



**West Palm Beach
Community Redevelopment Agency**

PASS/FAIL AGENDA

**November 2, 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
CRA EXECUTIVE DIRECTOR, CHRISTOPHER ROOG
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:

CONSENT CALENDAR (2-3): **APPROVED**

2. **Minutes of the Community Redevelopment Agency Meeting of October 5, 2020.**
Agenda Cover Memorandum No.: 22132

Staff Recommended Motion:

Approve the Minutes of the Community Redevelopment Agency Meeting of October 5, 2020.

3. **Resolution No. 20-55 authorizing the re-appointment of Angela Ogburn to the Community Redevelopment Area Advisory Board.**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE RE-APPOINTMENT OF ANGELA OGBURN TO THE COMMUNITY REDEVELOPMENT AREA ADVISORY BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22134

Staff Recommended Motion:

Approve Resolution No. 20-55.

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.

The term of Angela Ogburn, presently serving as property owner from the Northwood area of the Northwood/Pleasant City Community Redevelopment Area, has recently expired. Resolution No. 17-11 allows for re-appointments of current members for an additional three (3) year term, and the CRA desires to re-appoint her for an additional three (3) year term.

RESOLUTIONS (4-8):

4. **Resolution No. 20-42 APPROVED** approving an affordable housing transaction with the City of West Palm Beach, approving an Interlocal Agreement with the City conveying CRA owned property located at 630--5th Street to the City of West Palm Beach and providing \$280,726 for development of a Single Family home on the site.

Resolution No. 20-62(F) APPROVED authorizing the appropriation or transfer of CRA funds to the City of West Palm Beach in the amount of \$280,726 for construction of a Single Family home on the site located at 630--5th Street.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AFFORDABLE HOUSING TRANSACTION WITH THE CITY OF WEST PALM BEACH FOR THE DEVELOPMENT OF A SINGLE FAMILY HOME IN THE GREATER NORTHWEST NEIGHBORHOOD AT 630--5TH STREET; APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF WEST PALM BEACH FOR THE CONVEYANCE OF THE PROPERTY BY QUIT CLAIM DEED AND PROVIDING \$280,726 IN HOUSING DEVELOPMENT FUNDS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), AUTHORIZING THE APPROPRIATION OR TRANSFER OF CRA FUNDS IN FISCAL YEAR 2020/2021 FOR THE PURPOSE OF AMENDING THE COMMUNITY REDEVELOPMENT AGENCY FUND BUDGET TO PROVIDE APPROPRIATIONS FOR THE TRANSFER OF FUNDS TO THE HOUSING TRUST FUND; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22133

Staff Recommended Motion:

Approve Resolution No. 20-42 and Resolution No. 20-62(F).

Background:

The subject property is located at 630--5th Street in the Historic Northwest CRA target area. The Agency obtained this property by way of warranty deed from LaSalle Bank in July of 2011. The property consisted of a 2-story duplex constructed on the site in the 1940s and was declared a “contributing structure” in accordance with City’s Historic Preservation Ordinance. The property sat vacant for eleven (11) years contributing to slum and blight and nefarious activity in the neighborhood prompting community complaints and inquiries about future use of the property. The Agency received an unsolicited inquiry in 2018 to donate the property for future owner occupancy. In accordance with its goals and objectives, the Agency initiated an architectural assessment and structural analysis to determine the cost to rehabilitate the existing building. As a result of the structure having been open to the elements for several years, it was noted severe termite and water damage requiring 40% of the structure to be removed and replaced. Consequently, the cost for

rehabilitation far exceeded the cost of similar units in the neighborhood, and the Agency applied for permission to demolish the structure with the condition a new structure in keeping with the Historic architecture in the neighborhood be constructed on the vacant land.

