

**POMPANO BEACH  
COMMUNITY REDEVELOPMENT AGENCY**

Meeting Date: June 21, 2016

Agenda Item 4

REQUESTED CRA BOARD ACTION:

Resolution(s)     Consideration     Approval     Other

SHORT TITLE OR MOTION: A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE STRATEGIC INVESTMENT PROGRAM (SIP) GRANT AGREEMENT BETWEEN THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND BENAVALOLA, LLC, RELATING TO THE PROPERTY LOCATED AT 2121 EAST ATLANTIC BOULEVARD (LA VERANDA); PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

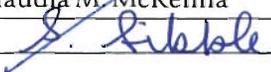
In April 2016, Resolution 2016-37 was approved by the CRA Board. This resolution approved the Strategic Investment Program Grant Agreement with BENAVALOLA, LLC doing business as La Veranda. After the insurance was provided by the grantee, CRA staff noticed an inadvertent error with the type of insurance required in the grant agreement. The First Amendment presented in this agenda item is to correct this error.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Pompano Beach CRA
- (2) Primary staff contact: Adriane Esteban, Project Manager Ext. 7841
- (3) Expiration of contract, if applicable: n/a
- (4) Fiscal impact and source of funding: No fiscal impact

<u>DEPARTMENTAL COORDINATION</u>	<u>DATE</u>	<u>DEPARTMENTAL RECOMMENDATION</u>	<u>AUTHORIZED SIGNATURE OR ATTACHED MEMO NUMBER</u>
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- CRA Executive Director
- CRA Attorney
- Finance Director

  
\_\_\_\_\_  
Claudia M. McKenna  
  
\_\_\_\_\_

ACTION PREVIOUSLY TAKEN BY CRA BOARD:

<u>Resolution</u>	<u>Consideration</u>	<u>Other:</u>
<u>Results:</u>	<u>Results:</u>	<u>Results:</u>
_____	_____	_____



P. O. Drawer 1300  
Pompano Beach, FL 33060

Phone: (954) 786-5535  
Fax: (954) 786-7836

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**COVERSHEET**

**Date: June 15, 2016**

**To: Pompano Beach CRA Board**

**From: Adriane Esteban, Project Manager**

**Subject: BENAVALOLA First Amendment Agenda Item**

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It is anticipated that the Grantee signature page of the First Amendment for this agenda item will be provided on or by Tuesday, June 21, 2016. If the CRA does not receive the Grantee signature page by the CRA Board meeting time, this agenda item will be pulled from the June 21, 2016, CRA Board agenda.



P. O. Drawer 1300  
Pompano Beach, FL 33061

Phone: (954) 786-5535  
Fax: (954) 786-7836

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**MEMORANDUM**

**Date:** June 21, 2016

**To:** Pompano Beach CRA Board

**From:** Adriane Esteban, Project Manager

**Subject:** First Amendment to SIP Grant Agreement with La Veranda

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In April 2016, the CRA Board approved the Strategic Investment Program (SIP) Grant Agreement with BENAVALOLA, LLC d/b/a La Veranda per Resolution 2016-37 for the improvement of the property located at 2121 East Atlantic Boulevard. After the approval of this grant agreement when the grantee submitted the required paperwork to set up a purchase order, CRA staff noticed that the insurance requirement in the grant agreement contained an inadvertent error. The grant agreement should require general liability insurance, not public liability insurance. The Risk Management department has approved general liability insurance for every other grantee of the CRA's programs. To correct this error, a First Amendment to the SIP Grant Agreement for BENAVALOLA, LLC is being presented to the CRA Board for approval.

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RESOLUTION NO. \_\_\_\_\_

**POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY**

**A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE STRATEGIC INVESTMENT PROGRAM (SIP) GRANT AGREEMENT BETWEEN THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND BENAVALOLA, LLC, RELATING TO THE PROPERTY LOCATED AT 2121 EAST ATLANTIC BOULEVARD (LA VERANDA); PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY THAT:**

**SECTION 1.** The First Amendment to the Strategic Investment Program (SIP) Grant Agreement between the Pompano Beach Community Redevelopment Agency and Benavalola LLC, relating to the property (La Veranda) located at 2121 East Atlantic Boulevard (the First Amendment), a copy of which First Amendment is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

**SECTION 2.** The proper officials are hereby authorized to execute the First Amendment, together with such other documents as may be required to effectuate the First Amendment.

**SECTION 3.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of June, 2016.

\_\_\_\_\_  
**LAMAR FISHER, CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**MARGARET GALLAGHER, SECRETARY**

## **FIRST AMENDMENT**

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**THIS IS A FIRST AMENDMENT TO THE STRATEGIC INVESTMENT PROGRAM GRANT AGREEMENT** (the “Agreement”) dated the April 19, 2016, between:

**POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public body corporate and politic, whose address is 100 West Atlantic Boulevard, Pompano Beach, Florida (“CRA”)

and

**BENAVOLOLA LLC**, a Florida limited liability company with an address at 2121 East Atlantic Boulevard, Pompano Beach, Florida 33062 (“Grantee”)

**WHEREAS**, Paragraph 4.1.3 of the Agreement inadvertently requires the Grantee to provide “public” liability insurance instead of “general” liability insurance; and

**WHEREAS**, CRA and Grantee desire to amend Paragraph 4.1.3 of the Agreement to provide for “general” liability insurance.

**NOW, THEREFORE**, the parties agree as follows:

1. Each “WHEREAS” clause set forth above is true and correct and herein incorporated by this reference.

2. Paragraph 4.1.3 of the Agreement is amended to read as follows:

General Liability insurance annually in an amount not less than \$300,000 combined single limits per occurrence for bodily injury and property damage which lists the CRA as an additional insured.

3. In all other respects the Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands and seals the day and year written below.

**"CRA":**

Signed, Sealed and Witnessed  
In the Presence of:

**POMPANO BEACH COMMUNITY  
REDEVELOPMENT AGENCY**

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_  
Lamar Fisher, Chairman

\_\_\_\_\_  
Print Name: \_\_\_\_\_

ATTEST:  
\_\_\_\_\_  
Margaret Gallagher, Secretary

**EXECUTIVE DIRECTOR:**  
Redevelopment Management Associates, LLC  
a Florida limited liability company

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: MetroStrategies, Inc., a Florida corporation  
a managing member

\_\_\_\_\_

By: \_\_\_\_\_  
Kim Briesemeister, President

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by LAMAR FISHER as Chairman of the Pompano Beach Community Redevelopment Agency, who is personally known to me.

NOTARY'S SEAL:

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by MARGARET GALLAGHER, Secretary of the Pompano Beach Community Redevelopment Agency, who is personally known to me.

\_\_\_\_\_

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Kim Briesemeister, President of MetroStrategies, Inc., as Managing Member of Redevelopment Management Associates, LLC on behalf of the limited liability company. She is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

NOTARY'S SEAL:

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number

**"GRANTEE":**

Witnesses:

BENAVALOLA LLC, a Florida Limited Liability company

\_\_\_\_\_

By: \_\_\_\_\_  
Signature

\_\_\_\_\_

\_\_\_\_\_  
Typed, Stamped or Printed Name

\_\_\_\_\_  
Title

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by \_\_\_\_\_ as \_\_\_\_\_ of BENAVALOLA LLC on behalf of the company. He/She is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

NOTARY'S SEAL:

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF PENNSYLVANIA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number