



**West Palm Beach
Community Redevelopment Agency**

**DRAFT
AGENDA**

**October 10, 2017
4:00 P.M.**

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, FLORIDA 33401, {(561) 822-1210}

**MAYOR
GERALDINE MUOIO**

**CITY COMMISSION
PRESIDENT CORY NEERING**

**COMMISSIONER SYLVIA MOFFETT
COMMISSIONER KEITH JAMES**

**COMMISSIONER PAULA RYAN
COMMISSIONER SHANON MATERIO**

**ADMINISTRATION
CRA EXECUTIVE DIRECTOR, JON WARD
CITY ATTORNEY, KIMBERLY ROTHENBURG
TREASURER, MARK A. PARKS
CITY CLERK, HAZELINE CARSON**

1. ROLL CALL

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.

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

COMMENTS FROM THE BOARD:

ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA:

CONSENT (2 – 5):

2. **Minutes of the Community Redevelopment Agency Meeting of September 14, 2017.**
[Agenda Cover Memorandum No.: 1496](#)

Staff Recommended Motion:

Approve the Minutes of the Community Redevelopment Agency Meeting held on September 14, 2017.

3. **Minutes of the Special Community Redevelopment Agency Meeting of September 18, 2017.**
[Agenda Cover Memorandum No.: 1497](#)

Staff Recommended Motion:

Approve the Minutes of the Special Community Redevelopment Agency Meeting held on September 18, 2017.

4. **Resolution No. 17-43 authorizing the City to wire monthly payments in connection with a Revolving Loan Fund (RLF) Agreement administered by Palm Beach County's Department of Economic Sustainability earmarked for ground water cleanup activities in connection with Terracon Cleanup Agreement on behalf of the CRA.**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE TRANSMISSION OF FUTURE PAYMENTS TO PALM BEACH COUNTY'S DEPARTMENT OF ECONOMIC SUSTAINABILITY, IN CONNECTION WITH THE BROWNFIELD REVOLVING LOAN FUND FOR

THE ANCHOR SITE, VIA WIRE TRANSFER; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1499](#)

Staff Recommended Motion:

Approve Resolution No. 17-43.

Background:

The CRA approved Resolution No. 15-26 authoring the environmental cleanup of the Anchor Site and granting authority to enter into an agreement with consultants not to exceed \$350,000 to carry out the cleanup contingent on receipt of a loan from the Revolving Loan Fund (RLF). Subsequently, the CRA approved execution of the Palm Beach County Brownfields Cleanup Revolving Loan Fund Program Loan Agreement (Agreement) by adoption of Resolution No. 15-69. The CRA Chair executed the RLF on December 14, 2015, and the RLF is administered by Palm Beach County's Department of Economic Sustainability. The principal amount of the loan is \$350,000, which includes a forgivable loan amount of \$50,000. The initial payments on the loan began on January 1, 2017. The County has agreed to accept payment via wire transfer upon approval and authorization of the Board of Commissioner of the West Palm Beach CRA and the approval would streamline the City's Finance Department in processing payment by eliminating requiring processing of 121 forms for each payment.

Staff Recommends approval of the Resolution No. 17-43.

5. **Resolution No. 17-38 authorizing acceptance of a Quit Claim Deed from the City of West Palm Beach conveying the property located at 801 N Tamarind Avenue to the West Palm Beach CRA.**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING ACCEPTANCE OF A QUIT CLAIM DEED FROM THE CITY OF WEST PALM BEACH CONVEYING PROPERTY LOCATED AT 801 N. TAMARIND AVENUE TO THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1500](#)

Staff Recommended Motion:

Approve Resolution No. 17-38

Background:

On November 7, 2005, by Resolution No. 05-65 the West Palm Beach Community Redevelopment Agency (the "Agency") approved the Strategic Finance Plan (the "Plan") which, among other provisions, included plans for the acquisition of vacant properties. On September 12, 2016 by Resolution No. 16-87 the Agency adopted the 11th Amendment to the Strategic Finance Plan (the "Plan") which included acquisition of

vacant properties located in the Northwest Neighborhood target area. The purpose of the acquisitions is to stimulate revitalization through redevelopment projects.

At the August 28, 2017 City Commission meeting, the City adopted Resolution No. 268-17 finding that a City-owned lot located at 801 Tamarind Avenue is not needed for City purposes, declaring the property surplus and providing the method of disposition. Ordinance No. 4730-17 authorizing conveyance of the surplus Property to the West Palm Beach Community Redevelopment Agency. Second Reading of the Ordinance was approved on September 11, 2017. The City's Housing and Community Development (HCD) Department is working with the CRA's Downtown Historic Northwest Neighborhood Project Manager to convey the property for the purpose of redeveloping the property. The Agency will be responsible for all costs associated with the conveyance from the City.

Staff requests the board to approve acceptance of the conveyance of the property from the City.

