



401 Clematis Street
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Mayor Keith A. James
Commission President Cathleen Ward (District 1)
Commissioner Shalonda Warren (District 2)
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
PASS/FAIL Agenda
Monday, May 13, 2024
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. ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA- Item 6.1 was pulled from the consent agenda for discussion.

4. 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.

5. COMMENTS BY THE MAYOR AND CITY COMMISSIONERS

6. CONSENT CALENDAR-Item 6.1 was pulled for discussion. Item 6.2 was 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. Resolution No. 24-14 authorizing the purchase of 622-624 7th Street; issuance of a lease buyback option agreement and assignment of tenant improvement contract with Harnett Group, LLC; and

Resolution No. 24-24 accepting the assignment of a contract for the improvement of the property located at 622-624 7th Street, West Palm Beach, Florida, to accommodate a restaurant, approving an amendment and assignment of contract amount for Eat 'N Cake, LLC; Hartnett Building Group, LLC; and the Agency.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 24-14: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE PURCHASE OF 622-624 7TH STREET; ISSUANCE OF A LEASE AGREEMENT WITH AN OPTION TO RE-PURCHASE THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 24-24: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY ACCEPTING THE ASSIGNMENT OF A CONTRACT FOR THE IMPROVEMENT OF THE PROPERTY LOCATED AT 622-624 7TH STREET, WEST PALM BEACH, FLORIDA, TO ACCOMMODATE A RESTAURANT; APPROVING AN AMENDMENT AND ASSIGNMENT OF CONTRACT AMOUNT FOR EAT 'N CAKE, LLC; HARTNETT BUILDING GROUP, LLC; AND THE AGENCY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

Resolution No. 22-36 authorized the sale and conveyance of 622-624 7th Street to Eat N' Cake, LLC in September 2022. After obtaining building permits for tenant improvements, various code changes caused a significant escalation in costs.

The buyer has requested that the Agency fund the tenant improvements under a Re-purchase and Lease Buy Back option affording an establishment and stabilization period.

Resolution No. 24-14 and Resolution No. 24-24 approves the purchase of the building, the construction of the tenant improvements, and the assignment of the contract from Harnett Group, LLC.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Current PO # 2231564 is in the amount of \$119,700; increase purchase order to \$430,000.

- 6.2. Resolution No. 24-23 regarding the construction of new affordable housing at 816 3rd Street and authorizing conveyance of real property in accordance with the Conveyance Agreement under Contract 31981 with Signet Foundation Inc.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 24-23: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY REGARDING THE CONSTRUCTION OF NEW AFFORDABLE HOUSING AT 816 3RD STREET; AUTHORIZING CONVEYANCE OF REAL PROPERTY IN ACCORDANCE WITH THE CONVEYANCE AGREEMENT UNDER CONTRACT 31981 WITH SIGNET FOUNDATION INC.; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The West Palm Beach Community Redevelopment Agency (CRA) purchased the property located at 816 3rd Street as part of a portfolio in 2010. The property is 0.14 acres in size or 6,098 square feet.

On October 16, 2023, the CRA issued a notice of disposal to dispose of this property for development as affordable housing. The notice was published in the Palm Beach Post. All proposals were due by 5:00 p.m. on November 16, 2023.

Proposals were received from:

Habitat for Humanity

- House: 4 Bedroom / 2 Bath 1,508 square feet or 5 Bedroom / 2 Bath 1,704 square feet
- Sales Price: Owner with 80% AMI; Owner to provide sweat equity
- Sales Price: \$400,000
- Owner Mortgage: \$150,000
- Second Mortgage: \$250,000

Mesocore Modular Solar Homes

- House: Modular home; 2-4 Bedrooms / 2 Bath 1,130 square feet
- Build Time: Approximately four (4) weeks

Neighborhood Renaissance

- House: 3 Bedroom / 2 Bath 1,325 square feet
- Sales Price: \$300,548

Signet Foundation, Inc.

- House: Modular home; 3 Bedroom / 2 Bath 1,400 square feet
- Sales Price: \$250,000

After Board deliberation, Signet Foundation, Inc., was selected to negotiate terms and a final conveyance agreement with the Agency. In accordance with their proposal, Signet Foundation, Inc. will solicit a qualified buyer with an annual income at or below 100% of the Median Family Income; comply with a Restrictive Covenant prohibiting lease of the premises as an "Air Bed and Breakfast"; and if property is sold within ten (10) years, the buyer must meet the 100% or below Median Family Income. Signet Foundation, Inc. will close within sixty (60) calendar days of the effective date of the agreement and will provide a Reverter Deed that allows for property to revert to the CRA, if construction is not completed within 365 days from the closing date.

CRA District: 816 3rd Street is located in the Downtown/City Center CRA District.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

No fiscal impact.

7. RESOLUTIONS- ALL ITEMS WERE APPROVED.

- 7.1. Resolution No. 24-17 approving an amendment for an extension to the agreement for a conveyance of real property located at 520 Northwood Road.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 24-17: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AMENDMENT FOR AN EXTENSION TO THE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY AT 520 NORTHWOOD ROAD FOR THE NORTHWOOD/PLEASANT CITY/CRA DISTRICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 24-17.

Background Information:

Via original Resolution No. 20-56, the West Palm Beach Community Redevelopment Agency (CRA) conveyed real property located at 520 Northwood Road to Skunkworks, LLC for a brewery renovation.

