

**POMPANO BEACH
COMMUNITY REDEVELOPMENT AGENCY BOARD
MEETING MINUTES**

**Tuesday, February 20, 2018
CITY COMMISSION CHAMBERS
5:30 P.M.**

PRESENT

Mayor	Lamar Fisher
Vice-Chair	Charlotte Burrie
Commissioner	Rex Hardin
Commissioner	Barry Moss
Commissioner	Beverly Perkins
Commissioner	Michael Sobel

ALSO PRESENT

CRA Co-Executive Director	Kim Briesemeister
CRA Co-Executive Director	Chris Brown
CRA Attorney	Claudia McKenna
City Manager	Greg Harrison
Project Manager	Adriane Esteban
Project Manager	David Hasenauer
Project Manager	Jordan Pace
CIP Manager	Horacio Danovich
Program Director	Dahlia Baker
Director of Prog. & Facilities	Cherolyn Davis
City Attorney	Mark Berman
Assistant City Manager	Brian Donovan
CRA Clerk/Coordinator	Kimberly Vazquez
Deputy City Clerk	Kervin Alfred

CALL TO ORDER

Mayor Fisher called the meeting of the Community Redevelopment Agency Board to order at 5:32 P.M.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

January 16, 2018 Minutes

MOTION made by Commissioner Hardin to approve the minutes of the January 16, 2018 CRA Board Meeting. Seconded by Vice-Mayor Burrie. Motion was approved unanimously.

APPROVAL OF THE AGENDA AS AMENDED

Mayor Fisher announced Items 4 and 10 are removed the agenda. Items 1, 2 and 7 are pulled from Consent and moved to the Regular Agenda for discussion.

Claudia McKenna, Board Attorney requested an item added under Reports announcing an Attorney Client Session regarding the litigation of the City of Pompano Beach/Pompano Beach CRA versus Broward County.

MOTION made by Commissioner Hardin to approve the Agenda as amended. Seconded by Vice-Mayor Burrie. Motion was approved unanimously.

AUDIENCE TO BE HEARD

Jocelyn Jackson, 141 NW 19th Street asked the Board to consider a policy to request developers coming before them to offer community benefit(s) as part of their agreement.

Jacques Dumornay, First Haitian Baptist Church 301 MLK Boulevard complimented the work taking place in the area. He said between 4th Street and 3rd Avenue there is loitering and sleeping on the vacant property.

Veronica Thomas, 624 NW 3rd Avenue asked for consideration of berms on the vacant properties, a larger/higher monument sign at E Pat Larkins Center, the location of the Rebuilding Broward projects and a park area to address loitering on MLK Boulevard. **Greg Harrison** responded he will follow up with Ms. Thomas.

Louisaette King, 1651 NW 15th Avenue, said she is experiencing issues with her mail because her address changed due to a private development. **Mayor Fisher** asked Mr. Harrison to follow-up and provide information as to who she needs to contact on this issue. **Ms. King** continued they are experiencing issues with a warehouse operator who is grinding bricks with dust going in the air and dumping on their site. **Commissioner Perkins** said she went to Ms. King's home and witnessed what was occurring first hand. She said she has spoken with Broward County on this matter to see if there are any violations. **Mayor Fisher** asked Mr. Harrison and staff to investigate what is going on this site.

CONSENT AGENDA

Motion made by Commissioner Hardin to approve the consent agenda. Seconded by Vice-Mayor Burrie. Motion was approved unanimously.

Item #3

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO BID UP TO \$50,000.00 FOR PROPERTY LOCATED AT 236 DR. MARTIN LUTHER KING, JR. BOULEVARD, POMPANO BEACH, FL 33060 THAT IS BEING SOLD AT TAX DEED AUCTION BY THE BROWARD COUNTY TAX COLLECTOR.

Approved on Consent

Item #4

~~A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO BID UP TO \$95,000.00 FOR PROPERTY LOCATED AT 316 NW 7 AVENUE, POMPANO BEACH, FL 33060 THAT IS BEING SOLD AT TAX DEED AUCTION BY THE BROWARD COUNTY TAX COLLECTOR.~~

Item removed from the Agenda

Item #5

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO BID UP TO \$15,000.00 FOR PROPERTY LOCATED AT 409 NW 7 AVENUE, POMPANO BEACH, FL 33060 THAT IS BEING SOLD AT TAX DEED AUCTION BY THE BROWARD COUNTY TAX COLLECTOR.

