Agenda Item #. 5A-3

### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	February 4, 2020	[ ] Consent [ ] Ordinance	Regular    Public Hearing
Department:	<b>Facilities Developmen</b>		

### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: an extension of time to commence construction from January 31, 2020 until March 31, 2020 and complete construction by April 30, 2020 in connection with the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen & Café.

Summary: On July 25, 2019 (R2019-1059) The Board approved the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen and Café (Café). The agreement requires Café to spend \$130,000 on improvements including new HVAC, electrical, walk-in-cooler, cabinetry, countertops, flooring and fire sprinkler upgrades. Prior to applying for a building permit, Café is required to provide a detailed permit ready set of plans and specifications to staff for review and approval. Café is also required to post a bond for the cost of the improvements and complete those improvements within six (6) months (January 31, 2020). On November 12, 2019 Café provided plans for review. On December 4, 2019, staff provided Café with comments and requested revisions. On December 30, 2019, Café agreed to the revisions and requested approval of the plans with conditions rather than revise the plans. Café still has to submit their plans to the City and obtain a building permit. At this point the Café is going to be unable to complete construction by the January 31, 2020 deadline. Staff recognizes that navigating through the design, permit and construction process is complicated, and recommends Cafe be given an extension until March 31, 2020 to commence construction and to complete construction by April 30, 2020. (Property & Real Estate Management) Countywide (HJF)

**Background and Justification:** On July 25, 2019 the Board approved the Governmental Center Lease Agreement with LJL Food Management, Inc. LJL Food Management changed its operating name from Tina's Café to The Hideout Kitchen & Café. Café is to complete those improvements within six (6) months of approval of this Lease Agreement which commenced on August 1, 2019. (January 31, 2020) and post a bond for the cost of the improvements. On November 12, 2019 Café submitted its proposed plans, on November 14, 2019 Staff requested required submittal information to complete its review. (Continued on Page 3)

### Attachments:

- 1. Location Map
- 2. December 4, 2019 Staff review comments
- 3. January 10, 2020 Staff conditional consent

Recommended By:	~	Anny Work	1/10/2020	
Approved By:	Ŧ	Department Director	Date 1/31/2020	
	U	County Administrator	Date	

### II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County					
NET FISCAL IMPACT					
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current Bu	dget:	Yes		No	
Does this item include the use of	f federal fund	ls? Yes		No	
Budget Account No: Fund	 Progr	Dept am	1	Unit	Object

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No Fiscal Impact. Fixed Assets Number \_\_\_\_\_ С. Departmental Fiscal Review:

III. <u>REVIEW COMMENTS</u>

A. OFMB Fiscal and/or Contract Development Comments:

121/2 act Develops nt and Control

B. Legal Sufficiency: 123/20 Assistant-County Attorney

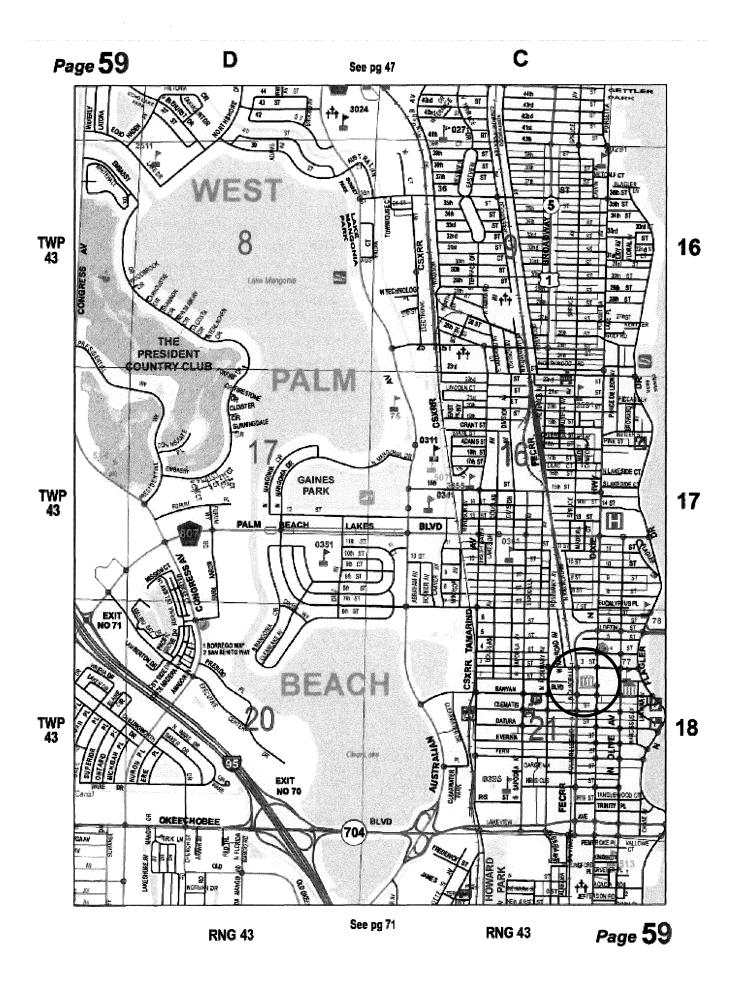
- C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

### Page 3

On November 26, 2019 a copy of the signed construction contract was received. On December 4, 2019 Staff forwarded its review comments and requested plan revisions. On December 12, 2019 Café contested several comments which were addressed by Staff. On December 30, 2019 Café concurred and agreed to comply with the comments and requested the consent be issued with conditions rather than revise the plans to expedite permitting submittal. On January 10, 2020 a conditional consent letter was provided to Café. On January 10, 2020 Staff notified the Board it is unlikely that Café will obtain a building permit by the January 31, 2020 deadline, and certainly will be unable to complete construction by the end of January. Staff recognizes that navigating through the design, permit and construction process is complicated, and recommends that Board approve an extension to commence construction by March 31, 2020, with the obligation to complete construction by April 30, 2020





