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Mayor Keith A. James
Commission President Joseph A. Peduzzi (District 4)
Commissioner Kelly Shoaf (District 1)
Commissioner Sholanda Warren (District 2)
Commissioner Christy Fox (District 3)
Commissioner Christina Lambert (District 5)

CRA Executive Director Christopher Roog
City Attorney Kimberly Rothenburg
City Clerk Hazeline Carson

**City of West Palm Beach
Community Redevelopment Agency
PASS/FAIL Agenda
Monday, October 18, 2021
3:30 PM**

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, FL 33401, (561) 822-1210 (TTY) 800-955-8771.

1. CALL TO ORDER

2. 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.

3. COMMENTS FROM THE PUBLIC

Public comments are limited to 3 (three) minutes. Anyone wishing to address the Commission should complete a "Comments by the Public" card and present it to the City Clerk prior to the Public Comments. When you are called to speak, please go to the podium and state your name and address for the record prior to addressing Commission. The Commission will not discuss the matter nor respond to the comment this evening. Comments made will become part of the record and may be addressed at a later date.

4. COMMENTS BY THE MAYOR AND CITY COMMISSIONERS

5. ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA

6. CONSENT CALENDAR-ALL CONSENT ITEMS APPROVED

All items listed under the consent calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items.

- 6.1. Minutes of the Community Redevelopment Agency Meeting of September 7, 2021

Originating Department:

City Clerk's Office

- 6.2. Resolution No. 21-52(F) authorizing transfer of funds of \$1,847,313 from Reserve for Future Projects for the purpose of increasing the GMP Amendment (5) for Cooper Construction Management & Consulting Inc.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21- 52(F): A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE APPROPRIATION OR TRANSFER OF CRA FUNDS IN FISCAL YEAR 2021/2022 FOR THE PURPOSE OF AMENDING THE CONSTRUCTION MANAGER AT RISK CONTRACT WITH COOPER CONSTRUCTION MANAGEMENT & CONSULTING INC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

July 26, 2021 the CRA Board approved Resolution No. 21-40 approving the Guaranteed Maximum Price increase in the amount of \$3,382,741 for completion of the Sunset Lounge Rehabilitation Project. Resolution 21-52(F) authorizes transfer **From** 105 012400 580 500928 0000000 **To** 105 012430 559 500621 30379167 in the amount of \$1,847,313. The remaining dollars will be transferred from existing internal accounts. Note: Sunset Lounge Building and Sunset Lounge Operational.

7. RESOLUTIONS-7.2 CONTINUED; ALL OTHER RESOLUTIONS APPROVED

- 7.1. Resolution No. 21-56 approving a term sheet between the West Palm Beach Community Redevelopment Agency and NORA Holdings, LLC for development incentives not to exceed \$3,500,000 and tax increment revenues not to exceed \$11,500,000 for the development of multiple parcels in the Brelsford Park and infrastructure improvements along N. Railroad Ave.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-56: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING DEVELOPMENT INCENTIVES IN AN AMOUNT NOT TO EXCEED \$3,500,000 AND TAX INCREMENT REFUNDS NOT TO EXCEED \$11,500,000 FOR THE DEVELOPMENT OF MULTIPLE PARCELS IN THE BRELSFORD PARK NEIGHBORHOOD AND FOR INFRASTRUCTURE IMPROVEMENTS TO NORTH RAILROAD AVENUE; APPROVING A TERM SHEET WITH NORA HOLDINGS, LLC FOR SUCH DEVELOPMENT IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-56.

Background Information:

The Strategic Finance Plan for the Downtown/City Center District, Amendment No. 16, identifies the need to focus on supporting redevelopment of the corridor next to the FEC Railway and vacant parcels in the neighborhood, along with ensuring infrastructure and streetscape improvements are made.

NORA Holdings, LLC has purchased a significant portion of property within the Brelsford Park District and along N Railroad Ave. and a master plan has been developed for the redevelopment of existing structures along N Railroad Ave as well as new development within the district. The developer plans to fund the design and construction of the infrastructure improvements along N Railroad Ave. from 7th St. to 10th St. CRA desires to support the infrastructure improvements along N. Railroad Ave. in order to further the redevelopment of the Brelsford Park District.

The estimated total cost of the infrastructure improvements is approximately Seventeen Million Five Hundred Ninety Thousand Seven Hundred Twenty-Three Dollars (\$17,590,723.00). The CRA desires to offer a real estate development (REDA) incentive in an amount not to exceed \$3,500,000 as well as a Tax Increment Refund not to exceed \$11,500,000 for completion of the infrastructure improvements. The TIF refund would be payable as a refund of 80% of the tax increment attributable to Developer's properties for the first 10 years; and a refund of 35% of the tax increment attributable to Developer's properties for the next 5 years or until the total Tax Increment Refund is paid.

The developer and CRA desire to establish the terms of the Developer's redevelopment commitment and the CRA's incentive commitment, to enable the preparation of a Development Agreement.

CRA District: Downtown/City Center

Fiscal Note:

Additional \$11,500,000 not budgeted and only payable as a percentage of tax increases to the developer owned property.

