



**West Palm Beach
Community Redevelopment Agency**

**DRAFT
AGENDA**

**January 11, 2021
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):

2. **Minutes of the Community Redevelopment Agency Meeting of December 14, 2020.**
Agenda Cover Memorandum No.: 22153

Staff Recommended Motion:

Approve the Minutes of the Community Redevelopment Agency Meeting of December 14, 2020.

3. **Resolution No. 21-5(F) accepting proceeds of \$366,187.50 from the sale of TDRs from CRA-owned property located at 604--8th Street, 821 North Rosemary Avenue, 800 Henrietta Avenue, and 601--7th Street, West Palm Beach, Florida to ZF Development for the construction of 445 Datura Street.**

RESOLUTION NO. 21-5(F): 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 RECOGNIZE PROCEEDS FROM THE SALE OF

TRANSFERABLE DEVELOPMENT RIGHTS (“TDRS”) FROM 604--8TH STREET, 821 NORTH ROSEMARY AVENUE, 800 HENRIETTA AVENUE, AND 601--7TH STREET FOR THE PURPOSES OF PROVIDING APPROPRIATIONS FOR FUTURE PROJECTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22148

Staff Recommended Motion:

Approval of Resolution No. 21-5(F).

Background:

The West Palm Beach Community Redevelopment Agency (the "CRA") is the owner of the real property and all improvements located at 604--8th Street, 821 North Rosemary Avenue, 800 Henrietta Avenue, and 601--7th Street, West Palm Beach, Florida (Heart and Soul Park). Section 94-132 of the Code of Ordinances of the City of West Palm Beach provides a transfer of development rights program, which allows designated sending sites to transfer unused development rights (TDRs) from historic or landmark properties to a purchaser who may bank the TDRs for future use.

Since the CRA is currently developing the sending site as Heart and Soul Park through Resolution No. 19-51, the CRA entered into a TDR purchase and sale agreement with ZF Development. The CRA sold Twenty-Seven Thousand One Hundred and Nineteen (27,119) square feet of TDRs from the properties located at 604--8th Street, 821 North Rosemary Avenue, 800 Henrietta Avenue, and 601--7th Street, West Palm Beach, Florida for \$366,187.50.

The buyer is utilizing the TDRs for the development of an Assisted Living Facility at 445 Datura Street.

The CRA and buyer have closed on the transaction, and the CRA wishes to accept the payment of \$366,187.50 into Reserve for Future Projects.

CRA District: Downtown / City Center.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Approval recognizes proceeds from the sale of TDRs and provides appropriations to Reserves for Future Projects.

RESOLUTIONS (4-7):

4. **Resolution No. 21-1 approving a purchase and sale agreement with August Reign Development Corporation for the sale of the properties located at 801 and 819 N. Tamarind Ave. for \$35,846.**

RESOLUTION NO. 21-1: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING A PURCHASE AND SALE AGREEMENT WITH AUGUST REIGN DEVELOPMENT CORPORATION FOR CONVEYANCE OF THE PROPERTIES LOCATED AT 801 AND 819 N. TAMARIND AVE.; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22149

Staff Recommended Motion:

Approve Resolution No. 21-1.

Background:

The West Palm Beach Community Redevelopment Agency (“CRA”) undertakes activities for redevelopment and to remedy blight in the Downtown/City Center, which includes the acquisition and disposition of properties. Amendment #15 to the Strategic Finance Plan for Downtown/City Center CRA identifies the Historic Northwest as a target area, with goals for the neighborhood, which include the continued development of the Tamarind Corridor.

The CRA owns vacant properties located at 801 and 819 N. Tamarind Ave. A proposal was received from August Reign Development Corporation (Cooper Construction) to purchase the CRA property to locate their offices within the Historic Northwest along Tamarind Ave. Initially the proposal was for construction of a new office building; however, an opportunity arose with coordination and assistance from the CRA, which would relocate the City's former health clinic that is located at 464 Fern St. to the Property. The former health clinic is currently owned by a separate entity but is a historic structure and must be moved. The City's Historic Preservation Officer agrees that the location of this building within the Historic Northwest, fits the character of the neighborhood and the location is desirable.

Resolution No. 20-34, on May 4, 2020, approved the notice of disposition of the properties located at 801 and 819 N. Tamarind Ave. No other proposals were received for the property.

The buyer desires to purchase, and CRA agrees to sell the Property to Buyer for \$35,846 for the development of an office building. The Buyer's offer is based on the PAPA values. Although an appraisal for the property was received at a value of \$250,000, the CRA believes the addition of the office building with twenty-one (21) employees, along with the potential of a revitalized historic structure, will create a great public benefit in the redevelopment of the Tamarind Corridor and desires to sell the property at a reduced price as a construction/relocation incentive to the Buyer. The Agreement requires the Buyer to relocate the historic structure from 464 Fern St. to the property within six (6) months of closing, or in the alternative, if relocation is not possible, the Buyer will be required to submit for a building permit within one (1) year of closing and shall complete construction within eighteen (18) months of issuance of the building permit. The Buyer will also be required to retain ownership of the Property for a period of five (5) years. To secure compliance with the terms of the Agreement, CRA will hold a mortgage in the amount of \$214,000, which is representative of the remainder of the appraised value. The mortgage will be forgiven if the terms and conditions of the Agreement are met.

CRA District: Downtown / City Center.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Revenue totals \$35,846 for sale of West Palm Beach CRA owned property.

5. **Resolution No. 21-2 approving an Amendment to License Agreement with Art Miami to conduct the Palm Beach Modern + Contemporary event during a weekend in March 2021.**

RESOLUTION NO. 21-2: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AMENDMENT TO LICENSE AGREEMENT WITH INFORMA MARKETS ART, LLC REGARDING THE PALM BEACH MODERN + CONTEMPORARY EVENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22150

Staff Recommended Motion:

Approve Resolution No. 21-2.

