

Pompano Beach Community Redevelopment Agency

VIRTUAL MEETING*

*100 W. Atlantic Blvd.
Pompano Beach, Florida 33060*



Agenda - Final-revised

Tuesday, September 15, 2020

1:00 PM

*Rex Hardin, Chairperson
Barry Moss, Vice Chairperson
Andrea McGee, Board Member
Rhonda Eaton, Board Member
Tom McMahon, Board Member
Beverly Perkins, Board Member*

*Gregory P. Harrison, Executive Director
Claudia McKenna, CRA Attorney
Marsha Carmichael, CRA Secretary*

***INSTRUCTIONS FOR VIRTUAL MEETING**

Virtual meeting procedures and instructions for public comment are available on the CRA website:

www.pompanobeachfl.gov/pages/cra_meetings/meetings

CALL TO ORDER

*The Honorable Rex Hardin
Mayor, Presiding*

ROLL CALL

Marsha Carmichael, CRA Secretary

PLEDGE OF ALLEGIANCE**APPROVAL OF MINUTES**

20-602 CRA Board Meeting Minutes July 21, 2020

APPROVAL OF AGENDA**CONSENT AGENDA DISCUSSION**

The CRA Board may pull items from the Consent Agenda. During Audience To Be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

A. SPECIAL PRESENTATION

[20-587](#)

McNab House and Botanical Garden upate

(Fiscal Impact: Enter dollar amount or N/A, if not applicable)

Summary Explanation/Background:

Presentation

Origin of request for this action: [Click here to enter origin of request text.](#)

Fiscal impact and source of funding: [Click here to enter fiscal impact text.](#)

(Staff Contact: Bermello Ajamil/Nguyen Tran)

B. CONSENT AGENDA

1. [20-458](#)

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A PROPERTY DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CRA AND D.R. HORTON DBA AS IS CASH BUYERS, LLC, RELATING TO PROPERTIES LOCATED

BETWEEN NW 6TH STREET AND NW 9TH STREET, AND BETWEEN NW 18TH AVENUE AND NW 19TH AVENUE, ALSO KNOWN AS HUNTERS MANOR RESIDENTIAL SUBDIVISION AFTER RATIFICATION BY OFFICIALS AT D.R. HORTON, INC. HEADQUARTERS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Revenue of \$1,625,000.00)

Summary Explanation/Background:

In October of 2019, a Request for Proposal (RFP P-48-19) was issued for an experienced single-family residential subdivision builder to construct 65 detached single-family homes in a subdivision named Hunters Manor, located north of NW 6th Street, south of NW 9th Street, east of NW 19th Avenue and west of NW 18th Avenue. Two (2) responses were received and a Selection/Evaluation Committee was convened to review and rank the responses. The responses were reviewed and scored and the Committee determined that the highest ranked firm, D.R. Horton (dba As Is Cash Buyers, LLC) would be recommended for contract negotiations. On November 11, 2019, the CRA Board approved the ranking and authorized staff to negotiate a development agreement with D.R. Horton (Developer).

The Property Disposition and Development Agreement contemplates As Is Cash Buyers, LLC will design, permit, construct and sell fee-simple up to sixty-five (65) detached single-family homes. The Developer will purchase the CRA owned lands for One Million Six Hundred Twenty- Five Thousand (\$1,625,000) dollars and closing will occur within 30 days after the site is suitable for development or the issuance of a building permit for the first home to be constructed on the Property.

If the Developer is unable to complete the subdivision, the CRA will have the Right of First Refusal for the purchase of the remaining number of homes at the Developer's purchase price of \$80,000 per home site. In addition, a restriction will be placed upon the property for a period of three years after completion of the subdivision to prohibit the conversion from fee simple owner-occupied unit to a rental unit.

The Developer is a large corporate entity doing business nationwide and CRA Staff has been working with their local legal counsel. This Property Disposition and Development Agreement will need to be sent to corporate headquarters for ratification; therefore, the CRA Board will not execute the documents until this has occurred.

Origin of request for this action: Staff

Fiscal impact and source of funding: Revenue of \$1,625,000.00

(Staff Contact: Nguyen Tran)

C. REGULAR AGENDA

2. [20-584](#) A RESOLUTION OF THE POMPANO BEACH COMMUNITY

REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CRA AND MBR CONSTRUCTION, INC. FOR IMPROVEMENTS RELATING TO THE BACKYARD PROJECT WITH A GUARANTEED MAXIMUM PRICE OF \$1,620,000; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,620,000.00)

Summary Explanation/Background:

Staff is seeking CRA Board approval of a contract with MBR Construction, Inc. (MBR) to assist the CRA with proposed improvements in The Backyard. MBR will oversee construction of sidewalks, pavement, lighting, landscape and utilities. In addition, MBR will construct underground storage facilities for waste management control. This project will serve as a catalyst to create an outdoor entertainment area in Old Town and will support future restaurants and retail.

