



WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY
Monday, February 10, 2020 Board Meeting
1280 N. Congress Avenue, Suite 215
West Palm Beach, Florida 33409

“PLEASE SIGN OUR ATTENDANCE SHEET”

NOTE: Agenda Summary (Pages 1-4)
Staff Report (Pages 5-10)

I. CALL TO ORDER / ROLL CALL

II. AGENDA APPROVAL

- 1. Additions, Deletions, Substitutions to Agenda**
- 2. Adoption of Agenda**

III. ADOPTION OF W/BH CRA MINUTES (Pages 11-14)

IV. PUBLIC COMMENTS

V. DISCLOSURES

VI. CONSENT AGENDA

- 1. Approval of Revised Agreement of State of Florida, Division of Emergency Management for a Public Assistance Grant under Hurricane Irma (Pages 15-25)**

VII. REGULAR AGENDA

- 1. Approval of Work Assignment for 2GHO to Provide ULDC Code Amendment for the CRA (Pages 26-29)**
- 2. Approval of MOU and Funds for Belvedere Heights Phase II TPA Project (Pages 30-32)**
- 3. Approval of 2019 Westgate CRA Board Meeting Calendar (Page 33)**
- 4. Approval of Resolution of Waive Penalty and Interest on Late Part of TIF Payments (Pages 34-36)**
- 5. Approval of Agreement with Xerox for Copier Equipment and Services**



VIII. REPORTS

- A. Staff Reports
Correspondence**
- B. Attorney's Report**
- C. Committee Reports and Board Comments**

- 1. Administrative/Finance –**
- 2. Capital Improvements – Chair, Mr. Daniels**
- 3. Land Use –**
- 4. Real Estate – Chair, Mr. Kirby**
- 5. Marketing –**
- 6. Community Affairs –**
- 7. Special Events – Chair, Ms. Ruffy**

IX. ADJOURNMENT

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE BOARD WILL BE BARRED FROM FURTHER AUDIENCE BEFORE THE BOARD BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE BOARD AS GRANTED BY A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, HE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE HE 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.

ON JUNE 7, 1994, THE BOARD OF COUNTY COMMISSIONERS APPROVED RESOLUTION NO. 94-693, KNOWN AS THE CODE OF ETHICS. UNDER SECTION 11, IT IS REQUIRED THAT PAID AND UNPAID LOBBYISTS REGISTER. PLEASE REFER TO SECTIONS 11.01 AND 11.02 IN THE CODE OF ETHICS FOR REGISTRATION SPECIFICS. FOR YOUR USE, REGISTRATION FORMS ARE AVAILABLE FROM THE CRA'S ADMINISTRATIVE ASSISTANT.



AGENDA ITEMS
Westgate/Belvedere Homes Community Redevelopment Agency
Board Meeting
February 10, 2020

CONSENT AGENDA

- 1. Approval of Revised Agreement of State of Florida, Division of Emergency Management for a Public Assistance Grant under Hurricane Irma**
 - A. Background and Summary:** This is a revision of the Department of Emergency Management Agreement to provide reimbursements for clean-up projects related to hurricane Irma. The CRA has already approved the Agreement. This is a modification for dates and new requirement of the same agreement. Funding and deadlines have not changed.
 - B. Recommendation:** Authorize Board Chair to execute revised DEM Agreement #Z0689

REGULAR AGENDA:

- 1. Approval of Work Assignment for 2GHO to Provide ULDC Code Amendment for the CRA**
 - A. Background and Summary:** The CRA has a continuing contract with Gentile Glas Hollloway O'Mahoney and Associates, Inc. Landscape Architects, Planners, Environmental Consultants for the performance of professional planning, landscape architecture and property development assistance services. The Consultant's services are needed to assist with the Unified Land Development Code Amendment 2020-01.



The Consultant shall work with the WCRA to develop code amendment language and process such amendments through Palm Beach County in accordance with the attached Work Assignment and Scope of Work.

It is anticipated that the Consultant will assist with due diligence, application submittal, monitoring, meetings and public hearings, and additional services if needed.

Compensation for services rendered by the Consultant shall be hourly with a maximum upset of: Fifty-Six Thousand Five Hundred Dollars (\$56,500.00) plus reimbursable expenses, based upon the hourly rates established in the original contract dated December 9, 2019.

The Consultant will make a short presentation on this item.

B. Recommendation: Approve Work Assignment for 2GHO to provide ULDC Amendment Services for an amount not to exceed \$56,500.00.

2. Approval of MOU and Funds for Belvedere Heights Phase II TPA Project

A. Background and Summary: The CRA was awarded a federalized Local Agency Program (LAP) grant, administered by the Florida Department of Transportation (FDOT) which will be paid directly to Palm Beach County Engineering Department (Engineering). As FDOT requests that Engineering oversee the design and construction of this project, the memorandum defines the roles of the County and the CRA. This Grant is to upgrade ramps, install streetlights, install and connect sidewalks and crosswalks striping at Florida Mango Road. This project is the second phase on infrastructure improvement project for Belvedere Heights that will affect Wellington Road, Longwood Road and Bridgeman Road.



The Memorandum outlines, among other things, the project scope, the CRA's commitments and duties and the Engineering Department commitments and duties, The CRA's biggest commitment is to provide all grant information to the County, perform all public coordination and address any public involvement. The CRA is also responsible to cover all administration and design cost, Construction Engineering and Inspection cost, and pay for all additional costs and matching funds required to complete the project.

As part of this Memorandum of Understanding, the County is requesting an advanced payment of \$104,164.00 to pay for design, staff cost and contingency.

- B. Recommendation:** Approve a funding of \$104,164.00 and the Memorandum of Understanding for the design of the Belvedere Heights Phase II infrastructure Improvement Project.

3. Approval of 2019 Westgate CRA Board Meeting Calendar

- A. Background:** The 2020 Board Meeting Calendar is submitted for approval. The holiday Columbus Day falls on October 12, the 2nd Monday of the Month. The October meeting can be moved to the first Monday on October 5.

Veteran's Day will fall on a Wednesday. The November meeting does not need to be moved

- B. Recommendation:** Approve the 2020 Board Meeting Calendar as presented or with changes from the Board.

4. Approval of Resolution to Waive Penalty and Interest on Late Part of TIF Payments



A. Background: According to the Florida Statutes, Section 163.387(b)(2), if a taxing entity don't remit tax increments by January 1, they are subject to a 5% penalty and a 1% interest per month, unless the agency waives such penalty.

In the past, the County has made payments to the CRA as early as October to help cover budget to close out the calendar year.

This year, they had made some changes including depositing the checks directly into the CRA's account. One check was deposited in December, the second check was not deposited until February 6, 2020.

The County is asking the CRA to waive the penalty and the interest payment.

B. Recommendation: Approve Resolution 2020-1 to waive the penalty and the interest for Palm Beach County for submitting a part of the tax increment payment after January 1, 2020.

5. Approval of Agreement with Xerox for Copier Equipment and Services

A. Background: The CRA has been having difficulty with the current printer services. Xerox offers a better equipment and better services. Furthermore, our computer technicians are more familiar with the Xerox equipment than the Ricoh copier that we are currently using. The price will slightly increase, but in this agreement, the CRA will own the equipment at the term of the lease. The overall saving will be positive in the long run.

B. Recommendation: Approve Xerox agreement to provide printing equipment and services for the CRA.

WESTGATE/BELVEDERE HOMES CRA BOARD MEETING STAFF REPORT ON IN-HOUSE PROJECTS

February 10, 2020

2019-02 ULDC Amendment Round (ONGOING)

Update: LDRAB recommended approval of the WCRAO amendment at their November 13th meeting. The BCC approved a motion to advertise the 19-02 ULDC Amendment Round at their November 25th meeting. The first reading of the amendment will be in December with adoption at the end of January. Staff will continue to make amendments to the overlay in the next amendment Round which will consider commercial PDRs, open space requirements, and review processes.

Background: Amendments to the County's Unified Land Development Code (ULDC) occur twice annually. The CRA regularly participates in this process to update areas of its WCRA Zoning Overlay to better achieve the goals and objectives of the agency, respond to industry and market trends, simplify processes, and correct technical and language glitches. The amendments for the 2019-02 Round now include those amendments initiated by the CRA for the 2019-01 round. The CRA is seeking to make amendments to its overlay that are focused on housing and recognizing non-conformities. The 2019-02 ULDC amendment was initiated by Zoning at the BCC's May Zoning meeting.