Approved on Consent

Item #6

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO BID UP TO \$30,000.00 FOR PROPERTY LOCATED AT 690 DR. MARTIN LUTHER KING, JR. BOULEVARD, POMPANO BEACH, FL 33060 THAT IS BEING SOLD AT TAX DEED AUCTION BY THE BROWARD COUNTY TAX COLLECTOR; PROVIDING AN EFFECTIVE DATE.

Approved on Consent

REGULAR AGENDA

Item #1

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A SATISFACTION OF MORTGAGE PERTAINING TO A DEFERRED PAYMENT LOAN GIVEN BY THE CRA TO DONALD JACKSON FOR PROPERTY LOCATED AT 2000 NW 6TH PLACE; PROVIDING AN EFFECTIVE DATE.

Commissioner Sobel requested clarification of the original date of the deferred payment loan.

Claudia McKenna, Board Attorney clarified the date is April 30, 2007, as listed on the original Mortgage Deed and Promissory Note provided in the back up for the item.

Motion made by Commissioner Hardin to approve the Resolution. Secoded by Vice-Mayor Burrie. Motion was approved unanimously.

Item #2

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A SATISFACTION OF MORTGAGE PERTAINING TO A DEFERRED PAYMENT LOAN GIVEN BY THE CRA TO MICHAEL AND PEGGY CARTER FOR PROPERTY LOCATED AT 660 NW 20TH AVENUE; PROVIDING AN EFFECTIVE DATE.

Motion made by Commissioner Hardin to approve the Resolution. Secoded by Vice-Mayor Burrie. Motion was approved unanimously.

Item #7

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A FIRST AMENDMENT TO SUBLEASE AGREEMENT BETWEEN THE CRA AND BRANDON SYLVESTER SMITH D/B/A BOJO'S SEAFOOD KITCHEN RELATING TO RENTAL AND LATE FEE AMOUNTS; PROVIDING AN EFFECTIVE DATE.

Adriane Esteban, Project Manager explained this is an amendment to a sublease with Bojo's Seafood Kitchen reducing the lease amount to \$1,500 per month at the request of the operator/owner.

Commissioner Sobel said it is the desire of the CRA to see this business succeed, and therefore he is for reducing the monthly rent.

Jocelyn Jackson said more businesses are needed in the area to create foot traffic for them to be successful.

Motion made by Commissioner Hardin to approve the Resolution. Seconded by Vice-Mayor Burrie. Motion was approved unanimously.

Item #8

CONSIDERATION OF A DEVELOPMENT PROPOSAL FROM GO ECO HOMES, LLC TO CONSTRUCT SIX (6) SINGLE FAMILY HOMES ON CRA-OWNED INFILL LOTS LOCATED IN THE NORTHWEST COMMUNITY REDEVELOPMENT AGENCY AREA.

David Hasenauer, Project Manager said on December 4, 2017, the CRA received an unsolicited proposal from GO Eco Homes, LLC to construct six (6) single family homes on CRA-owned infill lots which are valued at \$107,000. Mr. Hasenauer said they plan to construct quality, affordable three (3) bedroom/two (2) bathroom homes. The proposal went through two (2) NWCRA Advisory Board meetings, receiving approval to be presented to the CRA Board.

Commissioner Sobel questioned why it went before the NWCRA Advisory Committee twice. **David Hasenauer** responded the Advisory Committee requested the developer come back to a second meeting with qualified buyers prior to recommending approval of the development.

Motion made by Commissioner Hardin to approve the Resolution. Seconded by Vice-Mayor Burrie. Motion was approved unanimously.

Item #9

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CRA AND CUSHMAN & WAKEFIELD RELATING TO PROVIDING REAL ESTATE ADVISORY AND BROKERAGE SERVICES; PROVIDING AN EFFECTIVE DATE.

David Hasenauer, Project Manager explained the CRA issued a Request For Proposal (RFP) for master real estate advisory and brokerage services of the City and CRA-owned assets located in the proposed downtown district of the Northwest CRA. Five proposals were received and Cushman & Wakefield was

the top ranked firm. The agreement terms include marketing the properties within the downtown as they can provide a broader outreach nationally to the development community. All development interest will still be negotiated and brought before the Board for approval and the properties will have to go through the disposition process as per state statute.

