



**City of West Palm Beach  
City Commission**

**PASS/FAIL AGENDA**

**June 15, 2020  
5:00 P.M.**

**IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY CLERK'S OFFICE, 401 CLEMATIS STREET, WEST PALM BEACH, FLORIDA 33401, {(561) 822-1210}**

**MAYOR  
KEITH A. JAMES**

**CITY COMMISSION  
PRESIDENT KELLY SHOAF**

**COMMISSIONER CHRISTINA LAMBERT  
COMMISSIONER CHRISTY FOX**

**COMMISSIONER CORY NEERING  
COMMISSIONER JOSEPH A. PEDUZZI**

**ADMINISTRATION  
CITY ADMINISTRATOR, FAYE W. JOHNSON  
CITY ATTORNEY, KIMBERLY ROTHENBURG  
CITY CLERK, HAZELINE CARSON**

**CALL TO ORDER:**

**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**CIVILITY AND DECORUM:** The City of West Palm Beach is committed to civility and decorum by its officials, employees and members of the public who attend this meeting. The City Code, Secs. 2-31(8), 2-31(18) and 2-31(22), provides in pertinent part:

- Officials shall be recognized by the Chair and shall not interrupt a speaker.
- Public comment shall be addressed to the City Commission as a whole and not to any individual on the dais or in the audience.
- Displays of anger, rudeness, ridicule, impatience, lack of respect and personal attacks are strictly prohibited.
- Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted.
- Offenders may be removed from the meeting.

**ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA:**

**PROCLAMATION (1):**

1. Proclaiming June 2020 as: LGBTQ Pride Month. Proclamation to be accepted by: Julie Seaver, Executive Director, Compass GLCC and Julia Murphy, Chief Development Officer, Compass GLCC. **PRESENTED**  
*Agenda Cover Memorandum No.: 22932*

**COMMENTS BY THE MAYOR AND CITY COMMISSIONERS:**

**BUDGET UPDATE:**

**CONSENT CALENDAR (2-16): ALL CONSENT ITEMS APPROVED, EXCEPT #14**

2. **Minutes of the Regular City Commission Meeting of May 18, 2020.**  
*Agenda Cover Memorandum No.: 22933*

**Staff Recommended Motion:**

Approve the Minutes of the Regular City Commission Meeting of May 18, 2020.

3. **Minutes of the Regular City Commission Meeting of June 1, 2020.**  
*Agenda Cover Memorandum No.: 22934*

**Staff Recommended Motion:**

Approve the Minutes of the Regular City Commission Meeting of June 1, 2020.

4. **Resolution No. 132-20 approving a substantial amendment to allocate awarded CARES Act program funds in the 2019 Annual Action Plan to eligible activities, reallocate CDBG program fund in the 2019 Annual Action Plan to eligible activities to support COVID-19 response, and allocate unallocated program funds or program income to eligible activities.**

**Resolution No. 141-20(F) appropriating funds for the CARES Act program funds in the 2019 Annual Action Plan and additional program income.**

**RESOLUTION NO. 132-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY'S GRANT YEAR 2019 ANNUAL ACTION PLAN FOR FISCAL YEAR 2019-2020 TO ALLOCATE CARES ACT CDBG-CV & HOPWA-CV PROGRAM FUNDS TO 2019 ANNUAL ACTION PLAN TO ELIGIBLE ACTIVITIES, REALLOCATE CDBG PROGRAM FUNDS IN THE 2019 ANNUAL ACTION PLAN TO ELIGIBLE ACTIVITIES TO SUPPORT COVID-19 RESPONSE, UPDATE CITIZEN PARTICIPATION PLAN, AND ALLOCATE UNALLOCATED PROGRAM FUNDS OR PROGRAM INCOME TO ELIGIBLE ACTIVITIES; AUTHORIZING THE SUBMITTAL OF THE PROPOSED AMENDMENT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

**RESOLUTION NO. 141-20(F): A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2019/2020 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE COMMUNITY DEVELOPMENT, GENERAL, HOME PROGRAM GRANT AND HOUSING OPPORTUNITIES FOR PERSON WITH AIDS FUND BUDGETS FOR THE RECEIPT OF THE 2020 CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT (CARES ACT) PROCEEDS AND ADDITIONAL PROGRAM INCOME TO PROVIDE APPROPRIATIONS FOR ACTIVITIES RELATED TO COVID-19 RESPONSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22935*

**Staff Recommended Motion:**

Approve Resolution Nos. 132-20 and 141-20 (F).

**Background:**

The City of West Palm Beach is an entitlement recipient of federal funds from the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG) Program and the Housing Opportunities for Persons with AIDS (HOPWA) Program. In response to the COVID-19 pandemic, President Trump has signed the Coronavirus Aid, Relief and Economic Security Act (CARES Act). The CARES Act provides supplemental CDBG (CDBG-CV) and HOPWA (HOPWA-CV) funding for grants to prevent, prepare for, and respond to coronavirus.

The City of West Palm Beach was awarded a total \$597,108 under the CDBG-CV program and \$467,782 under HOPWA Program supplement funds.

In accordance with 24 CFR 91.505, the City is submitting a substantial amendment to HUD to allocate CARES Act CDBG-CV and HOPWA-CV Program funds in the current Annual Action Plan as well as reallocate CDBG Program funds to support eligible activities responding to COVID-19.