Westgate Avenue Corridor Rezoning (COMPLETE)

Update: ~~The rezoning application was approved by the Zoning Commission on August 1, 2019 and was approved by the BCC on August 22, 2019. Since several of the subject parcels do not meet current lot dimension PDRs for CG zoning (lot size, depth, width), the Zoning Division has required a Conditional Overlay Zone or COZ to blanket the rezoning. The COZ is similar to a "Conditions of Approval" in that it requires that these lots to comply with the Code either through assembling with adjacent lots, through variance relief, or through the adoption of code amendments. CRA staff will seek to amend code to allow for smaller CG lot sizes in the Westgate area. Three of the subject lots are within the Danza Group site assemblage at the corner of Seminole Blvd. and Westgate Ave.~~

Background: ~~2GHO is assisting Staff with a Zoning application to rezone 8 CRA owned lots on/adjacent to lots along the Westgate Avenue corridor currently zoned either RM/RH or CN to Commercial General (CG). CG zoning allows for a broader range of commercial uses and is compatible with mixed use development. The Board approved the work assignment for 2GHO in November 2018.~~

Public Assistance Grant (ONGOING)

FEMA has approved nearly \$100,000 to pay for debris removal, and clean up detention ponds as a result of Hurricane Irma. Staff is working with the Florida Department of Emergency Management to implement this project.

Community Garden/Greenmarket (ONGOING)

Update: Construction to install electricity, an irrigation pump and an irrigation system have been installed. Staff is working on securing a contractor that can complete site improvements and install a pre-manufactured structure to act as a permanent greenmarket.

When CRA staff and Schmidt Nichols began to lay out the landscape plan, it became apparent that the density of planting material required in the buffers including the number of trees (48) and tiers of shrubs would not appropriate for the intended use. CRA staff proposed language to eliminate the community

garden use from landscaping requirements, and modified code language regarding hours of operation and building size and placement for the accessory greenmarket use. ULDC amendment Round 2018-02 was adopted in January 2019 by the BCC. Schmidt Nichols submitted an administrative amendment (ZAR) to remove the landscape buffers and ROW utility easement. The ZAR was approved in April. The permits have been approved to operate the community garden. The electrician and plumbing contractors are working with the utility companies. The CRA will begin to work with a contractor/architect to design the greenmarket structure and prepare plans to submit for building permit. Platting is a condition of approval and is underway.

Background: Staff engaged Schmidt-Nichols Landscape Architecture and Land Planning (SN) to prepare a site plan for the community garden and the green market to submit to Zoning for a permit. The CRA initiated new regulations to allow green markets to operate as an accessory to community gardens without having to buffer surrounding residential uses with an opaque wall and 20 ft landscape buffer. Schmidt-Nichols submitted a site plan to Zoning for DRO approval in October. CRA staff has worked with SN address comments from Zoning. The site plan was modified to include an enclosed structure that will include a bathroom and a walk-in cooler; a waiver to reduce the number of parking spaces on site has been requested along with an alternative loading zone request. The community garden/greenmarket received site plan approval on March 12, 2018.

PBC Solid Waste Authority (SWA) Blighted & Distressed Properties Grants

FY 2018 – Oswego Avenue Properties Clean-up (STARTED)

Update: The sites have been cleaned. The CRA has paid a contractor to remove evasive trees, vegetation and debris on the sites.

SWA has approved an extension to the grant timeline and a change of scope to develop a dog park on three of the Oswego Avenue parcels targeted for the properties clean-up. The dog park will include areas and equipment for small and large dogs, fencing, landscaping, and benches. By the fall of 2018, the LWDD cleared a majority of the vegetation overgrowth along the L-2 canal leaving a window of opportunity in the budget to create a simple dog park and still maintain the overall budgeted amount. Staff is working with Schmidt Nichols on the dog park design and development of a site and landscape plan. An RFQ will be issued to procure a contractor. The remaining lots will be cleared, sodded, and fence commensurate with the original scope. Schmidt Nichols has completed a site and landscape plan for the project. Staff is working with SN to finalize and provide cost estimates.

Background: The CRA was awarded in the amount of \$92,700 to clean-up, clear, sod and fence 6 vacant CRA-owned properties on Oswego Avenue east of Seminole Blvd. previously earmarked for the L-2 Canal Expansion project. The CRA is proposing match funds in the amount of \$34,460. An Interlocal Agreement between the CRA & SWA was approved by the BCC on March 13, 2018. The CRA received a 50% disbursement of total funds in April 2018.

FY 2017 – Oswego Oaks Park (ONGOING)

Update: DHES has allowed and agreement extension until January 31, 2020 to allow for grant close out. The park reached substantial construction completion at the end of August. Final inspections have begun and punch list items are being addressed. The ADA ramp on the pavilion does not have the appropriate handrail to meet ADA requirements and has failed Building inspection so West's sub-contractor must fabricate and field install the handrail in place. Staff is working with West to expedite, however, this issue will delay contract close-out.

The Board approved a Contractor requested change order to extend the contract completion dates in July. The change order extended the contract by 147 days to account for previous delays related to construction drawings, shop drawings and permit review, as well as a recent 28-day delay due to WUD water meter connection. As of August 5th, the landscape installation is 75% complete, and only a few

minor items remain to be installed such as a bike rack and signage. The park will be substantially complete by August 10th with final completion following punch-list items, inspections and close out by the end of August. After a series of delays with PBC WUD meter installation and irrigation water pressure, West reports that the park will be substantially complete September 2nd.

Delays in obtaining shop drawings for the pavilion structure, revisions to the structural drawings and permit review caused delays in meeting project substantial completion. The project is on schedule to be fully completed by end of June 2019. All the permits have been obtained and the contractor is working diligently to make up for lost time. The CRA Board approved a change order to the contract allowing substantial completion is scheduled by May 13, 2019 and final completion by June 15, 2019.

Background: The CRA was awarded in the amount of \$151,000 to design and build a neighborhood park on Oswego Avenue at Seminole Blvd across from the Westgate Recreation Center. The park will utilize 3 vacant CRA owned lots formerly earmarked for the L-2 Canal expansion project. Staff worked with PBC Parks & Recreation to design the project. In 2017, PBC HES originally approved a request for \$114,000 in CDBG funds to match the SWA grant. The SWA forwarded 50% of the grant amount to the CRA to start the project. Following completion of design and engineering drawings, it became clear that the project was underfunded. CRA Staff requested additional funding of \$231,000 in FY 2018 CDBG allocations from HES to cover a budget shortfall for the park project. Construction drawings were finalized and approved by HES at the end of July and the project was advertised for bid on August 5th and 12th, 2018. Two (2) bid proposals were submitted by the bid opening on September 4, 2018. A selection committee reviewed and compared bidders for selection and recommendation to the Board. On September 10th, the Board voted unanimously to recommend contract award to the lowest bidder West Construction Inc. The contract has been executed and construction began in November 2018.

PBC Transportation Planning Agency (TPA) Transportation Alternatives (TAP) & Local Initiatives (LI) Grants

FY 2020 Cherry Road Pedestrian & Safety Improvements (NEW)

Update: Staff will begin discussions with consultants, WGI to refine the Cherry Rd. improvements project for TPA TAP grant application submittal at the end of February.

FY 2019 and Seminole Blvd. Complete Streets (FUNDED/ONGOING)

Update: The Transportation Planning Agency Governing Board approved funding for the Seminole Blvd project at their July 18th meeting. The Seminole project was ranked #1. Staff and WGI presented the projects to FDOT and BTPAC in early April; Seminole was ranked #1 and Cherry Rd was #4. The Board recommended that the Seminole Blvd project should be prioritized since it ranked higher and is a larger project. Some changes were made to the scope following an FDOT field visit in April; PBC Engineering is now reviewing. All outstanding items are to be resolved by May 24th. A resolution from Palm Beach County Board of Commissioners to endorse the projects was adopted at the BCC's April 16th meeting. The TPA Governing Board will convene in September to approval funding.

