



AGENDA

**COMMUNITY REDEVELOPMENT AGENCY
NOVEMBER 27, 2023
AT 5:15 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

COMMUNITY REDEVELOPMENT AGENCY

**Chair - Troy McDonald
Vice Chair - Becky Bruner
Board Member - Eula R. Clarke
Board Member - Christopher Collins
Board Member - Campbell Rich
Board Member - Tom Campenni
Board Member - Nikolaus Schroth**

ADMINISTRATIVE

**City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
CRA Executive Director, Pinal Gandhi-Savdas
City Clerk, Mary R. Kindel**

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that 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.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.
(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

ACTION ITEMS

1. CRA BUDGET AMENDMENT #01 CRA FOR FY2024 (RC):

RESOLUTION No. 15-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #01 CRA TO THE FY 2024 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO WATERFRONT RESTAURANT, WHICH IS A CITY-OWNED PROPERTY, LOCATED AT 131 SW FLAGLER AVENUE, STUART, FOR STRUCTURAL REPAIRS; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

STAFF UPDATE

ADJOURNMENT

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

PUBLIC COMMENT: If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

CONSENT CALENDAR: Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Community Redevelopment Agency**

Meeting Date: 11/27/2023

Prepared by: Pinal Gandhi-Savdas

Title of Item:

CRA BUDGET AMENDMENT #01 CRA FOR FY2024 (RC):

RESOLUTION No. 15-2023 CRA; A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #01 CRA TO THE FY 2024 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO WATERFRONT RESTAURANT, WHICH IS A CITY-OWNED PROPERTY, LOCATED AT 131 SW FLAGLER AVENUE, STUART, FOR STRUCTURAL REPAIRS; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The CRA was authorized by the CRA Board to prepare a budget amendment to address the structural repairs to the Waterfront Restaurant, located at 131 SW Flagler Avenue, by Resolution No. 10-2023 CRA (see attached). This item is a budget amendment in the amount of \$204,487.33 for reimbursement to the tenant for the repairs and modifications to the building owned by the City and located in the CRA.

Funding Source:

FROM: CRA Fund Balance - \$204,487.33

TO: Waterfront Restaurant Structural Repairs - \$204,487.33

Recommended Action:

Motion to approve Resolution No. 15-2023 CRA.

ATTACHMENTS:

1. R15-2023 CRA - Budget Amendment #01-2024 - Waterfront Restaurant
2. Executed R10-2023 CRA



**BEFORE THE CITY REDEVELOPMENT AGENCY
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 15-2023 CRA

A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #01 CRA TO THE FY 2024 CRA BUDGET TO TRANSFER FUNDS FROM THE CRA FUND BALANCE TO WATERFRONT RESTAURANT, WHICH IS A CITY-OWNED PROPERTY, LOCATED AT 131 SW FLAGLER AVENUE, STUART, FOR STRUCTURAL REPAIRS; PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, Waterfront accepted an assignment of lease for an as is lease but requested permission from the City to invest 1,400,000.00 in improvements to the property owned by the City; and

WHEREAS, during the construction, the tenant uncovered latent defects related to the structural support system which required immediate repair. Because this building is a significant asset owned by the City, it was imperative that the City make sure this building was maintained in a safe manner to preserve the asset and avoid the potential for any harm to a business invitee; and

Resolution Number 15-2023 CRA
Budget Amendment #01 CRA to FY 2024 CRA Budget

WHEREAS, the Building Inspector and an independent engineer, Stiles Pete, concluded that the building was in danger of becoming uninhabitable without the repairs; and

WHEREAS, the City Manager agreed to share costs related to the structural repairs of the building; and

WHEREAS, the cost of repairs provides public benefit because the building is owned by the City of Stuart and the tenant was making significant improvements to a City asset; and

WHEREAS, the building is located within the CRA and the improvements to the building qualify as CRA expenses under the CRA plan; and

WHEREAS, the CRA held three separate meetings to review the structural expenses and hired an engineer to review the invoices. At the conclusions of the meeting, the CRA determined that \$204,487.33 should be paid by the CRA toward the repairs of the building at 131 SW Flagler Ave., Stuart, FL.

BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The Community Redevelopment Agency of the City of Stuart hereby authorizes a FY 2024 budget transfer as follows:

FROM: CRA Fund Balance - \$204,487.33

TO: Waterfront Restaurant Structural Repairs - \$204,487.33

SECTION 2: This resolution shall take effect upon adoption.

Resolution Number 15-2023 CRA
Budget Amendment #01 CRA to FY 2024 CRA Budget

Board Member _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Board Member _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, CHAIRPERSON
BECKY BRUNER, VICE CHAIRPERSON
EULA R. CLARKE, BOARD MEMBER
CHRISTOPHER COLLINS, BOARD MEMBER
CAMPBELL RICH, BOARD MEMBER
NIKOLAUS SCHROTH, EX-OFFICIO BOARD MEMBER
TOM CAMPENNI, EX-OFFICIO BOARD MEMBER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
CHAIRPERSON

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ
CITY ATTORNEY



**BEFORE THE COMMUNITY REDEVELOPMENT AGENCY
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 10-2023 CRA

A RESOLUTION OF THE BOARD OF COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA DIRECTING STAFF TO PREPARE A BUDGET AMENDMENT TO ADDRESS THE REPAIRS TO THE WATERFRONT RESTAURANT LOCATED AT 131 SW FLAGLER AVENUE, STUART; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Community Redevelopment Agency has taken great pride in the improvements to the Community Redevelopment Area that have occurred since its creation; and

WHEREAS, the property owned by the City and located at 131 SW Flagler Avenue is inside the Community Redevelopment Area and has provided a source for public gathering, entertainment and use for many years; and

WHEREAS, the structure had significant maintenance and repairs that were performed by the current tenant. Prior to the repairs being completed, the City of Stuart informed the tenant that it would share in the cost of certain items related to the structural integrity of the building.

WHEREAS, the CRB board directed staff to hire Stiles Peet and have him review the bills submitted and make a determination as to the amount that was related to structural repairs necessary to maintain the integrity of the building.

Resolution No. 10-2023 CRA
Direct Staff to prepare budget for repairs

WHEREAS, the reimbursement meets the CRA plan and provides public benefit because the property is owned by the City and is located in the CRA. The improvements to the property will prevent it from turning into blight.

BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The CRA staff is directed to prepare a budget amendment in accordance with the engineering letter signed by Stiles Peet Engineering which authorizes the CRA to reimburse the tenant for the repairs and modifications as set forth by the Community Redevelopment Board.

SECTION 3: This resolution shall take effect on adoption.

Board Member CAMPENNI offered the foregoing resolution and moved its adoption. The motion was seconded by Board Member RICH and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, CHAIRPERSON
BECKY BRUNER, VICE CHAIRPERSON
EULA R. CLARKE, BOARD MEMBER
CHRISTOPHER COLLINS, BOARD MEMBER
CAMPBELL RICH, BOARD MEMBER
NIK SCHROTH, EX-OFFICIO BOARD MEMBER
TOM CAMPENNI, EX-OFFICIO BOARD MEMBER

YES	NO	ABSENT	ABSTAIN
Y			
	N		
	N		
Y			
Y			
Y			
Y			

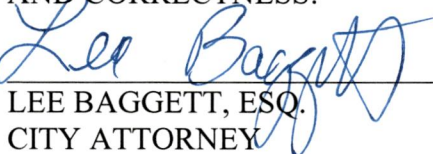
ADOPTED this 23rd day of October, 2023.

ATTEST:


MARY R. KINDEL
CITY CLERK 11/6/2023


TROY MCDONALD
CHAIRPERSON

APPROVED AS TO FORM
AND CORRECTNESS:


LEE BAGGETT, ESQ.
CITY ATTORNEY

