

RESOLUTION NO. 18-03 (CRA)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY APPROVING MODIFICATIONS TO THE NORTHWEST-PROGRESSO-FLAGLER HEIGHTS COMMUNITY REDEVELOPMENT AREA INCENTIVE PROGRAMS; DELEGATING AUTHORITY TO THE EXECUTIVE DIRECTOR TO APPROVE AWARDS THAT DO NOT EXCEED ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) TO QUALIFIED APPLICANTS; DELEGATING AUTHORITY TO THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATING TO SUCH AWARDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part III of the Florida Statutes, the Community Redevelopment Plan for the Northwest-Progresso-Flagler Heights Community Redevelopment Area ("NPF-CRA") was adopted in 1995 under Resolution 95-170; and

WHEREAS, on or around 2001, the Board of Commissioners of the Fort Lauderdale Community Redevelopment Agency approved incentive programs to combat slum and blight and to stimulate economic development in the NPF-CRA; and

WHEREAS, on June 7, 2016, the Ft. Lauderdale Community Redevelopment Agency ("CRA") approved revisions and additions to its incentive programs; and

WHEREAS, NPF-CRA staff recommends additional modifications to the incentive programs; and

WHEREAS, the CRA staff proposed delegating authority to the Executive Director to approve awards to qualified applicants without Board of Commissioners approval for transactions that do not exceed One Hundred Thousand and No/100 Dollars (\$100,000.00); and

WHEREAS, at the March 13, 2018 meeting of the NPF-CRA Redevelopment Advisory Board, the Board recommended approval of the modifications to the incentive programs;

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 are incorporated in this Resolution.

SECTION 2. That the Board of Commissioners hereby approves the modifications to the incentive programs attached hereto.

SECTION 3. That the Executive Director is hereby delegated authority to approve all awards under the incentive programs to qualified applicants and to execute any and all documents pertaining to transactions that do not exceed One Hundred Thousand and No/100 Dollars (\$100,000.00).

SECTION 4. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the 17th day of April, 2018.


Chair
DEAN J. TRANTALIS

ATTEST:



CRA Secretary
JEFFREY A. MODARELLI



City of Fort Lauderdale Community Redevelopment Agency
Northwest-Progresso-Flagler Heights Community Redevelopment Area
Incentives Modification

NON-RESIDENTIAL INCENTIVE PROGRAMS

Goal: To encourage private participation in the undertaking the preservation, rehabilitation, and redevelopment of the NPF-CRA consistent with the outlined community redevelopment program and strategies outlines in the Redevelopment Plan.

Program Types:

- 1. NON-RESIDENTIAL FACADE IMPROVEMENT PROGRAM (NRFIP)**
- 2. PROPERTY AND BUSINESS IMPROVEMENT PROGRAM (PBIP)**
- 3. STREETScape ENHANCEMENT PROGRAM (SEP)**
- 4. DEVELOPMENT INCENTIVE PROGRAM (DIP)**
- 5. PROPERTY TAX REIMBURSEMENT (PTR)**

Focus Areas of Non-residential Incentive Programs:

- **Focus Area 1:** Properties adjacent to Sistrunk Boulevard between NW 24 Avenue and the FEC Railway, including one block north and south of Sistrunk Boulevard;
- **Focus Area 2:** Properties adjacent to Northwest 9th Avenue between Sunrise Boulevard and Broward Boulevard,
- **Focus Area 3:** Properties adjacent to Northwest 7th Avenue between Sunrise Boulevard and Broward Boulevard.
- **Focus Area 4:** The Progresso commercial revitalization project area defined by the Redevelopment Plan as the commercial-industrial area between Sistrunk Boulevard and Sunrise Boulevard and N.W. 9th Avenue and N.W. 5th Avenue.

Funding Restrictions: Incentive funds may not be used to directly fund:

- 1. Socially benefiting programs; or**
- 2. Inherently religious activities.***

**U.S. Department of Housing and Urban Development Notice CPD 04-10 will be used to evaluate applications from faith-based organizations.*

Administrative Approval: Means the CRA Executive Director is authorized to administratively approve awards.

Advisory Board Request for Review: CRA Staff shall provide the Northwest Progresso Flagler Heights Redevelopment Advisory Board with a notice of intent when submitting a project to the Executive Director for administrative approval. Such notice shall provide the name of the project, name of the applicant, project location, project cost, a summary of the project scope of work, and proposed award amount. Any member of the advisory board, upon receipt of notice, may request in writing that the project be scheduled for review and approval by the advisory board. Such request shall be provided in sufficient time for the project to be scheduled for review by the advisory board no later than thirty (30) days from the date that the notice was sent or the next scheduled and reasonably practicable advisory board meeting.