Background: The Board approved a two-fold work assignment with WGI in November 2018 to prepare a feasibility analysis to identify the best two projects to submit to the TPA for the 2019 Transportation Alternatives Program (TAP) cycle. Based on findings presented by WGI, the Board selected the following projects:

1. Seminole Blvd Complete Streets which expands existing sidewalks to 10-12 ft. multi-use paths on each side of the roadway, adds high visibility crosswalks at each intersection, adds pedestrian scale lighting, and shade trees. The project boundaries are from Okeechobee Blvd. to Oswego Ave. Total construction cost is \$1,622,979. The grant reimburses \$1 million.
2. Cherry Road Pedestrian Safety Improvements adds new sidewalks on the south side of Cherry Rd

and expands existing sidewalks on the north side to 10-12 ft., adds HAWK signalization to intersection at Country Club Rd., and two new crosswalks along the corridor, new pedestrian scale lighting, and shade trees. The project boundaries are from Quail Drive to N. Military Trail. Total construction cost is \$911,142.

TAP grant projects are designed and constructed within 3 years of prioritized funding. Design will begin in 2020 with construction completion in 2022.

FY18 – Westgate Avenue Corridor Complete Streets (FUNDED/ONGOING)

Update: A Selection Committee met on November 20th and selected American Consulting Engineers of Florida to design the project. CRA staff was in attendance for the presentations and scoring. The County Engineering Department had shortlisted three firms for the project, including CRA consultants WGI, however, volume of previous work was an overriding factor in selection.

County Engineering issued the RFQ for the Westgate Avenue complete streets project on July 11th; the submittal deadline is August 13th. CRA staff will not sit on the Selection Committee but is being asked to provide input. Several Engineering firms have contacted CRA staff to discuss the project. The TPA Governing Board voted to adopt the TPA List of Priority Projects for the LRTP FY 2020-2024 at their September 20, 2018 meeting. Projects that met TPA and FDOT eligibility requirements were ranked by internal advisory boards, committees and TPA Staff to be forwarded the Governing Board. The Westgate Avenue Complete Streets project was ranked #1 of 6 entries to receive Local Initiatives Program funding. This project has been moved up the timeline due to the inability of other funded projects to proceed. Design can start in July 2019 for FY 2019/20. Construction funding will be approved after the design is completed.

Background Information: Staff engaged WGI to coordinate the preparation of travel demand forecast modelling to determine the impact of reducing Westgate Ave from 5 lanes to 3 lanes utilizing a road diet approach. WGI facilitated communication with PBC TPA and Engineering to determine the best design alternative, held a public input meeting, and drafted the final design for the project be used to obtain funding. WGI met with the Engineering Department to present the lane elimination plan. County staff is in support of the lane reduction from Wabasso to Congress, but they are not in support of the elevated landscape median. An alternative design, which allows for 3 lanes (2 thru lanes and one center turn lane), bike lanes, and floating landscape islands on both sides of the ROW alternating with on street parking was presented to County Engineering for approval and support. With assistance from WGI, the LI grant application was submitted on March 2, 2018. CRA staff is working with County Engineering and Administration to design and administer all 3 of the TPA grant projects

FY 2018 – Phase II Belvedere Heights Streetlights & Sidewalks (FUNDED/ONGOING)

Update: The TPA Governing Board voted to adopt the TPA List of Priority Projects for the LRTP FY 2020-2024 at their September 20, 2018 meeting. Projects that met TPA and FDOT eligibility requirements were ranked by internal advisory boards, committees and TPA Staff to be forwarded the Governing Board. Phase II of the Belvedere Heights Streetlights and Sidewalks project was ranked #3 of 4. This project has been moved up the timeline due to the inability of other funded projects to proceed. Design can start in July 2019. Construction funding will be approved after the design is completed. The CRA needs to execute an MOU and provide upfront funding to the County for design.

Background Information: CRA staff prepared and submitted a Transportation Alternatives Program (TAP) grant application for Phase II – Wellington Road to Bridgeman Road, of the Belvedere Heights Neighborhood for sidewalks and streetlights to PBC TPA on March 2, 2018.

FY 2017 – Phase I Belvedere Heights Streetlights & Sidewalks (STARTED)

Update: Engineers are preparing the second part of the design. The Engineering Department has engaged several consultants through a CRA/County MOU to implement the project. Design is almost

completed. The County is currently reaching out to the residents.

Background Information: An application was submitted to the TPA Transportation Alternatives & Local Initiatives Grant to request almost \$1 Million to install sidewalks and streetlights in Belvedere Heights. The funds won't be available until 2019. The BCC approved Engineering Department sponsorship of the project via resolution in May 2018.

After reviewing all the letters of support and final documents, the TPA gave a conditional approval for the grant, contingent upon more neighborhood support. They requested letters of support from 25% of the homes that will be affected with no more than 10% opposed to the project. CRA Staff organized a Neighborhood Picnic on September 23rd for the residents of Belvedere Heights in an effort to obtain the required level of support for the project. The picnic was a success; the CRA received support for the streetlights/sidewalks project from many of the residents in Phase II of the project. A mail out was done at the end of October and staff has received 35 letters in support and 10 in opposition; 31 in support were needed and no more than 10 not in support. PB TPA has recommended project to FDOT for the 2021 improvements program. Project design has begun.

CRA 5-year Strategic Plan (ONGOING)

CRA staff has begun drafting a 5-year strategic plan that will implement the goals and objectives of the newly amended Redevelopment Plan. A strategic plan will outline the specific tasks, timeline and budget required for redevelopment activities over the next 5 years. It can also serve as a platform for the CRA to refine its vision and mission statement in a way that is current with its shifting priorities. Staff has received some initial input from Board members. Work on the Strategic Plan is ongoing.

Streetlights for Belvedere Homes (ONGOING)

The Engineering Department is partnering with Office and Community Revitalization to install streetlight in Belvedere Homes. An initial meeting has been held. Citizens are currently gathering signatures and easement authorization from residents and property owners.

Proposed Projects

Below is list of private development projects in the Westgate CRA that are in the entitlements or permitting process:

Projects	Address	Status
New Country Motor Cars – Mercedes-Ferrari	4000 Okeechobee	DOA/Concurrent Type II variance requests – redistributing square footage, expanding/renovating maintenance area, roof top inventory parking
Gas Station (Circle K)	1799 Congress Ave at Westgate	Construction complete
Palm Beach Marketplace	Okeechobee Blvd	ZAR for redistribution of square footage, removing outdoor seating areas
Mercedes/Ferrari	Okeechobee Blvd	ZAR for changes to architectural elevations
Health Career Institute	1764 Congress Ave	In Zoning review for a DOA to a MUPD. Adding 680 students. Redistributing square footage. Increasing daily trips by 500 (CRA may not have TCEA trips remaining in pool)
Quick Lane (Ford/Lincoln Dealership)	1668 N. Military Trail	Not yet submitted. Requires rezoning to CG and BCC approval for a Class A conditional use
Congress Avenue - Greene Apartments	1600 N. Congress Ave	In Zoning for DRO approval. 198 units – 138 density bonus units from WCRA pool; 55 income restricted. Issues with compensating storm water storage
Fern House	Church Street	In Zoning for DRO approval
MacDonald Industrial/McArthur Dairy	N. Florida Mango	Type 2 waiver for extended hours of operation. BCC approved January. Construction to begin mid 2019
Extraordinary Charities	2635 Old Okeechobee Rd	Nonconformities certification. Interior/exterior renovations underway
KFC/Jack's Restaurant (now medical office use)	2200 Okeechobee Blvd.	Site Plan Abandonment approved. Medical/dental office use permitted by right
Opportunity Inc. Daycare	Donnell Rd at Westgate Ave.	Construction nearing completion
Cumberland Farms	Okeechobee & Seminole Blvd.	Construction completed (access easement to be recorded for CRA parking area at rear)
Mi Pais Express (Fernandez) Mixed Use	2633 Westgate Ave	Platting process has begun. Permit submitted. Architectural review for mixed use required. CRA has prepared easement agreement. Architectural review underway
Connections Education School for Autism – rezoning	Marine Drive	Rezoning approved BCC. On hold
Westgate Apartments	Westgate Ave (adjacent to Westgate Plaza)	Workforce housing project – 48 units. On hold
Dos Hermanos Mixed Use	Westgate & Seminole Blvd	Rezoning & variances approved. DRO site plan approval. New architect
Speedy's Tires Auto Repair expansion	Congress Ave. & Cherry Rd.	Approved at Dec BCC/Final DRO. Admin amendment. Zoning complete. Platting & contractor selection
Westgate One	Westgate at Nokomis	Approved/ Extension. Potential residential project

WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY
1280 N. CONGRESS AVE., SUITE 215, WEST PALM BEACH, FL. 33409
MINUTES OF THE MONTHLY MEETING
December 09, 2019

I. CALL TO ORDER

Mr. Daniels, the Board Chair, called the meeting to order at 5:12p.m. The roll was called by Ms. Bui.