72. Resolution No. 21-57 approving a second amendment to the Transit Village Incentive Agreement to extend the deadline for commencement of vertical construction to July 13, 2024.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-57: 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 VERTICLE CONSTRUCTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-57.

Background Information:

On January 31, 2018, as approved by Resolution No. 17-60, the CRA and Transit Village, LLC, entered into the Incentive Agreement for the development of a Transit Oriented Development (TOD) on the County-owned 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 TOD project by Transit Village, LLC.

Section 4.3 of the Incentive Agreement provides that vertical construction of the public podium plaza should begin within three (3) years of the Effective Date of the Agreement or the Incentive Agreement becomes null and void.

The City of West Palm Beach, the CRA, Palm Beach County, and Transit Village discussed relocating the Palm Tran Intermodal Transit Center (ITC) from its existing site on Clearwater Drive (the "Wedge") to a site on City property, the Tamarind Parcel, just north of the existing Seaboard Train Station.

On May 5, 2020, the Purchase and Sale Agreement between the County

and Transit Village was amended. The County has agreed to temporarily relocate its Palm Tran ITC operations from the Wedge to the Tamarind Parcel during and until substantial completion of Transit Village's initial construction activities for the TOD project (as defined in the County PSA amendment). The County will consider making the relocation of the ITC permanent. [Transit Village has a lease from the City for the Tamarind Parcel and a companion item for an amendment of that lease is on the City Commission's July 27th agenda].

As approved by Resolution No. 20-39, an amendment to the Incentive Agreement was approved to provide an extension of the deadline for construction of either (a) the public podium plaza portion of the TOD project or (b) construction of the relocated Palm Tran ITC, to August 13, 2023.

The Developer is requesting an amendment of the Incentive Agreement to extend the deadline for commenced either (a) construction of the Public Podium Plaza; or (b) construction of the Relocated Palm Tran Site from August 13, 2023 to July 13, 2024, or the Incentive Agreement, Community Benefits Program, Podium Lease, CRA Option and Nominee Option shall become null and void.

Fiscal Note:

No financial impact

- 7.3. Resolution No. 21-58 approving the letter of intent for Project Rocket offering incentives totaling \$60,000 for the creation of 20 jobs in the Downtown/City Center District.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-58: 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 ROCKET; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-58.

Background Information:

Project Rocket 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 has been selected as the location for the company. Project Rocket aims to bring approximately twenty (20) new jobs, with an average salary of at

least \$280,000. In return, the CRA offered job creation incentives 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 four (4) 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 Rocket was introduced to the City and CRA through the BDB's office.

CRA District: Downtown / City Center.

Fiscal Note:

The \$60,000 incentive will be paid out over a four year period, commencing next fiscal year at the earliest.

74. Resolution No. 21-9 approving: (1) the purchase of the property located at 311 N. Sapodilla Avenue for an amount not-to-exceed \$300,000; and (2) the lease and lease-back of the property to Nivia A. & Fritz Jean Louis for use as a restaurant, with an option to re-purchase.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-9: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A REVISED NON-BINDING TERM SHEET FOR THE PURCHASE AND LEASEBACK OF THE PROPERTY LOCATED AT 311 N. SAPODILLA AVENUE WHICH PROVIDES FOR IMPROVEMENT OF THE PROPERTY TO ACCOMMODATE A RESTAURANT AND AN OPTION FOR THE LESSEES TO BUY BACK THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-9.

Background Information:

The Strategic Finance Plan, Amendment No. 15, for Downtown City Center District, which includes the Historic Northwest, states that "development of the commercial corridors and commercial nodes is also important for the holistic redevelopment of the Northwest. The CRA will support development of those commercial uses that support the preservation of the residential character of the neighborhood".

A formal unsolicited proposal was received from the property owners dated July 25, 2017 regarding interest in rehabilitating the existing two (2) story building and establishing a restaurant on the first (1st) floor.

Staff recognizes the importance of this location because of its proximity to downtown and its proximity to the proposed \$60 million "The Grand" affordable housing project. We further acknowledge the need to offer inclusion and provide equity in the surrounding neighborhood. The Relocation and Development Assistance Program is designed to support difficult redevelopment projects that cannot be accommodated under other programs. Since not all redevelopment obstacles can be anticipated, this program allows the CRA Board the flexibility choose from a variety of different options to facilitate projects that would not happen without assistance at some level. Accordingly, the project meets the objective of the program in that it would ensure rehabilitation and renovation of an existing historic structure, allow a new business to relocate to the area, assist property owner in obtaining the highest and best use of the property, and eliminate slum and blight. Staff began negotiations with the owner to determine the most feasible approach to redevelopment of the property and determined it would be most effective for the Agency to own the property, rehabilitate and renovate the structure, and then lease back, with an option to re-purchase the building at agreeable terms.

Resolution No. 17-48 previously approved a Term Sheet for the purchase and leaseback of the property; however, due to changes in the project, changes in the terms, costs, and the passage of time, the parties desire to revise certain terms.

The revised terms include the following:

PURCHASE: The Term Sheet still includes purchase of the property for an amount not to exceed \$300,000.