The City of West Palm Beach Community Redevelopment Agency's (CRA)'s Strategic Finance Plan for the City Center/Downtown CRA identifies home-ownership as a primary goal for the Northwest Neighborhood, as approximately only 10% of the homes are owner occupied. In an effort to increase the home ownership rate in the Northwest as well as revitalize the area through thoughtful redevelopment, the CRA and The City of West Palm Beach, through its Housing and Community Development Department (HCD), are partnering to provide a much needed home ownership opportunity. In furtherance of these efforts, the CRA desires to convey the property located at 630--5th Street at no cost to the City and provide development funds in the amount of \$280,726 for construction of a single-family home on the site. The site is vacant, and the Property Appraiser records show a market value of \$27,000.

The City will then partner with a non-profit developer to perform all services necessary to complete the development and occupancy of the property. The home will be designed in keeping with historic architecture of the area and will comply with all zoning and land development regulations.

Upon development of the parcel, the City will ensure the property is sold to an eligible buyer that meets the eligibility criteria outlined below. The City will also ensure that appropriate security documents are executed so that the home remains owner occupied for a period of no less than (10) years.

Buyer Eligibility Criteria:

- Applicant(s) must not currently own a home.
- Applicant(s) must be pre-qualified for a Federal Housing Administration (FHA), Veteran Administration (VA) or Conventional first mortgage loan from a private direct lending institution.
- Applicant(s) must complete an 8-hour home buyer education course offered by a HUD Certified Housing Counselor prior to closing.
- Applicant(s) must contribute no less than 1.75% of the purchase price of the home.
- First priority will be given to eligible and interested applicants currently residing in the Historic Northwest.

This conveyance meets the statutory requirements of Chapter 163, Florida Statutes. Section 163.400, Florida Statutes provides that a CRA may, for the purpose of carrying out community redevelopment, sell or convey its interest in property to a municipality. As such, this transaction is not subject to Section 163.380(3)(a), Florida Statutes, requiring public notice prior to the disposition of any real property.

Companion Resolution No. 296-20 and Resolution No. 299-20(F) will provide approval by the City.

Commission District: Property is located in District 3: Commissioner Christy Fox.

Fiscal Note:

Approval will provide appropriations for the transfer of funds to the Housing Trust Fund.

5. **Resolution No. 20-57 APPROVED approving the award under Request for Qualifications No. 17-18-409 of a Professional Services Agreement for Architectural and Engineering Services for the design of Currie Park to Chen Moore and Associates, Inc., with fees of \$534,120 for Phase 1 base services.**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL AND ENGINEERING SERVICES WITH CHEN MOORE AND ASSOCIATES, INC., FOR THE DESIGN OF CURRIE PARK; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22135

Staff Recommended Motion:

Approve Resolution No. 20-57.

Background:

The Strategic Finance Plan, Amendment No. 16, for the Northwood/Pleasant City CRA District identifies the redevelopment and activation of Currie Park as an important driver in the redevelopment of the Currie Corridor.

On May 5, 2018, the CRA released a Request for Qualifications (RFQ) No. 17-18-409 for Pre-Qualification for Professional Architectural & Engineering Design Services for Currie Park. Responses were due by July 11, 2018. A total of eight (8) firms responded, with the following five (5) determined to be the most qualified respondents:

1. Brooks + Scarpa Architects, Inc.
2. Chen Moore and Associates
3. EDSA Inc.
4. James Corner Field Operations
5. OJB Landscape Architecture (aka The Office of James Burnett)

On January 16, 2019, the CRA/City issued Request for Proposals (RFP) No. 18-19-201, Professional Architectural & Engineering Design Services for Currie Park, to the five (5) pre-qualified design firms selected from the RFQ No. 17-18-409 to transform Currie Park into a world class park. The firms provided proposals for architectural and engineering services, including but not limited to: conceptual design, design development, preparation of construction documents, and civic engagement. The CRA/City received four (4) proposals to the RFP. The Proposers were Chen Moore and Associates, EDSA Inc., James Corner Field Operations, and OJB Landscape Architecture (aka The Office of James Burnett). On February 11, 2019, the Board listened to all four (4) proposals and ranked the proposers as follows:

1. James Corner Field Operations
2. Chen Moore and Associates
3. OJB Landscape Architecture (aka The Office of James Burnett)
4. EDSA Inc.