Present: Ronald Daniels
Joanne Rufty
Yeraldi Benitez
Ruth Haggerty

Absent: Enol Gilles
Joseph Kirby
Ralph Lewis

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

II. AGENDA APPROVAL

1. Additions, Deletions, Substitutions to Agenda

- Move Agenda Items #1 to #6 to Consent Agenda.

2. Adoption of Agenda

- It was moved by Ms. Haggerty and seconded by Ms. Benitez 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. Rufty to adopt the minutes of the November 04, 2019 meeting. 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

1. **Staff Bonuses**
2. **Authorize Board Chair to Execute Agreement with Engenuity Group Inc. to Provide Professional Engineering Services for the CRA**
3. **Authorize Board Chair to Execute Agreement with Engenuity Group Inc. to Provide Professional Surveying Services for the CRA**
4. **Authorize Board Chair to Execute Agreement with Wantman Group Inc. to Provide Professional Surveying Services for the CRA**
5. **Authorize Board Chair to Execute Agreement with Wantman Group Inc. to Provide Professional Planning, Landscape Architecture and Property Development Assistance Services for the CRA**
6. **Authorize Board Chair to Execute Agreement with Gentile Glas Holloway O'Mahoney & Associates, Inc. (2GHO) to Provide Professional Planning, Landscape Architecture and Property Development Assistance Services for the CRA**
7. **Authorize Board Chair to Execute Agreement with Schmidt Nichols Landscape Architecture & Urban Planning to Provide Professional Planning, Landscape Architecture and Property Development Assistance Services for the CRA**

It was moved by Ms. Ruffy and seconded by Ms. Haggerty. The motion passed unanimously (4-0)

VII. REGULAR AGENDA

1. **Approval of Work Assignment for Engenuity to Design Drainage Project for Belvedere Heights**

The agenda item was introduced by Mr. Michel. In June 2019, Engenuity Group completed a drainage study for the Belvedere Heights area. On August 12, the Board instructed staff to prepare a Work Assignment to authorize Engenuity Group to design the project for Belvedere Heights. On October 8, the CRA Board approved a proposal from Engenuity Group Inc. to complete the work for a lump sum amount of \$125,000. The Work Assignment was not executed in October because the CRA Agreement with Engenuity Group was about to expire. Staff is bringing back the Work Assignment to be approved under the new Agreement that the Board is considering at the December meeting.

Staff recommended that the Board approves a Work Assignment for Engenuity Group to complete the design of the drainage project for Belvedere Heights for a lump sum amount of \$125,000.

It was moved by Ms. Haggerty and seconded by Ms. Rufty to authorize the Work Assignment for Engenuity to complete the design of the drainage project with the accurate Completion date as corrected. The motion passed unanimously (4-0)

2. Approval of Work Assignment for Wantman Group Inc. to Provide Services to the CRA for the TPA Grant Application Cycle

The agenda item was introduced by Mr. Michel. Assistance is needed from the Wantman Group Inc. to prepare application and cross sections for the Cherry Road project to be submitted to the Transportation Planning Agency in the 2020 grant application cycle.

Staff recommended that the Board approves a work assignment for Wantman Group Inc. to provide services to the CRA for the 2020 TPA grant application cycle. The firm is charging \$19,500 for the services.

It was moved by Ms. Rufty and seconded by Ms. Benitez to authorize the Work Assignment for Wantman Group Inc. to assist with the TPA grant application for an amount not to exceed \$19,500.00. The motion passed unanimously (4-0)

3. Approval of Results for Community Garden RFQ

The agenda item was introduced by Mr. Michel. An RFQ was issued to select a Manager for the Community Garden. One submittal was turned in by Jetson Brown. Mr. Brown has the experience required by the RFQ.

Staff recommended that the Board approves Jetson Brown to contract as a consultant for Westgate Community Garden.

It was moved by Ms. Rufty and seconded by Ms. Benitez to award a contract to Jetson Brown to manage the Westgate Community Garden. The motion passed unanimously (4-0)

4. Request to Pay Off Mortgage of Property Acquisition to Saunches Trust

The agenda item was introduced by Mr. Michel. On October 28, 2007, the CRA acquired a parcel of land from Saunches Trust for the amount of \$260,000.00. At the time, the Trust agreed to hold a note of interest only payments in the amount of \$1,625.00 payable monthly for three years. The parties have been renewing the notes every three years. The last renewal was in 2016. That renewal will expire on December 31, 2019 at which time

two things can happen. The CRA can ask to renew the note for another three years or pay off the principal.

Staff recommend that the Board authorizes the CRA to pay off the Saunches Trust Promissory Note of \$260,000.00.

It was moved by Ms. Haggerty and seconded by Ms. Benitez to authorize staff to pay off the Saunches Trust of \$260,000. The motion passed unanimously (4-0)

VIII. STAFF REPORTS

Mr. Michel reported to the Board that the Amendments) to the WCRA Zoning Overlay were approved by the LDRAB on 11/13/19. The 1st Reading of the Amendments are scheduled to be heard by the BCC on 12/19/19, with the adoption hearing on 1/27/20.

Mr. Michel reported to the Board that the County has short listed three engineering firms for the design and construction administration of Westgate Corridor Streetscape project which are Mock Roos & Associates, Wantman Group, and American Consulting Engineers of Florida. Each of the firms presented their design to a selection committee on 11/20/19. Based largely on volume of previous work, the committee selected American Consulting Engineers for the project.

Mr. Michel reported to the Board that the Community Garden is moving forward. Staff received the surveys to complete the plat and will start working on coordinating construction of the site improvements and Greenmarket structure.

Mr. Michel reported to the Board that Schmidt Nichols has prepared a site plan for the dog park on southeast corner of Oswego and Seminole. Staff is working on a RFP to select a contractor for the dog park.

Mr. Michel reported to the Board that the Oswego Oaks Park is completed, but there are some punch list and inspection items that will take some time to finish and/or address with the Building Dept. DHES has granted an extension of the CDBG interlocal agreement to 1/31/20 to close out the grant paperwork and receive certificate of completion.

Mr. Michel reported to the Board that the design for the Belvedere Heights Phase I project for sidewalks and street lights is nearly completed. The deadline is end of the year.

IX. AJOURNMENT

It was moved by Ms. Ruffy and seconded by Ms. Benitez to adjourn the meeting. The meeting adjourned at 5:30p.m.


Mai Bui

Administrative Assistant, Westgate CRA

Agreement Number: Z0689

FEDERALLY-FUNDED SUBAWARD AND GRANT AGREEMENT

2 C.F.R. §200.92 states that a "subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract."

As defined by 2 C.F.R. §200.74, "pass-through entity" means "a non-Federal entity that provides a subaward to a Sub-Recipient to carry out part of a Federal program."

As defined by 2 C.F.R. §200.93, "Sub-Recipient" means "a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program."

As defined by 2 C.F.R. §200.38, "Federal award" means "Federal financial assistance that a non-Federal entity receives directly from a Federal awarding agency or indirectly from a pass-through entity."

As defined by 2 C.F.R. §200.92, "subaward" means "an award provided by a pass-through entity to a Sub-Recipient for the Sub-Recipient to carry out part of a Federal award received by the pass-through entity."

