



WEST PALM BEACH

**West Palm Beach
Community Redevelopment Agency**

PASS/FAIL AGENDA

**December 3, 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
CHAIR
GERALDINE MUOIO**

CITY COMMISSION

PRESIDENT PAULA RYAN

**COMMISSIONER KELLY SHOAF
COMMISSIONER KEITH JAMES**

**COMMISSIONER CORY NEERING
COMMISSIONER CHRISTINA LAMBERT**

**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:

PRESENTATIONS (2):

2. **Presentation of proposed term sheet for development of the Tent Site **PRESENTED****
[Agenda Cover Memorandum No.: 21982](#)

Staff Recommended Motion:

Staff recommends that the Board review the proposed terms, and give direction to any modifications.

Background:

As the Board is aware, Cohen Brothers Realty Corporation was selected by the CRA Board as the winning respondent to RFQ No. 17-18-404 for the development of the Tent Site. The Board directed staff to negotiate with Mr. Charles Cohen, principal and sole owner of Cohen Brothers, to develop a term sheet for the project and bring the terms back to the Board for their approval. The term sheet would then be incorporated as an element of a Development Agreement to be drafted by the CRA Attorney, in concert with the legal representatives of Cohen Brothers and said Development Agreement would be brought back to the CRA Board for their approval.

Staff has conducted a series of meetings and conversations with Mr. Cohen and present the following proposed terms to guide the drafting of a Development Agreement between the parties for the Tent Site:

1. The Tent Site will be developed primarily as a Class A office building with the maximum allowable Class A office square footage and constructed with the maximum allowable height to allow for unobstructed views on all sides of the structure.
2. The site will contain a parking facility with spaces for between 15-1800 vehicles.
3. The building design will seek incentives for the inclusion of significant public art, in excess of the minimum requirement of the ordinance, the construction of a green building with at least a Silver LEED rating, lush landscaping and green space in excess of the minimum City requirements. All sidewalks will be double wide. Retail tenants that provide a public benefit, such as a city grocer, will be solicited. All will be contained

within a significant architectural design that contains design components, such as tower elements, that are not leasable and that will not count against the maximum allowable square footage.

4. The building will feature a soaring three story lobby space.
5. The CRA will lease the Tent Site at fair market value, to be determined, to Cohen Brothers for a term of 99 years, in the aggregate. The lease will include a right to purchase the underlying land at fair market value within a mutually acceptable period of time. If the CRA receives an offer to purchase the property from a third party, Cohen Brothers will have the first right of refusal to match the terms of the offer.
6. The developer will exceed the City's minimum minority and women owned business requirements.
7. If the property becomes taxable as a result of the lease, all taxes will be responsibility of the lessee. If not, an equivalent Payment in Lieu of Taxes (PILOT) will be paid by the lessee.

RESOLUTIONS (3-4):

3. **Resolution No. 18-54 APPROVED approving a grant and authorizing the Chair to execute a Facade and Exterior Improvement Grant agreement between the West Palm Beach Community Redevelopment Agency and Bryan Boysaw and Associates PA, for improvements to property located at 501 N Rosemary Ave.**

A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A GRANT AND AUTHORIZING THE CHAIR TO EXECUTE A GRANT AGREEMENT WITH BRYAN BOYSAW AND ASSOCIATES PA, UNDER THE FACADE AND EXTERIOR IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO THE PROPERTY LOCATED AT 500 N ROSEMARY AVENUE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21983](#)

Staff Recommended Motion:

Approve Resolution No. 18-54.

Background:

In November 2005, the CRA Board formally adopted the Strategic Finance Plan for the Downtown/City Center CRA District. The plan identified the attraction of new businesses and private investment as an important component of the redevelopment strategy. As additional inducement for business attraction, the CRA created an incentive package specifically crafted to address the investment obstacles within the CRA district. As with any redevelopment program, the bulk of the public investment will be in the form of incentives in the beginning stages of the redevelopment program, leveling off as market

conditions improve and few incentives are needed to attract private investment dollars. In June 2006, the CRA Board formally adopted nine incentive programs, One of these programs, the Facade and Exterior Improvement Program, was adopted to encourage investors to do more renovations than they would normally do, thus increasing the value of the property.

In January 2013, the CRA Board approved an amendment to the Facade and Exterior Improvement Program specifically for the Northwest target area in order to induce renovation of commercial space and business development. Under the amended program, businesses may qualify for a maximum of \$75,000 in grant funding and are required to provide a 20% match. Furthermore, the program allows property owners to include interior building renovations, which would further increase the inventory of leasable space in the Northwest target area.

The CRA received an application under the amended Facade and Exterior Improvement program for the property at 500 N. Rosemary Avenue. The applicant, Bryan Boysaw and Associates PA, proposes minor exterior renovations to the property to the existing building which will includes exterior paint and sign upgrades. (See Exhibit A).

The total cost of proposed renovations is estimated to be \$ 14,732.00. Staff has determined the proposed project supports the goals and objectives set forth in the Downtown/City Center CRA Strategic Plan, therefore staff recommends approval of a grant not to exceed \$11,785.60 under the program.

