



# FINANCE DEPARTMENT

Cassandra LeMasurier, Real Property Manager

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Real Property Manager #21-017

April 5, 2021

To: Mark Berman, City Attorney

Through: Gregory P. Harrison, City Manager

Through: Suzette Sibble, Assistant City Manager

From: Cassandra LeMasurier, Real Property Manager *CL*

Subject: Request for Resolution First Amendment Lease of 113 NE 1<sup>st</sup> Avenue by DUC Pompano LLC

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Please prepare a resolution for the City Commission to approve and authorize the proper City officials to execute a first amendment to the lease of the City-owned property identified as Broward County Property Appraiser (BCPA) folio 4842 35 08 0130 located at 113 NE 1st Avenue, Pompano Beach, FL 33060 the (“Property”) to DUC Pompano, LLC (“Lessee”). The Property is a 2,500 square foot area with landscaping and pavers directly north of the “old bank” building owned by DUC Pompano LLC and the Bailey Contemporary Arts (BaCA) building owned by the City (“Lessor”) and directly south of Kelly’s Chemical Supplies.

The City and Lessee entered into a 10 year lease with four (4) additional 10 year renewal terms for the property located at 113 NE 1st Avenue, Pompano Beach, FL effective date October 14, 2019 approved by City Commission with Resolution 2020-11. The Lessee is completing renovations of the old bank building for use as a restaurant and leased the City’s property to develop and use as outdoor seating for the restaurant. The Lessee agreed to spend \$38,400.00 in capital improvements including replacing existing landscaping and pavers and installing benches, tables and/or chairs, lighting, pavers, irrigation, security cameras, a gazebo or other similar structure and fencing and electrical upgrades, as needed. The lease required 50% of the improvements be completed by October 14, 2021 with the remaining improvements completed by no later than October 14, 2023. The Lessee has requested a two (2) year extension to complete 50% of the capital improvements due to delays in developing the restaurant due to COVID-19. The first amendment of the lease will allow an additional two (years) to complete the 50% capital improvements with all capital improvements to be completed by no later than October 14, 2023.