The following agreement is made and information is provided pursuant to 2 C.F.R. §200.331(a)(1):

Sub-Recipient's name:	Westgate/Belvedere Homes Community Redevelopment
Sub-Recipient's unique entity identifier:	011394108
Federal Award Identification Number (FAIN):	
Federal Award Date:	9/10/2017
Subaward Period of Performance Start and End Date (Cat A-B):	9/04/2017 - 3/10/2018
Subaward Period of Performance Start and End Date (Cat C-G):	9/04/2017 - 3/10/2019
Amount of Federal Funds Obligated by this Agreement:	
Total Amount of Federal Funds Obligated to the Sub-Recipient by the pass-through entity to include this Agreement:	
Total Amount of the Federal Award committed to the Sub-Recipient by the pass-through entity:	
Federal award project description (see FFATA):	<u>Grant to Local Government for</u> <u>Debris removal, emergency</u> <u>Protective measures and repair or</u> <u>Replacement of disaster damaged</u> <u>facilities.</u>
Name of Federal awarding agency:	<u>Dept. of Homeland Security</u> <u>(DHS) Federal Emergency</u> <u>Management Agency (FEMA)</u>

Name of pass-through entity:

Florida Division of Emergency
Management (FDEM)

Contact information for the pass-through entity:

2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

Catalog of Federal Domestic Assistance (CFDA) Number and Name:

97.036 Public Assistance

Whether the award is R&D:

N/A

Indirect cost rate for the Federal award:

See by C.F.R. 207.5(b)(4)

THIS AGREEMENT is entered into by the State of Florida, Division of Emergency Management, with headquarters in Tallahassee, Florida (hereinafter referred to as the "Division"), and Westgate/Belvedere Homes Community Redevelopment, (hereinafter referred to as the "Sub-Recipient").

For the purposes of this Agreement, the Division serves as the pass-through entity for a Federal award, and the Sub-Recipient serves as the recipient of a subaward.

THIS AGREEMENT IS ENTERED INTO BASED ON THE FOLLOWING REPRESENTATIONS:

A. The Sub-Recipient represents that it is fully qualified and eligible to receive these grant funds to provide the services identified herein;

B. The Sub-Recipient, by its decision to participate in the FEMA PA Program, bears the ultimate responsibility for ensuring compliance with all applicable State and Federal laws, regulations and policies, and bears the ultimate consequences of any adverse decisions rendered by the Division, FEMA, or any other State and Federal agencies with audit, regulatory, or enforcement authority.

C. The State of Florida received these grant funds from the Federal government, and the Division has the authority to subgrant these funds to the Sub-Recipient upon the terms and conditions outlined below; and,

D. The Division, as the pass-through entity and fiduciary of such Federal funding, reserves the right to demand that the Sub-Recipient comply with all applicable State and Federal laws, regulations and policies, terminate reimbursements and take any and all other actions it deems appropriate to protect those funds for which it is responsible, including debt collections.

E. The Division has statutory authority to disburse the funds under this Agreement.

THEREFORE, the Division and the Sub-Recipient agree to the following:

(1) APPLICATION OF STATE LAW TO THIS AGREEMENT

2 C.F.R. §200.302 provides: "Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds."

Therefore, section 215.971, Florida Statutes, entitled "Agreements funded with federal or state assistance", applies to this Agreement.

(2) LAWS, RULES, REGULATIONS AND POLICIES

a. Performance under this Agreement is subject to 2 C.F.R. Part 200, entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards."

b. As required by Section 215.971(1), Florida Statutes, this Agreement includes:

i. A provision specifying a scope of work that clearly establishes the tasks that the Sub-Recipient is required to perform.

ii. A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the Division before payment. Each deliverable must be directly related to the scope of work and specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.

iii. A provision specifying the financial consequences that apply if the Sub-Recipient fails to perform the minimum level of service required by the agreement.

iv. A provision specifying that the Sub-Recipient may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period.

v. A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the Division.

vi. A provision specifying that any funds paid in excess of the amount to which the Sub-Recipient is entitled under the terms and conditions of the agreement must be refunded to the Division.

c. In addition to the foregoing, the Sub-Recipient and the Division shall be governed by all applicable State and Federal laws, rules and regulations. Any express reference in this Agreement to a particular statute, rule, or regulation in no way implies that no other statute, rule, or regulation applies.

(3) CONTACT

a. In accordance with section 215.971(2), Florida Statutes, the Division's Grant Manager shall be responsible for enforcing performance of this Agreement's terms and conditions and shall serve as the Division's liaison with the Sub-Recipient. As part of his/her duties, the Grant Manager for the Division shall:

- i. Monitor and document Sub-Recipient performance; and,
- ii. Review and document all deliverables for which the Sub-Recipient requests payment.

b. The Division's Grant Manager for this Agreement is:

2555 Shumard Oak Blvd. Ste. 360

Tallahassee, FL 32399-2100

Telephone: _____

Email: _____

c. The name and address of the Representative of the Sub-Recipient responsible for the administration of this Agreement is:

Telephone: _____

Email: _____

d. In the event that different representatives or addresses are designated by either party after execution of this Agreement, notice of the name, title, and address of the new representative will be

provided to the other party in writing via letter or electronic email. It is the Sub-Recipient's responsibility to authorize its users in the FloridaPA.org website. Only the Authorized or Primary Agents identified on the Designation of Authority (Agents) in Attachment D may authorize addition or removal of agency users.

(4) TERMS AND CONDITIONS

This Agreement contains all the terms and conditions agreed upon by the parties.

(5) EXECUTION

This Agreement may be executed in any number of counterparts, of which may be taken as an original.

(6) MODIFICATION

Either party may request modification of the provisions of this Agreement. Changes which are agreed upon shall be valid only when in writing, signed by each of the parties, and attached to the original of this Agreement.

(7) SCOPE OF WORK.

The Sub-Recipient shall perform the work in accordance with the Budget and Project List – Attachment A and Scope of Work, Deliverables and Financial Consequences – Attachment B of this Agreement.

(8) PERIOD OF AGREEMENT/PERIOD OF PERFORMANCE.

The Period of Agreement establishes a timeframe for all Sub-Recipient contractual obligations to be completed. This agreement will begin upon execution by both parties and shall end upon FEMA's closeout of the Sub-Recipient's account for this disaster, unless terminated earlier as specified elsewhere in this Agreement. This Agreement survives and remains in effect after termination for the herein referenced State and Federal audit requirements and the referenced required records retention periods.

The Period of Performance is the timeframe during which the Sub-Recipient "may incur new obligations to carry out the work authorized under" this Agreement. In accordance with 2 C.F.R. §200.309, the Sub-Recipient may receive reimbursement under this Agreement only for "allowable costs incurred during the period of performance." In accordance with section 215.971(1)(d), Florida Statutes, the Sub-Recipient may expend funds authorized by this Agreement "only for allowable costs resulting from obligations incurred during the specified agreement period." The CFR requirement is more restrictive and will take precedence over the State requirement. The period of performance for this agreement begins with the first day of the Incident Period and **ends six (6) months from the date of declaration for Emergency Work (Categories A & B) or eighteen (18) months from the date of declaration for Permanent Work (Categories C-G)**, unless terminated earlier in accordance with the provisions of Paragraph (17) of this Agreement or extended in accordance with Attachment G Paragraph 5. The time allowed for the

Agreement Number: Z0689

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

SUB-RECIPIENT: Westgate/Belvedere Homes Community Redevelop

By: _____
Name and title: _____
Date: _____
FEID# 52-1657361 _____

**STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT**

By: _____
Jared Moskowitz, Director
Date: _____

EXHIBIT – 1
FUNDING SOURCES

THE FOLLOWING FEDERAL RESOURCES ARE AWARDED TO THE SUB-RECIPIENT UNDER THIS AGREEMENT:

Federal Program

Federal agency: Federal Emergency Management Agency: Public Assistance Program

Catalog of Federal Domestic Assistance: 97.036

Amount of Federal Funding: _____

THE FOLLOWING COMPLIANCE REQUIREMENTS APPLY TO THE FEDERAL RESOURCES AWARDED UNDER THIS AGREEMENT:

- 2 C.F.R. Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 44 C.F.R. Part 206
- The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 U.S.C. 5121 et seq., and Related Authorities
- FEMA Public Assistance Program and Policy Guide, 2018 V3.1- effective for all emergencies and major disasters declared on or after August 23, 2017.
 - Link here: <https://www.fema.gov/media-library/assets/documents/111781>

Federal Program:

1. Sub-Recipient is to use funding to perform eligible activities in accordance with the Stafford Act, FEMA Public Assistance Program and Policy Guide, 2018 V3.1 and approved Project Worksheet(s) (PW). Eligible work is classified into the following categories:
Emergency Work
Category A: Debris Removal
Category B: Emergency Protective Measures
Permanent Work
Category C: Roads and Bridges
Category D: Water Control Facilities
Category E: Public Buildings and Contents
Category F: Public Utilities
Category G: Parks, Recreational, and other Facilities
2. Sub-Recipient is subject to all administrative and financial requirements as set forth in this Agreement, or will be in violation of the terms of the Agreement.

