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Mayor Keith A. James
Commission President Shalonda Warren (District 2)
Commissioner Cathleen Ward (District 1)
Commissioner Christy Fox (District 3)
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
Agenda
Monday, June 12, 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.
- Any person desiring to address the Commission **shall** file a written request with the city clerk prior to consideration of the matter by the Commission or prior to the public comment portion of a meeting. The person wishing to speak **shall** complete a comment card for each agenda item the person wishes to address, which **shall** include the person's full name, address, and the numbered agenda item. The person will not be recognized if the comment card is not completed.

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 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 May 1, 2023.

Originating Department:

Mayor's Office

- 6.2. Resolution No. 23-17 approving an interlocal agreement between the City of West Palm Beach and the Community Redevelopment Agency for the funding of the Chase Street and Trinity Place Streetscape project.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 23-17: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A PROJECT FUNDING INTERLOCAL AGREEMENT BETWEEN THE CITY OF WEST PALM BEACH AND THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FUNDING OF THE CHASE STREET AND TRINITY PLACE STREETScape PROJECT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The CRA's Strategic Finance Plan for the Downtown/City Center CRA District Amendment No. 17 identifies improvements of mobility and connectivity along Okeechobee Boulevard as a main goal for the Okeechobee corridor target area. The CRA is proposing improvements to Chase Street and Trinity Place to support mobility and connectivity within this target area.

Last May 15, 2023, the City Commission approved the change on face of the City through Resolution No. 87-23. The proposed improvements will include new landscape and lighting, as well as wider paver sidewalks and travel lanes with a curb-less design.

Resolution No 23-17 approves the interlocal funding agreement between the City and the CRA for the City management of the construction of the project. The project funding for \$8,510,000 has been allocated in FY 22/23.

The companion City Resolution No.147-23 identifies the use of the CRA funds by the City for the construction of the project and is included in the City Commission agenda for June 12, 2023 as a companion item to this resolution.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Funds already allocated in FY22/23.

- 6.3. Resolution No. 23-18 approving an interlocal agreement between the City of West Palm Beach and the CRA for the funding of the transit pilot program.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 23-18: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A FUNDING INTERLOCAL AGREEMENT BETWEEN THE CITY OF WEST PALM BEACH AND THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FUNDING OF A TRANSIT PILOT PROGRAM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

On May 30, 2023 through Resolution No. 133-23, the City Commission approved a stopgap pilot program for transportation services to replace the current trolley system and an agreement for stopgap transit services with Circuit Transit Inc.

The Stopgap Pilot Program will explore new directions to improve mobility equity with two (2) phases of transportation improvements. In Phase 1, the Trolley will be replaced by a new fixed-route utilizing electric vehicles (EVs) vans in a modified route and an on-demand service will be expanded with a combination of modified golf carts and Teslas.

The new downtown fixed route will commence in early June, and the on-demand services will start operations by July 1, 2023.

The Stopgap Pilot Project will also provide on-demand transportation services through a mobile application, which will connect riders to nearby vehicles, enabling them to reach their desired destination quickly and efficiently. The program will launch with on-demand zones in several neighborhoods, including Coleman Park, NoRa, Jefferson Terminal District, the Norton Museum, Northwood Village, and along South Dixie just north of Belvedere Road.

Phase 2 of the Stopgap Pilot Program will focus on further expansions of the on-demand service and the potential addition of new fixed routes to improve accessibility and promote equity within underserved areas of the City, with particular attention to moving commuters in and out of downtown and other high demand areas.

The CRA desires now to enter into an interlocal agreement with the City for the funding of the stopgap pilot transit program as follows:

- FY 22/23: \$377,000
- FY 23/24: \$1,281,000

Amendment No. 17 to the Strategic Finance Plan for the Downtown/City Center District identifies implementation of multimodal mobility strategies as a CRA goal to ensure continued development within the downtown. The implementation of the Stopgap Transit program advances the provision of mobility options to residents and visitors of the Downtown CRA District area.

The City Commission companion item is Resolution No. 152-23.

Resolution No. 23-18 approves funding by the CRA for a portion of the costs of the City's transit Stopgap Pilot Program and authorized execution of the interlocal funding agreement. Companion F-Resolution No. 23-19(F) is also presented for CRA Board approval authorizing the transfer of funds in FY22/23 to provide funding for the transit stopgap Pilot Program.

The stopgap transit program will operate services within:

- Commission District 1: Commissioner Cathleen Ward;
- Commission District 3: Commissioner Christy Fox; and
- Commission District 5: Commissioner Christina Lambert.

Fiscal Note:

Current year funding for the Transit Pilot Program will be transferred from remaining allocations for the Trolley Services, the contract for which expired on May 31, 2023.