The CRA will design and construct certain interior and exterior Improvements to the 1st floor of the primary building to allow the Tenant to operate a full service restaurant.

LEASE/PURCHASE OPTION: Tenants Buy-Back Price shall be approximately \$1,225,371. The rent paid by Tenants will be credited toward the buy back purchase price. Rent will be charged as follows: Years 1-5: \$2,300/Mo. and Years 6-25: \$4,530.71/mo. Tenant shall be allowed to pay more than these minimums to "pay-down their buy-back amount.

The Tenant will be responsible for the costs of insurance and property taxes for the property.

Total Project Cost: \$1,865,720 includes purchase and renovation.
Total Grants/Incentives/TDR SALE: \$640,349 (20% CRA Grant \$373,144,
TDR Sale \$267,205)

Resolution No. 21-9 approves the revised Term Sheet.

Upon execution of the revised Term Sheet by the Owners, CRA will bring back to the CRA Board, for approval, the legal agreements and documents necessary to accomplish the proposed transactions.

CRA District: Downtown / City Center.

Commission District 3: Commissioner Christy Fox.

- 7.5. Resolution No. 21-46 authorizing a façade grant to 711 N. Rosemary, LLC, for improvements at 711 N. Rosemary Avenue.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-46: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING A GRANT IN THE AMOUNT OF \$75,000 UNDER THE FACADE AND EXTERIOR IMPROVEMENT PROGRAM TO 711 N. ROSEMARY LLC., FOR IMPROVEMENTS TO THE PROPERTY LOCATED AT 711 NORTH ROSEMARY AVENUE; APPROVING AND AUTHORIZING THE CHAIR TO EXECUTE A GRANT AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-46.

Background Information:

In November 2005, the CRA Board formally adopted the Strategic Finance Plan for the Downtown / City Center CRA District. In June 2006, the CRA Board formally adopted nine (9) incentive programs, many of them targeting the Northwest neighborhood. On September 14, 2017, by Resolution No. 17-42, the CRA amended previously adopted incentive programs, as they apply to the Historic Northwest Neighborhood. One of these programs, the Interior and Exterior Façade Grant, is intended to encourage investors to upgrade and fill vacant storefronts.

The CRA received an application from Darnell Gardner as manager of 711 N. Rosemary LLC for a grant under the Interior and Exterior Façade Grant Program for the property located at 711 N. Rosemary Ave in the

Northwest Neighborhood Target Area. This is a viable project and meets the criteria set forth in the Façade Grant Program. The application submitted is for qualifying exterior and interior renovations for the existing structure. The renovation includes, but is not limited to, repairing and repainting of exterior stucco; installing new windows and doors, new roofing system, and new electrical and plumbing; and upgrading landscape and irrigation for a total project cost of \$157,000.00. In accordance with the Interior and Exterior Façade Program, the applicant is required to contribute 20% of the construction costs and the Agency will contribute 80% of the construction cost not to exceed \$75,000.

- 7.6. Resolution No. 21-59 Approving tax increment refunding for workforce housing in an amount not to exceed \$9,800,000 for the Datura Residences Project.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-59: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING TAX INCREMENT REFUNDING IN AN AMOUNT NOT TO EXCEED \$9,800,000 FOR THE DATURA RESIDENCES PROJECT TO BE CONSTRUCTED AT 506-524 DATURA STREET; APPROVING A TERM SHEET WITH LINCAP WPB LLC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-59.

Background Information:

Earlier this year Lineaire Group approached the City and Community Redevelopment Agency about a development located on south side of the 500 block of Datura Street.

The development proposed included a mixed-use project with a 130-key boutique hotel, 180 residential units and 2,600 square feet of commercial space. The project is located across the street from the Brightline Station centered in the central business district. The total project cost, not including land purchase, is estimated to be Ninety-Four Million Dollars and completed by the end of 2025.

The developer expressed a desire to include workforce housing in the project. After several meetings with Lineaire Group the following terms were drafted for consideration by the CRA:

Proposed Amount of Workforce Housing: 35 Units

(Approximately 20% of the 180)

Breakdown:	30 Studios
	5 One Bedrooms
Percentage of Area Median Income:	100% (Palm Beach County AMI)
Term of Affordability:	26 years
Tax Increment Refund Amount:	50% Not-To-Exceed \$9,600,000
Term of the Refund Amount:	16 Years

The project was submitted to the City prior to the Workforce Housing Ordinance was approved. However, the goals of the project are like those presented in the ordinance. Unlike other developments in the DMP under the workforce housing ordinance, the project will not get additional density. However, the increase in tax increment from 30% to 50% is meant offset the lack of additional density. The tax increment refund is only in place until the \$9,800,000 is reached. The sixteen (16) timeline was the estimated timeline for the project based on 2.5% increase in property value from the time the project begins generating tax revenue.

Resolution No. 21-59 approves the Term Sheet and authorizes preparation of a final agreement with the Developer, to be brought back to the CRA Board for final approval..

CRA District: Downtown / City Center

Fiscal Note:

The incentive will be generated from the project once it is completed in 2024

8. 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.