Attachment A
Budget and Project List

Budget:

The Budget of this Agreement is initially determined by the amount of any Project Worksheet(s) (PW) that the Federal Emergency Management Administration (FEMA) has obligated for a Sub-Recipient at the time of execution. Subsequent PWs or revisions thereof will increase or decrease the Budget of this Agreement. The PW(s) that have been obligated are:

DR-4337		Sub-Recipient: Westgate/Belvedere Homes Community Redevelopment Agency									
PW #	Car #	Project Title	Federal Share	Fed %	State Share	State %	Local Share	Local %	Total Eligible Amount	POP Start Date	POP End Date
1066	A	P.A.A.P 75%	\$1,126.80	90.00%	\$62.60	5.00%	\$62.60	5.00%	\$1,252.00	9/04/2017	3/10/2018
2431	D	Detention Pond Clean up	\$84,181.89	90.00%	\$4,676.77	5.00%	\$4,676.77	5.00%	\$93,535.43	9/04/2017	3/10/2019
1029	A	P.A.A.P Sept 18 - Oct 17	\$3,111.73	90.00%	\$172.88	5.00%	\$172.87	5.00%	\$3,457.50	9/04/2017	3/10/2018
6436	Z	Management Costs	\$4,912.25	100.00%	\$0.00	0.00%	\$0.00	0.00%	\$4,912.25	9/04/2017	3/10/2019
Total:			\$93,332.69		\$4,912.25		\$4,912.24		\$103,157.18		

Attachment B

SCOPE OF WORK, DELIVERABLES and FINANCIAL CONSEQUENCES

Scope of Work

FEMA has sole authority for determining eligibility of project activities and reasonableness of associated costs. The sub-recipient is required to complete all eligible Projects and submit appropriate supporting documentation for emergency protective measures, debris removal, repair or replacement of Disaster damaged facilities, as approved by FEMA.

When FEMA has obligated funding for a Sub-Recipient's PW, the Division notifies the Sub-Recipient with a copy of the PW (or P2 Report). A Sub-Recipient may receive more than one PW and each will contain a separate Project. Budget and Project List – Attachment A of this Agreement will be modified quarterly, as necessary, to incorporate new PWs or PW versions. **For the purpose of this Agreement, each Project will be monitored, completed and reimbursed independently of the other Projects which are made part of this Agreement.**

Deliverables

For the purposes of this agreement, each project will be a standalone deliverable but may be compensated incrementally based on the Sub-recipient's expenditures. The required performance level is satisfactory completion of the project as identified in the Scope of Work, the approved PW, and subsequent PW versions, if applicable.

Large Project Deliverables

Reimbursement requests will be submitted separately for each Large Project. Reimbursement for Large Project costs shall be based on the percentage of completion of the individual Project. Any request for reimbursement shall provide adequate, well organized and complete source documentation to support all costs related to the Project, and shall be clearly identified by the Project Number as generated by FEMA. Requests which do not conform will be returned to the Sub-Recipient prior to acceptance for payment.

Reimbursement up to 95% of the total eligible amount will be paid upon acceptance and is contingent upon:

- Timely submission of Quarterly Reports (due 15 days after end of each quarter).
- Timely submission of invoices (Requests for Reimbursement) and supported by documentation for all costs of the project or services in detail sufficient for a proper pre-audit and post-audit thereof. The final invoice shall be submitted within sixty (60) days after the expiration of the agreement or completion of the project, whichever occurs first. An explanation of any circumstances prohibiting the submittal of quarterly invoices shall be submitted to the Division Grant Manager as part of the Sub-Recipient's quarterly reporting as referenced in Paragraph 7 of this agreement. Adjustments to the invoicing schedule must be approved in advance in writing by the Division Grant Manager.
- Timely submission of Request for Final Inspection (within ninety (90) days of project completion – for each project).
- Sub-Recipient shall include a sworn Affidavit or American Institute of Architects (AIA) forms G702 and G703, as required below.
 - A. Affidavit. The Sub-Recipient is required to submit an Affidavit signed by the Sub-Recipient's project personnel with each reimbursement request attesting to the following: the percentage of completion of the work that the reimbursement request represents, that disbursements or payments were made in accordance with all of the Agreement and regulatory conditions, and that reimbursement is due and has not been previously requested.
 - B. AIA Forms G702 and G703. For construction projects where an architectural, engineering or construction management firm provides construction administration

services, the Sub-Recipient shall provide a copy of the American Institute of Architects (AIA) form G702, Application and Certification for Payment, or a comparable form approved by the Division, signed by the contractor and inspection/certifying architect or engineer, and a copy of form G703, Continuation Sheet, or a comparable form approved by the Division.

Five percent (5%) of the total eligible amount (including Federal, State and Local shares) for each payment request will be retained until the final Request for Reimbursement (or backup for advance expenditure) has been verified as acceptable by the Division's Grant Manager, which must include dated certification that the Project is 100% complete. Further, all required documentation must be available in FloridaPA.org prior to release of the retained amount, to include permits, policies & procedures, procurement and insurance documents. At such time all required activities and documentation requirements have been verified as performed and met, the Sub-Recipient may request the total retained amount.

Small Projects Deliverables

Small projects will be paid upon obligation of the Project Worksheet and execution of the subgrant agreement. Sub-Recipient must initiate the Small Project Closeout in FloridaPA.org within thirty (30) days of completion of the project work, or no later than the period of performance end date. Small Project Closeout is initiated by logging into FloridaPA.org, selecting the Sub-Recipient's account, then selecting 'Create New Request', and selecting 'New Small Project Completion/Closeout'. Complete the form and 'Save'. The final action is to advance the form to the next queue for review.

Financial Consequences:

For any Project (PW) that the Sub-Recipient fails to complete in compliance with Federal, State and Local requirements, the Division shall withhold a portion of the funding up to the full amount.

2 CFR 200.338 and Section 215.971, Florida Statute, requires the Division, as the recipient of Federal funding, to apply financial consequences, including withholding a portion of funding up to the full amount in the event that the Sub-Recipient fails to be in compliance with Federal, State, and Local requirements, or satisfactorily perform required activities/tasks. The Division shall apply the following financial consequences in these specifically identified events:

Work performed outside the Period of Performance –

Based on 2 C.F.R. Section 200.309, a Sub-Recipient may be reimbursed for eligible costs incurred for work performed within the period of performance. Costs incurred as a result of work performed outside of the period of performance will be deemed not allowable and ineligible for reimbursement by the Division.

If the Sub-Recipient does not anticipate finishing the work within the original period of performance, it must request a time extension and support that the work cannot be timely completed due to extenuating circumstances beyond the Sub-Recipient's control (Attachment G).

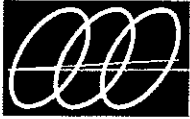
Additionally, if the project is not completed within the period of performance and a time extension request was not granted, the Division will coordinate with the Federal Awarding Agency to adjust the costs obligated amount to reflect the actual allowable costs incurred during the period of performance.

Failure to submit quarterly reports timely – Pursuant to 2 C.F.R. Section 328, the Division is responsible for oversight of the operations of the Federal award supported activities. Section 215.971, Florida Statutes provides the Division must monitor the activities performed under Federal awards to assure compliance with applicable Federal and State requirements and gain assurances that performance expectations are being achieved. Paragraph (12) of the subgrant agreement requires the Sub-Recipient to submit a quarterly report that identifies the progress made on the project and will at a minimum include details regarding the status of all work in progress, work that has been completed, and work that has yet to begin. All work must be performed and completed in accordance with the Scope of Work. The report will also provide a detailed breakdown that supports the expenditure of funds under this Agreement, as well as any other information requested by the Division. These reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each

quarter until submission of the administrative close-out report. In the event that a Sub-Recipient fails to timely submit this report, the Division will enforce the following:

- Withhold 0.1 percent of the entire eligible amount obligated every day the report is late
OR
- Withhold \$500.00, whichever is less.

