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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**  
**DRAFT Agenda**  
**Monday, December 11, 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 three (3) 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. PRESENTATIONS

- 6.1. Presentation updating the CRA Board of the status for the Broadway Mixed Use District (BMUD) zoning code project.

**Originating Department:**

Community Redevelopment Agency

**Ordinance/Resolution:**

N/A

**Staff Recommended Motion:**

For discussion purposes only.

**Background Information:**

Last June 2023, the CRA started working with the Urban Design and planning firm Dover Kohl and partners on the update of the zoning and land development regulations for the Broadway mixed-use district.

After an initial review on current conditions on September 20, 2023, the CRA and the Dover Kohl team held the first community workshop to received input on the future redevelopment of the Broadway corridor. The event took place at the Manatee Lagoon Center at 6:00 p.m., and it was attended by approximately 180 people.

The workshop was organized in two parts.

The first part included a general presentation about the redevelopment possibilities of urban corridors like Broadway, and included an interactive survey that asked questions to all attended regarding current conditions and future vision for the corridor.

The second part of the workshop included a hands-on activity in which the attendees worked in smaller groups to identify the elements that they wanted to see along the corridor. After the group discussions, a representative of each group presented their ideas to the general audience. The main ideas expressed (in no order of

priority) included:

- Desire for pedestrian improvements along the corridor including trees, lighting, and sidewalks and pedestrian crossings across Broadway.
- Need for a safe environment.
- Need for affordable housing.
- Mixed-use buildings with small businesses on the ground floor.
- Public art.
- Need for parking for new businesses and transportation.

In addition on September 21, the team conducted stakeholder interviews with City officials, City staff, representatives from the neighborhood associations, commercial property owners, and community organizations active in the area. In addition, the consultant met individually with each of the City Commissioners and presented the results of the initial community outreach to the CRA Advisory Board on September 29, 2023.

Based on the analysis of the corridor and the feedback provided by the community, Dover Kohl is currently working on an initial code draft that includes the most important code components that will promote the redevelopment of the corridor in line with the general desires of the community.

The main components include:

- Proposed building height by right and with height incentives
- Building placement
- Permitted uses
- Parking

A full explanation of the suggested code components will be presented to the Board for discussion.

Commission District 1: Commissioner Cathleen Ward.

**Fiscal Note:**

No fiscal impact.

## 7. 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.

- 7.1. Minutes of the Community Redevelopment Agency Meeting of November 13, 2023.

**Originating Department:**

Mayor's Office

- 7.2. Resolution No. 23-45 approving a second amendment to the Development Incentive Agreement with HTC Banyan, LLC to provide an extension of time for construction of the Linear Park adjacent to the Flagler Station Affordable Housing Project.

**Originating Department:**

Community Redevelopment Agency

**Ordinance/Resolution:**

RESOLUTION NO. 23-45: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A SECOND AMENDMENT TO THE DEVELOPMENT INCENTIVE AGREEMENT WITH HTC BANYAN, LLC TO PROVIDE AN EXTENSION OF TIME FOR THE CONSTRUCTION OF THE LINEAR PARK ADJACENT TO THE FLAGLER STATION AFFORDABLE HOUSING PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Background Information:**

Resolution No. 20-58 authorized a Redevelopment Accelerator Grant (REDA) in the amount of \$500,000 for construction of a linear park adjacent to the Flagler Station Affordable Housing Project. This grant was intended to provide improvements to a 34-foot strip of real property containing a Historic Railroad Spur. The CRA and City desired to maintain this area as an open space/linear park adjacent to the project.

Section 7.4 of the agreement required completion of the linear park within twenty-four (24) months of the date of the original agreement, "unless the CRA Board in its sole discretion, agrees to an extension of time". Due to supply chain delays and industry cost increases, both the City and CRA have agreed to the amendment of the agreement giving a twelve (12) month extension for the completion of the Linear Park, until November 4, 2024.

Commission District 3: Commissioner Christy Fox.

## 8. RESOLUTIONS

- 8.1. Resolution No. 23-41 authorizing the issuance of not to exceed \$5,000,000 in aggregate principal amount of West Palm Beach Community Redevelopment Agency subordinate tax increment revenue bonds.