Stephen Karlson, the owner of the original Skunkworks location at 525 Northwood Road, entered into a conveyance of real property agreement with the West Palm Beach CRA for the address at 520 Northwood Road. The contract took effect on February 9, 2021. This extension would allow Skunkworks to expand the brewery by adding a tap room on the south side of Northwood Road.

Multiple delays caused the original agreement to lapse. The title to the property was not in the owner's name when an application for permitting was submitted, and during this time, the design was changed from a one-story to a three-story concept. Feedback from the contractor indicated that this would extend the project by years, so the design reverted to a one-story concept. Once the design was settled and permitting had been completed, the agreement had expired.

Stephen Karlson provided a timeline for a ten (10) to twelve (12) month project completion. The agreement states that the deadline for permitting must be submitted by June 3rd, which is three (3) weeks after Board approval. Structural and roof work must be completed within six (6) weeks after permits have been approved. Mechanical, electrical, and plumbing work will take four (4) months. The remaining two (2) months will be reserved for inspections, licenses, and Certificate of Occupancy issuance.

Commission District 1: Commissioner Cathleen Ward.

Northwood/Pleasant City District.

Fiscal Note:

No fiscal impact.

- 7.2. Resolution No. 24-18 approving an agreement among the City, the Community Redevelopment Agency (CRA), and 300 Banyan LLC for the construction of improvements along Banyan Boulevard on the north side of the 300 Banyan Boulevard project.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 24-18: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AGREEMENT AMONG THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY, THE CITY OF WEST PALM BEACH, AND 300 BANYAN LLC, REGARDING FUNDING IN THE AMOUNT OF \$249,154 FOR CITY IMPROVEMENTS IN THE 300 BLOCK OF BANYAN BOULEVARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 24-18

Background Information:

Last year, the City and the CRA completed the construction of the Phase I improvements to Banyan Boulevard providing much-needed landscaping upgrades, a bike lane, and new lighting. Phase II of the Banyan Boulevard streetscape improvement was initially scheduled by the City and the CRA for this year, but cost increases necessitated a reevaluation of the project, and Phase II will not start for the next six (6) months.

The streetscape improvements delay will impact the completion of the streetscape and utility improvements originally scheduled adjacent to the new office building currently being completed at 300 Banyan Boulevard. To avoid a negative impact on the completion of the office building, staff is proposing an agreement with the project Developer (300 Banyan LLC) to allow the required utility improvements to be performed by the building contractor.

If utility improvements are not completed now, the Developer will complete their code-required improvements, and the City will have to demolish those improvements when the streetscape project moves ahead in the near future.

It is in the City's and the CRA's best interest to contract 300 Banyan LLC to make the improvements for the City.

The scope of work to be performed by 300 Banyan LLC on behalf of the City for a total amount of \$407,135 includes utility work and asphalt paving and stripping.

Companion Resolution No. 87-24 is being presented for approval by the City Commission.

CRA District - Downtown / City Center District.

The proposed project is located within Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Funding is provided from CRA bonds.

- 7.3. Resolution No. 24-26 approving a term sheet for the development, lease, purchase, and sale of property located at 314 Clematis Street to a joint venture of Brand Atlantic, LLC and Blue Water Advisors, LLC.

Originating Department:

Community Redevelopment Agency

Ordinance/Resolution:

RESOLUTION NO. 24-26: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A TERM SHEET FOR THE DEVELOPMENT AND SALE OF PROPERTY LOCATED AT 314 CLEMATIS STREET, WHICH PROVIDES FOR AND SALE TO A JOINT VENTURE OF BRAND ATLANTIC REAL ESTATE PARTNERS, LP AND BLUE WATER ADVISORS, LP; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 24-26.

Background Information:

The West Palm Beach Community Redevelopment Agency (CRA) purchased the property at 314 Clematis Street in 2019.

The CRA Board approved Resolution No. 22-20 approving of disposition of the property located at 314 Clematis Street. The notice of disposition included criteria that proposals had to meet in order to be considered for a purchase and sale agreement by the CRA Board.

After a 30-day period, two (2) proposals were submitted. One was

submitted by the Amir Amid Holocaust Museum, and the second was submitted by Brand Atlantic / Blue Water Joint Venture Partnership. The proposals were reviewed by BDO Real Estate consultants, City staff, and CRA staff. Upon review of the two (2) proposals, only the Brand Atlantic / Blue Water Joint Venture Partnership proposal met the criteria to be considered by the Board.

Since only one (1) proposal is available for consideration, the CRA staff prepared an agreement for the lease, purchase and sale of the property with the Brand Atlantic / Blue Water Joint Venture Partnership.

The Developer proposed to renovate the property for commercial uses including: retail, office, restaurant, and entertainment; and also including:

- First Floor: National upscale restaurant – 11,000 square feet with service alley parking;
- Second Floor: National best-in-class entertainment-focused food and beverage venue of 16,000 square feet, which may include a golf lounge, gaming lounge, and executive suites.

In order to ensure that the Developer constructs the proposed project on the property prior to any transfer or conveyance of the property by the Developer, the CRA will lease the property to the Developer until completion of the construction of the project and up to a maximum of five (5) years. .

After completion, the Developer has the option to close on the purchase of the property for the sum of Seven Million Six Hundred Thousand and 00/100 Dollars (\$7,600,000).

CRA District: Downtown / City Center District.

Project Location: Commission District 3: Commissioner Christy Fox.

8. ADJOURNMENT- 4:56 P.M.

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