

EXHIBIT "B"

RESOLUTION NO. 2019-19

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY ("THE AGENCY") APPROVING THE FIRST MODIFICATION TO THE LEASE AGREEMENT BETWEEN THE AGENCY (THE "TENANT") AND ESTATE OF GUY HILL ("LANDLORD") FOR AN ADDITIONAL LEASE TERM OF ONE YEAR THROUGH OCTOBER 31, 2020, WITH A TENANT OPTION TO EXTEND THE TERM BY AN ADDITIONAL YEAR; PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, The Agency is responsible for carrying out community redevelopment activities and projects in the community redevelopment area of the City of Riviera Beach; and

WHEREAS, Guy Hill and Tenant entered into a Lease Agreement, dated October 21, 2014 (the "Lease"), described in Resolution No. 2014-53, executed on October 29, 2014, attached hereto as Exhibit "A"; and

WHEREAS, Guy Hill died on May 19, 2019, and Mary Hill was appointed as the Personal Representative of the Estate of Guy Hill; and

WHEREAS, the Lease provides for an initial lease term of five (5) years and

WHEREAS, the Lease provides an option to the Tenant, to extend the term of the Agreement for five years; and

WHEREAS, the Tenant and Landlord desire to modify the Lease and extend the term for one year through October 31, 2020 with a Tenant option to extend the term by an additional year.

NOW THEREFORE, in consideration of the premises and the mutual consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**SECTION 1.
AMENDMENTS.**

(a) Section 1.1 of the Lease is hereby amended and restated in its entirety as follows:

"1.1 Term. The term of this lease shall be renewed for one year commencing on November 1, 2019 and ending October 31, 2020, unless sooner terminated pursuant to any provision hereof with a Tenant option to extend the term for an additional year."

(b) Section 4.1 of the Lease is amended by substituting the schedule for Base Rent as follows:

November 1, 2019–October 31, 2020	\$61,264.00
November 1, 2020–October 31, 2021	\$62,489.00

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY THAT:

SECTION 1. The Community Redevelopment Agency hereby approves the attached First Modification to Lease Agreement Between the Estate of Guy Hill and the Riviera Beach Community Redevelopment Agency.

SECTION 2. The Executive Director and Chairperson of the Agency are directed to sign said First Modification to Lease Agreement between the Estate of Guy Hill and the Agency, attached as Exhibit "B."

SECTION 3. This resolution shall be effective immediately upon its adoption.

[Signatures on following page]

PASSED AND ADOPTED this 9th day of October 2019.

RIVIERA BEACH COMMUNITY
REDEVELOPMENT AGENCY

By: [Signature]
DR JULIA BOTEL
VICE CHAIRPERSON

ATTEST:

[Signature]
Executive Director

Approved as to form and legal sufficiency

[Signature]
J. Michael Haygood
Date 10/9/2019
J. Michael Haygood, PA
General Counsel to CRA

MOTION BY: T. McCoy

SECONDED BY: D. Lawson

P. BOTEL Aye
K. MILLER-ANDERSON Absent
T. MCCOY Aye
S. LANIER Aye
D. LAWSON Aye




RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY

2001 BROADWAY, SUITE 300
RIVIERA BEACH, FL 33404
PHONE: 561-844-3408
FAX: 561-881-8043
Website: www.rbcr.com

MEMORANDUM

TO: Honorable Chair and Members, CRA Board of Commissioners
City of Riviera Beach, Florida

FROM:  Scott Evans
Interim Executive Director, CRA

COPY: J. Michael Haygood, CRA Attorney

DATE: October 4, 2019

SUBJECT: A Resolution of the Board of Commissioners Approving the First Modification to a Lease Agreement for 4,439 Sq. Ft. of Office Space located at 1229 E. Blue Heron Boulevard, Riviera Beach, FL.

REQUEST FOR BOARD ACTION

The Agency is Requesting the Board of Commissioners to Approve a Resolution for the First Modification to the Lease Agreement for 4,439 Sq. Ft. of Office Space located at 1229 E. Blue Heron Boulevard, Riviera Beach, FL, for a term of one year through October 31, 2020, with a Tenant option to extend the term by an additional year.

BACKGROUND

Guy Hill and Tenant entered into a Lease Agreement, dated October 21, 2014 (the "Lease"), as described in Resolution No. 2014-53, executed on October 29, 2014. See Exhibit "A." Guy Hill died on May 19, 2019 and Mary Hill was appointed as the Personal Representative of the Estate of Guy Hill. The Lease provides for an initial lease term of five (5) years, which expires on October 31, 2019. Additionally, the Lease provides an option to the Tenant, to extend the term of the Agreement for five years. After much discussion and negotiation, the Tenant and Landlord desire to modify the Lease and extend the term for one year through October 31, 2020 with a Tenant option to extend the term by an additional year.

