

POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY

Meeting Date: March 20, 2018

Agenda Item 1

REQUESTED CRA BOARD ACTION:

Resolution(s) Consideration Approval Other

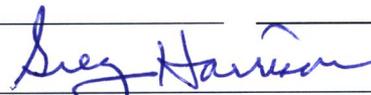
SHORT TITLE OR MOTION: A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A FIRST AMENDMENT TO SUBLEASE AGREEMENT BETWEEN THE CRA AND MN ENTERPRISES INC D/B/A LANDMARK PHOTOS AND PRINTS, RELATING TO PROPERTY LOCATED AT 731 DR. MARTIN LUTHER KING JR. BOULEVARD, UNIT E, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

In January 2018, the CRA Board approved a Sublease Agreement between the CRA and MN Enterprises Inc d/b/a/ Landmark Photos and Prints for Unit E in the 731 MLK Blvd. building. Before and after the sublease was approved, the CRA worked with Public Works to prepare the space for the new tenant. Some of the work required took a little longer to complete than anticipated. The tenant has requested and extension of the rental commencement date for an additional month. Staff is supportive of this request and is presenting the First Amendment for approval by the CRA Board.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Staff
- (2) Primary staff contact: Adriane Esteban Ext. 7841
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	AUTHORIZED SIGNATURE OR ATTACHED MEMO NUMBER
<input checked="" type="checkbox"/> CRA Executive Director			
<input checked="" type="checkbox"/> CRA Attorney			<u>Claudia M. McKenna</u>
<input checked="" type="checkbox"/> Finance Director			<u>A. Jean-Jane</u>

ACTION PREVIOUSLY TAKEN BY CRA BOARD:

Resolution Results:	Consideration Results:	Other Results:



P. O. Drawer 1300
Pompano Beach, FL 33060

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

MEMORANDUM

Date: March 20, 2018

To: Pompano Beach CRA Board

From: Adriane Esteban, Project Manager

Subject: 731 MLK Blvd. Unit E Sublease First Amendment- Landmark Photos and Prints

In January 2018, the CRA Board approved a Sublease Agreement between the CRA and MN Enterprises Inc d/b/a Landmark Photos and Prints (Landmark) for Unit E at the 731 Dr. Martin Luther King Jr. Boulevard building. This homegrown business wanted to expand from a photography studio to also providing photo and print services and was excited by the opportunity to do so right next door. Before and after the sublease was approved, CRA staff worked with the City Public Works department to clean up the space in preparation for Landmark to be able to occupy it. Some of the required work took a little longer than anticipated to complete, so the tenant has requested a one month extension of the rental commencement date. Staff is supportive of this request and recommends the First Amendment be executed to grant this additional time. The revised Rental Commencement Date will be May 1, 2018.

POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A FIRST AMENDMENT TO SUBLEASE AGREEMENT BETWEEN THE CRA AND MN ENTERPRISES INC D/B/A LANDMARK PHOTOS AND PRINTS, RELATING TO PROPERTY LOCATED AT 731 DR. MARTIN LUTHER KING JR. BOULEVARD, UNIT E, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The First Amendment to Sublease Agreement between the Pompano Beach Community Redevelopment Agency and MN Enterprises Inc d/b/a Landmark Photos and Prints, relating to the property located at 731 Dr. Martin Luther King Jr. Boulevard, Unit E, Pompano Beach, Florida (the First Amendment), 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 20th day of March, 2018.

LAMAR FISHER, CHAIRPERSON

ATTEST:

MARSHA CARMICHAEL, SECRETARY

FIRST AMENDMENT TO SUBLEASE AGREEMENT

THIS FIRST AMENDMENT TO SUBLEASE AGREEMENT is entered into on the _____ day of _____, 2018, by and between: **POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public body corporate and politic, whose address is 100 West Atlantic Boulevard, Pompano Beach, Florida (“CRA”), and **MN ENTERPRISES INC**, a Florida profit corporation, **D/B/A LANDMARK PHOTOS AND PRINTS**, whose address is 731 Dr. Martin Luther King Jr. Boulevard, Suite D, Pompano Beach, Florida 33060 (“Sublessee”).

WHEREAS, CRA entered into a Sublease Agreement with Sublessee for the use of Unit “E” located at 731 Dr. Martin Luther King Jr. Blvd., (“Original Sublease”), and approved by Resolution No. 2018-16.

WITNESSETH:

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. The Original Sublease shall remain in full force and effect except as specifically amended herein below.
3. Section 4.2 of the Sublease Agreement is amended to read as follows (added language is underlined and in bold, deleted language has a line through it):
 - 4.2 The “Rental Commencement Date” of this Sublease shall be on the first day of the month after ~~three (3)~~ **four (4)** months from the Effective Date. For example, if the Effective Date is January 18, 2018, then the Rental Commencement Date will be ~~May~~ **June** 1, 2018.

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first above written.

“CRA”:

Signed, Sealed and Witnessed
In the Presence of:

**POMPANO BEACH COMMUNITY
REDEVELOPMENT AGENCY**

By: _____
Lamar Fisher, Chairman

Print Name: _____

ATTEST:

Marsha Carmichael, Secretary

Print Name: _____

EXECUTIVE DIRECTOR:

By: _____

Print Name: _____

Print Name: _____

"SUBLESSEE":

Witnesses:

MN ENTERPRISES INC, a Florida profit corporation, D/B/A LANDMARK PHOTOS AND PRINTS

Adri Esteban
Print Name: Adriane Esteban

By: [Signature]
Print Name: Norman W Edwards

Kimberly VAZQUEZ
Print Name: [Signature]

Title: VP

Adri Esteban
Print Name: Adriane Esteban

By: [Signature]
Print Name: Mathias Thomas

[Signature]
Print Name: Kimbyly VAZQUEZ

Title: P.

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 15th day of March, 2018 by Norman W Edwards, as VP and by Mathias Thomas as President of MN ENTERPRISES INC D/B/A LANDMARK PHOTOS AND PRINTS, who is personally known to me or who have produced [Signature] (type of identification) as identification.

NOTARY'S SEAL:



Marsha Carmichael
NOTARY PUBLIC, STATE OF FLORIDA

Marsha Carmichael
Name of Acknowledger Typed, Printed or Stamped

GG 178633
Commission Number