



401 Clematis Street
West Palm Beach, Florida 33401
(561) 822-2222 (TTY) 800-955-8771
www.wpb.org

Mayor Keith A. James
Commission President Christy Fox (District 3)
Commissioner Cathleen Ward (District 1)
Commissioner Shalonda Warren (District 2)
Commissioner Joseph A. Peduzzi (District 4)
Commissioner Christina Lambert (District 5)

CRA Executive Director Christopher Roog
City Attorney Kimberly Rothenburg
City Clerk (Interim) Jacqueline Mobley

**City of West Palm Beach
Community Redevelopment Agency
PASS/FAIL Agenda
Monday, October 3, 2022
4:00 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

4:00 p.m.

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. ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA

4. 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.

5. COMMENTS BY THE MAYOR AND CITY COMMISSIONERS

6. CONSENT CALENDAR - **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 6, 2022

Originating Department:
Mayor's Office

7. RESOLUTIONS - **ALL APPROVED**

- 7.1. Resolution No. 22-53 authorizing the CRA to lease the property located at 610 23rd Street Unit B, West Palm Beach, FL to Emery Johnson.

Originating Department:
Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 22-53: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE CRA TO LEASE THE PROPERTY LOCATED AT 610 23RD STREET, UNIT B, WEST PALM BEACH, FLORIDA, 33407, TO EMERY JOHNSON, PURSUANT TO THE LOT 23, RESIDENTIAL LEASE AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:
Approve Resolution No. 22-53.

Background Information:

The Community Redevelopment Agency owns 608 and 610 23rd Street which was previously rented under the CRA's Artists in Residence Program. The leases executed under the program expired on June of 2021, and the units were vacated.

The CRA began marketing 610 23rd Street for lease on November 8, 2021. The marketing material advertised how to locate the leasing application which is on the CRA website. Marketing flyers were mailed to 5,567 households in the north end of the City.

The applicants for these properties were chosen on a first come-first serve qualified basis. Qualified applicants are applicants that submit complete applications along with ID, proof of citizenship, approved income verification and Social Security Cards. They have no felonies and have no previous evictions.

The proposed rental rates are based on the Florida Housing Finance Corporation for Multi Family Rental Programs schedule by Palm Beach County, which sets a maximum rental rate that is allowed to be charged. Based on the income levels, household members and number of bedrooms the maximum rate for the tenants was \$963/month.

The CRA decided to use \$850/month (\$10,200 per year) as the rental rate for these units. The leases are twelve month leases. Income Limits per the Florida Housing Finance Corporation for Multi Family Rental Programs for a single occupier is \$48,000 per year, 2 occupiers is \$54,800 per year this is based on 80% AMI.

Emery Johnson was one of the initial responders to the advertisement. Due to serious unforeseen plumbing issues we were delayed in leasing. We are now resuming the leasing process for 610 23rd Street and Emery Johnson expressed interest.

Payment proceeds will be credited to revenue account: 107.014500.000.362101.00000000.

Commission District 1: Commissioner Cathleen Ward.

Fiscal Note:

Total annual lease revenue: \$10,200.

- 7.2. Resolution No. 22-54 approving a time extension for twelve (12) months to HTG Banyan, LLC for completion of the Flagler Station Project and Linear Park under the Real Estate Development Accelerator Grant Incentive Agreement.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 22-54: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AMENDMENT TO THE DEVELOPMENT INCENTIVE AGREEMENT WITH HTC BANYAN, LLC, TO PROVIDE AN EXTENSION OF TIME FOR THE CONSTRUCTION OF THE FLAGLER STATION AFFORDABLE HOUSING PROJECT AND THE ADJACENT LINEAR PARK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 22-54.

Background Information:

As approved by Resolution No. 20-58, the CRA Board granted HTG Banyan LLC (“Developer”), a REDA (Real Estate Development Accelerator) Grant in the amount of \$500,000 for construction of 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”).

All units in the Project will be affordable, within the following income limits: fifteen units will serve individuals and families earning 30% of Area Median Income; forty-five units will serve individuals and families earning 60% of Area Median Income; twenty-three units will serve individuals and families earning 70% of Area Median Income; and eleven units will serve individuals and families earning 80% of Area Median Income. The units constructed in the Project will all be one, two and three bedroom units.

The CRA is the owner of a 34-foot-wide linear strip of real property located at 202 and 206 N. Sapodilla Ave, adjacent to the Project on the North. The CRA property runs parallel to and north of Banyan Boulevard from Tamarind Avenue to Sapodilla Avenue, and previously was 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 linear park.

As a condition of the agreement for the REDA Grant, the Developer agreed to design, construct and maintain a passive linear park on the adjacent CRA-owned property with improvements including site work, lighting, benches and landscaping improvements (the “Linear Park”).

The REDA Grant agreement required completion of the Project and Linear Park within twenty-four (24) months, or no later than November 4, 2022. Due to supply chain delays and industry cost increases, the Developer is requesting a twelve (12) month extension to November 4, 2023 for completion of the Project and Linear Park.

Resolution No. 22-54 grants the extension. The completion date for the Project and Linear Park under the Grant agreement will now be November 4, 2023.

Commission District 3: Commissioner Christy Fox.

- 7.3. Resolution No. 22-55 approving the first amendment to the Declaration of Covenants, Conditions and Restrictions governing Narcissus Avenue between Banyan Boulevard and 2nd Street to provide a one-way traffic flow for Narcissus Avenue.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 22-55: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS GOVERNING THE MIXED-USE DEVELOPMENT IN THE 200 BLOCK OF BANYAN BOULEVARD AND THE CRA PROPERTY TO THE EAST, EXECUTED AMONG NAVARRO LOWREY, INC., NAVARRO LOWREY WATERFRONT, LLC, WEST PALM BEACH FCH APARTMENT, LLC, WS BPB OWNER, LLC, THE CITY OF WEST PALM BEACH AND THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY, TO PROVIDE A ONE-WAY TRAFFIC FLOW FOR NARCISSUS AVENUE BETWEEN BANYAN BOULEVARD AND 2ND STREET; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 22-55.

Background Information:

The portion of Narcissus Avenue between Banyan Boulevard and 2nd Street was abandoned by the City by Resolution No. 321-17, and, as approved by Ordinance No. 4739-17, conveyed to the CRA as part of the CRA property to be leased by the CRA to Navarro-Lowrey, east of Narcissus Avenue.

The approval of the development located between S. Olive Avenue, Flagler Drive, Banyan Boulevard, and 2nd Street, which includes the Oversea residential apartment building, The Ben hotel and the park, restaurant and office building east of Narcissus Avenue all entered into a declaration of covenants, conditions and restrictions dated March 30, 2018 (Declaration). The Declaration includes specific language regarding the operation of Narcissus Avenue as a two-way street.

After the opening of the hotel, it was identified by the operator that the area designated for drop-off and pick up was not sufficient for the volume of traffic generated by the project. The operator worked with the City's engineering department and requested the conversion from a two-way to a one-way northbound direction to minimize the circulation conflict and allow additional area for the operation without blocking the traffic circulation.

All the expenses for the reconfiguration of Narcissus Avenue will be covered by the hotel owner, and no expenses will be covered by the City.

CRA District: Downtown/City Center.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

All costs will be covered by hotel owner, not the City or CRA.

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