# LOCATION MAP

Attachment #1 Page 1 of 1

Attachment #2 December 4, 2019 staff review comments 2 Pages



## CERTIFIED MAIL RETURNED RECEIPT REQUESTED 7013 2630 0000 6412 7868

December 4, 2019

# Facilities Development & Operations Department

Property & Real Estate Management Division

2633 Vista Parkway

West Palm Beach, FL 33411

Telephone - (561) 233-0217 Facsimile (561) 233-0210

www.pbcgov.com/fdo

Palm Beach County Board of County Commissioners

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Mary Lou Berger

Melissa McKinlay

### Mack Bernard

#### **County Administrator**

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer" LJL Food Management, Inc. d/b/a The Hideout Kitchen & Café c/o Petro and Katina Bikos

RE: Permit Plan Revisions as it relates to Lease Agreement (R2019-1059) dated July 25, 2019, between Palm Beach County and LJL Food Management, Inc. d/b/a The Hideout Kitchen & Café.

Dear Mr. Bikos and Ms. Bikos:

We are in receipt of the permit plans for alterations. Upon our review the following revisions are required:

- 1) Provide a list of all the equipment identified on page DM-1 with an "R" including the make and model number of each item.
- 2) Revise the plan to include the compliance with Section 7.01 (d) of the lease agreement regarding the installation of::
  - a. A strobe light equipped with an audible alarm in the covered area outside the doorway on the exterior of the Premises or relocate the existing strobe light to cause it to be visible from outside the Building.
  - **b.** And, replace the existing interior alarm with an alarm that is clearly audible outside the Building.
- 3) Revise the Demolition Plan & Notes on page DM-1 regarding debris removal to include the following:
  - a. The use of the dumpster or exterior storage of debris and rubbish is not permitted in the Premises, or on the Common Areas of the property.
  - **b.** The General Contractor is to haul off and dispose of all debris and rubbish from the Premises or on the Common Areas of the property daily.



LJL Food Management, Inc. d/b/a The Hideout Kitchen & Café December 4, 2019 Page 2 /

Your contractor may contact Shawn Samuel with the City of West Palm Beach Parking Administration at (561) 822-1500 ext. 1507 for information on a temporary construction staging reservation on metered parking spaces.

Please revise and submit the plans, list of appliances and completed building permit application for final review and consent to alterations.

Should you have any questions, please contact Della M. Lowery at <u>dlowery@pbcgov.org</u> or (561) 233-0239. Thank you.

Sincerely, Ross C. Hering Director

RCH/DML

cc: Richard C. Bogatin, Manager, Property Management – PREM (e-mail only) Della M. Lowery, Property Specialist – PREM (w/encl.)

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Attachment #3 January 10, 2020 staff conditional consent 2 Pages

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# Facilities Development & Operations Department

Property & Real Estate Management Division

2633 Vista Parkway West Palm Beach, FL 33411

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Mack Bernard

**County Administrator** 

Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer" January 10, 2020

LJL Food Management, Inc. d/b/a The Hideout Kitchen & Café c/o Petro and Katina Bikos 215 North Olive Avenue, Suite 110 West Palm Beach, FL 33406-1548

RE: Conditional Consent to proceed with alterations Lease Agreement dated July 25, 2019, between Palm Beach County and LJL Food Management, Inc. d/b/a The Hideout Kitchen & Café (R2019-1059).

Dear Mr. Bikos and Ms. Bikos:

In an effort to expedite permitting and support timely completion, County staff reviewed the JFB Construction and Development plans dated November 04, 2019, and hereby approves the proposed alterations/improvement/renovations on the following conditions:

Prior to the completion of the proposed renovations, Tenant will comply with Section 7.01 (d) of the lease agreement by installing:

- a. A strobe light equipped with an audible alarm in the covered area outside the doorway on the exterior of the Premises or relocate the existing strobe light to cause it to be visible from outside the Building.
- **b.** And, replace the existing interior alarm with an alarm that is clearly audible outside the Building.

In addition, exterior storage of debris and rubbish is not permitted on the Common Areas of the property. Use of the County's existing dumpster is not permitted. Your contractor must make arrangements with the City for use of a parking space to park a dumpster for disposal of construction debris.



LJL Food Management, Inc. d/b/a The Hideout Kitchen & Café January 10, 2020 Page 2 /

Finally, provide a copy of the building permit application, a project completion schedule, and a copy of the payment and performance bond. If you are in agreement with the foregoing, you may proceed to make application to the City of West Palm Beach for a building permit.

Please note that we will inform the Board of County Commissioners that it appears you will be unable to complete the renovations by the January 31, 2020 deadline. We will recommend that the Board approve an extension to commence construction until March 31, 2020 with the obligation to complete construction by April 30, 2020.

Should you have any questions, please contact Della M. Lowery at <u>dlowery@pbcgov.org</u> or (561) 233-0239. Thank you.

Sineerely, Ross C. Hering Director

RCH/DML

cc: Verdenia Baker, County Administrator Audrey Wolf, Director FD&O Richard C. Bogatin, Manager, Property Management – PREM (e-mail only) Petro Bikos, Tina's Café (w/encl.; via e-mail to <u>pbis300@aol.com</u>) Eleni Bikos, Tina's Cafe (w/encl.; via e-mail to <u>eb@fcohenlaw.com</u>) Della M. Lowery, Property Specialist – PREM (w/encl.)

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