The Agency may recommend an increase the funding limits on a case-by-case basis.

1. NON-RESIDENTIAL FACADE IMPROVEMENT PROGRAM (NRFIP)

Objective: To eliminate slum and blight, remove deterioration; update exteriors of existing buildings in a manner that improves conditions of non-residential areas.

Eligible Projects:

1. Improvements to an existing building within the NPF-CRA designed and used for:
 - a. Non-residential use, or
 - b. Mixture of uses containing a combination of residential dwelling units with commercial retail sales, service, office uses or any combination thereof as permitted by the Unified Land Development Regulations, City of Fort Lauderdale.

The proposed project must comply with the CRA Redevelopment Plan, urban design guidelines, applicable land use regulations, and current code requirements.

Eligible Project Costs:

1. All costs associated with exterior improvements which include but are not limited to: entry doors, windows, lighting, shade canopy, sidewalks, signage, and parking facilities the further the objectives of this incentive.
2. Cost of restoration, rehabilitation or both of exterior building are eligible for consideration.
3. Costs of associated with design and permitting of exterior improvements, restoration, or rehabilitation such as architectural, engineering, permit and application fees.

Award Guidelines:

CRA Area:

- 75% of the eligible costs not to exceed \$125,000.

Focus Areas:

- 90% of the eligible project costs not to exceed \$125,000.
- 100% of the eligible project costs not to exceed \$75,000.
- Project costs that exceed the initial \$75,000 may be funded if the owner provides cash investment of 5% of the additional cost.

Administrative Approval:

Not to exceed \$100,000, subject to an advisory board request for review.

Funding Conditions:

- Applicants shall propose a performance measure that demonstrates how the project contributes to the elimination or prevention of slum and blight. Job creation or job retention is an example of a performance indicator that may be required to fulfill this requirement.
- The program award will have ongoing obligations or covenants, which includes but is not limited to a lien on the applicant's property.
- In the case of multiple structures on a single property, the CRA Board (and/or designee), at its sole discretion, may consider a forgivable loan application for each structure subject to the terms, conditions, and limits applicable to location of the subject property.
- There must be a documented selection process for the General Contractors selected for this project. The CRA recommends the use of General Contractors from its approved contractor list.
- A CRA or City approved contractor must be used for projects where 60% or more of the project costs are paid by the CRA.

2. PROPERTY AND BUSINESS IMPROVEMENT PROGRAM (PBIP)

Objectives: Eliminate slum and blight, remove deterioration, retrofitting and rehabilitation of structures to remove undesirable uses, improve the “energy efficiency” of existing buildings in the CRA, or renovations designed to bring the structure into compliance with the current building codes.

Eligible Projects:

1. Improvements to an existing building within the NPF-CRA designed and used for:
 - a. Non-residential use, or
 - b. Mixture of uses containing a combination of residential dwelling units with commercial retail sales, service, office uses or any combination thereof as permitted by the Unified Land Development Regulations, City of Fort Lauderdale.
2. Construction a new building within the NPF-CRA designed for:
 - a. Non-residential use, or
 - b. Mixture of uses containing a combination of residential dwelling units with commercial retail sales, service, office uses or any combination thereof as permitted by the Unified Land Development Regulations, City of Fort Lauderdale.

The proposed project must comply with the CRA Redevelopment Plan, urban design guidelines, applicable land use regulations, and current code requirements.

Eligible Project Costs:

1. All costs associated with interior and exterior renovation of existing non-residential buildings including interior improvements, restoration, rehabilitation, and permanently attached fixtures or systems.
2. All costs associated with construction of a new non-residential building.
3. Architectural, engineering, permit fees, application fees, property taxes, tax liens, City liens and property insurance.
4. All costs specific to commercial kitchen improvements and permanently attached commercial-grade kitchen equipment or systems. The kitchen design or engineering, construction materials, and equipment or systems must comply with applicable industry standards, such as: Dairy and Food Industries Supply Association, Inc. (3-A), United States Department of Agriculture (USDA), Food and Drug Administration (FDA), American Welding Society (AWS), Occupational Safety and Health Association (OSHA), American Society of Testing Materials (ASTM), American National Standards Institute (ANSI), Current Good Manufacturing Practices (cGMPs), and National Electrical Manufacturer’s Association (NEMA). The kitchen and its equipment will comply with all local health and safety requirements that apply to food produced for sale.

