



**West Palm Beach
Community Redevelopment Agency**

PASS/FAIL AGENDA

**March 8, 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 (2-4): ALL CONSENT ITEMS (2-4) APPROVED

2. **Minutes of the Community Redevelopment Agency Meeting of February 8, 2021.**
Agenda Cover Memorandum No.: 22157

Staff Recommended Motion:

Approve the Minutes of the Community Redevelopment Agency Meeting of February 8, 2021.

3. **Resolution No. 21-7(F) authorizing transfer of funds from Reserve for Future Projects for the purpose of amending the Community Redevelopment Agency fund budget to provide funding for early satisfaction of a loan payable to Palm Beach County for the Brownfield Remediation of the Anchor Site in the amount of \$166,781.91.**

RESOLUTION NO. 21-7(F): A RESOLUTION OF THE BOARD OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE APPROPRIATION OR TRANSFER OF CRA FUNDS IN FISCAL YEAR 2020/2021 FOR THE PURPOSE OF AMENDING THE NORTHWOOD/PLEASANT CITY CRA DISTRICT BUDGET TO PROVIDE APPROPRIATIONS FOR THE EARLY SATISFACTION OF A LOAN PAYABLE TO PALM BEACH COUNTY FOR THE ANCHOR SITE BROWNFIELD CLEANUP; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22158

Staff Recommended Motion:

Approval of Resolution No. 21-7(F).

Background:

The Anchor Site consists of a series of property on the west end of Northwood Village, including the properties known as 2401 Broadway, 2425 Broadway, 2501 Broadway, 2505 Broadway, 2501 Pinewood Avenue, 701 23rd St., 609 24th St., 604 25th St., and 610 25th St. This assemblage was well documented to have supported a series of uses recognized to be the sources of potential environmental contamination, such as automotive repair shops and gasoline stations.

After purchase of these properties, the Agency entered into a Brownfields Site Rehabilitation Agreement with the Florida Department of Environmental Protection (FDEP) in which the Agency has agreed to conduct cleanup activities regarding the environmental contamination of the Anchor Site consistent with state and federal laws and rules and conduct the site rehabilitation in a timely manner according to the rehabilitation schedule. After a series of site assessments, beginning in 2005, a Remedial Action Plan (RAP) was prepared and approved by FDEP in April 2011. An Analysis of Brownfields Cleanup Alternatives (ABCA) evaluated four (4) potential remedial alternatives and concluded that an air sparge soil vapor extraction technology appeared to be the most cost effective remedial cleanup method. Site cleanup was completed in 2018 and was monitored until the 2020 final report that the remediation was complete, and the site was clean.

By Resolution No. 15-26, the Agency authorized submission of an application to the Palm Beach County Environmental Revolving Loan Fund to provide funding for the cleanup.

Resolution No. 15-69 approved the acceptance of the loan in the amount of \$350,000 with \$50,000 of that loan being forgivable, if all terms of the agreement are met.

The terms of the agreement with Palm Beach County were for ten (10) years with the note satisfied in 2027. On September 20, 2020, the CRA entered into a property development and lease agreement with Immocorp Ventures, LLC for the Anchor Site. As part of the due diligence for developing the property, the Developer is required to obtain Title Insurance. As part of the requirements to obtain the insurance, there must be no encumbrances on the property. Currently, Palm Beach County holds a Mortgage on this property, due to the outstanding loan for the environmental cleanup. In order to satisfy the mortgage, the CRA must pay off the remainder of the Note to Palm Beach County in an amount of \$166,781.91.

The CRA wishes to pay off the loan to Palm Beach County early in order to satisfy the mortgage currently on the property. Funding will be transferred from Reserve for Future projects in an amount of \$166,781.91.

Commission District 1: Commissioner Kelly Shoaf.

Fiscal Note:

Approval will provide appropriations from Reserves to pay off the 2016 PBC Note.

4. Resolution No. 21-12 appointing Roger Pisaneschi and Craig Glover to the Community Redevelopment Area Advisory Board.

RESOLUTION NO. 21-12: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPOINTING ROGER PISANESCHI AND CRAIG GLOVER TO THE COMMUNITY REDEVELOPMENT AREA ADVISORY BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22159

Staff Recommended Motion:

Approve Resolution No. 21-12.

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. 20-70 redefined the Board membership to consist of eleven (11) voting members from the following groups or organizations:

1. One (1) member who is the owner of a business located in the Northwood/Pleasant City District;
2. Two (2) at-large members from the Northwood/Pleasant City District;
3. One (1) member representing the Chamber of Commerce of the Palm Beaches;
4. One (1) member representing a 501(c)(3) non-profit community-focused organization located in the Northwood/Pleasant City District;
5. One (1) member representing a financial institution with an office in the City of West Palm Beach;
6. One (1) property owner from the Northwood area of the Northwood/Pleasant District;
7. One (1) property owner from the Pleasant City area of the Northwood/Pleasant District;
8. One (1) member who is an architect, landscape architect, planner, or engineer;
9. One (1) member with legal background; and
10. One (1) member who is a general contractor or who has private sector development related experience.

Roger Pisaneschi and Craig Glover applied for service on the CRAAB, and their applications were favorably reviewed and forwarded by the nominating committee headed by Jack Frost.