7. RESOLUTIONS

- 7.1. Resolution No. 23-13 approving and authorizing a Façade and Exterior Improvement Grant with Smith Darlene Trust in the amount of \$10,000 for improvements to the property located at 437 25th Street in Northwood Village.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 23-13: A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY (“AGENCY”) APPROVING AND AUTHORIZING A GRANT IN THE AMOUNT OF \$10,000 UNDER THE FACADE AND EXTERIOR IMPROVEMENT PROGRAM WITH SMITH DARLENE TRUST FOR RENOVATIONS AND IMPROVEMENTS TO THE PROPERTY LOCATED AT 437 25TH STREET; APPROVING AND AUTHORIZING THE CHAIR TO SIGN THE GRANT DOCUMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 23-13.

Background Information:

In May 2005, the CRA Board approved Resolution No. 05-32 adopting a Redevelopment Incentive Program, including the Strategic Investment Program, to provide grants to eligible recipients for property improvement. The intent of this program is to assist private property owners in the Northwood/Pleasant City CRA with improvements to the exterior of commercial properties and buildings. Eligible activities include painting, repair, and other architectural elements attached to the building exterior, awnings, exterior door and window replacements, landscaping, parking lot improvements, lighting, and decorative pavement. The CRA provides up to 80% of the project cost up to a maximum of \$10,000 for projects within Northwood Village, Pleasant City, Currie Park, and the Industrial District. Up to \$20,000 for properties located within the Broadway target area.

The property is located at 437 25th Street in Northwood Village. Currently, there are two (2) occupied one (1) bedroom apartments on the second floor of the building, as well as Salient Hair Salon leasing on the bottom floor. There is one (1) available space for lease to a business on the bottom floor that the property owner would like to fill.

The property owner, Smith Darleen Trust, proposes to improve the existing structure and land through minor exterior repairs and cleaning, exterior

painting of the entirety of the building, upgrades to awnings and doors, and asphalt repair and resealing. Project cost for the aforementioned services totals \$13,000.

Approval of Resolution No. 23-13 approves the grant and authorizes the CRA chair to execute the grant agreement with Smith Darleen Trust in the amount not to exceed \$10,000, with the applicant responsible for the remainder of the \$3,000.

Commission District 1: Commissioner Cathleen Ward.

Fiscal Note:

CRA will pay \$10,000.

- 7.2. Resolution No. 23-14 requesting an extension and funding increase for the Parkland on Park; Broward Block Multifamily Project.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 23-14: A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING INCREASED INCENTIVES FOR THE BROWARD BLOCK MULTIFAMILY PROJECT PURSUANT TO THE REAL ESTATE DEVELOPMENT ACCELERATOR GRANT PROGRAM; APPROVING A SECOND AMENDMENT TO THE DEVELOPMENT INCENTIVE AGREEMENT WITH POTP, LLC D/B/A PARKLAND ON THE PARK, LLC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 23-14.

Background Information:

In January 2020, approved by Resolution No. 20-1, a Development Incentive Agreement was executed between the Community Redevelopment Agency of West Palm Beach and Parkland on the Park for the Broward Block Multi Family Project under Contract No 24604. The project is located at the SW corner of Picadilly Street and Broward Avenue.

The original agreement set the terms for a 4-story, 102-unit multi family rental housing project consisting of one (1) approximately 90,000 square foot building with onsite surface parking totaling 113 spaces. The project will include public right of way and infrastructure improvements, including site work, domestic water, gravity sewer, lift station, force main and storm drainage, and landscaping improvements.

The original incentive agreement provided the following incentives:

1. A reimbursement of a maximum \$260,000 for infrastructure improvements; and
2. An TIF incentive for 50% of the net tax increment CRA revenue for a period of fifteen (15) years, not to exceed \$2,000,000, with a project deadline for leasing and occupancy for December 31, 2022.

Amendment No 1 to the Development Incentive Agreement was approved in November 2021, by granting Parkland on Park additional time, extending the project deadline to July 31, 2023.

This Resolution No. 23-14 will extend the project deadline to December 31, 2023 and approve \$97,969.22 in additional incentive funding from the CRA. Additional funds are being requested due to expanded infrastructure requirements for the project required by the City of West Palm Beach's Engineering Department. Resolution No. 23-14 approves the Second Amendment to the Development Incentive Agreement.

Commission District 1: Commissioner Cathleen Ward.

CRA District - Northwood/Pleasant City.

Fiscal Note:

CRA will pay the \$357,969.22 in FY 23/24, and 50% of the net tax increment over a maximum of fifteen (15) years not to exceed \$2,000,000.