**Originating Department:**

Community Redevelopment Agency

**Ordinance/Resolution:**

RESOLUTION NO. 23-41: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING ISSUANCE OF NOT TO EXCEED \$5,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY SUBORDINATE TAX INCREMENT REVENUE BONDS, TAXABLE SERIES 2023 (NORTHWOOD/PLEASANT CITY COMMUNITY REDEVELOPMENT AREA), FOR THE PURPOSE OF ACQUIRING CERTAIN PROPERTIES FOR REDEVELOPMENT AND PAYING OTHER EXPENSES RELATING THERETO, ALL PURSUANT TO SECTION 304(g) OF RESOLUTION NO. 05-82 ADOPTED BY THE AGENCY ON DECEMBER 5, 2005; PROVIDING THAT SAID SERIES 2023 BONDS AND INTEREST THEREON SHALL BE PAYABLE SOLELY FROM PLEDGED FUNDS; PROVIDING CERTAIN DETAILS OF THE SERIES 2023 BONDS; DELEGATING OTHER DETAILS AND MATTERS IN CONNECTION WITH THE ISSUANCE OF THE SERIES 2023 BONDS TO THE CHAIR, WITHIN THE LIMITATIONS AND RESTRICTIONS STATED HEREIN; AUTHORIZING THE NEGOTIATED SALE AND AWARD BY THE CHAIR OF THE SERIES 2023 BONDS TO VALLEY NATIONAL BANK; APPROVING THE FORM OF AND AUTHORIZING THE CHAIR TO EXECUTE AND DELIVER A LOAN AGREEMENT; PROVIDING FOR THE APPLICATION OF THE PROCEEDS OF THE SERIES 2023 BONDS AND CREATING A CERTAIN SUBACCOUNT; APPOINTING A PAYING AGENT AND REGISTRAR FOR THE SERIES 2023 BONDS; AND AUTHORIZING OFFICERS AND EMPLOYEES OF THE AGENCY TO TAKE ALL NECESSARY ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE SERIES 2023 BONDS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Staff Recommended Motion:**

Approve Resolution No. 23-41.

**Background Information:**

On January 31, 2022, the Board of the West Palm Beach CRA directed staff to initiate a series of action steps to help jump start the redevelopment of the Broadway Corridor. Per the CRA's Strategic Finance Plan for the Northwood-Pleasant City District, Amendment 19 and the City of West Palm Beach's Strategic Finance Plan, CRA staff has included these steps in its budget and work plan. They included:

- Broadway Mixed Use District Regulatory Update
- Banker Broker Event
- Marketing the Corridor
- Land Acquisitions

At the work session in January 2022, the Board also approved a task, which included borrowing fund to assist in the redevelopment of

Broadway, specifically for property acquisitions. Since the work session and coordinating with the City's Finance Department and Financial Advisors, the CRA issued a formal solicitation for loan offers and has received one (1) offer from Valley National Bank.

On October 2, 2023, CRA staff presented an update to the Board on the progress of Broadway redevelopment and discussed the Valley National Bank line of credit proposal. At the conclusion of the meeting, the Board directed staff to bring back a line of credit agreement with Valley National Bank consistent with Valley National Bank's proposal.

The line of credit (referred to as tax increment revenue bond) general terms of the agreement are as follows:

#### LOAN AMOUNT

Non-Revolving Line of Credit (NRLOC) up to \$5,000,000 ("Loan").

#### PURPOSE

A Non-Revolving Line of Credit/Term Loan to purchase properties within the CRA boundaries for the purpose of increasing the property value through the removal of slum and blight by redeveloping the purchased properties. Purchased properties will be added to the existing portfolio of properties owned by the CRA. The properties, which will be purchased, are located along the Broadway corridor in the CRA boundary.

#### COLLATERAL

Subordinate lien on and pledge of the Pledged Funds as described in the Resolution." The definition of Pledged Funds is as follows: "Pledged Funds" shall mean, collectively, the NPCCRA Tax Increment Revenues and all moneys, securities and instruments held in the Accounts and Subaccounts established by this Resolution, other than (i) the moneys, securities and instruments in the NPCCRA Rebate Account and (ii) with respect to the Subordinate Bonds, the moneys, securities and instruments (including any Debt Service Reserve Subaccount Facilities) in the NPCCRA Debt Service Reserve Subaccount.

#### STRUCTURE

Up to twenty-eight (28) months for the draw period with interest only payments due semi-annually on the funded Loan balance. After the initial twenty-eight (28) months, the Loan balance will be termed out and amortized over a period not to exceed sixty (60) months and will require semi-annual payments of principal and interest.

TERM

Up to seven (7) years and four (4) months from date of closing.

FEES

Bank Counsel fee, not to exceed \$22,500 for review of documents prepared by Bond Counsel. No additional bank fees.

