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Mayor Keith A. James
Commission President Joseph A. Peduzzi (District 4)
Commissioner Kelly Shoaf (District 1)
Commissioner Shalonda 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, December 13, 2021
3:00 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.

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 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 Special Community Redevelopment Agency Meeting of September 20, 2021

Originating Department:

City Clerk's Office

- 6.2. Minutes of the Community Redevelopment Agency Meeting of October 18, 2021

Originating Department:

City Clerk's Office

- 6.3. Minutes of the Community Redevelopment Agency Meeting of November 1, 2021

Originating Department:

City Clerk's Office

- 6.4. Minutes of the Special Community Redevelopment Agency Meeting of November 15, 2021

Originating Department:

City Clerk's Office

- 6.5. Resolution No. 21-65(F) authorizing the appropriation or transfer of CRA Funds in Fiscal Year 2021/2022 for Community Redevelopment Agency and Northwood/Pleasant City Community Redevelopment Agency Fund Budgets to provide appropriations for the installation of security and protection equipment (Cameras) at the Intersection of Australian & Clearlake and at the intersection of Broadway and 25th Street. Total dollar value of transfer is \$83,750.00.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-65(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 DOWNTOWN/CITY CENTER COMMUNITY REDEVELOPMENT AGENCY AND NORTHWOOD/PLEASANT CITY COMMUNITY REDEVELOPMENT

AGENCY FUND BUDGETS TO PROVIDE APPROPRIATIONS FOR THE INSTALLATION OF SECURITY AND PROTECTION EQUIPMENT (CAMERAS) AT THE INTERSECTION OF AUSTRALIAN & CLEARLAKE AND AT THE INTERSECTION OF BROADWAY & 25TH STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

Funds were available for this project in the FY21 Budget and the installation was anticipated to be obligated within a purchase order in FY21. However, due to the timing of the completion of contracts, there was insufficient time to get a purchase order. No budget line was created in FY22 as it was expected that the entire process would have been completed and payment would have been made in FY21. Hence, a budget line item now needs to be identified and the funds appropriated for payment.

Fiscal Note:

Approval allows for vendor to be paid.

- 6.6. Resolution No. 21-70 approving the purchase of property located at 311 N. Sapodilla Avenue for an amount not-to-exceed \$300,000 and providing a lease-back to Nivia and Fritz Jean Louis.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-70: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE PURCHASE OF THE PROPERTY LOCATED AT 311 N. SAPODILLA AVENUE FOR AN AMOUNT NOT TO EXCEED \$300,000; APPROVING IMPROVEMENT OF THE PROPERTY TO ACCOMMODATE A RESTAURANT; APPROVING A LEASE-BACK TO NIVIA A. JEAN LOUIS AND FRITZ JEAN LOUIS WITH AN OPTION TO RE-PURCHASE THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

By Resolution No. 21-9, the CRA Board approved a Term Sheet which provided that the CRA would purchase the 311 N. Sapodilla Avenue property (the "Property"), construct/rehabilitate the first floor to a functioning restaurant, lease-back the Property to the original owners with an option to re-purchase the property, and apply the rent paid during the lease period as a credit toward the purchase price. The Resolution further directed staff to bring back to the CRA Board, for approval, the legal agreements and documents necessary to accomplish the proposed transaction.

The essential terms of the transaction are as follows:

PURCHASE: The CRA will purchase the Property for the amount of the outstanding mortgage, not to exceed \$300,000.

IMPROVEMENTS: 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 on the Property.

LEASE: The term of the lease is 25 years. The lease shall be a triple net lease, with Tenants responsible for the payment of rent, property taxes and property insurance. In accordance with the Term Sheet, Rent will be charged as follows: Years 1-5: \$2,300/month plus applicable taxes and insurance. Years 6-25: \$4,530.71/month plus applicable taxes and insurance. Tenants shall be required to operate a restaurant on the Property.

PURCHASE OPTION: Tenants will have the option to buy-back the Property during the lease term. The option buy-back price shall be \$1,225,371. The rent paid by Tenants during the lease will be credited toward the buy back purchase price.

Total Project Cost: \$1,859,888.60 includes purchase price and renovation.

Total Grants/Incentives/TDR SALE: \$639,182 (20% CRA Grant \$371,977, TDR Sale \$267,205).

