



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 Shaquita Edwards

**City of West Palm Beach
Community Redevelopment Agency
PASS/FAIL Agenda
Monday, March 6, 2023
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

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- 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 February 6, 2023.

Originating Department:
Mayor's Office

7. RESOLUTIONS - ITEM CONTINUED TO APRIL 3, 2023

- 7.1. Resolution No. 23-7 approving a sixth amendment to the interlocal agreement between the City of West Palm Beach, West Palm Beach Community Redevelopment Agency, and the CityPlace Community Development District; and

Resolution No. 23-8 approving a second amendment to Right-Of-Way Improvement and Maintenance Agreement between the City of West Palm Beach, CityPlace Community Development District, and the West Palm Beach Community Redevelopment Agency.

Originating Department:
Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 23-7: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THAT CERTAIN SIXTH AMENDMENT TO INTERLOCAL AGREEMENT BY AND AMONG THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY, THE CITY OF WEST PALM BEACH, AND THE CITYPLACE COMMUNITY DEVELOPMENT DISTRICT, AMENDING SECTION 4.5 RELATING TO EXPENDITURE OF EXCESS INCREMENT REVENUE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 23-8: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THAT CERTAIN SECOND AMENDMENT TO RIGHT-OF-WAY IMPROVEMENT AND MAINTENANCE AGREEMENT BY AND AMONG THE CITY OF WEST PALM BEACH, THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY, AND THE CITYPLACE COMMUNITY DEVELOPMENT DISTRICT, AMENDING AND RESTATING SECTION 15 RELATED TO EXCESS INCREMENT REVENUE.

Staff Recommended Motion:

Approve Resolution No. 23-7 and Resolution No. 23-8.

Background Information:

Since 2000, the City of West Palm Beach (City), West Palm Beach CRA (CRA) and CityPlace Community Development District (CDD) have been operating under an agreement that the CDD will maintain a portion of the right-of-way impacted by its development within its boundary districts. The original agreement stipulates that the CRA will pay increment revenues, which are for payment of principal, redemption price, and interest on the bonds from 2012. In addition, the District has 2018 bonds that were used to pay for recent infrastructure enhancements. The 2012 bonds have approximately \$15 million in principal remaining in repayment, and the 2018 bonds have approximately \$40 million in principal left in repayments that will occur until the CRA sunsets in 2046. The payment of the bonds and other obligations are summarized in order as listed below:

1. 2012 Bond Debt Service Obligations;
2. While the 2012 Bonds are outstanding; Required Agency (CRA) Payments;
3. 2018 Bond Debt Service Obligations;
4. 1/12 of the 2018 Bonds Debt Service Obligations placed into a reserve account;
5. Operating and maintenance obligations for public improvements and any other lawful purpose of the CDD; and
6. Funds remaining after obligations 1-4 are met, remain with the CDD to be used for lawful purposes.

The second amendment to the right-of-way agreement acknowledges that if Excess Increment Revenue remains available after fulfilling its obligations under the original ROW Agreement, it may expend the funds for any other lawful district purpose provided the uses are also consistent with those permitted under Chapter 163, Part III, Florida Statutes and the Amended and Restated Community Redevelopment Plan for the Expanded City Center Area as is more fully identified in Exhibit A to the Sixth Amendment to the Interlocal Agreement between the City of West Palm Beach, the West Palm Beach Community Redevelopment District and the Cityplace Community Development District.

The Sixth Amendment to the Interlocal Agreement imposes annual reporting of distribution of Excess Increment Revenue and an approval processes for expenditures that are not one of the enumerated items listed in Exhibit A.

The CDD proposes to use Excess Increment Revenue for the following purposes:

- Gap financing for the development associated with affordable or workforce housing;
- Creation of public space improvements inclusive of shared parking facilities;
- Mobility and traffic solutions;
- Incentives for new job creation and above market tenant allowance or concessions required to attract new businesses to West Palm Beach;
- On-going maintenance, programming and repair costs associated with new public space improvements, public right of way and shared parking garages;
- Public Art; and
- Incentives for development that attracts tourism.

Approval of Resolution No. 23-7 and Resolution No. 23-8 will authorize execution of the agreements attached to this agenda item as summarized above.

The City Commission companion items are Resolution No. 70-23 and Resolution No. 71-23.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

No financial terms have been changed.

8. DISCUSSION - **ITEM DISCUSSED**

8.1. Discussion on the disposition of Lot # 8 Styx Promenade Project.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

N/A

Background Information:

The Styx Promenade is comprised of four (4) properties with an access road at the rear of each site known as the Promenade. Each Property contains two (2) new structures; one structure is a replica of an original “shotgun” home facing 7th Street that once stood in this location, and the second structure is a modern adaptation, which faces the Promenade.

It is the objective of the Agency to sell each of the four (4) properties to qualified owner-occupied buyers that will locate one (1) or two (2) small businesses on the property. The intention is for the shotgun style structure facing 7th Street be used for retail or restaurant use, while the more modern structure facing the Promenade to be used as ancillary office or retail use.

On May 2, 2022, the CRA Board selected four (4) proposers to begin negotiations. Three (3) proposers received Sale and Purchase agreements with the intent to close on or before July 1, 2023. The fourth proposer was not able to proceed with negotiations due to a prohibition of the proposed use of the location. Therefore, the fourth site (Lot #8) is still available. Staff is seeking direction on how to proceed with disposition.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

No fiscal impact.

9. 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