



**West Palm Beach
Community Redevelopment Agency**

**DRAFT
AGENDA**

**March 12, 2018
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:

RESOLUTIONS (2-6):

2. **Resolution No. 18-7 approving a Funding Agreement for the funding of the Rosemary Street Tattoo Project.**

RESOLUTION NO. 18-6: A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT AMONG THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY, THE RELATED COMPANIES, L.P., AND THE CITY OF WEST PALM BEACH REGARDING FUNDING THE ROSEMARY STREET TATTOO PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1530](#)

Staff Recommended Motion:

Approve Resolution No. 18-7.

Background:

PROPOSED PROJECT:

Artist Steed Taylor is proposing a large scale site-specific temporary street mural, or road tattoo entitled "Genii Loci" that will be painted on the pavement of Rosemary Avenue from Okeechobee Boulevard to 8th Street in the Historic NW CRA Target Area. The mural will be installed with the assistance of local artists. The concept repurposes a common public space and creates a new aesthetic. Two designs would be created and mixed throughout the length of the space. Beginning on the CityPlace end of Rosemary,

the design consists of two color patterns of highly stylized Florida native flowers in what the artist states is an "act of blooming or a period of success" reflective of the City of West Palm Beach's own blossoming. A Celtic symbol reweaves throughout the design. The design will transition at the intersection of Clematis Street and continue to 8th St and will be representative of a musical type theme, referring to the rebirth of the Sunset Lounge. Local artists will be paid to assist with their participation in creating a unique artwork for the Historic Northwest.

The materials are high gloss latex mixed with traffic paint, which will eventually dissolve with weather, time and traffic. The project would occur in two phases.

BACKGROUND:

Rosemary Avenue was once the commercial heart of the Historic Northwest district. The Gehl Public Realm Action Plan commissioned by the City recommended a better connection between the Downtown and the Historic Northwest. Rehabilitation of the historic Sunset Lounge in the Historic Northwest is a target project in the CRA's Strategic Finance Plan for the Downtown/City Center District, Amendment No. 12.

The Genii Loci road tattoo project is an initial step in re-stitching the Historic Northwest and Downtown together, titled "Dance into the Sunset". "Dance into the Sunset" will leverage investment in the Sunset Lounge and set the stage for a renewed 'Main Street' to serve the Historic Northwest residents and visitors. Key Challenges include the Historic Northwest being right next to Clematis Street but it feels a world away; Banyan Boulevard acts as a barrier and sidewalks suffer from obstructions, dark sidewalks, vacancies, lack of shade, and few things to do; investments in the Sunset Lounge will create a great destination and public space but getting there on foot from downtown will be challenging.

The road tattoo achieves three goals suggested by Gehl:

- Creating a safe and interesting crossing at Rosemary and Banyan Boulevard;
- Utilizing art as tool to create an eye catching path along Rosemary;
- Implementation of traffic calming measures on Rosemary through alternative methods.

ART CRITERIA: The project meets the following criteria as required in Section 78-135 of the AIPP Ordinance.

The mural will not serve as a sign or advertisement in violation of the city sign ordinances;

The mural will enhance the aesthetic beauty of the area of its proposed location;

The size of the mural is appropriate for its location;

The artist is capable of completing the work in accordance with the plans and specification;

The proposed materials are durable and graffiti and weather resistant;* temporary latex water based

Any structural support or attachments have been approved by a professional structural engineer; (Not Applicable).

It is not expected that excessive or costly maintenance will be required. *No maintenance as it is a temporary installation.

The City, through its AIPP program, will provide funding in the amount of \$10,000.00

The CRA will provide funding in the amount of NTE \$80,000.00

Related, or partners generated by Related, will provide funding in the amount of \$90,000.00

Fiscal Note:

Amount is a Not to exceed amount. Artists budget to be determined.

3. **Resolution No. 18-11 approving a project funding interlocal agreement between the City of West Palm Beach and the West Palm Beach CRA for funding of Clematis Streetscape and Downtown Alleyway projects.**

RESOLUTION NO. 18-11: A RESOLUTION 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 CLEMATIS STREETScape PROJECT AND THE DOWNTOWN ALLEYWAYS PROJECT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1531](#)

Staff Recommended Motion:

Approve Resolution No. 18-11.

Background:

The CRA's Strategic Finance Plans for the City Center/Downtown CRA District, Amendment No. 12, identifies the downtown core as a target area with focus on Clematis Street. The Plan states that the success of Clematis Street, the historic core of the City, is important to the overall vitality of the City of West Palm Beach and stresses the importance of positioning Clematis Street as a 24-hour, live-work-play environment. The Plan specifically states that funding will be provided to design and beautify Clematis Street and the alleys.

The City and CRA are working together on the design and construction of the Clematis Streetscape and Alleyway projects. As part of the City right of way, the City will be responsible for construction of these projects. The attached interlocal agreement commits funding from the CRA for project construction.

