

# FORT PIERCE REDEVELOPMENT AGENCY

## BOARD AGENDA

FPRA Regular Meeting - Monday, April 17, 2017 - 5:30 p.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES**
  - a. Approval of minutes from the January 17, 2017 Regular Meeting and the February 21, 2017 Special Meeting
5. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject on this agenda may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Chairperson, as this section of the Agenda is limited to fifteen minutes. The FPRA Board will not be able to take any official actions under Comments from the Public. Speakers will address the Chairperson, Commissioners, and the Public with respect. Inappropriate language will not be tolerated. **Sign-up sheet is located in the lobby.**
6. **FINANCIAL REPORT FOR QUARTER ENDING**
7. **OLD BUSINESS**
  0. Update on status of FPRA properties that have been approved for sale as surplus property.
8. **NEW BUSINESS**
  - a. Update on Voluntary Cleanup Tax Credit (VCTC) Application
9. **STAFF COMMENTS**

10. **BOARD COMMENTS**

11. **ADJOURNMENT**

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises you that if you or another person decide to appeal and decision made by the City Commission with respect to any matter considered at its meeting or hearing, that you or said person will need a record of the proceedings, and that for such person, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3052 at least 48 hours prior to the meeting.

**FPRA Regular Meeting Agenda**

**4.a.**

**Meeting Date:** 04/17/2017

**Re:** Approval of minutes from the January 17, 2017 Regular Meeting and the February 21, 2017 Special Meeting

**Submitted For:** Linda Cox, City Clerk, City Clerk

---

**SUBJECT:**

Approval of minutes from the January 17, 2017 Regular Meeting and the February 21, 2017 Special Meeting

---

**Attachments**

1.17.17

2.21.17

---

MINUTES OF A REGULAR MEETING OF THE FORT PIERCE REDEVELOPMENT AGENCY, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 5:30 P.M. ON MONDAY, JANUARY 17, 2017.

1. **CALL TO ORDER** - Chairwoman Hudson called the meeting to order at 5:31 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: Chairperson Linda Hudson; Commissioner Jeremiah Johnson; Commissioner Thomas Perona

Absent: Commissioner Rufus Alexander; Commissioner Reginald Sessions

Staff Present: City Manager Nicholas Mimms  
City Clerk Linda Cox  
City Attorney James Messer

Commissioner Reginald Sessions arrived at 5:38 p.m.

4. **APPROVAL OF MINUTES**

- a. Approval of Minutes for the October 17, 2016 Regular Meeting, December 5, 2016 Special Meeting and January 3, 2017 Special Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the Minutes.

AYE: Chairperson Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona  
Passed

5. **COMMENTS FROM THE PUBLIC** - There were no comments from the public.

6. **FINANCIAL REPORT FOR QUARTER ENDING** - The Financial Report will be presented at the next meeting.

7. **OLD BUSINESS**

- a. Resolution 17-04 Appointing three (3) At Large members to the CRA Advisory Committee.

Linda Cox, City Clerk, read the resolution, by title only, into the record as follows.

A RESOLUTION OF THE FORT PIERCE REDEVELOPMENT AGENCY, A DEPENDENT SPECIAL DISTRICT OF THE CITY OF FORT PIERCE, FLORIDA; **CERTIFYING THE APPOINTMENT OR REAPPOINTMENT OF MEMBERS TO THE COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE**; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Cox explained that the FPRA Board members were provided three applications at the last meeting. Those were the only applications that were received. There were three seats available so the members were automatically appointed. The three members that were appointed are Michael J Brown Jr., Junette E. Raymond, & Kristina Gibbons.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve item 7. a.

AYE: Chairperson Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona  
Passed

**8. NEW BUSINESS**

- a. Consideration of Agreement to Faciliate the Sale of Voluntary Cleanup Tax Credit (VCTC) Certificate by Fallbrook Credit Finance.

Nicholas Mimms, City Manager, gave a brief description of the Voluntary Cleanup Tax Credit Certificates agreements.

Board discussion included the timeline and requirements to obtain the Site Remediation Completion order for the former King Power Plant site. Jack Andrews, City Engineer, explained that the Department of Environmental Protection has provided a preliminary approval. The final approval should be received within 60-90 days. Mayor Hudson also inquired on the size of the site. Mr. Mimms informed the Board that it is approximately 6.25 acres.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve item 8.a.