Origin of request for this action: CRA Engineer

Fiscal impact and source of funding: \$1,620,000,00 - Accounts Downtown Pompano Drainage 150-7657-539.65-12 (19379) and Downtown Pompano Above Ground Improvements - 150-7590-539.65-12 (17312)

(Staff Contact: Horacio Danovich)

3. [20-588](#)

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) CONSENTING TO AN ASSIGNMENT OF THE PROPERTY DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CRA AND HADAR HOMES, LLC. TO ICG K11, LLC. RELATING TO PROPERTIES LOCATED ON THE NORTHWEST CORNER OF NW 27 AVENUE AND NW 13 STREET (THE AGREEMENT) AND APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT TO EXTEND THE CONSTRUCTION COMPLETION DATE TO FEBRUARY 1, 2022 AND ELIMINATE THE TEN YEAR BUILDER'S INSURANCE REQUIREMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Summary Explanation/Background:

The redevelopment site is located at the Northwest corner of NW 27 Avenue and NW 13 Street, immediately south of the Wendy's fast food restaurant on MLK Boulevard. The CRA Board approved a Property Disposition and Development Agreement with Hadar Homes on April 18, 2017 with a construction completion date of August 31, 2019. Due to unforeseen delays associated with rezoning the property, the Developer requested a Second Amendment to the Development Agreement to extend the construction completion date to September 15, 2020. The CRA Board Approved the Second Amendment to Development Agreement on June 18, 2019. Due to Covid-19 and the total industry shutdown due to this pandemic, additional

delays were encountered. Developer continued to work diligently to obtain site and building permits which were recently received in August of 2020. CRA staff received a request from the Developer for an Assignment of the Property Disposition and Development Agreement, a Third Amendment to the Agreement which extends the Construction Completion Date to February 1, 2022 and the elimination of the required 10 year builder's insurance requirement.

Origin of request for this action: Staff

Fiscal impact and source of funding: N/A

(Staff Contact: Nguyen Tran)

4. [20-586](#)

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING THE EAST FINANCING AND IMPLEMENTATION PLAN AND ADOPTING THE FINAL ESTIMATES OF REVENUE AND EXPENDITURES FOR THE FISCAL YEAR COMMENCING ON OCTOBER 1, 2020, AND ENDING ON SEPTEMBER 30, 2021, APPROPRIATING THE FUNDS SHOWN THEREIN AS MAY BE NEEDED OR DEEMED NECESSARY TO DEFRAY ALL EXPENDITURES AND LIABILITIES OF THE EAST DISTRICT OF THE CRA FOR SUCH FISCAL YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Fiscal Impact: N/A)

Summary Explanation/Background:

The Financing and Implementation Plan, which will also serve as the Fiscal Year 2021 Budget, for the East CRA District is presented for review and approval by the CRA Board.

Origin of request for this action: Staff

Fiscal impact and source of funding: N/A

(Staff Contact: Kimberly Vazquez)

5. [20-589](#)

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING THE NORTHWEST FINANCING AND IMPLEMENTATION PLAN AND ADOPTING THE FINAL ESTIMATES OF REVENUE AND EXPENDITURES FOR THE FISCAL YEAR COMMENCING ON OCTOBER 1, 2020, AND ENDING ON SEPTEMBER 30, 2021, APPROPRIATING THE FUNDS SHOWN THEREIN AS MAY BE NEEDED OR DEEMED NECESSARY TO DEFRAY ALL EXPENDITURES AND LIABILITIES OF THE NORTHWEST DISTRICT OF THE CRA FOR SUCH FISCAL YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Fiscal Impact: N/A)

Summary Explanation/Background:

The Financing and Implementation Plan, which will also serve as the Fiscal Year

2021 Budget, for the Northwest CRA District is presented for review and approval by the CRA Board.

Origin of request for this action: Staff

Fiscal impact and source of funding: N/A

(Staff Contact: Kimberly Vazquez)

6. [20-499](#)

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (THE CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CRA AND THE CITY OF POMPANO BEACH RELATING TO USE BY THE CITY OF CRA PROPERTY LOCATED AT 103 AND 111 SOUTH FEDERAL HIGHWAY AND SE 20TH AVENUE BETWEEN EAST ATLANTIC BOULEVARD AND SE 2ND STREET FOR A TRANSIT HUB AND PARK AND RIDE SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Summary Explanation/Background:

Approval of an Interlocal Agreement between the Pompano Beach Community Redevelopment Agency and the City of Pompano Beach relating to use by the City to construct a 53-78 space public parking lot on CRA owned property located at 103 and 111 S. Federal Hwy and SE 20th Avenue between East Atlantic Boulevard and SE 2nd Street for a transit hub and park and ride services. The transit hub and park and ride lot will be an interim use until such time the CRA has completed its land assemblage on this block for a future redevelopment project. Please see the attached staff memorandum for further details.

Origin of request for this action: Staff

Fiscal impact and source of funding: N/A

(Staff Contact: Jeff Lantz)

7. [20-609](#)

McClellan Office Discussion

(Fiscal Impact: N/A)

Summary Explanation/Background:

McClellan Office Discussion

Origin of request for this action: Staff

Fiscal impact and source of funding: N/A

(Staff Contact: Greg Harrison)

D. REPORTS

A. EXECUTIVE DIRECTOR

B. CRA ATTORNEY

C. NEXT MEETING DATE – October 20, 2020

D. CRA BOARD

[20-603](#)

Monthly Reports for August 2020

- Northwest Advisory Committee (July)
- East Advisory Committee (July)
- Staff Report
- August Financial Summaries
- PSC Security Reports - August

E. ADJOURNMENT

HEARING IMPAIRED

If you require the services of a Sign Interpreter, please notify the CRA 24 hours in advance at (954) 786-7823.

NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION OF THE CRA 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 POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.