4. **Resolution No. 18-60 APPROVED approving and authorizing a grant under the Facade and Exterior Improvement Program to And Realty Enterprise, LLC for improvements to the properties located at 522, 522 1/2, and 524 Northwood Road.**

A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING A GRANT UNDER THE FACADE AND EXTERIOR IMPROVEMENT PROGRAM TO AND REALTY ENTERPRISE LLC, FOR IMPROVEMENTS TO THE PROPERTY LOCATED AT 522 NORTHWOOD ROAD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21984](#)

Staff Recommended Motion:

Approval of Resolution No. 18-60.

Background:

On November 7, 2005, the Community Redevelopment Agency (CRA) adopted the Strategic Finance Plan for the Northwood/Pleasant City CRA District. This consolidated plan includes redevelopment initiatives designed to attract private investment and redevelopment activities within the Northwood/Pleasant City Community Redevelopment Area.

The CRA Facade and Exterior Improvement Grant Program is an incentive available to businesses located within the Northwood/Pleasant City CRA for 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 will provide a grant for 80% of the project cost up to a maximum CRA grant of \$10,000 for projects within Northwood Village, Pleasant City, Currie Park and the Industrial District. Reimbursement percentage for exterior door and window replacement is 50% of their cost. In order to be eligible, properties cannot be listed for sale and must be free and remain free of all municipal and county liens, judgements or encumbrances.

In 2016, the CRA rewrote the land development regulations for the Northwood Village Mixed-Use District (NMUD) which included the designation of the Northwood Road Historic District in which the Properties are located. This requires any exterior modifications of this Property to comply with the City of West Palm Beach's Historic Preservation (WPBHPB) Ordinance (Chapter 94, Article II, Sec. 94-46) and the City's design guidelines intended to maintain the flavor and nature of the current architecture. The architectural drawings have been submitted and approved through the WPBHPB.

The subject grant application is being sought by Grace Norwich of, And Realty Enterprise, LLC, legal property owner of 522 Northwood Road, commonly known as 522, 522 ½, and 524 Northwood Road, all within a single parcel, to assist in exterior improvements of the buildings and properties. The properties are highly visible in Northwood Village and support the CRA mission of removing blight within Northwood.

The scope will include front framing, exterior stucco and paint, renovate historic brick planters, glass glazing, new business signs, ceiling repair, impact windows and doors, railings and concrete ramps. 524 Northwood Road is currently occupied by Northwood Glass Art and Gifts, a successful retail and workshop business and long-term tenant. The property owner wants to complete these exterior improvements in the hopes to attract two new retail business tenants to Northwood Village in the current vacant buildings of 522 and 522 ½ Northwood Road.

The total exterior construction cost is estimated to be approximately \$84,375.00. The petitioner received two (2) licensed contractor bids, as required for each scope of the project. The petitioner is requesting a grant contribution of \$30,000.00, the maximum CRA grant of 80% of the project cost up to \$10,000 for each of the three properties. Staff recommends approval.

Fiscal Note:

Funding is in FY18-19 Northwood Business District budget.

5. **Resolution No. 18-59 APPROVED approving the First Amendment to the Project Funding Interlocal Agreement between the City and the West Palm Beach CRA for funding the Downtown Alley Pilot Project.**

RESOLUTION NO. 18-59: A RESOLUTION OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE FIRST AMENDMENT TO THE PROJECT FUNDING INTERLOCAL AGREEMENT BETWEEN THE CITY OF WEST PALM BEACH AND THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FUNDING OF THE DOWNTOWN ALLEY CLEANUP PROJECT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21985](#)

Staff Recommended Motion:

Approval of Resolution No. 18-59.

Background:

By Resolution Nos. 18-36 and 211-18, the West Palm Beach Community Redevelopment Agency (“CRA”) and the City Commission, respectively, approved an funding Interlocal Agreement to fund the pilot project for the alleyways along with a rate study that will determine downtown sanitation rates moving forward. The initial CRA funding was in the amount of \$177,780, to allow the commencement of the pilot program in the very short term. The City and CRA executed that certain Project Funding Interlocal Agreement between the City of West Palm Beach and the West Palm Beach Community Redevelopment Agency for Alleyway Cleanup Pilot Project, dated July 31, 2018 (the “Interlocal Agreement”).

Thereafter the CRA approved the SRA’s Strategic Finance Plan, Amendment No. 13, for Fiscal Year 2019, which included additional funding for the full fiscal year for the Alleyways Pilot Program (with funding thereafter dependent on the City). The CRA agreed to provide additional funding for the Alleyway Pilot Project to hire five additional Public Works employees, as proposed, and to purchase the rest of the equipment/materials determined to be needed for the pilot program. Such funding is in the amount of \$588,345.

Resolution No. 18-59 approves the First Amendment to the Interlocal Agreement to provide for the additional funding from the CRA.

Companion Resolution No. 352-18 will be presented to the City Commission on December 3, 2018.

This project is in City Commission District 3: Paula Ryan.

Fiscal Note:

Fully Budgeted.

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.