CRA District: Downtown / City Center.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Total Project Cost: \$1,859,888.60 includes purchase price and renovation.

Total Grants/Incentives/TDR SALE: \$639,182 (20% CRA Grant \$371,977, TDR Sale \$267,205)

- 6.7. Resolution No. 21-75 approving an agreement 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. 21-75: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A RELOCATION AND ECONOMIC DEVELOPMENT INCENTIVE GRANT AGREEMENT TO PROVIDE INCENTIVES TO PROJECT ROCKET IN AN AMOUNT NOT

TO EXCEED \$60,000 FOR THE RELOCATON OR EXPANSION OF JOBS TO THE DOWNTOWN / CITY CENTER DISTRICT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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 that the positions were 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:

Incentives will be paid out over a four (4) year period beginning FY 22-23 upon proof of the job creation.

- 6.8. Resolution No. 21-55 authorizing a Paint, Plant and Pave grant to Eileen Pugh for improvements to the property located 526 Douglass Avenue for an amount not-to-exceed \$20,000.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION No. 21-55: A RESOLUTION OF THE BOARD OF COMMISSONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A GRANT UNDER THE NORTHWEST NEIGHBORHOOD PAINT, PLANT & PAVE PROGRAM TO EILEEN PUGH FOR IMPROVEMENTS TO THE PROPERTY LOCATED AT 526 DOUGLASS AVENUE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

In November 2005, the CRA Board formally adopted the Strategic Finance Plan for the Downtown/City Center CRA District which included various incentives targeting the Historic Northwest Neighborhood. The Paint, Plant

and Pave program (the "Program") was included and encourages improvements to single-family, homesteaded owner-occupied homes in the neighborhood. The grant pursuant to the Program will allow interior and exterior improvements including but not limited to painting, driveway repair, landscape and irrigation.

The CRA received an application from Ms. Eileen Pugh for a grant pursuant to the Program for the property located at 526 Douglass Avenue, also known as 828 5th Street, as the property is on a corner lot. This is a viable project and meets the criteria set forth under the Program. The application submitted is for qualifying interior and exterior improvements which includes exterior/interior paint, fencing and minor roof repair. This is a direct Grant award not to exceed \$20,000.

Fiscal Note:

\$20,000 funded through the CRA Redevelopment Incentive Program.

7. RESOLUTIONS-ALL APPROVED

- 7.1. Resolution No. 21-53 authorizing the conveyance of CRA owned property at 1213 N. Sapodilla Avenue to Linton Jog Associates Ltd., and approving and authorizing the Chair to sign an Agreement for Conveyance of Real Property between the Community Redevelopment Agency and Linton Jog Associates Ltd.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-53: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE CONVEYANCE OF CRA OWNED PROPERTY LOCATED AT 1213 NORTH SAPODILLA AVENUE TO LINTON JOG ASSOCIATES LTD., TO SERVE AS A RECEIVING SITE FOR THE RELOCATION OF A HISTORIC HOUSE LOCATED AT 464 FERN STREET; APPROVING AND AUTHORIZING THE CHAIR TO EXECUTE AN AGREEMENT FOR CONVEYANCE OF REAL PROPERTY BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND LINTON JOG ASSOCIATES LTD., PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-53.

Background Information:

Linton Jog Associates LTD., is a developer that is developing the site on the South East Corner of Fern Street and Quadrille Boulevard. The developer is required to move the historic houses located on this site as part of their development agreement. One of the houses will be moved to

1213 N. Sapodilla Avenue (Soon to be renumbered as 1225 N. Sapodilla Avenue) (the "Sapodilla Site") which is owned by the CRA. After complying with the disposition procedures set forth in Section 163.380, Florida Statutes, the CRA agreed to convey the Sapodilla site to Linton Jog subject to the following main conditions.

- a. The building being moved shall be restored per plans and approval from the City's historic board.
- b. Landscaping shall be improved per plans and CRA approval.
- c. New entry way signage into the Historic Northwest district shall be erected per plans and CRA approval.
- d. 1220 N. Sapodilla shall be improved with landscaping and new grass.
- e. Linton Jog will deposit the sum of \$400,000 with the CRA as security for completing the project. In the event the project is not completed in accordance with the terms of the Conveyance Agreement, the CRA will retain ownership of the property and use the security deposit to complete or restore the property. Any funds remaining thereafter will be returned to Linton Jog.