Jocelyn Jackson asked for clarity on the services Cushman & Wakefield will provide. **David Hasenauer** responded they will provide strategic real estate marketing services.

Commissioner Sobel asked about the strategy for the disposition of the properties and questioned the timing with the transition of the CRA operations, the county lawsuit and the forensic audit. **David Hasenauer** said there is a vision and plan for the downtown and the goal is to guide and attract private development to the area. The CRA has tremendous assets ready to go to market with the potential to increase the tax base. All the components are in place including the designation of the stormwater drainage district, zoning and the land use amendment regulating the type of development allowed in the area. Although the CRA would like to see a master developer, the agreement does not constrain Cushman & Wakefield from marketing the properties individually. **Commissioner Sobel** asked if the CRA will be responsible for payment to Cushman & Wakefield if a development project does not go through. **David Hasenauer** said commissions will be paid upon sale and/or lease of land.

Commissioner Perkins expressed concerns regarding the transition of the CRA and said she felt this item should be tabled until such time as a plan is in place for operations of the CRA.

Mayor Fisher said the CRA does not want to miss the opportunity to market the properties and to see what the market can bear. There is no upfront cost to the CRA to begin the process.

Commissioner Hardin said this is going to help the area and the entire city. The Board will direct the type of development that happens on the properties owned by the CRA and this is an opportunity to engage a worldwide organization to extend outreach in the market place.

Mayor Fisher asked if the contract can be amended to offer 50% of commission to outside brokerage firms who procure a buyer/developer. **Claudia McKenna, Board Attorney** responded the amendment would have to be presented and agreed to by Cushman & Wakefield, but the Board can approve the agreement as amended.

Motion made by Mayor Fisher to amend the agreement to state if an outside broker procures the purchaser, the Contractor will pay to such outside

broker half of the total compensation and retain the balance as its compensation. Seconded by Commissioner Hardin. Motion was approved unanimously.

Motion made by Commissioner Hardin to approve to enter into a contract, as amended with Cushman & Wakefield. Seconded by Vice-Mayor Burrie. Motion was approved 5-1.

**Yes – Hardin Moss, Sobel Burrie, Fisher
No – Perkins**

Item #10 (Item was removed from the agenda)

~~A RESOLUTION OF THE POMPANO COMMUNITY REDEVELOPMENT AGENCY, APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE BETWEEN THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE GRISHAM FAMILY TRUST AND OTHER ASSOCIATED ENTITIES RELATING TO FOURTEEN PARCELS LOCATED ON NW 4TH STREET, NW 4TH AVENUE, AND NW 5TH STREET POMPANO BEACH UP TO \$1,900,000 ON OR BEFORE MARCH 5, 2018; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.~~

Item #11

A RESOLUTION FOR CONSIDERATION AND APPROVAL OF A PROPERTY DISPOSITION AND DEVELOPMENT AGREEMENT WITH MFK/REVA DEVELOPMENT, LLC FOR AN AFFORDABLE 50 UNIT MIXED-USE ARTIST BASED HOUSING DEVELOPMENT TO BE LOCATED AT EITHER THE ALI CULTURAL ARTS CENTER (THE ALI SITE) OR ON THE BLOCK NORTH OF THE ALI SITE (THE NORTH BLOCK).

David Hasenauer, Project Manager said the developer is requesting consideration of only the Ali Site due to time constraints to meet the funding cycle application deadline for Florida tax credit projects due March 8. Mr. Hasenauer said in June the Board directed staff to work with MFK/Reva Development, LLC on a development agreement pending staff resolving legal and operational issues with the site plan on the Ali Site to construct a forty-five (45) residential artist style loft style project. The developer is submitting the same site plan with the exception of increasing the units to fifty (50) to meet the minimum requirements.

