



**West Palm Beach
Community Redevelopment Agency**

Special Meeting

AGENDA

DRAFT

**July 27, 2020
3:30 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.

RESOLUTION:

2. **Resolution No. 20-39 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.

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.