In return for the foregoing, the CRA will transfer the Sapodilla site to Linton Jog Associates LTD., by Quit Claim Deed, for the sum of \$1. The deed will be transferred when all improvements are complete and the building receives a certificate of occupancy.

Staff is requesting the board to approve the transfer the Property to Linton Jog Associates LTD., and to approve and authorize the Chair to sign the Conveyance Documents.

- 7.2. Resolution No. 21-72 approving a license agreement with 1st Choice Antiques for use of the front porch area of 314 Clematis Street in conjunction with the West Palm Beach Antique and Flea Market held on Saturdays.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-72: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A REVOCABLE LICENSE TO USE PUBLIC PROPERTY WITH 1st CHOICE ANTIQUES.COM, LLC, FOR USE OF THE PORCH AREA OF 314 CLEMATIS STREET; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-72.

Background Information:

The CRA owns the property located at 314 Clematis St., West Palm Beach, Florida, and is in the process of finalizing design and construction plans. The outdoor front porch area of the first floor of the Property (the "Porch"), which was previously operated as The Thoroughfare is currently unoccupied. 1st Choice Antiques.com, LLC wishes to activate the Porch for pop-up businesses in conjunction with its Saturday event called the West Palm Beach Antique and Flea Market which operates from 8:30 AM until 2:00 PM each Saturday between October 2nd and mid-May except for the weekends of the Boat Show and Sunfest. Set up of vendors commences at approximately 6:00 AM each Saturday and all vendors must vacate the Porch by 4:00 PM each Saturday. The CRA agrees to grant 1st Choice Antiques.com, LLC a license for use of the Porch space until such time that the CRA is ready to commence construction at the Property. 1st Choice Antiques.com, LLC will pay a license fee of \$50 per usage day to the CRA which is comparable to current market rates for similar spaces along Clematis Street.

CRA District: Downtown/City Center District.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

A license fee of \$50 per usage day will be charged.

- 7.3. Resolution No. 21-73 approving a Development Incentive Agreement with NORA Holdings, LLC totaling \$15,000,000 for infrastructure improvements to North Railroad Avenue.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-73: 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 DEVELOPMENT INCENTIVE AGREEMENT WITH NORA HOLDINGS, LLC FOR SUCH DEVELOPMENT IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-73.

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.

Resolution No. 21-73 approves the development incentives and authorizes execution of a Development Incentive Agreement.

CRA District: Downtown/City Center.

- 7.4. Resolution No. 21-74 approving the revised concept plan for the Tent Site development by Cohen Brothers Realty Corporation, LLC.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 21-74: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE REVISED CONCEPT PLAN FOR THE PROPERTY KNOWN AS THE "TENT SITE" LOCATED AT 801 S. DIXIE HIGHWAY SUBMITTED BY COHEN BROTHERS REALTY CORPORATION, LLC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 21-74

Background Information:

On May 25, 2020 via Resolution No. 20-24, the CRA Board approved the Ground Lease with Cohen Brothers Realty Corporation, LLC for the lease of the property located at 801 S. Dixie, known as the "Tent Site."

As part of the lease, the developer was required to present a concept plan to the CRA Board, as the property owner, for approval within three (3) months of the lease signing. The concept plan was received by CRA staff on July 1, 2020, and by Resolution No. 20-44, the CRA Board approved the original concept plan.

In order to comply with zoning and land development regulations, the developer revised the concept plan, particularly with respect to the parking garage. Section 4.4 of the Ground Lease provides that material changes to the concept plan after Board approval must be brought back to the CRA Board for approval as the property owner.

Pursuant to the Ground Lease, the Concept Plan shall include, without limitation, conceptual drawings, architectural renderings, exterior elevation and facade renderings, parking plan, preliminary site and landscaping plans and a narrative description of the design and materials proposed for the exterior finishes and appearances.

Resolution No. 21-74 will grant approval of the revised concept plan.

Once approval is given by the CRA Board, Cohen Brothers Realty will move onto the next phase in the development process - Governmental Approvals. All applications for Governmental Approvals will be obtained by June 8, 2021 of this Concept Plan approval.

CRA District - Downtown / City Center
Commission District 3: Commissioner Christy Fox.

Fiscal Note:

No budgetary impact.

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.