INTEREST RATES

“Taxable Rate” of The Wall Street Journal (WSJ) Prime Rate minus .50%  
Repayment: During the 28-month draw period with rate converted to SOFR + 3.50% fixed or variable, Agency’s choosing. If fixed, rate will be set at the end of 28-month draw period. Term portion amortized over three (3) or five (5) years, based on Agency choosing.

The City Commission companion item is Resolution No. 323-23.

CRA District: Northwood-Pleasant City.

Commission District 1: Commissioner Cathleen Ward.

**Fiscal Note:**

Future annual principal and interest payments will be paid from the CRA budget.

- 8.2. Resolution No. 23-43 approving an Interlocal Funding Agreement between the Community Redevelopment Agency and the City of West Palm Beach for the additional design costs to add multi-use pathways to the FDOT Okeechobee and Lakeview project; and

Resolution No. 23-44(F) authorizing the appropriation or transfer of funds in FY 2023/2024 for the redesign of the Okeechobee Boulevard and Lakeview Avenue project.

**Originating Department:**

Community Redevelopment Agency

**Ordinance/Resolution:**

RESOLUTION NO. 23-43: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF WEST PALM BEACH REGARDING FUNDING IN THE AMOUNT OF \$800,000 TO COVER FLORIDA DEPARTMENT OF TRANSPORTATION DESIGN COST FOR

THE ADDITION OF A MULTIPURPOSE PATH ALONG OKEECHOBEE BOULEVARD BETWEEN TAMARIND AVENUE AND FLAGLER DRIVE.

RESOLUTION NO. 23-44(F): A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) AUTHORIZING THE APPROPRIATION OR TRANSFER OF CRA FUNDS IN FISCAL YEAR 2023/2024 FOR THE PURPOSE OF AMENDING THE COMMUNITY REDEVELOPMENT AGENCY FUND BUDGET TO PROVIDE APPROPRIATIONS FOR THE REDESIGN OF OKEECHOBEE BOULEVARD AND LAKEVIEW AVENUE PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Staff Recommended Motion:**

Approve Resolution No. 23-43 and Resolution No. 23-44(F).

**Background Information:**

In 2022, the FDOT began design work on the SR704/Okeechobee Road and Lakeview Avenue between Tamarind Avenue to Flagler Drive to include roadway resurfacing, relocated drainage facilities, streetlighting upgrades, and new pavement markings. The FDOT had been coordinating with the City for additional utility upgrades for water and sanitary sewer piping.

As the design was being completed and presented to the City for review and comment in August 2023, the West Palm Beach Community Redevelopment Agency (CRA) requested the City staff to pursue the possibility of considering modifying the design to include a multi-use trail for the entire length of the project, in lieu of the on street bike lanes being provided by the FDOT.

The City, the CRA, and the FDOT met several times over the months of August, September, and October 2023 to discuss the logistics of modifying the design as requested by the City/CRA. The requested changes require extra work to redesign the project to remove the bike lane in the street and instead create a shared use path behind the curb. This work includes revisions to roadway, signing, lighting, and signal plans.

It was eventually agreed that the FDOT could accommodate this, if the City was willing to pay for the additional costs associated with this revision to the scope. The FDOT elected to defer the project for one (1) year to allow for the modifications to the design to take place for which their design consultant will prepare the revised plans. In order to do so, a Local Funding Agreement (LFA) for the added design costs was to be prepared by the FDOT, which was provided to the City in November 2023.

The estimated additional design costs that the FDOT will incorporate into



their existing design contract is \$800,000. A future LFA will be prepared in fiscal year 2025 to cover the added construction costs.

It is anticipated that the re-design work will be completed in the fall of 2024 and that the construction work will commence in the Spring of 2025.

The CRA currently has funds budgeted in the Okeechobee Corridor program to cover these costs. Resolution No. 23-43 approves the interlocal agreement to transfer the funds to the City. Resolution No. 23-44(F) transfers the funds from the CRA to the City and is also included for approval.

Companion Resolution No. 337-23 will be presented to the City Commission for approval.

The FDOT requires that a LFA be executed between the FDOT and the City, wherein the City will remit these funds to the FDOT within thirty (30) days of execution of the LFA. Any unused funds will be returned to the City at that time.

Resolution No. 329-23 authorizes the execution of the LFA, which is being presented to the City Commission for approval on December 11, 2023.

Commission District 3: Commissioner Christy Fox.

**Fiscal Note:**

Approval will provide appropriations for a transfer to the City for the Okeechobee/Lakeview redesign project.

**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