Claudia McKenna, Board Attorney thanked the City Attorney and city staff for working with her on the mixed-use project proposed by MFK/Reva Development, LLC for the Ali Site. She explained the Ali Site is challenging and explained the legal and operational issues that must be resolved including zoning, drainage

and parking, some of which will require consideration and policy decisions by the City Commission. She said the development agreement identifies the legal and operational conditions and she recommended they remain as written until they have been satisfied for the project to go forward. The City Commission is not obligated to pass laws based on a project approved by the CRA. The issue is the CRA is short on time due to a March 8 deadline submittal to the state for the tax credits. She said staff is ready to move forward and work with Mr. Patterson to bring this project to fruition.

Don Patterson, president of REVA Development, said they are a 501(c) 3 with opportunity to bring a \$14 million residential project to the northwest community. He said the revenues generated will go back into operations and they have been reaching out to local organizations to identify their needs and how they can partner with them on resources and funding. He spoke in reference to the off-site residential parking and TO zoning for mixed-use development. He said they anticipate the disruption to the Ali and community during construction will be short term of a year or less. In addition they will be providing a surplus of parking by adding spaces to the north.

Dan Fee, Engineer/Planner for the developer, spoke in reference to the required permits, parking issues and the revocable license agreement.

Vice Mayor Burrie asked to hear from the residents about the loss of parking spaces at the Ali Cultural Arts facility if the project moves forward.

Jocelyn Jackson said she supports this project.

Velma Flowers said the Ali Cultural Center is doing well and she does not agree with this development on this site.

Phyllis Smith said when the Ali Center has an event there is not enough parking now and would not be in favor of dedicating any spaces for residential parking for this development.

Veronica Thomas, 624 NW 3rd Avenue, said she is against this project and dedicating parking spaces at the Ali Cultural Center for residents.

Saracha Peterson, said this project is too close to the Ali Cultural Center and will create parking issues.

Don Patterson said he provided information to the Board regarding the IRS Code allowing them to provide preference to lease to artists. He closed with saying their development would benefit the area businesses by creating the density needed to support them and there will be excess parking with construction of a parking lot to the north.

Mayor Fisher asked Mr. Patterson to clarify the codes and financing mechanisms to be used for this project and if it permits them to lease exclusively to artists. **Don Patterson** responded yes.

David Hasenauer stated there is a clause in the IRS Code that states they must lease to any qualified applicant that meets the criteria for Section 8 or affordable housing.

Claudia McKenna stated the Florida Housing Finance Corporation issued an RFA 2018-102 for local revitalization initiatives in the amount of \$2,465,000 in housing credits for family and elderly residents. If approved, Mr. Patterson's funding agreement entered into with state will be to serve families and the general population. Mr. Patterson has the discretion and the ability to market to artists, but if someone meets the qualifications and they are not an artist they are eligible to reside there.

Commissioner Hardin stated so they cannot lease just to artists but to anyone who is eligible.

Commissioner Perkins said she would like to work with Mr. Patterson, but there are major issues regarding the off-site parking and drainage which will require action from the City Commission. She asked Mr. Patterson to clarify what he is asking of the Commission. **Don Patterson** responded he would like to see the Board approve the development agreement with modifications. **Commissioner Perkins** asked Mr. Patterson if he is willing to amend the development agreement and include language to set aside space on the first floor for artists and the assistance to the Blanche Ely Museum and Markham Elementary. **Don Patterson** responded yes.

Claudia McKenna said the development agreement contemplates conditions to be satisfied and reviewed the policy changes requiring City Commission approval. She explained a second reading of the ordinance to amend the TO Zoning is on the February 27th City Commission agenda. These changes, although substantive in nature, can be added but it would require a third reading of the ordinance at a special meeting ten (10) days after the Commission meeting.

Don Patterson responded the application can be submitted on March 8th with a narrative explaining the City supports the project and is working on and will pass legislation to address the required changes.

Commissioner Perkins asked Mr. Patterson what occurs if he does not submit an application to the state by March 8. **Don Patterson** responded they will miss the funding cycle.

Claudia McKenna said the other issue to address is there are conditions in the agreement Mr. Patterson has asked to be removed and are as follows; 1) An amendment to the Pompano Beach Code to allow for off-site parking and drainage as a principal use in the DOPD; 2) a temporary permit to remedy any impermissible non-conformity caused by removing parking spaces and utilities (stormwater retention, backflow, etc.) required for the Ali Cultural Center and 3) issuance of a separate surface water management license for the Project and the Project parking. She explained the City Attorney and CRA Counsel recommend these conditions remain and be met.

