook
- Urban spoon ad
- Palm Beach Post
- Local merchants
- Word of Mouth
- Current restaurants will post flyer and menu
- Town of Lake Park CRA Web page
- CRA Newsletter

JPL PROPERTIES, INC.
 2934 WESTGATE AVENUE
 WEST PALM BEACH, FL 33409
 561-624-1936
 FAX 561-682-9887

LETTER OF INTENT

August 10, 2011

Lease of approximately 2350 square feet of restaurant space located at 933 Park Ave, Lake Park, FL 33403 between JPL Properties, Inc. and Juan J. Rubio d/b/a Baja Grill Cantina & Tequila Bar 3701 S. Flagler Drive, West Palm Beach, FL 33405

1. **Property.** The property is a retail strip center with an existing restaurant. Seller owns the equipment inside, and holds a lien against the equipment. Lessee has agreed to use the equipment of Dishwasher, Sinks and Ventilation hood. The Lessee will pay all intangible tax due on the equipment.

2. **Lease Amount.** One thousand Five Hundred dollars per month plus applicable Tax.

3. **Terms.** Lease is for a period of Five years, with 5% increases every year. Landlord will agree to negotiate 2 additional 5 year lease with Lessee.

4. **Expenses,** Landlord has agreed to replace the ceramic tile floor and grease trap. Landlord will abate rent for 120 upon open of restaurant. Lessee agrees to pay rent up till open and prorate if necessary and resume paying rent 120 after open date.

Lessee shall have five (5) days from the date of this letter to accept and return same to Purchaser. If not accepted and returned within said time period, this letter will cease to be of any further force and effect.

Very truly yours,

RECEIVED AND ACCEPTED THIS
 10 DAY OF August, 2011

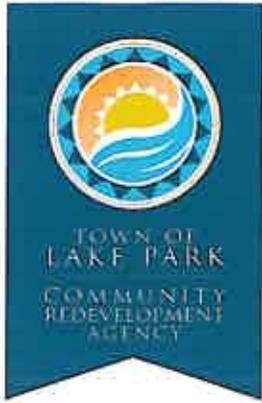
JPL Properties, Inc.

By: _____

Juan J Rubio

By: _____

TAB 5



**CRA
Agenda Request Form**

Meeting Date: _____

Agenda Item No. *Tab 5*

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

SUBJECT: CRA Overview

RECOMMENDED MOTION/ACTION: N/A

Staff Signature _____ **Date:** _____

Approved by Executive Director *[Signature]* **Date:** *10/24/11*

Prepared By: Executive Director	Costs: \$ Funding Source: Acct. #	Attachments:
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Summary Explanation/Background: At the request of the Vice Chair, staff will present an overview of the CRA and plans for the future.