AYE: Chairperson Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona  
Passed

**9. STAFF COMMENTS -**

Nicholas Mimms, City Manager, explained that the staff is preparing for the sale of 1401 N 2<sup>nd</sup> St. He hopes that that this transaction will go very smoothly and the City will be able to welcome a manufacturing company to the community. Linda Cox, City Clerk, explained that it will be back before the Board on the February 21<sup>st</sup> agenda and if there are no other offers, it can be closed the next day.

Mr. Mimms also informed the Board that the County advertised the availability for 20 acres at Harbour Pointe. They are searching for a marine related manufacturing or servicing center. The County has asked that the City participate on the evaluation committee.

- 10. BOARD COMMENTS -** There were no Board comments at the Special Meeting.

- 11. ADJOURNMENT -** Chairwoman Hudson declared the meeting adjourned at 5:45p.m.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
CHAIRPERSON

MINUTES OF A SPECIAL MEETING OF THE FORT PIERCE REDEVELOPMENT AGENCY, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 5:30 P.M. ON MONDAY, FEBRUARY 21, 2017.

1. **CALL TO ORDER** - Chairwoman Hudson called the meeting to order at 5:30 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: Chairperson Linda Hudson; Commissioner Jeremiah Johnson; Commissioner Thomas Perona

Absent: Commissioner Rufus Alexander; Commissioner Reginald Sessions

Staff Present: City Attorney James Messer

City Clerk Linda Cox

City Manager Nick Mimms

Commissioner Reginald Sessions arrived at 5:38 p.m.

Commissioner Rufus Alexander arrived at 5:43 p.m.

4. There was no approval of minutes at the Special Meeting.

5. **COMMENTS FROM THE PUBLIC** - There were no comments from the public.

6. **OLD BUSINESS** - There was no Old Business discussed at the Special Meeting.

7. **NEW BUSINESS**

- a. Resolution 17-01 accepting and approving the offer to purchase 1401 N 2nd Street in the amount of \$1,000,000 from Lotus Asset Management, LLC.

Linda Cox, City Clerk, read the resolution, by title only, into the record as follows.

A RESOLUTION OF THE FORT PIERCE REDEVELOPMENT AGENCY A DEPENDENT SPECIAL DISTRICT OF THE CITY OF FORT PIERCE, FLORIDA; APPROVING A SALES CONTRACT AND CONVEYANCE BY SPECIAL WARRANTY DEED OF 1401 N 2ND STREET [TAX ID#2403-242-0002-000/1]; ACQUIRED BY THE FORT PIERCE REDEVELOPMENT AGENCY AND OFFERED AS SURPLUS REDEVELOPMENT PROPERTY; PROVIDING FOR THE APPROVAL OF THE FORT PIERCE CITY COMMISSION IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.380; AND PROVIDING FOR AN EFFECTIVE DATE

Rebecca Grohall, Planning Director, explained that Radical Cosmetics will be purchasing 1401 N 2nd St. to operate a cosmetics manufacturing company. They will make extensive improvements to the interior and exterior improvements that will give the building a brand new face lift.

Pat Murphy, realtor, gave a brief summary of the timeline. He thanked staff for all their hard work and was very grateful that the train was moved from the location prior to closing. He was also available for questions.

Board discussion included that they are glad that the City is finally selling the property. They are also glad that the manufacturer was at the job fair in January. They thanked Fenton Bajinath for his patience and for proceeding with the plans investing his time and money even before being under contract.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve item 7. a.

AYE: Chairperson Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

- b. Resolution 17-02 accepting and approving the offer to purchase 301 Florida Avenue in the amount of \$30,000 from Costa Seafood and Grill LLC.

Linda Cox, City Clerk, read the resolution, by title only, into the record as follows.

A RESOLUTION OF THE FORT PIERCE REDEVELOPMENT AGENCY A DEPENDENT SPECIAL DISTRICT OF THE CITY OF FORT PIERCE, FLORIDA; APPROVING A SALES CONTRACT AND CONVEYANCE BY SPECIAL WARRANTY DEED OF **301 FLORIDA AVE** [TAX ID#2410-711-0041-000/7]; ACQUIRED BY THE FORT PIERCE REDEVELOPMENT AGENCY AND OFFERED AS SURPLUS REDEVELOPMENT PROPERTY; PROVIDING FOR THE APPROVAL OF THE FORT PIERCE CITY COMMISSION IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.380; AND PROVIDING FOR AN EFFECTIVE DATE

Rebecca Grohall, Planning Manager, explained that the resolution presented is to approve and accept the offer from Costa Seafood and Grill LLC to purchase 301 Florida Ave. The buyer will be utilizing the vacant land as a parking lot for their restaurant once it is improved.