- 7.3. Resolution No. 23-15 authorizing the CRA to lease property located at 610 23rd Street.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 23-15: 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, WEST PALM BEACH, FLORIDA, 33407, PURSUANT TO THE LOT 23, RESIDENTIAL LEASE AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 23-15.

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 in June 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 those who submit complete applications along with ID, proof of citizenship, approved income verification, and Social Security cards. They have no felonies and 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 (12) month leases. Income limits per the Florida Housing Finance Corporation for Multi Family Rental Programs for a single occupier is \$48,000 per year, and two (2) occupiers is \$54,800 per year. This is based on 80% AMI.

Rolonda King was one of the initial responders to the advertisement.

There are eight (8) total units in the two (2) buildings. Six (6) units are occupied, and the hope is to have the property fully leased by August 2023.

Payment proceeds will be credited to revenue account 107.014500.362101.10383618.

Commission District 1: Commissioner Cathleen Ward.

Fiscal Note:

Payment proceeds will be received monthly for \$850 for a total of \$10,200 annually.

- 7.4. Resolution No. 23-19(F) adopting amendments to estimates of expenses for the fiscal year commencing on October 1, 2022 and ending September 30, 2023 in the Downtown/City Center District and providing funding for the transit pilot program.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 23-19(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 2022/2023 FOR THE PURPOSE OF AMENDING THE COMMUNITY REDEVELOPMENT AGENCY FUND BUDGET TO PROVIDE FUNDING FOR THE FUNDING OF THE TRANSIT PILOT PROGRAM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 23-19(F).

Background Information:

On May 30, 2023 through Resolution No. 133-23, the City Commission approved a stopgap pilot program for transportation services to replace the current trolley system and an agreement for stopgap transit services with Circuit Transit Inc.

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The City Commission companion item is Resolution No. 152-23.

Resolution No. 23-18 approves funding by the CRA for a portion of the costs of the City's transit Stopgap Pilot Program and authorized execution of the interlocal funding agreement.

The stopgap transit program will operate services within:

- Commission District 1: Commissioner Cathleen Ward;
- Commission District 3: Commissioner Christy Fox; and
- Commission District 5: Commissioner Christina Lambert.

Fiscal Note:

Current year funding for the Transit Pilot Plan will be transferred from remaining allocations for the Trolley Services, the contract for which expired on May 31, 2023.

- 7.5. Resolution No. 23-20 approving a mediated final settlement agreement between the West Palm Beach Community Redevelopment Agency, the City of West Palm Beach, and the Photographic Center.

Originating Department:

City Attorney's Office

Ordinance/Resolution:

RESOLUTION NO. 23-20: A RESOLUTION OF THE CITY OF WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A CONDITIONAL FINAL SETTLEMENT AGREEMENT IN THE MATTER OF CITY OF WEST PALM BEACH AND WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY V. PALM BEACH PHOTOGRAPHIC CENTRE, INC.; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 23-20.

Background Information:

Section 2-268(g)(4) of the Code of Ordinances of the City of West Palm Beach, Florida, provides that the authority for settlement of all claims over \$30,000 shall require the approval of the City Commission by formal resolution.

On July 14, 2008, the Palm Beach Photographic Centre, Inc., (Photo Centre) and the City of West Palm Beach (City) entered into a Lease, leasing approximately 26,000 square feet within the City Centre (Lease); and the City of West Palm Beach Community Redevelopment Agency (CRA) entered into an Assistance Agreement to fund improvements, which included the HVAC and electrical system within the leased premises.

The City and CRA filed a complaint for declaratory relief to determine the parties' rights and duties stemming from the City's Lease and the CRA's Assistance Agreement with the Photo Centre, and the Photo Center filed a Counterclaim for breach of contract and implied duty of good faith and fair dealing under the Lease to wit: *City of West Palm Beach v. Palm Beach County Photographic Centre, Inc.*, in the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, Case No.: 502022CA005408XXXXMB AG. The parties participated in voluntary mediation beginning on March 9, 2023 and ending on March 15, 2023. The terms reached at mediation and presented to you for your consideration are fully set forth in the conditional Final Settlement Agreement signed by the Photo Centre and provided with this agenda item. The agreement includes the purchase of the remaining fifteen (15) year term of the Lease in the amount of One Million and Ninety Thousand Dollars (\$1,090,000), which would be paid contingent upon:

1. the Commission's approval;
2. satisfaction of the County Funding Agreement;
3. release of the CRA Assistance Agreement;
4. approval of the CRA Board; and
5. vacating the leased premises.

If approved and all conditions precedent are met, each party releases the other from all claims arising from the Litigation, including attorney's fees and costs.

Approval of Resolution No. 23-20 authorizes the Chair to execute the Final Settlement Agreement and triggers conditions contained therein.

The City Commission companion item is Resolution No. 160-23.

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