Background:

In 2016, the West Palm Beach Community Redevelopment Agency executed a license agreement with Art Miami to conduct the Palm Beach Modern + Contemporary within the property known as the Tent Site located at 400 Lakeview Avenue.

The purpose of the license agreement was an effort to provide additional activation and economic development to Downtown West Palm Beach. Venues that are located near or in downtown were currently booked. By utilizing the tent site through a license agreement, the CRA was able to generate further economic activity. Over the past four (4) years, Palm Beach Modern + Contemporary has held their fair on the CRA's Tent Site generating \$10.9 million of economic activity output and notoriety for the City of West Palm Beach throughout the art world. The fair has been purposely held following Art Basel in Miami to benefit from the artists and galleries that are already in the region.

However, like the many events in the City of West Palm Beach, Palm Beach Modern + Contemporary has been negatively impacted by the pandemic. As a result, Art Miami has requested an amendment to their license for one (1) year to accommodate the impact the pandemic has had on the event. Art Miami is requesting to move their event date from January to March 18th-21st. Under these dates, the tent site would be used beginning March 4th for set up and be returned to parking operations on March 28th. In return for this change, Palm Beach Modern + Contemporary will contribute \$9,041.50 (169 spots x \$53.50 monthly rate). They will also relocate the existing parking customers to a similar location at their cost. Lastly, the City will receive marketing and promotional benefit as a partner in the show.

The tent site is currently under site plan review for development of a Class A office building. The Lessee has consented to this license. The license will be terminated when the developer starts work at the property.

Resolution No. 21-2 approves the Amendment to the License Agreement.

The art show will be held on property in the Downtown / City Center CRA District.

CRA District: Downtown / City Center.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

CRA will receive \$9,041.50 for a licensing fee.

6. **Resolution No. 21-3 authorizing the consent to transfer all membership interests in Immocorp Ventures, LLC, the developer of the Anchor Site, to WPB Northwood Property, LLC.**

RESOLUTION NO. 21-3: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING CONSENT TO TRANSFER ALL MEMBERSHIP INTERESTS IN IMMOCORP VENTURES, LLC TO WPB NORTHWOOD PROPERTY, LLC; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22151

Staff Recommended Motion:

Approve Resolution No. 21-3.

Background:

The CRA and Immocorp Ventures, LLC (the "Developer"), executed and entered into a Property Development and Lease Agreement for the Anchor Site ("Agreement"), as approved by Resolution No. 20-53 on September 16, 2020. Immocorp Ventures is owned 100% by Gilbert Benhamou (the "Developer Interest").

As a consequence of the structuring of the equity funding and associated entities created for the Project, the Developer is proposing the organization structure, which will be presented to the CRA Board.

To comply with such organizational structure, Gilbert Benhamou wishes to assign and transfer his Developer Interest to WPB Northwood Property, LLC, after which, he will have no direct interest in Immocorp or the Developer Interest. WPB Northwood Property, LLC would then own Immocorp Ventures and the Developer Interest. However, Gilbert Benhamou represents that he will remain as manager of one or more of the entities in the organizational flowchart and will still retain interest and manage the development of the Anchor Site.

WPB Northwood Property, Immocorp, and Gilbert Benhamou wish for the CRA to consent to and approve of the transfer of the Developer Interest to WPB Northwood Property and for such transfer not to be deemed a default or breach of the Agreement, or any other applicable laws or agreements.

The Consent would not change the Agreement in place between the West Palm Beach CRA and Immocorp Ventures LLC, which remains the Master Developer. Gilbert Benhamou represents that he would still ultimately manage the development of the Anchor Site.

Resolution No. 21-3 would authorize execution of the Consent to the transfer of the Developer Interest to WPB Northwood Property LLC, after receipt by the CRA of evidence that all corporate entities shown in the organizational structure have been created and the membership is as reflected on the organizational chart.

CRA District: The Project is in CRA Northwood/Pleasant City District.

Commission District 1: Commissioner Kelly Shoaf.

Fiscal Note:

No fiscal impact.

7. Resolution No. 21-4 approving a letter of intent to offer development incentives for the relocation of jobs to the Downtown City Center District.

RESOLUTION NO. 21-4: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A LETTER OF INTENT TO OFFER DEVELOPMENT INCENTIVES FOR THE RELOCATION OF JOBS TO THE DOWNTOWN / CITY CENTER DISTRICT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22152

Staff Recommended Motion:

Approval of Resolution No. 21-4.

Background:

Project Washington is an economic development project that is aimed at relocating a financial services company from the mid-Atlantic region to West Palm Beach. The City of West Palm Beach is currently being considered along with other cities in the region. Project Washington aims to bring approximately six hundred (600) new jobs, with an average salary of at least \$70,000. In return, the CRA proposes a relocation and job creation incentive modeled after the State of Florida's qualified targeted industry grant program. The CRA has offered \$3,000 per net new job created in the City of West Palm Beach not to exceed \$1.8 million. Payment of the grant will be on a reimbursement basis upon submittal of required reports evidencing position created during the prior calendar year. Incentive payments will be made over a period of four (4) years. Each annual payment shall not exceed \$450,000, except the final payment. The final payment shall include all new positions generated in the prior calendar year plus any un-reimbursed position carried forward; provided that the total incentive payment shall not exceed the grant amount. Lastly, the company will receive expedited permit review through the City's Construction Services division for build-out of the new office space. This project is also a result of the CRA's partnership with the Business Development Board of Palm Beach County. Project Washington was introduced to the City and CRA through the BDB's office.

CRA District: Downtown / City Center.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Approval is based on tax increment financing from new construction that has not been realized on the tax roles yet.

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.