Hampton Jackson, the realtor, was available for questions.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Reginald Sessions to approve item 7. b.

AYE: Chairperson Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

Passed

- c. Discussion and direction on the Cobb's Landing Lease Agreement.

Nick Mimms, City Manager, explained that in August, 2005, the FPRA approved a contract to purchase the Manatiki Restaurant property. The FPRA entered into an Interim Lease Agreement effective December 15, 2005 with lanco, LLC to operate the restaurant. The term of the interim lease was six months, from January 1, 2006 to June 30, 2006. In January, 2006, the Procurement Department sought proposals through RFP No. 5587 seeking Lease/Operators for Cobb's Landing (formerly Manatiki Restaurant). On April 26, 2006, the FPRA board authorized staff to begin negotiation of a contract with lanco, LLC. To date, no final contact has been executed. lanco, LLC is now seeking a final lease agreement. Staff recommends resuming contract negotiations with top ranked firm, lanco, d/b/a Cobb's Landing. The final contract term should remain consistent with the original offer in the RFP; meaning the initial contract term would have expired on June 30, 2016 with two (2) five-year extensions ending June 30, 2021 with a final termination of June 30, 2026.

Ian Lloyd and Collin Lloyd, the restaurant operators, explained that they are in agreement with the lease terms and would like to obtain a final lease agreement. They were both available for questions.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve item 7. c.

AYE: Chairperson Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

d. First Quarter Financial Report - Johnna Morris, Finance Director

Johnna Morris, Finance Director, gave the First Quarter Financial report. She reported that the current available resources as of December 31, 2016 are \$5,393,629. The projected revenue overage after all revenue and expenditures will be an estimated \$389,871. This overage will be used to make the first payment of approximately \$85,000 for the land purchase that will be used for beach parking. Mrs. Morris also reported that the total amount due from FPRA to the General Fund is \$8,765,273.

8. **STAFF COMMENTS** - Mr. Mimms explained that St Lucie County received 2 responses for the RFQ advertisement for developers interested in building at Harbour Pointe. Once they are evaluated, ranked and researched they will be presented at the joint board meeting between the City and St Lucie County.

Chairwoman Hudson asked if the City received any information from the State regarding the King Plant property. Jack Andrews, City Engineer, explained that he received the proposed Deed Restrictions. However, he would like to some clarification on some of the restrictions before it is submitted to the City Attorney for review.

9. **BOARD COMMENTS** - Commissioner Perona stated that he would like to have a local title company process the real estate transactions when the City is paying for closing costs.

10. **ADJOURNMENT** - Chairwoman Hudson declared the meeting adjourned at 6:02 p.m.

ATTEST:

---

CITY CLERK

---

CHAIRPERSON

**FPRA Regular Meeting Agenda**

**7.0.**

**Meeting Date:** 04/17/2017

**Re:** Update on status of FPRA properties with accepted offers

**Submitted For:** Rebecca Grohall, Director, Planning & Zoning

---

**SUBJECT:**

Update on status of FPRA properties that have been approved for sale as surplus property.

**SUMMARY:**

Staff will be providing an update on the status of FPRA properties that have been approved for sale through the surplus property disposition process.

**RECOMMENDATION:**

No action required

**ALTERNATIVES:**

No action required

**RESPONSIBLE STAFF:**

Rebecca Grohall, AICP

**COORDINATED WITH:**

Nicholas Mimms, CityManager

---

**Fiscal Impact**

**Budgeted Y/N:** N

**Fiscal Year:** 2017

**OTHER INFORMATION:**

The sale of the tax credits goes towards reimbursing the revolving loan funds received to implement the remediation.

---

**FPRA Regular Meeting Agenda**

**8.a.**

**Meeting Date:** 04/17/2017

**Re:** Update on next Voluntary Cleanup Tax Credit Application

**Submitted For:** Rebecca Grohall, Director, Planning & Zoning

---

**SUBJECT:**

Update on Voluntary Cleanup Tax Credit (VCTC) Application

**SUMMARY:**

Shortly before the end of the calendar year, Staff prepared and transmitted the next application for the Voluntary Cleanup Tax Credit (VCTC) program. The State has reviewed our application and found it complete, however, at this time there are not any funds available to issue us a Certificate. As funds will become available, the State will issue tax credits to us. When tax certificates are issued, a Resolution will be placed on a future agenda approving them for sale. In past years, the city has received \$0.88 per dollar, so a \$500,000 tax certificate may yield \$440,000 which can be utilized to repay the revolving loan and any other related mitigation costs.

