

**POMPANO BEACH
COMMUNITY REDEVELOPMENT AGENCY**

8

Meeting Date: July 17, 2018

Agenda Item _____

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 THE LICENSE AGREEMENT BETWEEN THE CRA AND THE CITY OF POMPANO BEACH FOR THE USE OF THE COMMERCIAL KITCHEN AT THE E. PAT LARKINS COMMUNITY CENTER, 520 MLK JR. BOULEVARD, POMPANO BEACH, FLORIDA, FOR A CULINARY KITCHEN INCUBATOR PROGRAM; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

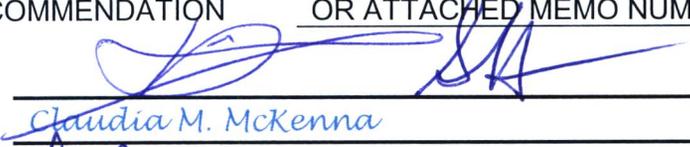
On July 28, 2017, the CRA and the City entered into a License Agreement for use of the commercial kitchen at the E. Pat Larkins Community Center for a culinary kitchen incubator program. The License Agreement provides for a one year term and two additional one year renewal terms.

This First Amendment to the License Agreement extends the original agreement for an additional one-year period. The First Amendment will be considered by the City Commission at its July 24 meeting.

Staff recommends Approval.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Staff
- (2) Primary staff contact: Nguyen Tran / Dahlia Baker Ext. 7866
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

<u>DEPARTMENTAL COORDINATION</u>	<u>DATE</u>	<u>DEPARTMENTAL RECOMMENDATION</u>	<u>AUTHORIZED SIGNATURE OR ATTACHED MEMO NUMBER</u>
<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-Pierre</u>

ACTION PREVIOUSLY TAKEN BY CRA BOARD:

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



P. O. Drawer 1300
Pompano Beach, FL 33061

Phone: (954) 545-7769
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MEMORANDUM

DATE: July 17, 2018

TO: Pompano Beach CRA Board

THRU: Gregory P. Harrison, Executive Director

FROM: Nguyen Tran, Northwest CRA Director
Dahlia Baker, Workforce Programs Director

SUBJECT: A First Amendment Agreement to extend the original agreement for one (1) additional one-year period to operate a Culinary Kitchen Incubator Program at the E. Pat Larkins Community Center

This item is regarding a first amendment agreement between the Pompano Beach Community Redevelopment Agency and the City of Pompano Beach for use of the commercial kitchen at the E. Pat Larkins Community Center, 520 MLK Jr. Boulevard, Pompano Beach, Florida, for a Culinary Kitchen Incubator Program.

The CITY and CRA have agreed to extend the original agreement for one (1) additional one-year period to use the existing kitchen at the E. Pat Larkins Community Center to support entrepreneurial programs and business endeavors that will create jobs and grow small businesses. The program is holistic in approach by creating self-sufficient businesses that impact individuals, their families, their community and the city as a whole.

The CRA Program will include culinary entrepreneurial business workshops, menu development, cooking, sanitation, hands-on cooking workshops, graduation, post-graduation technical assistance and access to the kitchen space for resident to grow their businesses. It will offer a shared workspace, equipment and business advice for small catering companies, food vendors, bakers and specialty-food makers. Many small entrepreneurs cannot secure funding for a full commercial kitchen, therefore this model provides an opportunity for culinary professional or individuals attempting to get into the culinary field to operate a food business legally out of a fully licensed commercial kitchen. The Culinary Incubator will be a workforce development tool for future talent with programs designed to get local kids excited about careers in the culinary industry. The facility will also operate as a commercial kitchen where food trucks and other food service providers can rent to prepare food.

The attraction and development of the culinary arts program further supports and promotes the city's concept of developing an innovation district with cross promotion and access to talent, education and business development opportunities.

Board approval of the first amendment agreement is requested at this time.



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Recommendation:
Staff Recommends Approval

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 THE LICENSE AGREEMENT BETWEEN THE CRA AND THE CITY OF POMPANO BEACH RELATING TO USE OF THE COMMERCIAL KITCHEN AT THE E. PAT LARKINS COMMUNITY CENTER, 520 MLK JR. BOULEVARD, POMPANO BEACH, FLORIDA, FOR A CULINARY KITCHEN INCUBATOR PROGRAM; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The first amendment to the License Agreement between the Pompano Beach Community Redevelopment Agency and the City of Pompano Beach relating to use of the commercial kitchen at the E. Pat Larkins Community Center, 520 MLK Jr. Boulevard, Pompano Beach, Florida, for a culinary kitchen incubator program (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 Agreement.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 17 day of July, 2018.

LAMAR FISHER, CHAIRPERSON

ATTEST:

MARSHA CARMICHAEL, SECRETARY

FIRST AMENDMENT

THIS IS A FIRST AMENDMENT TO THE AGREEMENT dated the _____ day of _____, 2018, between:

CITY OF POMPANO BEACH, a municipal corporation of the State of Florida, whose address is 100 West Atlantic Boulevard, Pompano Beach, Florida 33060, hereinafter referred to as "CITY,"

and

POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY, a public body corporate and politic created pursuant to Part III of Chapter 163, Florida Statutes hereinafter referred to as "Licensee" or "CRA," and whose address is 100 West Atlantic Boulevard, Room 276, Pompano Beach, Florida, 33060, hereinafter referred to as "LICENSEE."

WHEREAS, the parties entered into an agreement setting forth the duties and the obligations relating to the use of the E. Pat Larkins Community Center for the operation of a culinary incubator program on July 28, 2017, ("Original Agreement"), and approved by City Resolution No. 2017-308; and

WHEREAS, the CITY and LICENSEE have agreed to extend the Original Agreement for one (1) additional one-year period.

WITNESSETH:

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments herein set forth CITY and LICENSEE agree as follows:

1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.
2. The Original Agreement executed on July 28, 2017, shall remain in full force and effect except as specifically amended herein below.

3. The parties hereto agree to extend the original Agreement for one (1) additional one- year period, ending July 27, 2019.

4. This Agreement shall bind the parties and their respective executors, administrators, successors and assign and shall be fully effective as though the extension had been originally included in the Agreement.

THE REMAINDER OF THE PAGE IS INTENTIONALLY LEFT BLANK

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

“CITY”:

Witnesses:

CITY OF POMPANO BEACH

By: _____
LAMAR FISHER, MAYOR

By: _____
GREGORY P. HARRISON,
CITY MANAGER

Attest:

ASCELETA HAMMOND, CITY CLERK

(SEAL)

Approved As To Form:

MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by **LAMAR FISHER** as Mayor, **GREGORY P. HARRISON** as CITY Manager and **ASCELETA HAMMOND** as CITY Clerk of the CITY of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY’S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

Signed, Sealed and Witnessed
In the Presence of:

**POMPANO BEACH COMMUNITY
REDEVELOPMENT AGENCY**

Print Name: _____

By: _____
LAMAR FISHER, CHAIRMAN

Print Name: _____

ATTEST:

MARSHA CARMICHAEL, SECRETARY

Approved as to form

CLAUDIA M. MCKENNA, CRA ATTORNEY

EXECUTIVE DIRECTOR:

Print Name: _____

By: _____
GREGORY P. HARRISON

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2018 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 _____, 2018, by MARSHA CARMICHAEL, 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 _____, 2018, by GREGORY P HARRISON, as Executive Director 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