The CRA commits a maximum of \$2,000,000.00 for the Clematis Streetscape and \$1,260,000.00 for the Alleyways. Per Resolution No. 18-8(F), scheduled for the March 12, 2018 CRA meeting, the CRA is prefunding \$2,000,000.00 for Clematis and \$900,000.00 for the alleys.

Companion Resolution 78-18 will be presented to the City of West Palm Beach Commission.

This project is in Commission District 3: Paula Ryan.

Fiscal Note:

Approval provides the interlocal agreement with the City of West Palm Beach by which the CRA commits to fund construction of the Clematis Streetscape and the Alleyways projects.

4. **Resolution No. 18-8(F) authorizing the transfer of \$2,900,000 of Agency funds to provide additional funds for the Clematis Streetscape Construction and Downtown Alleyway Improvements projects.**

RESOLUTION NO. 18-8(F): A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) AUTHORIZING THE APPROPRIATION OR TRANSFER OF CRA FUNDS IN FISCAL YEAR 2017/2018 FOR THE PURPOSE OF AMENDING THE DOWNTOWN/ CITY CENTER CRA DISTRICT BUDGET TO PROVIDE ADDITIONAL APPROPRIATIONS FOR THE CLEMATIS STREETScape CONSTRUCTION AND DOWNTOWN ALLEYWAY IMPROVEMENTS PROJECTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1532](#)

Staff Recommended Motion:

Approve Resolution No. 18-8(F).

Background:

Resolution No. 17-40 and Resolution No. 17-46(F) approved funding of \$150,000 for the Clematis Street design and \$550,000 for the Alleyways. Those unexpended amounts were adopted into the FY2017/2018 CRA budget.

Funding for construction of the Clematis Streetscape and a portion of the Alleyway construction was intended to be allocated as part of a CRA bond issuance. As the bond issuance is currently ongoing and the timeline for construction of Clematis Street is scheduled to begin in June 2018, staff is requesting a transfer of funds from the Reserve for Future Projects of the Downtown/ City Center CRA District to meet the construction timeline. The amount sought to be transferred is \$2,000,000 for the Clematis Streetscape and \$900,000 for the Downtown Alley Initiative for a total of \$2,900,000.00.

Fiscal Note:

Upon approval, the balance in Reserves for the Downtown/ City Center CRA District will be approximately \$46,000.00.

5. **Resolution No. 18-12 authorizing the execution of a Property Disposition and Development Agreement for the disposal and development of various properties owned by the West Palm Beach Community Redevelopment Agency for a mixed-use project known as Northwood Commons located at the Anchor Site.**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE MATERIAL TERMS FOR THE PROPERTY CONVEYANCE AND DEVELOPMENT AGREEMENT WITH TBCG CAPITAL GROUP, LLC, FOR THE ANCHOR SITE; AUTHORIZING EXECUTION OF THE AGREEMENT; APPROVING A THE TAX INCREMENT INCENTIVE FOR THE DEVELOPMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1533](#)

Staff Recommended Motion:

APPROVE Resolution No. 18-12.

Background:

Amendment No. 13 to the Strategic Finance Plan for the Northwood/Pleasant City District identifies the assembly and redevelopment of the “Anchor Site” as a significant initiative within the Northwood Village target area. The West Palm Beach Community Redevelopment Agency ("CRA") assembled nearly four acres of land on the west end of Northwood Village, referred to as the “Anchor Site”, as the redevelopment of this site is intended to anchor Northwood Village by: (a) providing residents to support the current merchants as well as add an additional merchandising mix to Northwood Village; and (b) providing public parking and open space.

The CRA issued an Invitation to Negotiate (ITN #16-17-500) for the purchase or lease and development of a CRA owned properties prominently located in the Northwood Village area of the City of West Palm Beach. The parcels, (commonly referred to as the “Anchor Site”) has been assembled for the purpose of selecting a Developer to design and construct a mixed-use development of significant impact and prominence. The development will be a catalyst for additional development and will provide a central location for pedestrian activity and create a “Village Square”. The solicitation was due on April 12, 2017 with the receipt of three (3) Proposals. A Selection Committee was formed and met on Friday, May 19, 2017 where presentations were given by all three Proposers. The Selection Committee ranked TBCG Capital Group the highest, followed by Housing Trust Group and Dale Matteson. A recommendation was made that all three Proposers have an opportunity to present to the CRA Board. The CRA Board met on Tuesday, June 5, 2017 and approved the rankings and directed CRA Staff to negotiate a Development Agreement with the highest ranked firm, TBCG Capital Group, LLC.

Before the Board for approval is the Property Disposition and Development Agreement between the West Palm Beach Community Redevelopment Agency and TBCG Capital Group, LLC for a mixed use project known as Northwood Commons to be located at the Anchor Site. Significant terms include the following:

TBCG Capital Group, LLC., the Developer, will serve as the master developer for the Development. It is anticipated that there will be four other related development entities involved in the project.

In consideration of Developer's agreement to complete construction of the Development, CRA will convey the Anchor Site to Developer, at no cost, subject to the terms and conditions of the Agreement.