**RECOMMENDATION:**

This item is presented as an update; no action is necessary to be taken

**ALTERNATIVES:**

This item is presented as an update; no action is necessary to be taken

**RESPONSIBLE STAFF:**

Rebecca Grohall, AICP

**COORDINATED WITH:**

Nicholas Mimms, PE, City Manager  
Jack Andrews, PE, Engineering Director

---

**Fiscal Impact**

**Budgeted Y/N:** N

**Fiscal Year:** 2017

**OTHER INFORMATION:**

A tax certificate will be issued when funds become available

---

**Attachments**

Update on VCTC Application

---



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Ryan E. Matthews  
Interim Secretary

BY ELECTRONIC MAIL  
*JAndrews@city-ftpierce.com*

March 22, 2017

Fort Pierce Redevelopment Agency  
Mr. John Andrews, II  
100 N. U.S. Highway 1  
Fort Pierce, Florida 34950

RE: Voluntary Cleanup Tax Credits  
DEP VCTC Application #735  
Site Identification #BF561101001

Dear Mr. Andrews:

The Florida Department of Environmental Protection (“the Department”) has completed its review of the referenced Voluntary Cleanup Tax Credit (VCTC) application package submitted pursuant to Section 376.30781, Florida Statutes (F.S.). The Department has determined that the Fort Pierce Redevelopment Agency is eligible to receive tax credits as detailed below:

Costs integral to site rehabilitation: \$1,066,596.00

50% tax credit for site rehabilitation (up to \$500,000): \$500,000.00

**Total tax credit awarded: \$500,000.00**

However, due to an exhaustion of the current year’s annual tax credit authorization, your tax credit certificate will be issued in first-come, first-served order, based on the date the application was determined complete, when a sufficient authorization, if any, is available. The Department may revoke or modify this written decision granting eligibility for tax credits under Section 376.30781, F.S., if it is discovered that the tax credit applicant submitted any false statement, representation, or certification in any application, record, report, plan, or other document filed in an attempt to receive tax credits. If the Department modifies or revises this order, it shall immediately notify the Department of Revenue. Additionally, the tax credit applicant must notify the Department of Revenue of any change in its tax credit claimed.

This Department Order Determining Eligibility shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., within **21** days of receipt of this Order. The procedures for petitioning for a hearing are set forth below.

Persons whose substantial interests are affected by this Order have the following options:

- A. If you choose to accept the above decision by the Department regarding the review of the above-referenced VCTC application, you do not have to do anything.
- B. If you choose to challenge the decision, you may do the following:
  1. File a request for an extension of time to file a petition for hearing with the Department's Agency Clerk in the Office of General Counsel within **21** days of receipt of this Order; such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing; or
  2. File a petition for administrative hearing with the Department's Agency Clerk in the Office of General Counsel within **21** days of receipt of this Order.

Please be advised that mediation of this decision pursuant to Section 120.573, F.S., is not available.

#### How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to Rule 62-110.106(4), Florida Administrative Code (F.A.C.), the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this Order. Petitioner, if different from the VCTC applicant, shall mail a copy of the request to the VCTC applicant at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

#### How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this Order. Petitioner, if different from the VCTC applicant, shall mail a copy of the petition to the VCTC applicant, at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right to request an administrative proceeding under Chapter 120, F.S. Pursuant to Subsections 120.54(5)(b)4 and 120.569(2), F.S. and Rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- a) The name and address of each agency affected and the Department's identification

- number (see first page of this order);
- b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
  - c) A statement of when and how the petitioner received notice of the Department's decision;
  - d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
  - e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
  - f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
  - g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's proposed action.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

#### Judicial Review

Any party to this Order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Agency Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days after this order is filed with the clerk of the Department (see below).

Mr. John Andrews, II

Page 4

March 22, 2017

Questions

Any questions regarding the Department's review of your VCTC application should be directed to Scott Sweeney at (850) 245-8958. Questions regarding legal issues should be referred to Rebecca Robinette in the Department's Office of General Counsel at (850) 245-2242. Contact with either of the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

Sincerely,



F. Joseph Ullo, Jr., P.E., Director  
Division of Waste Management

FJU/sls

cc: Roger Register ([roger.register@cardno.com](mailto:roger.register@cardno.com))

FILING AND ACKNOWLEDGMENT FILED on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



03/24/2017

---

Clerk (or Deputy Clerk)

Date