Award Guidelines:

CRA Area:

- 75% of the eligible costs not to exceed \$225,000.

Focus Areas:

- 90% of the eligible project costs not to exceed \$225,000.
- In the Focus Area, owner's equity investment for funding requests that do not exceed \$150,000, will be determined on a case-by-case review. The CRA Board (and/or designee), at its sole discretion, may consider increasing the funding limits and equity investment requirements on a case-by-case basis.

Administrative Approval:

- Not to exceed \$100,000, subject to an advisory board request for review.

Funding Conditions:

- Job Creation and Retention Requirements: Job creation and/or job retention or another approved performance indicator may be a requirement for assistance provided through this program.
- The CRA's project contribution cannot exceed the documented contribution of the business/project owner.
- Terms and Obligations: The program award will have ongoing obligations/covenants, which includes, but is not limited to a lien on the applicant's property.
- Special Conditions: There must be a documented selection process for the General Contractors selected for the applicants project. The City recommends the use of General Contractors from its approved contractor list.
- A CRA / City approved contractor must be used for projects where 60% or more of the costs are paid by the CRA. Contractors on the City/CRA contractor list, must be invited to bid on all work solicited by the project owner/developer.

3. STREETSCAPE ENHANCEMENT PROGRAM (SEP)

Objective: To enhance the exterior public space beginning at the face of a building extending to the adjacent right-of-way (“streetscape”) with high quality urban and environmental design that creates a sense of place and eliminates slum and blight.

Eligible Projects:

1. Streetscape improvements for an existing building within the NPF-CRA designed and used for:
 - a. Non-residential use, or
 - b. Mixture of uses containing a combination of residential dwelling units with commercial retail sales, service, office uses or any combination thereof as permitted by the Unified Land Development Regulations, City of Fort Lauderdale.
2. Streetscape improvements associated with the construction of a new building within the NPF-CRA designed for:
 - a. Non-residential use, or
 - b. Mixture of uses containing a combination of residential dwelling units with commercial retail sales, service, office uses or any combination thereof as permitted by the Unified Land Development Regulations, City of Fort Lauderdale.

Eligible Project Costs: All costs associated with enhanced (features/finishes beyond mandatory City requirements) streetscape improvements constructed on or within the public right-of-way. The proposed improvements may include, but not be limited to, landscaped medians and plantings, street trees, benches, and streetlights as well as fences, yards, porches, and awnings and must comply with CRA design guidelines for the particular street on which the project is located, the Plan, the City of Fort Lauderdale Complete Street Guidelines, the CRA Implementation Plan, the Downtown Master Plan (as applicable), and the Fort Lauderdale Connectivity Master Plan. Design/engineering must be consistent with City, county and state requirements for roadway design/construction.

Award Guidelines:

CRA Area:

- 70% of the eligible costs not to exceed \$500,000.
- The CRA Board (and/or designee), at its sole discretion, may consider increasing the funding limits on a case-by-case basis subject to a dollar for dollar match by the applicant

Focus Areas:

- 90% of the eligible project costs not to exceed \$500,000.

Administrative Approval:

- Not to exceed \$100,000, subject to an advisory board request for review.

Funding Conditions:

- **Job Creation and Retention Requirements:** Job creation and/or job retention or another approved performance indicator may be a requirement for assistance provided through this program.
- **Terms and Obligations:** The program award will have ongoing obligations / covenants, which includes, but is not limited to a lien on the applicant's property.
- **Special Conditions:** There must be a documented process for the General Contractors and sub-contractors selected for the project. The CRA / City encourage the use of contractors from its approved contractor list. Contractors on the City/CRA contractor list, must be invited to bid on all work solicited by the project owner/developer.

3. DEVELOPMENT INCENTIVE PROGRAM (DIP)

Objectives: This program seeks to eliminate slum and blight by attracting new businesses to the CRA or existing businesses to expand within the CRA. DIP is a custom designed incentive to meet the appropriate needs of a specific development project in the CRA that represents an investment or total project cost that exceeds five (\$5,000,000) million dollars and creates a significant economic engine or destination project in the CRA.