Chen Moore and Associates and James Corner Field Operations were tied for first place. The CRA Board passed a motion to rank these two firms in order to break the tie. The Board recommended James Corner Field Operations as the first ranked. Unfortunately, due to an inability to agree on the scope and budget for the Currie Park project, the contract with James Corner Field Operations was terminated. The CRA Board directed that negotiations be commenced with the 2nd ranked team.

As Chen Moore and Associates was ranked 2nd, the CRA/City began negotiations in May 2020. Below is an overview of Chen Moore's Scope of Services:

The project will be organized into two phases:

- Phase I: Information Gathering, Public Engagement, Visioning and Planning
- Phase II: Design, Permitting, and Construction Administration

The fee and Scope of Services presented to the Board is for Phase I only. Chen Moore will submit Phase II fee and Scope of Services once the final program components for construction are determined, while developing the master plan deliverable as part of this contract. The scope of services for Phase I of the project includes thorough site investigation; coordination with local permitting agencies to develop a permitting path; a robust public engagement program; the development of a master plan; cost estimating; development phasing plan; and a strategic funding plan within existing budget limitations. The consultant will investigate grants, Private-Public Partnerships, and other means of developing sources of revenue to construct, maintain, and operate Currie Park. The total project length for Phase I is 105 days from full execution of the agreement.

The anticipated deliverables for Phase I include:

- Due Diligence Report (site/permitting analysis)
- Public Engagement Plan
- West Palm Beach Marina Market Analysis
- Operations, Maintenance and Governance Plan
- Revenue Strategy and Strategic Funding Plan
- Three (3) Conceptual Master Plans
- One (1) Final Master Plan
- 100% Schematic Design Construction Documents
- Cost Estimates

Below is a breakdown of fees for Phase I:

PROFESSIONAL SERVICES:

Task 1--Meetings:	\$34,640
Task 2--Information Gathering:	\$91,180
Task 3--Public Engagement:	\$99,220
Task 4--Visioning and Master Planning:	\$309,080
BASE SERVICES TOTAL PHASE I:	\$534,120

OPTIONAL SERVICES:

Task 5--Marina Market Study:	\$55,490
Task 6--Activation, Operations and Maintenance:	\$127,000
Task 7--Revenue Strategy and Strategic Funding Plan:	\$8,390
OPTIONAL SERVICES TOTAL:	\$190,880

REIMBURSEMENT BUDGET TOTAL: \$25,000

Phase II scope and fees will be brought back to the Board for approval as an amendment to this contract. The goal will be to have Phase II services approved prior to the completion of Phase I to keep the project moving seamlessly.

Resolution No. 20-57 approves the Professional Services Agreement for Architectural and Engineering Services for the design of Currie Park between the West Palm Beach CRA and Chen Moore and Associates, Inc. in response to RFP No. 18-19-20.

CRA District: Northwood/Pleasant City.

Commission District 1: Commissioner Kelly Shoaf.

Fiscal Note:

\$534,120 Phase I fees are budgeted in Currie Corridor Target Area.

6. **Resolution No. 20-58 APPROVED** authorizing development incentives for HTG Banyan, LLC's Flagler Station Project pursuant to the CRA's Real Estate Development Accelerator Grant Program in an amount not to exceed \$500,000 for the construction of a Linear Park on CRA-owned land at 202 and 206 N. Sapodilla Ave.

RESOLUTION NO. 20-58: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A DEVELOPMENT INCENTIVE IN AN AMOUNT NOT TO EXCEED \$500,000 FOR THE CONSTRUCTION OF A LINEAR PARK ADJACENT TO THE FLAGLER STATION AFFORDABLE HOUSING PROJECT PURSUANT TO THE REAL ESTATE DEVELOPMENT ACCELERATOR GRANT PROGRAM; APPROVING A DEVELOPMENT INCENTIVE AGREEMENT WITH HTC BANYAN, LLC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22136

Staff Recommended Motion:

Approve Resolution No. 20-58.

