



Cover Memorandum/Staff Report

File #: 24-020 CRA

Agenda Date: 5/30/2024

Item #: 7H.

TO: CRA Board of Commissioners
FROM: Ashlyn K. Darden, Legal Advisor
THROUGH: Renée A. Jadusingh, Executive Director
DATE: May 30, 2024

SECOND AMENDMENT TO REVOCABLE LICENSE - JACKSON HEWITT TAX SERVICE - 135 NW 5TH AVENUE

Recommended Action:

Approve the Second Amendment to the Revocable License with Jackson Hewitt Tax Service at 135 NW 5th Avenue for an extension of the Termination Date to November 30, 2024.

Background:

The CRA executed a Commercial Lease Agreement with Danny Mesidort d/b/a Jackson Hewitt Tax Service (formerly known as Factual Multi Services, LLC) on January 10, 2014, to lease the CRA-owned commercial space at 135 NW 5th Avenue, Unit C6, located in the West Settlers Building, a mixed-use condominium property consisting of four (4) residential units and two (2) ground floor commercial units. A First Amendment was entered on November 17, 2016, to extend the Agreement until January 9, 2018. A Second Amendment was entered into on March 20, 2018, to renew the Agreement for an additional three (3) year term commencing on January 10, 2018, and ending on January 9, 2021, with the option of two (2) one-year renewals. A Third Amendment was entered into on September 30, 2020, pursuant to the CRA's COVID-19 Rent Assistance Program. A Fourth Amendment was entered into on January 26, 2021, to renew the Agreement for an additional one (1) year term commencing on January 10, 2021. A Fifth Amendment was entered into on February 25, 2022, extending the termination date to January 10, 2023.

On January 5, 2023, the Delray Beach Community Redevelopment Agency (CRA) entered into a Revocable License Agreement (Agreement) with Danny Mesidort d/b/a Jackson Hewitt Tax Service (Licensee) which authorized the Licensee to utilize the premises located at 135 NW 5th Avenue for business services associated with financial planning, tax preparation, and general business. The compensation amount in the Agreement is One Thousand Four Hundred Ninety-Five and 75/100 Dollars (\$1,495.75) per month. The Agreement has a Termination Date of July 11, 2023. The CRA extended the termination date to July 11, 2024 in the First Amendment per the terms of the Agreement.

The CRA is recommending extending the Agreement for an additional six months or until November 30, 2024 and approving the issuance of a Request for Proposals for the space as required by Fla. Stat. 163.380. This will allow the CRA to provide 30 days public notice for the space as required by statute and select an applicant while the space remains filled and activated.

At this time, the Second Amendment to the Revocable License with Jackson Hewitt Tax Service at 135 NW 5th Avenue, to extend the Termination Date to November 30, 2024, is before the CRA Board for approval.

Attachment(s): Exhibit A - Second Amendment to the Revocable License

CRA Attorney Review:

The CRA Attorney has prepared the attached and approves as to legal sufficiency and form.

Funding Source/Financial Impact:

N/A

Overall need within the Community Redevelopment Area from Delray Beach CRA

Redevelopment Plan: .

Removal of Slum And Blight

Land Use

Economic Development

Affordable Housing

Downtown Housing

Infrastructure

Recreation and Cultural Facilities