Eligible Properties:

1. Improvements to an existing building within the NPF-CRA designed and used for:
 - a. Non-residential use, or
 - b. Mixture of uses containing a combination of residential dwelling units with commercial retail sales, service, office uses or any combination thereof as permitted by the Unified Land Development Regulations, City of Fort Lauderdale.
2. Construction a new building within the NPF-CRA designed for:
 - a. Non-residential use, or
 - b. Mixture of uses containing a combination of residential dwelling units with commercial retail sales, service, office uses or any combination thereof as permitted by the Unified Land Development Regulations, City of Fort Lauderdale.

The proposed project must comply with the CRA Redevelopment Plan, urban design guidelines, applicable land use regulations, and current code requirements.

Eligible Project Costs: All costs associated with the CRA desired redevelopment project (Project), including costs and fee's associated with acquisition, rehabilitation and fines. The proposed Project must comply with the Plan, CRA urban design guidelines, applicable land use regulations, and current code requirements, subject to review or approval by the City of Fort Lauderdale Planning Division, Code Compliance Division, and CRA staff.

Award Guidelines:

- DIP award (with no minimum or maximum amount) will provide a forgivable loan or low interest loan to assist the eligible project. The CRA Staff will review the project and recommend a funding plan/strategy and amount to the CRA Advisory Board and CRA Board.
- This program will allow the CRA to use any of its incentive programs and options, including tax abatement, fee waivers, land donation and/or purchase, etc.
- In order to be eligible for the DIP, the business/property owner must invest at a minimum, a dollar-for-dollar match of the CRA investment within the project. The CRA's project contribution cannot exceed the documented contribution of the business/project owner

Funding Conditions:

- **Job Creation and Retention Requirements:** Job creation and/or job retention or another approved performance indicator may be a requirement for assistance provided through this program.
- **Terms and Obligations:** The program award will have ongoing obligations/covenants, which may include, but is not limited to a lien on the applicant's property.
- **Special Conditions:** Where possible, the developer will use best efforts to hire Fort Lauderdale contractors to work on approved projects. If a HCD/CRA approved contractor is awarded work, it will be for the portion of the project that is funded through the CRA.

4. PROPERTY TAX REIMBURSEMENT (PTR)

Goals: Eliminate slum and blight, remove deterioration, update existing buildings, and encourage new investment/development with an emphasis on enhancing the overall CRA, improving the quality of existing buildings within the CRA, and attracting new construction to the CRA.

Eligible Project:

All properties used for non-residential, multifamily, or a Mixture of uses containing a combination of residential dwelling units with commercial retail sales, service, office uses or any combination thereof within NPF-CRA that generate ad-valorem tax revenue which contribute to the tax increment funds deposited in the redevelopment trust fund for the NPF CRA .

substantial capital improvements or new construction.

Substantial capital improvements means the cost of rehabilitation/renovation exceeds 50% of the current property value, as indicated by Broward County Property Appraiser or private appraisal.

Eligible Project Costs: The benefits of this Program are not directly based on Project costs. Rather, the benefits of this Program are based on capital improvements on existing properties or the development cost of new buildings that result in a substantial increase of Ad Valorem Tax (Property Tax). The property owner will only be entitled to the incremental tax increase generated by project that would be returned to the CRA as tax increment revenue. The proposed Project must comply with the Plan, CRA urban design guidelines, and applicable land use regulations, subject to review/approval by the City of Fort Lauderdale Planning Division and CRA staff. All construction work must be performed by licensed contractors with required building permits and progress inspections.

Award Guidelines:

PTR provides for the reimbursement of ad valorem property taxes paid. A PTR award will run for a maximum of five (5) years and the limits are as follows:

- . Year 1 – 95% of real property Ad Valorem taxes returned to the CRA as tax increment revenue
- . Year 2 – 90% of real property Ad Valorem taxes returned to the CRA as tax increment revenue
- . Year 3 – 85% of real property Ad Valorem taxes returned to the CRA as tax increment revenue
- . Year 4 – 80% of real property Ad Valorem taxes returned to the CRA as tax increment revenue
- . Year 5 – 75% of real property Ad Valorem taxes returned to the CRA as tax increment revenue

Funding Conditions:

- Applicant: The property owner /developer (Owner) must be the applicant. A RFIG award will have ongoing obligations/covenants, which will be protected by a lien on the applicant's property.
- Special Conditions: Where possible, the developer will use best efforts to hire Fort Lauderdale contractors to work on approved projects. If a HCD/CRA approved contractor is awarded work, it will be for the portion of the project that is funded through the CRA.
- Program Terminates November , 2020

NEIGHBORHOOD HOUSING IMPROVEMENT INCENTIVE PROGRAMS

Goal: To preserve, enhance and protect the residential character and scale of the Northwest District and provide for new housing and improved neighborhood services while also encouraging new residential and commercial development within an urban village design approach for the Flagler Heights RAC Area consistent with the strategies of the Neighborhood Housing Improvement Program of the NPF-CRA Redevelopment Plan.