Background:

Resolution No. 45-09 was adopted April 6, 2009, and the CRA adopted the Amended and Restated City Center Community Redevelopment Plan for the expanded City Center Area including Redevelopment Incentives to provide for the revitalization of the Banyan Boulevard Corridor. As an additional inducement for business attraction, the CRA adopted a Real Estate Development Accelerator ("REDA") program with incentives specifically crafted to address the investment obstacles within the CRA district; and

HTG Banyan LLC proposes to develop a project known as Flagler Station, a multi-unit residential affordable housing development consisting of 94 affordable housing units generally located at the northeast corner of Banyan Boulevard and Tamarind Avenue (the "Project").

The CRA is the fee owner of a 34-foot wide linear strip of real property located at 202 and 206 N. Sapodilla Ave. The CRA property runs parallel to and north of Banyan Boulevard from Tamarind Avenue to Sapodilla Avenue, which was previously a railway right-of-way for a railroad spur and has been deemed historically significant to the City as part of Henry Flagler's original railway. The CRA and City wish to maintain the railroad spur as an open space, which has been contemplated as a future linear park. The Project is directly south and adjacent to a portion of the CRA's linear parcel, and the site is fairly narrow in depth between Banyan Boulevard and the rear property line, which resulted in challenges for the design of the structure to meet the setback requirements from both Banyan Boulevard and from the rear property line, while meeting other Downtown Master Plan active use requirements. The Project requested and was approved for variances from both the Banyan Boulevard setback and the rear setback, contingent upon a restriction on the construction

of any occupied structure upon the CRA's adjacent linear parcel. The CRA has granted a Restrictive Covenant to restrict construction of an occupied structure on the CRA property adjacent to Flagler Station enabling the Project to build up to the rear property line and still maintain façade openings for the building units.

In order to construct the linear park desired by the CRA, the Developer has applied for incentives from the REDA program for the project, which is a performance-based tax incentive program that allows for an incentive for new development projects over \$5M. Approval of the incentive would provide a reimbursement incentive, not to exceed \$500,000 for the design and construction of the linear park. As a condition of the incentive, approval of the design from CRA staff will be required prior to construction of the linear park to ensure CRA goals are being met. The Developer will also be required to enter into a License Agreement to construct and install improvements on the CRA property, and prior to issuance of CO for the Project, will be required to enter into a Maintenance Agreement with the CRA to maintain any improvements on the CRA property in perpetuity.

The total project cost is estimated at \$32.8M and will be under construction beginning in November 2020 with a 14-18 month duration.

Resolution No. 20-58 approves development incentives for HTG Banyan, LLC in an amount not to exceed \$500,000 for the design and construction of a linear park.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Budgeted in Northwest Target Area.

7. **Resolution No. 20-59 APPROVED approving a revocable license agreement for use of CRA property located at 202 and 206 N. Sapodilla Ave. to construct a linear park and a linear park maintenance agreement with HTG Banyan, LLC.**

RESOLUTION NO. 20-59: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING A REVOCABLE LICENSE AGREEMENT AND A LINEAR PARK MAINTENANCE AGREEMENT BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND HTG BANYAN, LLC, FOR THE USE OF CRA OWNED PROPERTY LOCATED 202 AND 206 N. SAPODILLA AVE.; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22137

Staff Recommended Motion:

Approve Resolution No. 20-59.

Background:

HTG Banyan, LLC proposes to develop a project known as Flagler Station, a multi-unit residential affordable housing development consisting of 94 affordable housing units generally located at the northeast corner of Banyan Boulevard and Tamarind Avenue (the "Project").