If appointed, Mr. Glover will fill the position of one member representing a 501(c)(3) non-profit community focused organization located in the Northwood/Pleasant City District. Mr. Pisaneschi will fill the position of "At-Large".

Resolution No. 21-12 approves the foregoing detailed appointments to the CRAAB.

RESOLUTIONS (5-7):

5. **Resolution No. 21-11 **APPROVED** authorizing the submittal of a grant application to the African American Cultural Heritage Action Fund 2021 from the National Trust for Historic Preservation for the proposed Historic Restoration of the Mickens House located at 801 4th Street.**

RESOLUTION NO. 21-11: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE NATIONAL TRUST FOR HISTORIC PRESERVATION'S AFRICAN AMERICAN CULTURAL HERITAGE ACTION FUND 2021 GRANT PROGRAM REQUESTING FUNDING IN THE AMOUNT OF \$150,000 FOR THE HISTORIC RESTORATION OF THE MICKENS HOUSE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22162

Staff Recommended Motion:

Approve Resolution No. 21-11.

Background:

The CRA owns the property located at 801 4th Street, known as the Mickens House, located in the Historic Northwest CRA District. The Mickens House is a historic structure. The CRA is in the planning stages of conceptual design and adaptive re-use of the historic Mickens House. The National Trust for Historic Preservation, as part of the African American Cultural Heritage Action Fund for 2021, has several grant opportunities that support the preservation and restoration of historical resources. CRA staff is requesting authorization to apply to the National Trust for Historic Preservation for a grant in the amount of \$150,000 to be used for the restoration of the Mickens House. The estimated restoration cost for the Mickens house is \$935,000. This estimate does not include the renovation and restoration cost of the Edgewater building recently moved to the site from Gardenia Ave.

Commission District 3: Commissioner Christy Fox.

6. **Resolution No. 21-13 **APPROVED** approving the issuance of a letter of intent to offer development incentives in the amount of \$60,000 to a firm referred to as Project Lake for the relocation of jobs to the Downtown City Center District.**

RESOLUTION NO. 21-13: 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 FOR AN ENTITY REFERRED TO AS PROJECT LAKE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22160

Staff Recommended Motion:

Approve Resolution No. 21-13.

Background:

Project Lake is an economic development project that is aimed at relocating a financial services company from the mid-west region of the United States to West Palm Beach. The City of West Palm Beach is currently being considered along with other cities in the region. Project Lake aims to bring approximately twenty (20) new jobs, with an average salary of at least \$460,000. 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 \$60,000. 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 three (3) years. 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 Lake 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:

\$60,000 from future budget cycles will be distributed across a three (3) year period based on the number of jobs created.

7. **Resolution No. 21-14 APPROVED approving a Termination of Lease Agreement for the CRA-owned property located at 407 Clematis Street (Dunkin Donuts).**

RESOLUTION 21-14: A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A TERMINATION OF LEASE AGREEMENT WITH SOUTHEAST ENTERPRISE HOLDINGS, LLC, FOR THE DUNKIN DONUTS CITY CENTER CAFÉ SPACE LOCATED AT 407 CLEMATIS STREET, WEST PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22161

Staff Recommended Motion:

Approve Resolution No. 21-14.

Background:

The West Palm Beach Community Redevelopment Agency is the owner of the City Center complex located at 401 Clematis Street. Within the complex there are tenants that occupy multiple spaces. 407 Clematis Street is located on the first floor of the Mandel Public Library with entrances to the City Hall plaza as well as from the library itself and is currently occupied by a Dunkin Donuts.

On October 12, 2012, a Lease Agreement was entered into between the West Palm Beach CRA and Clematis Donuts, LLC to locate a Dunkin Donuts in the approximately 900 square foot cafe space at 407 Clematis. The terms of this agreement were as follows:

- Rent: \$15.00 per SF (Annual 3% Increases beginning on January 1, 2014).
Current rent is \$1,383.61 per month.
- Security Deposit: \$4,250
- Term: Five (5) Years with three (3) five (5) year renewal options

The lease was assigned to the current owner, Southeast Enterprise Holdings, LLC in 2020. The current lease term expires on December 31, 2022.

Due to COVID-19, the tenant has experienced significant income reductions and approached the CRA about terminating their lease early. CRA staff entered into negotiations with the tenant and Dunkin Donuts corporate office to encourage a continuation of the lease; however, the tenant and corporate office wish to continue with the termination of the lease and removal of the Dunkin Donuts cafe.

Resolution No. 21-14 approves the termination of the Lease Agreement effective April 1, 2021 and release Southeast Enterprise Holdings, LLC from rent payments due April 1, 2021 through December 31, 2022. This would result in a loss of rent revenues to the CRA in the amount of \$16,603.30 annually for a total loss of \$29,055.81 for the remainder of the lease term. As consideration for the early termination, the CRA will retain the \$4,250 security deposit and the tenant would vacate the premises by April 1, 2021.

The CRA and DDA are currently working to re-lease the 900 SF cafe space as soon as possible.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Reduction of income to CRA of \$16,603.30 annually for a total loss of \$29,055.81.

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.