The Division retains the right to impose financial consequences for instances of non-performance or non-compliance not specifically addressed in this section.



Gentile Glas
Holloway
O'Mahoney
& Associates, Inc.
Landscape Architects
Planners and
Environmental Consultants

1907 Commerce Lane
Suite 101
Jupiter, Florida 33458
561-575-9357
561-575-5260 FAX
www.ZGHO.com

CONTRACT FOR PROFESSIONAL PLANNING AND LANDSCAPE ARCHITECTURAL SERVICES

Client: Elizee Michel, Executive Director
Westgate/Belvedere Homes CRA
1280 N. Congress Avenue, Suite 215
West Palm Beach, FL 33409

Re: Professional Planning and Landscape Architectural Services for Rezoning Application Process for
Select Parcels in Palm Beach County, Florida.

Date: January 7, 2020

Job Name: Task # 1 ULDC Amendment 2 WCRA
Job Number: 19-0809.1

This is to confirm the authorization to the business entity **Gentile Glas Holloway O'Mahoney & Associates, Inc., Landscape Architects, Planners, Environmental Consultants (Consultant)** for the performance of Professional Planning and Landscape Architectural Services. The scope of requested services is described herein:

1. Agreement for Services:

The Consultant agrees to provide planning services to the Client as more fully described in the Scope of Work, and the Client agrees to compensate the Consultant for those services under the terms of this Agreement. The Consultant's services shall be performed in a manner consistent with that degree of skill and care ordinarily exercised by practicing design professionals performing similar services in the same locality, at the same site and under the same or similar circumstances and conditions. The Consultant makes no other representations or warranties, whether expressed or implied, with respect to the services rendered hereunder.

The Consultant shall work with the WCRA to develop the code amendment language and process such amendments through Palm Beach County. See Exhibit "A" for more details.

Compensation by Client to Gentile Glas Holloway O'Mahoney & Associates, Inc. for these professional services will be based upon:

2. Compensation:

Compensation for services rendered by the Consultant shall be hourly with a maximum upset of: Fifty-Six Thousand Five Hundred Dollars (\$56,500.00) plus reimbursable expenses, based upon the hourly rates established in the original contract dated December 9, 2019.

Confirmation Order

Westgate/Belvedere Homes CRA

By:

Name:

Title:

Date:

**Gentile Glas Holloway O'Mahoney
& Associates, Inc. (Consultant)**

By:

Dodi Buckmaster Glas, AICP
LEED AP@BD+C

Title: Partner, Director of Planning

Date: January 7, 2020



Landscape Architects ■ Planners ■ Environmental Consultants

LC-0000177

GENTILE | GLAS | HOLLOWAY | O'MAHONEY & Associates, Inc.

George G. Gentile IASLA
M. Troy Holloway ASLA
Emily M. O'Mahoney IASLA
Dodi Buckmaster Glas AICP

January 7, 2020

EXHIBIT "A"

Scope of Work:

The Parties agree that the Scope of Work that the Consultant shall do for the Client shall be defined as follows:

- A. **DUE DILIGENCE /APPROACH:** The Consultant shall assist the Client in due diligence, meetings and finalizing the approach for the submittal to Palm Beach County for the rezoning of parcels as defined by the Client. Services shall include identification of required documents and tentative timelines in conjunction with Pre-Application discussions with Palm Beach County staff.
- B. **APPLICATION SUBMITTAL:** The Consultant shall assist the Client in preparation and coordination of others in the preparation of materials and documents for submission of applications to Palm Beach County for the rezoning Client-defined parcels. Services shall also include preparation of companion location maps and required standard submittal required documents. Survey materials, environmental studies and engineering related studies are to be supplied by the Client. The following items will be prepared by the Consultant at a level required by Palm Beach County for this review:
 1. Assist the Client in preparing applications for Rezoning as needed and requested by Palm Beach County. The Consultant shall review with the Client the requests prior to submission so he may understand the potential outcome of these actions on the property.
 2. Assist the Client in coordination of other client-contracted consultants required for this application submittal.
- C. **MONITORING:** The Consultant shall monitor the applications through the staff and elected official process. The Consultant shall coordinate the efforts of the other consultants regarding changes and modifications of the application documents. As well as additional revisions to the pending application and materials as required, consistent with the initial approach.
- D. **MEETINGS/PUBLIC HEARINGS:** The Consultant shall prepare for, attend and represent the Client at the following public meetings, as required.
 1. WCRA Board meetings
 2. Development Review Office (DRO)
 3. Zoning Commission meetings
 4. Board of County Commission Transmittal and Adoption Public Hearings.Preparation, in consultation with the client, of presentation graphic materials including color graphics and power point presentations shall be billed as reimbursable expense as needed.
- E. **ADDITIONAL SERVICES:** The Consultant shall provide additional services if requested upon written authorization by the Client under this Agreement. Said services may include however not be limited to the following:
 - A. Community Meetings
 - B. Other graphic or presentation material
 - C. Conceptual Schematic Design

Client: _____

Consultant: _____

**EXHIBIT B
CONSULTING WORK ASSIGNMENT**

DATE: January 7, 2020

WORK ASSIGNMENT NO. 1 FOR CONSULTING SERVICES

CRA PROJECT BUDGET CODE: Technical Assistance Planning Services

CRA PROJECT NAME: ULDC Code Amendments 2

This Work Assignment, when executed, shall be incorporated in and shall become an integral part of the Assignment.

Title: Technical Assistance Planning Services ULDC Code Amendments 2

- I. PROJECT DESCRIPTION: The firm shall provide planning services to assist the WCRA to develop ULDC code amendments and process such amendments through Palm Beach County.
- II. SCOPE OF SERVICES: The services shall be in accordance with the attached Proposal Exhibit A.
- III. BUDGET: Not to exceed Fifty-Six Thousand Five Hundred Dollars
- IV. COMPLETION DATE: September 1, 2020

This Work Assignment is approved and payment shall be made subject to the CRA's acceptance of the services associated with the Work Assignment. If the CRA in its sole discretion is unsatisfied with the services provided in the previous phase or service authorization, the CRA may terminate this Work Assignment without incurring any further liability. The CONSULTANT shall not commence the Work Assignment until the CRA issues a Notice to Proceed.

IN WITNESS WHEREOF, the parties hereto have executed this Work Assignment Agreement the day and year first above written.

WITNESSES:

Signature

Printed Name:

Signature

Printed Name:

CRA:

Westgate/Belvedere Homes
Community Redevelopment Agency

Signature

Printed Name:

The foregoing instrument was acknowledged before me this _____ day of _____, _____ by _____ (name of person acknowledging).

(Notary Seal)

Signature of Notary Public - State of Florida

Personally Known _____ OR Produced Identification _____

Type of Identification Produced: _____

WITNESSES:

Kevin Smith
(Name Printed or Typed)

[Signature]
Signature

BRYAN PEPPER
(Name Printed or Typed)

[Signature]
Signature

CONSULTANT:

Gentile Glas Holloway O'Mahoney & Associates, Inc.
Company Name

[Signature]
Signature

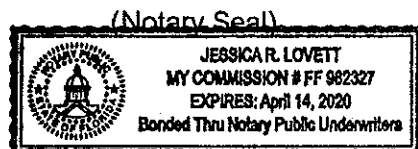
Dodi Buckmaster Glas, Partner/Director of Planning
(Name Printed or Typed)

(Corporate Seal)

COUNTY OF Palm Beach

STATE OF Florida

The foregoing instrument was acknowledged before me this 7th day of January, 2020 by Dodi Buckmaster Glas (name of person acknowledging).



Jessica R. Lovett
Signature of Notary Public - State of Florida
Jessica R. Lovett

Personally Known X OR Produced Identification _____

Type of Identification Produced: _____

MEMORANDUM OF UNDERSTANDING

DATE: January 6, 2020

TO: Omelio A. Fernandez, P.E., Director
Roadway Production Division, Engineering Dept.

