

RESOLUTION NO. 21-16 (CRA)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY APPROVING A FORGIVABLE LOAN OF EIGHT MILLION AND 00/100 DOLLARS (\$8,000,000) TO SISTRUNK APARTMENTS, LLC, UNDER THE DEVELOPMENT INCENTIVE PROGRAM FOR "THE ALDRIDGE" AND "THE LARAMORE" MIXED-USE AFFORDABLE HOUSING PROJECTS; APPROVING THE DONATION OF CRA OWNED PROPERTY LOCATED AT 1204 SISTRUNK BOULEVARD AND 1620 NW 6TH COURT, FORT LAUDERDALE, FLORIDA 33311; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THIS TRANSACTION; DELEGATING AUTHORITY TO THE EXECUTIVE DIRECTOR TO TAKE CERTAIN ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fort Lauderdale Community Redevelopment Agency ("CRA"), an agency authorized under Chapter 163, Part III of the Florida Statutes, was created to eliminate "slum and blight" and to stimulate community redevelopment; and

WHEREAS, the City Commission adopted Resolution No. 95-86 on June 2, 1995, finding the existence of slum and blight conditions in that area of the City of Fort Lauderdale, Florida (the "City"), known as the Northwest-Progresso-Flagler Heights ("NPF") Community Redevelopment Area, as more particularly described in that resolution, (herein referred to as the "Redevelopment Area"); and

WHEREAS, by adoption of Resolution No. 95-170, the redevelopment plan for the Redevelopment Area was approved by the City Commission on November 7, 1995, and was amended in 2001 by Resolution No. 01-86, in 2002 by Resolution No. 02-183, in 2013 by Resolution No. 13-137, in 2016 by Resolution No. 16-52, in 2018 by Resolution No. 18-226, and as subsequently amended (the "Redevelopment Plan"); and

WHEREAS, the CRA Development Incentive Program (DIP) is intended to support projects with an investment of \$5,000,000 or more; and

WHEREAS, the CRA issued a Request for Proposals and Notice of Intent on July 2, 2020, and the only respondent was Sistrunk Apartments, LLC; and

WHEREAS, Sistrunk Apartments, LLC has applied for a forgivable loan in the amount of Eight Million and No/100 Dollars (\$8,000,000) under the CRA Development Incentive Program (DIP) for the "The Aldridge" and "The Laramore" mixed-use affordable housing development projects (collectively, the "Projects"), and, at the election of the CRA, the proposed NPF CRA Economic Development Corporation (CRA EDC) or the CRA shall receive a twenty percent (20%) interest in the Project along with commercial space rent entitlements; and

WHEREAS, Sistrunk Apartments, LLC will provide a discount rental rate on the retail space to the CRA EDC or the CRA, or its successors and/or assigns, for a minimum of fifteen years (15); and

WHEREAS, Eighty Percent (80%) of the residential units shall be set aside for households whose median income does not exceed Eighty Percent (80%) or area median income, as adjusted for family size, for the Broward County metropolitan area as published by the Housing and Urban Development and rental rates for the residential units shall be set according Housing and Urban Development guidelines for a minimum of fifteen (15) years; and

WHEREAS, the lot located at 1204 Sistrunk Blvd. is appraised at \$300,000 and the lot located at 1620 NW 6th Court is appraised at \$270,000 for a combined value of \$570,000 (collectively the "Property"); and

WHEREAS, the Property is vacant land and was originally purchased by the CRA between 2003 and 2010; and

WHEREAS, the proposal by Sistrunk Apartments, LLC is for two separate signature 5-story "Green Certified" mixed-use affordable housing developments, each with 36 apartments and ground floor retail units; and

WHEREAS, at their meeting of November 4, 2020, the RFP evaluation committee unanimously recommended donating the Property to Sistrunk Apartments, LLC and approved the Project; and

WHEREAS, at their meeting of January 12, 2021, the CRA Advisory Board for the Northwest-Progresso-Flagler Heights Community Redevelopment Area approved the Project and the funding request; and

WHEREAS, the Board of Commissioners of the CRA finds that development of the Project will enhance the physical appearance of the Redevelopment Area, create affordable housing, create quality space for new and existing businesses, retail spaces, as well as facilitate a responsive and proactive business climate, all in accordance with and in furtherance of the Redevelopment Plan, as authorized by and in accordance with the Act; and

WHEREAS, the CRA Board finds that Sistrunk Apartments, LLC, has demonstrated that it has the financial capacity, legal ability, development experience and qualifications to develop this Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY:

SECTION 1. That the Recitals set forth above are true and correct and incorporated herein by this reference.

SECTION 2. That the Fort Lauderdale Community Redevelopment Agency hereby approves a forgivable loan under the CRA's Development Incentive Program (DIP) in the amount of Eight Million and No/100 Dollars (\$8,000,000) to Sistrunk Apartments, LLC, subject to the terms and conditions set forth in the Letter of Intent as attached to Commission Agenda Memorandum 21-0321.

SECTION 3. Pursuant to Section 163.380(3)(a), Florida Statutes, an Invitation for Proposals/Notice of Intent to develop Fort Lauderdale Community Redevelopment Agency Property(s) located at 1204 Sistrunk Boulevard and 1620 NW 6th Court in the Northwest-Progresso-Flagler Heights Community Redevelopment Area was published in the Sun-Sentinel. The notice provided that all proposals were due at the CRA Office on or before 4:00 p.m. on August 3, 2020. The CRA Board of Commissioners hereby ratifies and approves issuance and publication of the Invitation for Proposals/Notice of Intent to develop the CRA Property. The CRA Board of Commissioners approves donation of the Property to Sistrunk Apartments, LLC, subject to the following conditions:

- A. The CRA shall convey the Property to Sistrunk Apartments, LLC, by Quit Claim Deed and Sistrunk Apartments, LLC shall bear all closing cost(s).
- B. Any and all outstanding bonds must be satisfied and discharged at closing from the proceeds of the sale of the CRA Property and the purchase price must be sufficient to pay and discharge such bonds or obligations according to their terms.
- C. In exchange for the commitment to provide affordable housing for the target population at affordable rents, the Property shall be donated to Sistrunk Apartments, LLC.
- D. The CRA Property shall be conveyed "As-is" with all title defects and other adverse matters.

- E. Such other terms and conditions imposed by the Executive Director in the exercise of his discretion to complete closing on the CRA Property and to further the goals and objectives of the NPF Plan.

SECTION 4. That the governing body of the Fort Lauderdale Community Redevelopment Agency hereby authorizes execution of the Commercial Contract, Addendum and Letter of Intent, in substantially the form attached Commission Agenda Memorandum 21-0321, and any and all other documents or instruments, including, without limitation, subordination agreements and estoppel certificates, necessary or incidental to consummation of the transaction without further action or approval of this body. Except for the authority to increase the amount of the DIP Loan, to waive the affordable housing requirement or the discount on the commercial rents, the Executive Director or his designee is delegated authority to negotiate additional terms and conditions, modify the terms, take further actions, and make such further determinations he deems advisable in furtherance of the goals and objectives of the Redevelopment Plan and to execute all instruments and documents necessary or incidental to consummation of the DIP Loan and donation of the CRA Property, including without limitation, execution of a Quit Claim Deed, Development Agreement, Subordination Agreement or Estoppel Certificates.

SECTION 5. That the office of the General Counsel shall review and approve as to form all documents prior to their execution by the Executive Director.

SECTION 6. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this 16th day of November, 2021.


Chair
DEAN J. TRANTALIS

ATTEST:



CRA Secretary
JEFFREY A. MODARELLI