SUMMARY

The term of this lease shall be renewed for one year commencing on November 1, 2019 and ending October 31, 2020, unless sooner terminated pursuant to any provision thereof in the Lease with a Tenant option to extend the term for an additional year.

Section 1.1 (b) Section 4.1 of the Lease is amended by substituting the schedule for Base Rent as follows:

November 1, 2019–October 31, 2020	\$61,264.00
November 1, 2020–October 31, 2021	\$62,489.00

BUDGET

We have allocated sufficient funds in our FY 2020 Budget to cover this anticipated lease expense, if approved.

RECOMMENDATION

Staff recommends the Board of Commissioners to Approve a Resolution for the First Modification to the Lease Agreement for 4,439 Sq. Ft. of Office Space located at 1229 E. Blue Heron Boulevard, Riviera Beach, FL, for a term of one year through October 31, 2020, with a Tenant option to extend the term by an additional year.

SE:aj

**FIRST MODIFICATION TO LEASE AGREEMENT
BETWEEN
THE ESTATE OF GUY HILL
AND
RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY**

This **FIRST MODIFICATION TO LEASE AGREEMENT** between **RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY** (the “Tenant”) and **ESTATE OF GUY HILL** (“Landlord”), dated as of October 31, 2019 (the “Effective Date”).

RECITALS:

WHEREAS, Guy Hill and Tenant entered into a Lease Agreement, dated October 21, 2014 (the “Lease”); and

WHEREAS, Guy Hill died on May 19, 2019, and Mary Hill was appointed as the Personal Representative of the Estate of Guy Hill; and

WHEREAS, the Lease provides for an initial lease term of five (5) years; and

WHEREAS, the Lease provides an option to the Tenant, to extend the term of the Agreement for five years; and

WHEREAS, the Tenant and Landlord desire to modify the Lease and extend the term for one year through October 31, 2020 with a Tenant option to extend the term by an additional year.

NOW THEREFORE, in consideration of the premises and the mutual consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**SECTION 1.
AMENDMENTS.**

(a) Section 1.1 of the Lease is hereby amended and restated in its entirety as follows:

“**1.1 Term.** The term of this lease shall be renewed for one year commencing on November 1, 2019 and ending October 31, 2020, unless sooner terminated pursuant to any provision hereof with a Tenant option to extend the term for an additional year.”

(b) Section 4.1 of the Lease is amended by substituting the schedule for Base Rent as follows:

November 1, 2019–October 31, 2020	\$61,264.00
November 1, 2020–October 31, 2021	\$62,489.00

**SECTION 2.
AMENDMENTS, CHANGES AND MODIFICATIONS.**

This First Modification may be amended only by writing signed by both parties hereto. Except as provided in this First Modification the terms and provisions in the Lease remain in full force and effect.

**SECTION 3.
SEVERABILITY.**

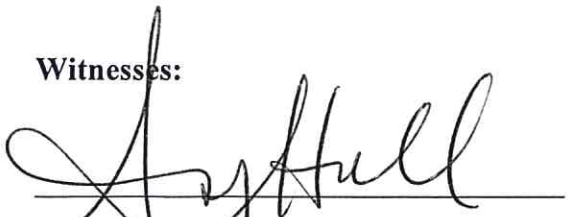
In the event any Court of competent jurisdiction shall hold any provision of this First Modification invalid or unenforceable such holding shall not invalidate or render unenforceable, any other provision hereof or of the Lease.

**SECTION 4.
EXECUTION IN COUNTERPARTS.**

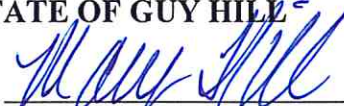
This First Modification may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this First Modification of Lease Agreement the date first above written.

Witnesses:


Print Name: Amy Hill

Landlord:

ESTATE OF GUY HILL
By: 
MARY HILL, Personal Representative

Witnesses:


Print Name: George F. Lubeck III

Witnesses:



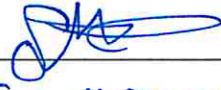
Print Name:

Shreeley Desilva

Tenant:

RIVIERA BEACH COMMUNITY
REDEVELOPMENT AGENCY

By:



Name:

Scott Evans

Title:

Interim Executive Director

Witnesses:



Print Name:

Tamara C. Seguin