Commissioner Hardin said he likes the concept of the project but there are issues with the location and the short timeframe to consider and make major policy changes prior to March 8th deadline.

Commissioner Sobel stated this a quality, affordable housing project and the density needed for the area and he is supportive of the project and making zoning changes if needed.

Mayor Fisher said he would like to see this project on a site that would provide full opportunity for the development inclusive of the drainage and parking. Currently, the City has a thriving Cultural Arts Center where parking would be removed and the unknown is what the impact to the center would be.

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PROPERTY DISPOSTION AND DEVELOPEMNT AGREEMENT BETWEEN THE CRA AND MFK/REVA DEVELOPMENT, LLC, FOR A 50-UNIT MIXED USE PROJECT REFERRED TO AS BOULEVARD ART LOFTS TO BE LOCATED AT THE ALI CULTURAL ARTS CENTER (THE ALI SITE); PROVIDING AN EFFECTIVE DATE

Motion made by Commissioner Hardin to approve the Resolution. Seconded by Vice-Mayor Burrie. Motion was approved 4-2.

Yes – Hardin, Moss, Burrie, Fisher
No – Perkins, Sobel

Claudia McKenna asked for clarification for what is expected of city staff to have prepared for the City Commission meeting on February 27th on the policy changes.

Mayor Fisher requested a reconsideration of the motion as he does not want to put the City into a position to have to take action and called for a second vote on the resolution.

Motion made by Commissioner Hardin to reconsider the prior motion to approve the Resolution. Seconded by Vice Mayor Burrie. Motion was approved 4-2.

Yes – Hardin, Moss, Burrie, Fisher
No – Perkins, Sobel

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PROPERTY DISPOSITION AND DEVELOPEMNT AGREEMENT BETWEEN THE CRA AND MFK/REVA DEVELOPMENT, LLC, FOR A 50-UNIT MIXED USE PROJECT REFERRED TO AS BOULEVARD ART LOFTS TO BE LOCATED AT THE ALI CULTURAL ARTS CENTER (THE ALI SITE); PROVIDING AN EFFECTIVE DATE

Motion made by Commissioner Hardin to approve the Resolution. Seconded by Vice-Mayor Burrie. Motion failed 4-2.

Yes – Perkins, Sobel
No – Hardin, Moss, Burrie, Fisher

Commissioner Perkins asked staff to work with Mr. Patterson on an alternate location for his project.

REPORTS

EXECUTIVE DIRECTOR

Greg Harrison, City Manager stated in his capacity as the City Manager and Contract Administrator of the RMA Contract, and as a result of their submission of a ninety (90) day termination letter, he will be assuming the role of the Acting CRA Director. He said over the next few weeks he will be working on a transition plan including the creation of a city department to operate the CRA.

CRA ATTORNEY

Claudia McKenna, Board Attorney announced the following Attorney Client Session for February 27, 2018 at 4:00 P.M.:

This is an attorney-client private executive session to discuss pending litigation styled as: Pompano Beach Community Redevelopment Agency and City of Pompano Beach vs. Broward County, Case No.: 14-009654(18), 17th Judicial Circuit, Broward County, Florida. Pursuant to Section 286.011(8), Florida Statutes, the Attorney-Client session will be private and only the following persons may attend the session:

City Commission members; Pompano Beach Community Redevelopment Agency Board members; Greg Harrison, City Manager; Mark E. Berman, Esq., the City Attorney; Claudia McKenna, Esq., CRA Attorney; Kim Briesemeister, Executive Director; Chris Brown, Executive Director; and Outside Counsel for the CRA and the City.

CRA BOARD

Commissioner Moss announced the ground breaking of the Legacy II Town Home project on February 22 at 10:00 A.M., the open house at Fire Station 52 on February 26 from 10:00 A.M. to 1:30 P.M., and the grand opening of the Pet Lodge in Collier City on March 3rd at 11:00 A.M.

Commissioner Perkins said she attended the Tiger Trail Event on February 17th and said everyone had a great time.

Commissioner Sobel apologized for his city phone services not working properly and said the best way to reach him is via the city email.

Mayor Fisher announced the next CRA Board Meeting of March 20, 2018 and asked for everyone to keep Marjory Stoneman Douglas High School in their thoughts.

