

**WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY
1280 N. CONGRESS AVE., SUITE 215, WEST PALM BEACH, FL. 33409
MINUTES OF THE MONTHLY MEETING**

November 14, 2022

I. CALL TO ORDER (IN PERSON MEETING BROADCASTED ON ZOOM PLATFORM)

Mr. Daniels, the Board Chair, called the meeting to order at 5:06p.m. The roll was called by Ms. Bui.

Present: Ronald L. Daniels
Joanne Ruffy
Ralph Lewis
Ruth Haggerty

Absent: Joseph Kirby
Enol Gilles
Yeraldi Benitez

Staff Present: Elizée Michel, Executive Director
Denise Pennell, Senior Planner
Carmen Geraine, Bookkeeper
Thomas J. Baird, Esq., General Counsel
Mai Bui, Administrative Assistant

Others Present: Deputy George Gomez, Deputy Adam Robinson, Mickey Johnston
(All Virtually Via Zoom)

II. AGENDA APPROVAL

1. Additions, Deletions, Substitutions to Agenda

- Add Agenda Item #4: Approval of Debt Forgiveness for Jim Auto Sale.

2. Adoption of Agenda

- It was moved by Ms. Ruffy and seconded by Ms. Haggerty to adopt the Agenda. Motion carried (4-0)

III. ADOPTION OF W/BH CRA MINUTES

- It was moved by Ms. Haggerty and seconded by Ms. Ruffy to adopt the October 3, 2022 minutes. Motion carried (4-0)

IV. PUBLIC COMMENT

- PBSO Deputy Gomez and Deputy Robinson gave a brief report to the Board about police activities in the Westgate CRA area for the previous month.

V. DISCLOSURES

- No Disclosures

VI. CONSENT AGENDA

- Approval of Site Development Assistance Program Grant for Yasmani Trujilo Leon on Saranac Ave.
- **It was moved by Ms. Rufty and seconded by Ms. Haggerty. The motion passed unanimously (4-0)**

VII. REGULAR AGENDA

1. Approval of a Resolution Authorizing an Infrastructure Improvement Loan Agreement from Truist Bank in an Aggregate Amount of \$11,000,000 for the Purpose of Financing the Cost of Certain Redevelopment Projects Located Within the Westgate CRA

Mr. Michel, Mr. Christopher Roe, bond counsel from Bryant Miller Olive P.A. Law Firm, Mr. Baird and Mr. Mickey Johnston, financial advisor with League of Cities presented the item to the Board.

Mr. Michel reminded the Board that this funding was sought to prepay the construction of Westgate Avenue, Seminole Boulevard and Cherry Road streetscapes. Three projects partially funded with FDOT reimbursement funds through interlocal agreements with the Palm Beach County Engineering Department. Construction for Westgate Avenue is estimated at \$7.5 Million.

Mr. Roe outlined the process that was used to secure the loan. A Resolution is needed from the Board to close the loan. An RFP process was used to receive proposals. Submittals were received from several banks. Truist had the most favorable terms including a lower interest rate of 4.1%. The firm has prepared a loan agreement, a contract, that includes all the terms including required tax exemption clauses. The loan is a tax-exempt loan issued to a local government for public improvement, as such the lender does not have to pay taxes on the interest it earns for making the loan. In exchange the lender can give the public entity an interest rate lower than what you would receive from a commercial bank. The Truist loan has a 4.1% interest rate and a

term of 15 years. It has payment due to the bank once a year, every May 1st, through its maturity of 2037. The loan is secured by the Tax Increment that the Agency has deposited to the Trust Fund every year. A bank typically takes a security interest when a mortgage is obtained, but in a government loan, the bank takes security interest in a particular source of revenue. In the case of Community Redevelopment Agency, the source is the Tax Increment Financing. The Loan Agreement pledges the Tax Increment to repay the loan over time. The Loan is evidenced by a Promissory Note. The Promissory Note is essentially a bond. It evidences the obligation to repay the loan over time according to the terms set forth in the Promissory Note and the Loan Agreement. The loan has very good terms. The interest rates have crept up lately. The rate is very favorable. If the Resolution is approved by the CRA Board, the closing will happen on Thursday, November 17 (2022). At that point, the money will be deposited in the CRA account on that same morning. If the Agency receive reimbursements from the County or FDOT, it has the option of using the reimbursement to pay down the loan if allowed or use the reimbursement to finance other public improvement projects. If the Resolution is approved, Mr. Roe planned to gather all the required signatures after the Board meeting.

Mr. Johnston reiterated that the terms received from Truist were favorable to the Agency. Some of the other proposals had offered a rate north of 5%. The prepayment provision, where prepayment can be made once a year, is also a favorable term from the Truist proposal. A provision that can help the CRA receives more debt service savings.