The Development will consist of 5 separate Buildings, as shown on the attached Concept Plan:

Building A – 8 story development consisting of: Parking, Retail, Residential appx. 73 residential micro units, and Office tower.

Building B – 8 story development consisting of: Parking, Retail, and Residential–80 units (1, 2 and 3 bedroom units).

Building C – 2 story development consisting of: Retail and Office.

Buildings D1 & D2 – 4 story development consisting of: Retail, and Residential – 4 3 floor townhomes and 12 apartment micro units.

Building E – 3 story development consisting of: boutique Hotel and Retail. Northwood Commons Park. The area south of Building C shall be developed as an urban open space for use by the public.

The Development will proceed in phases. Building A will be Phase 1. The Developer must have all financing in place for the construction of Building A prior to the conveyance of that parcel to the Developer. Prior to the conveyance of any other parcels, the Developer must provide satisfactory evidence of financing for 100% of the remainder of the Development. In addition, prior to closing on any parcel, the Developer must also have obtained all planning & zoning approvals and a building permit for the applicable building; entered into a construction contract for the construction and provided a performance bond naming the CRA as co obligee.

All construction would be scheduled for completion in 7 years.

The CRA will also agree to provide a tax increment incentive in the amount of 50% of the tax increment generated by the Development each year for 10 years, not to exceed \$2 Million.

Resolution No. 18-12 approves the Property Disposition and Development Agreement with the terms outlined above.

Fiscal Note:

CRA will convey the property valued at \$4 Million to Developer. CRA will provide a TIF incentive not to exceed \$2 Million.

6. **Resolution No. 17-58 approving the initial terms related to the conveyance of real property located at 1031 North Sapodilla Avenue to the West Palm Beach Community Redevelopment Agency to be fully negotiated and brought back to the board for approval.**

A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE INITIAL TERMS OF THE CONVEYANCE OF REAL PROPERTY FOR THE PROPERTY LOCATED AT 1031 NORTH SAPODILLA AVENUE WITHIN THE CRA'S DOWNTOWN HISTORIC NORTHWEST NEIGHBORHOOD TARGET AREA FROM MAXWILL INVESTMENTS, LLC AND AUTHORIZING THE HIRING OF AN ARCHITECT TO PREPARE PLANS FOR THE RESTORATION OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 1521](#)

Staff Recommended Motion:

Approve Resolution No. 17-58

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.

Maxwill Investments, LLC, the owner of the property located at 1031 North Sapodilla Avenue (the "Property"), contacted the CRA staff with an offer to donate the Property to the CRA. The Property is located on the southwest corner of North Sapodilla Avenue and 10th Street within the CRA's Downtown, Historic Northwest Neighborhood and consists of a historically contributing approximately 3,109 square feet 2-story single family home on .09 acres. The Property is a historic structure constructed prior to 1918 and is identified as a Frame Vernacular Bungalow on a raised concrete basement. Due to the historic nature of the Property, rehabilitation is cost prohibitive to the owner. The CRA believes it is best positioned to rehabilitate this home, rather than the private sector.

There is an outstanding City Code Enforcement Lien, Case No. CE15090856, due to an expired permit for boarding and securing the Property, which remains in non-compliance and must be addressed as a part of the conveyance. As of March 1, 2018 the lien had accrued to \$76,800.00, and continues to accrue at a rate of \$100.00 per day. As a condition of the donation, the owner will require the CRA to obtain a release of lien from

the City. Since the property is not in compliance, the CRA will be required to request a conditional release of lien from the City. In order to do so, it is necessary for the CRA to hire an architect to prepare plans and establish a time frame for completion of the rehabilitation. The agreement between Maxwill and the CRA for the conveyance of the Property will be conditioned upon the release of this lien.

CRA staff is working with the City's Historic Preservation staff to apply for a grant through "The African-American Cultural Heritage Action Fund". This provides grants ranging from \$50,000 to \$150,000 to advance ongoing preservation activities for historic places such as sites, museums, and landscape projects representing African-American cultural heritage. Approval of an application for this grant will be presented to the board at a later date; however the CRA's decision and ability to restore the Property is not contingent upon receipt of this grant.

The key terms of the agreement between Maxwill and the CRA are as follows:

- Maxwill will donate the Property to the CRA for zero dollars.
- The CRA will hire an architect to develop plans and a schedule for rehabilitation of the Property.
- The CRA will request a conditional release of lien from the City.
- Maxwill will be responsible for the payment of all outstanding Ad Valorem taxes.
- Maxwill will be responsible for the payment of all outstanding Sales and Personal Property taxes.
- Maxwill shall pay its closing costs associated with the conveyance, including documentary stamps.
- The CRA will be responsible for the payment of recording fees, survey costs and its closing costs.
- Maxwill will convey title to the CRA by quit claim deed.
- The CRA will be responsible for rehabilitation of the Property.

CRA staff recommends approval of Resolution No. 17-58 approving the initial terms of the conveyance and authorizing the hiring of an architect to prepare plans to restore the Property. The Agreement for Conveyance of Real Property will be brought back to the CRA Board for approval.

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

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.