The CRA is the fee owner of a 34-foot wide linear strip of real property located at 202 and 206 N. Sapodilla Ave., which runs parallel to and north of Banyan Boulevard from Tamarind Avenue to Sapodilla Avenue. The CRA and City wish to maintain the CRA property as an open space and linear park. The Project is directly south and adjacent to a portion of the CRA's linear parcel and the site is fairly narrow in depth between Banyan Boulevard and the rear property line, which resulted in challenges for the design of the structure to meet the setback requirements from both Banyan Boulevard and from the rear property line, while meeting other Downtown Master Plan active use requirements. The Project requested and was approved for variances from both the Banyan Boulevard setback and the rear setback, contingent upon a restriction on the construction of any occupied structure upon the CRA's adjacent linear parcel. Resolution 20-54, approved by the CRA Board on October 5, 2020, granted a Restrictive Covenant to restrict construction of an occupied structure on the CRA property adjacent to Flagler Station enabling the Project to build up to the rear property line and still maintain façade openings for the building units.

Pursuant to Resolution 20-58, the CRA also approved a Real Estate Development Accelerator grant in an amount not to exceed \$500,000 to be used for the design and construction of a linear park.

In order for the Developer to construct the linear park on CRA property, the parties must enter into a license agreement to allow the developer to use the CRA property. The Developer will also be responsible for future maintenance of all improvements installed on the CRA property and for maintenance of the linear park.

Resolution No. 20-59 approves a License Agreement, which will allow the developer to design, construct, operate and maintain a passive linear park on CRA owned property. The Resolution also approves a future Maintenance Agreement in a form to be approved by the CRA Attorney's Office prior to the City's issuance of Certificate of Occupancy for the Project. The Maintenance Agreement will require HTG Banyan, LLC to be maintain the linear park in perpetuity.

Commission District 3: Commissioner Christy Fox.

8. **Resolution No. 20-60 APPROVED approving a Facade and Exterior Improvement Program Grant Agreement between the West Palm Beach Community Redevelopment Agency and IPlan & Design, LLC for an amount not to exceed \$7,500 for improvements to the property located at 823 North Olive Avenue.**

A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A GRANT UNDER THE FAÇADE AND EXTERIOR IMPROVEMENT PROGRAM TO IPLAN & DESIGN LLC FOR IMPROVEMENTS TO THE PROPERTY WHICH PARCEL IS LOCATED AT 823 NORTH OLIVE AVENUE FOR AN AMOUNT NOT TO EXCEED \$7,500; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22138

Staff Recommended Motion:

Approve Resolution No. 20-60.

Background:

In November 2005, the West Palm Beach Community Redevelopment Agency ("CRA") Board formally adopted the Strategic Finance Plan ("Plan") for the Downtown/City Center CRA District. The Plan identified the attraction of new businesses and private investment as an important component of the redevelopment strategy. As additional inducement for business attraction, the CRA created an incentive package specifically crafted to address the investment obstacles within the Downtown/City Center CRA District. As with any redevelopment program, the bulk of the public investment will be in the form of incentives in the beginning stages of the redevelopment program, leveling off as market conditions improve and few incentives are needed to attract private investment dollars.

In June 2006, the CRA Board adopted numerous incentive programs for the Downtown/City Center CRA District to encourage investors to do more renovations than they would normally do, thus increasing the value of the property. The Facade and Exterior Improvement Program for commercial properties is further described in Amendment No. 12 to the Strategic Finance Plan for the Downtown/City Center CRA District, which was adopted by Resolution No. 17-40. The CRA received an application under the Facade and Exterior Improvement Program ("Program") for the property at 823 North Olive Avenue. The applicant, IPlan & Design, LLC, proposes minor exterior improvements to the property, which will include exterior paint, lighting, landscape, and sign upgrades.

The total cost of proposed renovations is estimated to be \$10,000. CRA Staff has determined the applicant's proposed project supports the goals and objectives set forth in the Downtown/City Center CRA Strategic Plan and meets the Program's criteria. CRA Staff recommends approval of a grant not to exceed \$7,500 to IPlan & Design, LLC subject to the terms and conditions set forth in the Grant Agreement.

Fiscal Note:

Grant budgeted in Redevelopment Initiatives. Total Grant allocation not to exceed \$7,500.

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.