FROM: Elizee Michel, Executive Director
Westgate Belvedere Homes CRA

RE: **Palm Beach County Project No. 2019024**
BELEVEDERE HEIGHTS PHASE II

Dear Mr. Fernandez:

I am writing to formalize the understanding between our two departments with regard to the Belvedere Heights Phase II project (Project). The Westgate Belvedere Homes CRA (CRA) was awarded a federalized Local Agency Program (LAP) grant, administered by the Florida Department of Transportation (FDOT) which will be paid directly to Palm Beach County Engineering Department (Engineering). As FDOT requests that Engineering oversee the design and construction of this project, this memorandum will define the roles of each agency.

Project Scope Overview

Improvements will be provided at the following locations as described below:

- Wellington Road – install streetlights, new sidewalks and sodding
- Longwood Road – install streetlights, new sidewalks and sodding
- Bridgeman Road – install streetlights, new sidewalks and sodding

- Upgrade ramps, sidewalk connections, and crosswalk striping at Florida Mango Road for all three side streets.

- No road improvements are anticipated at this time.

- No right-of-way acquisition is anticipated at this time.

- No mitigation requirements are anticipated at this time.

**BELVEDERE HEIGHTS PHASE II PROJECT
LETTER OF UNDERSTANDING**

January 6, 2020

Page 2 of 3

Westgate Belvedere Homes CRA Commitments and Duties

- Provide all grant requirements and conditions.
- Provide all background information for the project.
- Provide specific guidance and information regarding the project scope (including aesthetic requirements of the project).
- Perform all public coordination and address any public involvement.
- Design Phase Funding
CRA will provide and transfer funds for all costs associated with design of the project to Engineering by BAS or check. This shall include costs for the design consultant, Engineering staff time, permitting plus a 25% contingency, prior to Engineering hiring a design consultant.
- Construction/CEI Phase Funding
CRA will provide and transfer the funds for the costs in excess of the grant amount for the construction/CEI phase to Engineering by BAS or check (Local Matching Funds) prior to Engineering advertising the bid.
- Engineering will use funds received from FDOT for costs expended by Engineering for the Project including staff costs (if reimbursed), as it receives grant reimbursement payments from FDOT. (Grant Funds)
- If FDOT does not reimburse Engineering, CRA shall be responsible for reimbursing Engineering for all outstanding payments due to Engineering, within one (1) year of construction conclusion of the Project.
- Provide copy of all LAP/project communications to Engineering.

Engineering Department Commitments and Duties

- Hire design consultant to produce plans, acquire necessary permits, and prepare required LAP documentation for FDOT. Includes engineering coordination.
- Coordinate with FDOT to meet all design phase LAP and federal requirements.
- Prepare bid documents and construction contract. Includes bidding process, and contract finalization.
- Hire CEI or use in-house staff to administer construction contract as required by LAP. Includes engineering coordination.

**BELVEDERE HEIGHTS PHASE II PROJECT
LETTER OF UNDERSTANDING**

January 6, 2020

Page 3 of 3

- Provide up to the grant amount in funding for the construction contract which will be reimbursed by FDOT. This funding is for project costs, not covered by the Local Matching Funds.

This Memorandum of Understanding shall be in effect as of the date it has been signed by both entities.

Executed by the undersigned Representative of
the Westgate Belvedere Homes CRA this
_____ day of _____, 20____.

By: _____

Print Name: Ronald Daniels

Title: Board Chair

Executed by the undersigned Representative of

the County Engineering Department this _____
day of _____, 20____.

By: _____

Print Name: Tanya N. McConnell, P.E.

Title: Deputy County Engineer

Sincerely,

Elizee Michel

Executive Director, Westgate Belvedere Homes CRA

pc: Verdenia Baker, Deputy County Administrator
Tanya N. McConnell, P.E., Deputy County Engineer
Project file and reading file

ec: Omelio A. Fernandez, P.E., Director, Roadway Production
Morton L. Rose, P.E., Assistant Director, Roadway Production
Kristine Frazel-Smith, P.E., Local Roads Manager, Roadway Production
Holly B. Knight, P.E., Project Engineer, Roadway Prod. Div.

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WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY 2020 MONTHLY BOARD MEETING DATES

*~ All WBCRA Board Meetings are held on the **2nd Monday of the month** excluding
Special Board Meetings and those Mondays falling on a Holiday* ~*

JANUARY 13, 2020

FEBRUARY 10, 2020

MARCH 09, 2020

APRIL 13, 2020

MAY 11, 2020

JUNE 08, 2020

JULY 13, 2020

AUGUST 10, 2020

SEPTEMBER 14, 2020

OCTOBER 05, 2020*

NOVEMBER 09, 2020

DECEMBER 14, 2020

G:\Westgate CRA\CRA Board Yearly Meeting Schedule\2018Board Meeting Schedule

RESOLUTION NO. 2020-1

**A RESOLUTION OF THE WESTGATE/BELVEDERE HOMES COMMUNITY
REDEVELOPMENT AGENCY WAIVING PENALTY AND INTEREST FOR TIF
PAYMENT**

WHEREAS, Section 163.387, Florida Statutes (1989) of the Community Redevelopment Act of 1969 mandates the establishment and funding of the redevelopment trust fund for the Westgate/Belvedere Homes Community Redevelopment Agency; and,

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida approved Ordinance 89-11 on June 30, 1989, providing for the creation and funding the Redevelopment Trust Fund for the Westgate/Belvedere Homes Community Redevelopment Agency; and,

WHEREAS, Section 163.387, Florida Statutes of the Community Redevelopment Act of 1969 states that "Any taxing authority that does not pay the increment revenues to the trust fund by January 1 shall pay to the trust fund an amount equal to 5 percent of the amount of the increment revenues and shall pay interest on the amount of the unpaid increment revenues equal to 1 percent for each month the increment is outstanding, provided the agency may waive such penalty payments in whole or in part." And,

WHEREAS, Palm Beach County Board of County Commissioners remitted a part of the increment revenues to the Westgate/Belvedere Homes Community Redevelopment Agency on February 6, 2020;

NOW, THEREFORE, BE IT RESOLVED BY WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY THAT:

Section I. The foregoing recitals are true and correct and are expressly incorporated herein by reference and made a part hereof.

Section II. Pursuant to Section 163.387(2)(b), Florida Statutes, Westgate/Belvedere Homes Community Redevelopment Agency hereby waives any penalty and interest payments in whole as a result of Palm Beach County failing to pay increment revenues by January 1, 2020.

The foregoing Resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and, being put to a vote, the vote was as follows:

COMMISSIONER RONALD DANIELS, CHAIR _____

COMMISSIONER JOANNE RUFTY, VICE CHAIR _____

COMMISSIONER ENOL GILLES _____

COMMISSIONER JOSEPH KIRBY, III _____

COMMISSIONER RALPH LEWIS _____

COMMISSIONER YERALDI BENITEZ _____

COMMISSIONER RUTH HAGGERTY _____

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2020.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY
THE WESTGATE/BELVEDERE HOMES
COMMUNITY REDEVELOPMENT AGENCY
BOARD OF COMMISSIONERS

By: _____
Thomas Baird, CRA Attorney

By: _____
Ronald Daniels, Chair



Palm Beach County
Board of County Commissioners

WESTGATE BELVEDERE COMMUNITY REDEVELOPMENT AGENCY

Bank of Origin: Wells Fargo
Issue Date: 2020/02/06
Advice Number: 202002047352969
Payment Amount: 1,036,206.00 USD
Vendor #: WEST0033

Remittance Advice

Invoice Date	Invoice #	Related PO#	Gross Amount
2019/12/09	FY2020A		1,036,206.00
FY2020 CRA Tax Increment Revenue Disbursement-Fire Rescue			
This notice is to inform you that an attempt has been or will be made to send funds electronically to your bank account. Receipt of this remittance advice is not confirmation of success or failure of this attempt. If you have any questions please contact our Payables Department at 561-355-2912 or e-mail pbcpaymentmgr@mypalmbeachclerk.com .			
Summary Section			
Vendor #	Issue Date	Remittance Total	
WEST0033	2020/02/06	1,036,206.00	
Confidential and Proprietary			