



**West Palm Beach
Community Redevelopment Agency**

PASS/FAIL AGENDA

**July 13, 2020
4:00 P.M.**

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY CLERK'S OFFICE, 401 CLEMATIS STREET, WEST PALM BEACH, FLORIDA 33401, {(561) 822-1210}

**MAYOR
KEITH A. JAMES**

**CITY COMMISSION
PRESIDENT KELLY SHOAF**

**COMMISSIONER CHRISTINA LAMBERT
COMMISSIONER CHRISTY FOX**

**COMMISSIONER CORY NEERING
COMMISSIONER JOSEPH A. PEDUZZI**

**ADMINISTRATION
INTERIM CRA EXECUTIVE DIRECTOR, ALLISON JUSTICE
CITY ATTORNEY, KIMBERLY ROTHENBURG
TREASURER, MARK A. PARKS
CITY CLERK, HAZELINE CARSON**

1. ROLL CALL

CIVILITY AND DECORUM: The City of West Palm Beach is committed to civility and decorum by its officials, employees and members of the public who attend this meeting. The City Code, Secs. 2-31(8), 2-31(18) and 2-31(22), provides in pertinent part:

- Officials shall be recognized by the Chair and shall not interrupt a speaker.
- Public comment shall be addressed to the City Commission as a whole and not to any individual on the dais or in the audience.
- Displays of anger, rudeness, ridicule, impatience, lack of respect and personal attacks are strictly prohibited.
- Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted.
- Offenders may be removed from the meeting.

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

COMMENTS FROM THE BOARD:

ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA:

RECEIVE AND FILE:

2. **Submittal of the following report from the Internal Auditor's Office: West Palm Beach Community Redevelopment Agency Audit Report Part 1, AUD19-01 (Managed by Redevelopment Management Associates) and the Executive Summary. RECEIVED AND FILED**
Agenda Cover Memorandum No.: 22105

Staff Recommended Motion:

Receive and file.

Background:

The West Palm Beach Community Redevelopment Agency Audit Report Part 1 was presented to the Audit Committee on June 22, 2020, where it was approved by the Audit Committee members. Copies of the report have been provided to the Mayor and City Commission. The report was presented to the CRA Advisory Board on June 26, 2020 and it will be presented to the CRA Board on July 13, 2020.

Fiscal Note:

No fiscal impact.

CONSENT CALENDAR (3-5): ALL CONSENT ITEMS (3-5) APPROVED

3. **Minutes of the Community Redevelopment Agency Meeting of June 1, 2020.**
Agenda Cover Memorandum No.: 22106

Staff Recommended Motion:

Approve the Minutes of the Community Redevelopment Agency Meeting of June 1, 2020.

4. **Minutes of the Special Community Redevelopment Agency Meeting of June 15, 2020.**
Agenda Cover Memorandum No.: 22107

Staff Recommended Motion:

Approve the Minutes of the Special Community Redevelopment Agency Meeting of June 15, 2020.

5. **Minutes of the Special Community Redevelopment Agency Meeting of June 29, 2020.**
Agenda Cover Memorandum No.: 22108

Staff Recommended Motion:

Approve the Minutes of the Special Community Redevelopment Agency Meeting of June 29, 2020.

PRESENTATION:

6. **Presentation on an overview of the CRA's Emergency Small Business COVID-19 Grant. PRESENTED**
Agenda Cover Memorandum No.: 22109

Staff Recommended Motion:

Not Applicable--For presentation purposes only.

Background:

On April 20, 2020 the Community Redevelopment Agency Board approved the CRA's Emergency Small Business Grant Program via Resolution No. 20-29 for small business grants up to \$2,500 with a total budget of \$30,000 allocated to the Northwood/Pleasant City CRA and \$30,000 allocated to the Downtown/City Center CRA. The CRA began accepting applications on May 5, 2020 at 9:00 AM. Grants were awarded on a "first complete and eligible application received = first granted" basis while funding remained available. The Grant Program was able to assist 12 businesses in the Downtown/City Center CRA and 12 businesses in the Northwood/Pleasant City CRA with grants up to \$2,500. The CRA received an overwhelming response to this grant. Some applications that were submitted with all required documentation were not able to be accepted due to limited funding.

On June 1, 2020 via Resolution No. 20-37, the CRA Board approved \$45,000 of additional funding for this grant in each CRA District to give businesses (up to eighteen businesses per district) another opportunity to apply. The cut-off date for application submittals was June 12, 2020 at 5:00 PM.

This presentation will provide an overview of the success of the program as a whole as well as an outline of the grantees that were awarded funding.

RESOLUTIONS (7-9):

- 7. Resolution No. 20-39 **CONTINUED** authorizing an amendment to the incentive agreement with Transit Village, LLC. to allow for a time extension to commence construction of the Public Podium Plaza or the Relocated Palm Tran Site until August 13, 2023.**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AMENDMENT TO THE INCENTIVE AGREEMENT WITH TRANSIT VILLAGE, LLC, GRANTING A TIME EXTENSION FOR COMMENCEMENT OF VERTICAL CONSTRUCTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22110

Staff Recommended Motion:

Approve Resolution No. 20-39.