Program Types:

- 1. RESIDENTIAL REHABILITATION FORGIVABLE LOAN (RRG)**
- 2. PURCHASE ASSISTANCE PROGRAM (PAP)**

Funding Restrictions: Incentive funds may not be used to directly fund:

1. Socially benefiting programs; or
2. Inherently religious activities.*

**U.S. Department of Housing and Urban Development Notice CPD 04-10 will be used to evaluate applications from faith-based organizations.*

Administrative Approval: Means the CRA Executive Director is authorized to administratively approve awards. CRA Staff shall provide the Northwest Progresso Flagler Heights Redevelopment Advisory Board with a notice of intent when submitting a project to the Executive Director for administrative approval. Such notice shall provide the name of the project, name of the applicant, project location, project cost, a summary of the project scope of work, and proposed award amount.

The Agency may recommend an increase the funding limits on a case-by-case basis.

1. RESIDENTIAL REHABILITATION FORGIVABLE LOAN (RRG)

Objectives: Housing preservation by providing funds to eligible homeowners to correct code violations and to address health and safety issues, which include but are not limited to electrical, plumbing, roofing, windows, AC/ Heating and structural items.

Eligible Area:

- Northwest District defined as
- Flagler Heights RAC defined as

Target Participants: Individuals rehabilitating their primary, homesteaded residence and have an annual household income that does not exceed 160% of the Area Median Income (AMI).

Eligible Projects: Existing owner occupied single family residence with an appraised value less than \$300,000.

Eligible Project Costs: Generally, all costs associated with interior and exterior improvements, restoration, and/or rehabilitation are eligible for consideration (Project). The proposed Project must comply with the Plan, CRA urban design guidelines, and applicable land use regulations, subject to review/approval by the City of Fort Lauderdale Planning Division and CRA staff.

Funding Guidelines:

- The maximum award is \$75,000.
- Owners will not be required to contribute funds if the rehabilitation costs do not exceed a CRA award amount of \$55,000.
- An owner cash contribution of 10% is required if the costs of the repair exceeds the available CRA funds. The owners' cash contribution will be based on the costs that exceed \$55,000.

Administrative Approval:

- Not to exceed \$50,000

The CRA Board (and/or designee), at its sole discretion, may consider increasing the funding limits on a case-by-case basis.

Terms and Obligations: The program award will require an application and review process. The RRG will have ongoing obligations/covenants, which includes, but is not limited to a lien on the applicant's property. The maximum household income of the families assisted in this program cannot exceed 160% of the Area Median Income (AMI). The City/CRA will develop the scope of work for each project.

General Contractor: There must be a documented selection process for the General Contractor used for the project. Owner-occupied single family rehabilitation must use an approved General Contractor from the City's approved contractor list.

2. PURCHASE ASSISTANCE PROGRAM (PAP)

Objectives: To provide down payment and closing cost assistance to eligible participants seeking to purchase and occupy as their primary residence a single family home within the NPF-CRA constructed on a previously City or CRA owned lot, vacant or abandoned structure to prevent the creation of blighted conditions within the CRA.

Eligible Participants: Individuals purchasing a property for the purposes of occupying as their primary and homesteaded residence.

Eligible Properties: Funds may be used towards the purchased of:

1. New residential single family home constructed on CRA-owned property within the NPF CRA boundary. (Target Property)
2. New residential single family home constructed on City-owned property within the NPF CRA boundary.
3. Formerly vacant or abandoned structure rehabilitated for single family residential use within the NPF CRA boundary.

Funding Guidelines:

- Award cannot exceed \$45,000.
- All properties must be owner occupied
- The maximum household income of the individuals or families assisted in this program cannot exceed 160% of the Area Median Income (AMI).

Administrative Approval:

- Not to exceed \$50,000

Terms and Obligations: The program award will require an application and review process. The PAP award will have ongoing obligations and covenants, which include, but are not limited to a lien on the applicant's property.