ADJOURNMENT

Mayor Fisher adjourned the meeting of the CRA Board at 8:53 P.M.

**POMPANO BEACH
COMMUNITY REDEVELOPMENT AGENCY BOARD
SPECIAL MEETING MINUTES**

**Tuesday, February 27, 2018
CITY COMMISSION CHAMBERS
4:00 P.M.**

PRESENT

Mayor	Lamar Fisher
Vice-Chair	Charlotte Burrie
Commissioner	Rex Hardin
Commissioner	Barry Moss
Commissioner	Beverly Perkins
Commissioner	Michael Sobel

ALSO PRESENT

City Attorney	Mark Berman
City Clerk	Asceleta Hammond
Deputy City Clerk	Kervin Alfred
CRA Clerk	Kimberly Vazquez

CALL TO ORDER

Mayor Fisher called the special meeting of the Community Redevelopment Agency Board to order at 4:01 P.M.

1. CITY OF POMPANO BEACH/CRA ATTORNEY-CLIENT PRIVATE EXECUTIVE SESSION

Mark Berman, City Attorney announced the Joint Special Meeting the City of Pompano Beach and Pompano Beach Community Redevelopment Agency (CRA) Attorney-Client private session. He said the CRA Board Attorney, Claudia McKenna would be joining them via telephone in the closed door session of the meeting.

This is an attorney-client private executive session to discuss pending litigation styled as: Pompano Beach Community Redevelopment Agency and City of Pompano Beach vs. Broward County, Case No.: 14-009654(18), 17th Judicial Circuit, Broward County, Florida.

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With that, the Board went into closed session at 4:03 P.M.

Mayor Lamar Fisher reconvened the joint Special meeting of the City Commission and the Community Redevelopment Agency Board and referred the remaining process of the meeting to Mark Berman, City Attorney.

Mark Berman, City Attorney reiterated this is a joint meeting, however, they will conduct each motion separately. First, on behalf of the City Commission he recommended a motion be made to approve the counter proposal as indicated in the attached Exhibit 1.

MOTION: A motion was made on behalf of the City Commission by Commissioner Hardin, seconded by Vice Mayor Burrie to approve the counter proposal. There was no discussion on the motion. The motion carried by the following roll call vote:

Commissioner Hardin	No
Commissioner Moss	No
Commissioner Perkins	Yes
Commissioner Sobel	Yes
Vice Mayor Burrie	Yes
Mayor Fisher	Yes

Mark Berman, City Attorney, on behalf of the CRA Board, recommended a motion be made to approve the counter proposal as indicated in the attached Exhibit 1.

MOTION: A motion was made on behalf of the Community Redevelopment Agency Board by Commissioner Hardin, seconded by Vice Mayor Burrie to approve the counter proposal. There was no discussion on the motion. The motion carried by the following roll call vote:

Commissioner Hardin	No
Commissioner Moss	No
Commissioner Perkins	Yes
Commissioner Sobel	Yes
Vice Mayor Burrie	Yes
Mayor Fisher	Yes

ADJOURNMENT

The meeting adjourned at 4:42 P.M.

County-City/CRA Conceptual Counter-Counterproposal

1. Taxing authorities (County, City, Hospital District and Children's Services Council) shall pay normal TIF for the NW CRA through expiration of original term of the NW CRA (with the last payment being made on or around December 2019).
2. County provides a \$10M fund that County funds and controls to directly eliminate residential slum & blight (timing of expenditures to be determined) in the NW CRA area. The funds will be placed by the County in a segregated account and may only be used for projects that will improve the Residential District and are recommended by an 11-person advisory board (the "Residential District Advisory Board"). Ten members of the Residential District Advisory Board will be appointed by the County Commission, each of whom must be either a resident of the Residential District or be a full-time employee of a religious, cultural, or social services entity that primarily serves residents in the Residential District. The County Commissioner who represents the County Commission District that encompasses the Residential District shall be the final member of the Residential District Advisory Board. The Residential District Advisory Board shall recommend projects to be performed by the County within the Residential District. County may impose any additional terms on the use or expenditure of the \$10M that the County determines are beneficial to the CRA or the residents of the CRA.
3. County ~~provides a combination of~~ shall pay to the NW CRA (A) a Lump Sum payment (to be paid on 12/31/2020) of \$7 million and (B) a payment stream (commencing 12/31/2021) of \$1.5 million each year for five years (with the last payment made on 12/31/2025), with combined total of Present Value \$11M (using a 4% discount rate), which funds can only be used to alleviate slum and blight in the downtown portion of the NW CRA (the "Downtown District") for specific projects or defined types of projects agreed by the parties ~~as and shown on Exhibit A, which shall be~~ part of the settlement agreement. In approving the specific projects, the County will consider, *inter alia*, whether and the extent to which the specific project benefits the residents of the CRA. ~~Any additional sums the CRA requests to be paid above the total \$11M PV must be fully offset by early termination of, or reduction of TIF to, the East District of the CRA.~~
4. County will approve the extension of the term of the NW CRA with only City TIF through 2040.
5. There will be no additional extensions or expansions of the NW CRA without prior express County approval.
- 5.6. This settlement will have no effect on TIF payments to the East District.