Background:

On January 31, 2019, as approved by Resolution No. 17-60, the CRA and Transit Village entered into the Incentive Agreement for the development of the TOD, Wedge parcels and the construction of the Public Podium Plaza.

The CRA agreed to an incentive of 95% of tax increment revenue (as defined in Section 163.340(22), Florida Statutes), received by the CRA that are directly attributable to the construction of the Project by Transit Village, LLC.

Section 4.3 of the Agreement states that vertical construction of the public podium plaza should begin within three (3) years of the Effective Date of the Agreement (January 31, 2020), or the agreement becomes null and void.

The City of West Palm Beach (City”), the CRA, the Palm Beach County (“County”), and Transit Village have discussed relocating Palm Tran operations from its existing site on Clearwater Drive (“Wedge”) to a site on Tamarind Avenue, just north of the existing Seaboard Train Station (“Relocated Palm Tran Site”). The City and County encouraged Transit Village to pursue the relocation of Palm Tran operations, which has been occurring over the last one (1)-two(2) years.

After this negotiation occurred with Palm Beach County, the Purchase and Sale Agreement between the County and Transit Village was amended and approved by the County on May 5, 2020. A copy of is attached here. The County has agreed to temporarily relocate its Palm Tran operations from the Wedge to the Relocated Palm Tran Site during and until substantial completion of the Envelope and Shell Construction Activities (as defined in the PSA Amendment) of Transit Village and the County will consider making the relocation of the Relocated Palm Tran Site permanent.

The Developer is requesting an amendment of the Agreement to allow for an extension of construction of either (a) the Public Podium Plaza or (b) construction of the Relocated Palm Tran Site from January 31, 2021 to August 13, 2023. The changes include:

1. Extension of time from January 31, 2021 to August 13, 2023 (approx. 2.5 years); and
2. Addition of language that would consider the construction of the relocated Palm Tran site sufficient to have begun construction on the project.

By meeting this deadline, the Incentive Agreement, the Lease of the property for the Podium Plaza, and the Lease of the Seaboard Train Station to the Developer would all become effective.

Copies of the agenda cover memos for the original approvals of the transaction are attached to provide the history of this matter.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

No fiscal impact.

8. **Resolution No. 20-41 APPROVED approving the adoption of the Beautify Northwood and Grand Opening Assistance Incentive Programs for the Northwood/Pleasant City CRA Area.**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE ADOPTION OF THE BEAUTIFY NORTHWOOD AND GRAND OPENING ASSISTANCE INCENTIVE PROGRAMS FOR THE NORTHWOOD/PLEASANT CITY CRA AREA; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22111

Staff Recommended Motion:

Approve Resolution No. 20-41.

Background:

By Resolution No. 05-32 adopted on April 11, 2005, the CRA implemented the Strategic Finance Plan for the Northwood/Pleasant City Community Redevelopment Area. Pursuant to Amendment No. 14 of the Plan, the CRA continuously increases efforts to attract and retain businesses and aid in redevelopment in the district. Resolution No. 17-42 adopted on September 14, 2017 amended several of the CRA redevelopment incentive programs in the Downtown/City Center District including the Historic Northwest. As referenced in Resolution 17-42, some of the incentive programs, were also intended for the Northwood/Pleasant City Community Redevelopment Area.

The CRA continues to recognize the need for additional smaller scale incentive programs to assist businesses with minor exterior improvements such as painting, signage and landscaping in the Northwood/Pleasant City Area and proposes to formally adopt two (2) additional smaller scale incentive programs, as follows:

1) Beautify Northwood Program:

The Northwood/Pleasant City CRA Beautify Northwood Program is an opportunity for businesses located along Broadway, North Dixie Hwy and in Northwood Village to request assistance for minor exterior cosmetic improvements such as painting, lighting, awnings, landscaping and signage. The CRA will provide funding up to (not to exceed) a maximum amount of \$3,500 for qualifying projects.

Application Guidelines:

- A) Property to be improved is free of all municipal and county liens, judgments or encumbrances of any kind. Upon grant approval, said property shall remain free of all municipal and county liens, judgments or encumbrances of any kind under the term of the agreement.
- B) Application(s) shall be initially reviewed by CRA Staff within ten (10) business days. If additional information is required to finalize the application, additional time will be required for approval process.
- C) Application(s) must be signed by the property owner authorizing the proposed improvements.
- D) Grant payments are on a reimbursable basis at the completion of the project.
- E) The applicant is responsible for ensuring that all improvements are in compliance with City of West Palm Beach Code of Ordinances and completing the full scope of the proposed project including hiring contractors and obtaining permits, where necessary.