RESOLUTIONS (6 – 7):

- 6. Resolution No. 17-39 approving and authorizing the Chair to execute a grant agreement between the West Palm Beach Community Redevelopment Agency and Nestor Martin and Isabel Martin for the property located at 715 4th St under the Contributing Structure Rehabilitation Grant Program for a grant in the amount not to exceed \$ 50,000.**

A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY (“AGENCY”) APPROVING AND AUTHORIZING THE CHAIR TO EXECUTE A GRANT AGREEMENT WITH NESTOR MARTIN AND ISABEL MARTIN FOR A GRANT UNDER THE CONTRIBUTING STRUCTURE REHABILITATION GRANT PROGRAM FOR PROPERTY LOCATED AT 715 4TH ST; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1501](#)

Staff Recommended Motion:
Approve Resolution No. 17-39.

Background:

In November 2005, the CRA Board formally adopted the Strategic Finance Plan for the Downtown/City Center CRA District. In June 2006, the CRA Board formally adopted nine incentive programs, many of them targeting the Northwest neighborhood. One of these programs, the Contributing Structure Rehabilitation Grant Program, is intended to encourage investors in historic properties that are designated as 'contributing' to the historic district, to do more renovations than they initially intended to do thus increasing the value of the property and further preserving its historical significance.

The CRA received an application from Nestor and Isabel Martin for a grant under the Contributing Structure Rehabilitation Grant Program for the property located at 715 4th St in the Northwest Neighborhood Target Area. This is a viable project and meets the criteria set forth in the Contributing Structure Rehabilitation Grant Program. The application submitted is for qualifying exterior and interior renovations for the contributing structure. The renovation includes but is not limited to the repair and replacement of exterior siding, rotted floor joist, installation of new windows and doors, new roofing system, landscape and irrigation for a total project cost of \$133,000.

The application for the project reflects the total budget for improvements. The budget, shown in the exhibits to the agreement, reflects the costs for improvements as being approximately \$133,000. Since the Northwest neighborhood is a targeted area through the program, and the applicant has agreed to provide a 80% match toward the total project cost not to exceed \$50,000.

Fiscal Note:

Contributing Structure Rehabilitation Grant Program

- 7. Resolution No. 17-48 approving a non-binding Term Sheet for the Purchase of 311 N. Sapodilla Avenue with a Lease-back and Option to buy back for the current property owners, Fritz and Nivia Jean Louis.**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A NON-BINDING TERM SHEET FOR THE PURCHASE AND LEASE BACK OF THE PROPERTY LOCATED AT 311 N. SAPODILLA AVENUE WHICH PROVIDES FOR IMPROVEMENT OF THE PROPERTY TO ACCOMMODATE A RESTAURANT AND AN OPTION FOR THE LESSEES TO BUY BACK THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1498](#)

Staff Recommended Motion:

Approve Resolution No. 17-48.

Background:

The Strategic Finance Plan for the Downtown/Historic Northwest District supports land assembly for the purpose of programming redevelopment projects to aid in revitalizing certain distressed areas and reestablish the economic base of the neighborhood.

The owners of the property located at 311 N. Sapodilla Avenue, Fritz and Nivia Jean Louis, contacted CRA staff to inquire if any incentives exists to aid in the redevelopment of their property, specifically relating to the renovation the approximately 2,138 sq. ft. former restaurant component currently vacant and abandoned. The property consists of a three (3) structures including a principal 2-story building which houses the abandoned first floor restaurant and a residential apartment and small office on the second floor

(according to the latest information provided by the Palm Beach County Property Appraiser's Office and City of West Palm Beach Building Department), and two vacant 1 bedroom, 1 bath "Shotgun" residential structures to the south of the principal building fronting N Sapodilla Avenue.

On July 25, 2017, a formal unsolicited proposal was received which resulted in several follow up discussions among CRA staff, the owners and their representatives on the details of the proposal and to collect additional information on their circumstance. Although no CRA programs currently exists that may incentivize the rehabilitation of the restaurant component, CRA staff explored an alternative that would net a similar outcome and be mutually beneficial from an economic development perspective. Staff learned the owner's backgrounds consists of a Registered Nurse (RN) and Head Chef of a local restaurant who are also entrepreneurs currently running a successful property management business from their home office. An appraisal was procured. The appraisal from Anderson Carr dated June 22, 2017 indicated a market value of \$530,000 and prospective value, with a completed restaurant and other property improvements of \$655,000.

In concept, the West Palm Beach CRA would purchase the property for the balance of the outstanding mortgage of \$315,000. The CRA would lease-back the premises to the current owners and provide them with an option to buy-back the property in not less than five years. The CRA would manage the design and construction of the restaurant that, when complete, the lessees (current owners) would operate. They would also sub-lease and manage the other units on the property. The lessees would pay rent, which rent would be held in an account and could be used as the down payment for the buy-back of the property by the lessees. After at least five (5) years, which time would give the CRA a confidence level that the business is performing at an acceptable level and will remain successful, the lessee could buy back the property from the CRA for the original purchase price and utilize the rent paid to date as the down payment.

The owners are in conceptual agreement with these terms. A proposed Term Sheet is attached.

Resolution No. 17-48 approves the draft Term Sheet and authorizes the preparation of the legal agreements which will be brought back to the CRA Board for approval and further due diligence by staff regarding the property.

COMMISSION DISTRICT: The subject property is located in District 3, Commissioner Paula Ryan.

Fiscal Note:

Source of funding is available in Reserve For Future Projects account.

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.