~~6.7.~~ The CRA will obtain an annual independent audit of the CRA's financial statements and which includes the auditor's opinion on the CRA's compliance with Section 163.387, Florida Statutes. The parties recognize that all payments made by County to NW CRA or the City pursuant to this Settlement Agreement are not subject to the requirements of Section 163.387(7), Florida Statutes, and that the Settlement Agreement releases all claims regarding the compliance of current and prior appropriations by the CRA with Section 163.387(7).

~~7.8.~~ This settlement would fully and completely resolve the litigation. Lawsuit (including the Complaint and Counterclaim) shall be dismissed with prejudice per settlement agreement. Parties will submit agreed motion to dismiss. All parties bear their own costs and fees.

~~8.9.~~ The County will adopt clarifying Resolutions to clarify the authority of the CRA, as necessary, ratifying and amending Resolution 80-254, nunc pro tunc, to clarify that the power to create the CRA, to issue bonds and delegate powers from the City to the CRA were delegated by the County to the City and that the CRA was properly created, has the power to issue bonds, has the power to be delegated authority from the City and is in full force and effect.

~~9.~~ 50% of any cash proceeds of the sale of real estate owned by the CRA within 10 years will be credited against future settlement payments (if any) or paid to the County. CRA will provide plans for developing any CRA owned lots near Blanch Ely high school or Collier City, so the County may consider whether any additional items are required regarding these properties.

~~10.~~ All settlement payments otherwise due under this settlement would end to the extent future Florida legislation would have eliminated any TIF obligation for the time periods at issue.

~~11.10.~~ The settlement is conditioned on the other taxing ~~authorities~~authorities' commitment or obligation to pay their *pro rata* share of the monetary value of the settlement. All TIF obligations of the other taxing authorities other than City would be fully resolved in this settlement.

~~12.11.~~ The settlement agreement will expressly recite that the \$10M monetary payment in paragraph 2 above is only to alleviate ~~persistent, chronic~~ slum & blight.

Project Pipeline

Exhibit A

Site	Project	Location	Amount
1	MLK Blvd. Streetscape	NW 6 th Ave to I-95 Underpass & Old Town	\$9,000,000
2	Downtown District Infrastructure	Drainage System/Intersections	\$30,000,000
3	8 Acre Site – Infrastructure	Southside of MLK, E. of NW 6 Ave, W. of Dixie	\$3,000,000
4	Dixie/Atlantic Infrastructure	Intersection of Dixie Highway & Atlantic Blvd.	\$8,000,000
5	MLK/Gateway Infrastructure	MLK / Dixie Hwy / NW 2 Ave / NW 3 Ave	\$5,000,000
6	MLK Commercial Center 1	MLK Blvd. / NW 7 Avenue	\$1,500,000
7	MLK Commercial Center 2	MLK Blvd. / NW 8 Avenue	\$1,500,000
8	370 Mixed-Use Infrastructure	NE corner of NE 3 St & Flagler Avenue	\$ 500,000
9	Avondale Improvements	Southwest corner Atlantic Blvd & Dixie Hwy	\$1,000,000
10	Land Acquisition	Downtown	\$5,000,000
11	Tenant Improvements	Downtown	<u>\$1,000,000</u>
			Total: \$65,500,000