2) Grant Opening Assistance Program:

The CRA offers assistance to new businesses within the Northwood/Pleasant City CRA district for their “Grand Opening”. It is at the discretion of the individual business (with the input of the CRA) as to what style and size of grand opening they wish to have. Retail stores, for instance, may offer light hors-d’oeuvres and beverages to invited guests while they peruse the store, where a new restaurant may have a full band and open bar. Other businesses may wish to purchase advertising or mailings announcing their new Downtown location.

The CRA will provide the following:

- The CRA will assist in coordinating and publicizing grand opening events and fund up to \$500 of qualifying expenses.
- The CRA will make every effort to invite the Mayor and Commissioners.
- The CRA will provide the ribbon and scissors for the ribbon cutting.
- Social Media Marketing on the West Palm Beach CRA social media sites.

Resolution No. 20-41 will approve the adoption of the Beautify Northwood and Grand Opening Assistance Incentive Programs for the Northwood/Pleasant City CRA Area.

District 1: Commissioner Kelly Shoaf.

Fiscal Note:

Redevelopment incentive funding is available in Northwood Business District Target Area.

9. Resolution No. 20-43 **APPROVED waiving a conflict of interest of Thais Sullivan to allow participation on the CRA Advisory Board.**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY WAIVING THE CONFLICTS REGARDING AN APPOINTMENTS OF THAIS SULLIVAN TO THE COMMUNITY REDEVELOPMENT AREA ADVISORY BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22112

Staff Recommended Motion:

Approve Resolution No. 20-43.

Background:

By Resolution No. 00-56, the Board of Commissioners of the West Palm Beach Community Redevelopment Agency created the Community Redevelopment Agency

Advisory Board (the "CRAAB") for the Northwood/Pleasant City CRA district. Resolution No. 17-11 redefined the Board membership to consist of nine (9) voting members from the following groups or organizations:

1. One member who is the owner of a business located in the Northwood/Pleasant City Community Redevelopment Area;
2. One at-large member;
3. One member representing the Chamber of Commerce of the Palm Beaches;
4. One member representing a financial institution with an office in the City of West Palm Beach;
5. One property owner from the Northwood area of the Northwood/Pleasant City Community Redevelopment Area;
6. One resident from the Pleasant City area of the Northwood/Pleasant City Community Redevelopment Area;
7. One member who is an architect, landscape architect, planner or engineer;
8. One member with legal background; and
9. One member who is a general contractor or who has private sector development related experience.

Thais Sullivan applied for service on the CRAAB and her application was favorably reviewed and forwarded by the nominating committee headed by Jack Frost. Ms. Sullivan was requested to attend a CRAAB meeting to be introduced to the Board. Ms. Sullivan's nomination was discussed by the CRAAB, and a unanimous vote of the CRAAB members approved her nomination on January 25, 2019. She works for Valley National Bank. On April 8, 2019, this Board approved Resolution No. 19-13 appointing Ms. Sullivan to the CRAAB in the capacity of "member representing a financial institution" for a period of three years.

On March 23, 2020, the City Commission adopted Resolution No. 100-20 approving the COVID-19 Recovery Assistance Program, which is a loan fund to provide short term micro loans to small businesses. Based on the approvals of Resolution No. 100-20, an agreement was entered into between the City of West Palm Beach, Valley National Bank, and the Urban League of Palm Beach County. Under the agreement, the City is to pay Valley a document preparation fee of \$100 per completed transaction, and Valley is entitled to all interest earned on the loans. On April 20, 2020, the West Palm Beach Community Redevelopment Agency approved Resolution No. 20-28 authorizing execution of a funding interlocal with the City of West Palm Beach to provide funding for the COVID-19 Economic Development Recovery Assistance Program to fund eligible small businesses within Northwood/Pleasant City District and the Historic Northwest and Brelsford Park areas of the Downtown/City Center District.

The above disclosed relationship creates a conflict; however, the CRA believes Ms. Sullivan will be an asset to the advisory board. According to Ethics Code Section 112, the CRA Board has the right to waive the conflict and appoint the aforementioned member to the CRA Advisory Board.

If any items are put before the CRA Advisory Board that pose any conflict, the member would be required to recuse herself from the vote as a CRA Advisory Board member.

Specifically, Section 112.313(12), Florida Statutes, provides that conflicts pursuant to subsections (3)(Doing Business with One's Agency) and (7)(Conflicting Employment or Contractual Relationships), as they pertain to persons serving on advisory boards, may be waived in a particular instance by the body, which appointed the person to the advisory board, upon a full disclosure of the transaction or relationship to the appointing body prior to the waiver and an affirmative vote in favor of waiver by two-thirds vote of that body. Resolution No. 20-43 makes these appointments to the CRAAB and waives the conflicts.

Commission District 1: Commissioner Kelly Shoaf.

ADJOURNMENT:

NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION OF THE CITY COMMISSION AT THIS MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THAT PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF WEST PALM BEACH DOES NOT PREPARE OR PROVIDE SUCH A RECORD.