Mr. Baird stated that his firm had reviewed the documents that they are legally sufficient and that Bryant Miller Olive Law Firm was easy to work with.

Board members stated that their questions were answered by the presenters.

It was moved by Ms. Ruffy and seconded by Ms. Haggerty to authorize to adopt a resolution to authorize the issuance of the revenue note in the amount of \$11,000,000 and to authorize the negotiated sale of such note to Truist Bank, pursuant to the terms and conditions of a loan agreement by and among the Westgate Belvedere Homes Community Redevelopment Agency, the Florida Municipal, Loan Council, and Truist Bank. The motion passed unanimously (4-0)

- 2. Approval of Agreement with Higgins Engineering to Provide Water Management Services and Environmental Resource Permit (ERP) Application to Establish Compensating Storage Credits for the Westgate CRA**

Mr. Michel introduced the item. Higgins Engineering has worked with the South Florida Water Management District (SFWMD) over the last two years to recapture compensating storage credits created by the many ponds and lake built by the CRA within the C-51 Canal Basin that were never memorialized by the District. The new task is to submit a new Environmental Resource Permit to SFWMD that will provide for the management and assignment of the storage credits to developments which meet criteria as deemed desirable by the CRA provided that these projects meet certain minimum storm water management criteria on site such as water quality treatment and discharge management.

To accomplish this goal, Higgins Engineering, Inc. will have a pre-application meeting with SFWMD, evaluate the 100-year flood elevations in light of the CRA projects. Higgins will submit the ERP application to SFWMD and provide additional information as requested. After the permit is issued, the firm will assist staff interpret the permit criteria as it relates to "Secondary Storm water System Design and Performance."

Additionally, Higgins Engineering Inc. will research all the previous ERP issued to the CRA for the South Westgate and the North Westgate by SFWMD as they relate to surface water management to determine if projects planned for these two areas meet by virtue of their location the "Secondary Storm water System Design and Performance" required by Palm Beach County in Art. 11.E.4.F.

Higgins Engineering, Inc., has proposed to complete these tasks for an amount not to exceed an additional \$10,000.00.

Staff recommends that the Board approve an agreement with Higgins Engineering to provide the above additional water management services to for an amount not to exceed \$10,000.00.

It was moved by Ms. Ruffy and seconded by Ms. Haggerty to approve an agreement with Higgins Engineering to provide the above additional water management services to for an amount not to exceed \$10,000.00. The motion passed unanimously (4-0)

3. Consideration of New Logo for the Westgate CRA

Ms. Pennell introduced the item. Staff is seeking input from the Board to update the CRA Logo.

Staff request to receive input from the Board.

Ms. Ruffy: Very Nice. Looks very fresh and clean.

Ms. Haggerty: Good Job.

No Motions Needed

4. Approval of Debt forgiveness for Jim Auto Sale

Mr. Michel introduced the item. Jim Auto Sale was renting 2700 Westgate Avenue. He had to move because the CRA was donating the property to Palm Beach County to build a Fire Rescue Station. The owner of the business claimed that he couldn't sell any cars because he was in the process of moving and couldn't use the address. He couldn't pay rent for November – January of the 2022 fiscal year. The total owed is \$11,080.83.

Staff recommends that the Board write off the total amount owed by Jim Auto Sales.

Mr. Rufty stated that she knows from driving pass his location that he didn't have any car on the property. She understands why he was not generating any revenues during that time. She stated that she didn't have a problem with writing it off.

Ms. Haggerty concurred. She can imagine with that kind of uncertainty, an owner would not be able to make the business work.

It was moved by Ms. Rufty and seconded by Ms. Haggerty to approve the Board to write off the total amount owed by Jim Auto Sales. The motion passed unanimously (4-0)

VIII. STAFF REPORTS

Staff priority for the last few months has been the redevelopment loan.

Several developers have expressed some interest in the Palm Beach Kennel Club property. The Kennel Club is entertaining of selling a portion of the property. Staff has met with two different groups. The proposed plans look very good. They are in line with the vision of the WCRA.

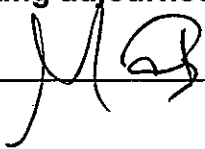
Airport Apartments project was pulled at the last minute. It is a 38-unit residential project with four stories.

Hoops for Tukey will take place at Parks and Recreation on 11/17/2022 from 5:00p.m. to 9:00p.m.

Santa At The Park is on 12/9/22 from 5:00p.m. to 9:00p.m.

IX. AJOURNMENT

It was moved by Ms. Rufty and seconded by Mr. Lewis to adjourn the meeting. The meeting adjourned at 5:53p.m.


_____ Administrative Assistant, Westgate CRA
Mai Bui