A copy of the proposed substantial amendment is attached as Exhibit A.

**Fiscal Note:**

Approval recognizes grant proceeds and additional program income of \$1,082,603 and provides appropriations for COVID-19 response.

**5. Resolution No. 144-20 approving an Interlocal Agreement between the City and Palm Beach County for Information Systems Services.**

**RESOLUTION NO. 144-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF WEST PALM BEACH AND PALM BEACH COUNTY FOR INFORMATION SYSTEMS SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22936*

**Staff Recommended Motion:**

Approve Resolution No. 144-20.

**Background:**

The City and the County have recognized the need for the City to obtain Information Systems IT services (“IT”) for the purpose of gaining access to IT resources at a cost savings due to the ability of County to leverage its resources for the greater good of citizens of County, the State of Florida, and any public sector organization that can benefit from these services. Currently the City and County have an Agreement for IT Services, which will be rescinded and replaced by this Agreement. The new agreement provides for the joint use of the County's IT assets and establishes policies for use by each organization.

The FY 20 Information Technology budget has sufficient budget for the first-year cost of \$17,270. Ongoing annual expenses will be \$6,600 for network services and \$9,420 for colocation services which will be included in the FY 21-line item budget.

Resolution No. 144-20 approves the Interlocal Agreement with the County.

**Fiscal Note:**

\$6,600 yearly for network services, \$9,420 yearly for colocation services, and one-time \$1,250 installation fee.

6. **Resolution No. 145-20(F) provides appropriations totaling \$4,470,000 for a Water and Sewer Customer Service Process Improvement project and various Water, Sewer, and Stormwater capital projects.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2019/2020 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE WATER AND SEWER SYSTEMS REVENUE FUND, THE WATER AND SEWER GENERAL RESERVES FUND, THE WATER AND SEWER RENEWAL, REPLACEMENT AND IMPROVEMENT FUND, THE STORMWATER SERIES 2017A CONSTRUCTION FUND AND THE STORMWATER RENEWAL AND REPLACEMENT FUND BUDGETS TO PROVIDE APPROPRIATIONS FOR VARIOUS PUBLIC UTILITIES PROJECTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22937*

**Staff Recommended Motion:**

Approve Resolution No. 145-20(F).

**Background:**

The summary of additional appropriations for various water, sewer, and stormwater improvements are as follows:

<b>PROJECT DESCRIPTION</b>	<b>ESTIMATED BUDGET AMOUNT</b>	<b>FUND</b>
Washington Road & Pine Terrace Improvements	\$350,000	Stormwater Series 2017A Construction Fund 48A
Tamarind Avenue Improvements (Evernia Ave to Iris Street)	\$300,000	Stormwater Renewal and Replacement Fund 485
Flagler Drive Improvements (54th Street to 58th Street)	\$250,000	Stormwater Renewal and Replacement Fund 485
North Flagler Improvements	\$50,000	Stormwater Renewal and Replacement Fund 485

<b>PROJECT DESCRIPTION</b>	<b>ESTIMATED BUDGET AMOUNT</b>	<b>FUND</b>
Puritan & Pilgrim Improvements	\$25,000	Stormwater Renewal and Replacement Fund 485
Elizabeth Avenue Improvements	\$100,000	Stormwater Renewal and Replacement Fund 485
	\$150,000	Water and Sewer Renewal and Replacement Fund 454
25th Street Utility Improvements	\$25,000	Stormwater Renewal and Replacement Fund 485
	\$50,000	Water and Sewer Renewal and Replacement Fund 454
Clematis Street South Passageway (500 Block)	\$30,000	Water and Sewer Renewal and Replacement Fund 454
Citywide Stormwater Improvements	\$300,000	Stormwater Renewal and Replacement Fund 485
Water Treatment Plant Control System Upgrade	\$1,140,000	Water and Sewer Renewal and Replacement Fund 454
CC&B Upgrade	\$1,450,000	Water and Sewer Renewal and Replacement Fund 454
Customer Service Process Improvement	\$250,000	Water and Sewer Systems Revenue Fund 450
<b>TOTAL:</b>		<b>\$4,470,000</b>

1. The Washington Road and Pine Terrace Improvements project is located in the Southend Subdivision (Exhibit A). The work involves installation of new inlets, stormwater pipelines, connection to the existing stormwater system on Washington Road, curb ramp replacement, and milling and resurfacing. The objective of the project is to resolve ponding that occurs after a rainfall event at the northwest corner, southwest corner of the intersection and the curb ramp. Based on engineering cost estimate, the estimated budget amount required to accomplish the project is \$350,000. The stormwater improvements are in final design and construction is planned for August/September 2020. The project falls within Commission District No. 3: Commissioner Christy Fox.
2. The Tamarind Avenue Improvements project extends from Evernia Street to Iris Street (Exhibit B). Multiple pavement patches in the northbound lanes are observed above the stormwater and sanitary sewer pipelines. Preliminary investigation by City staff found that the existing storm system requires rehabilitation. The work involves pipe cleaning, televising, lining of approximately 1,400 linear feet of reinforced concrete storm pipes ranging from 48-inch to 72-inch diameter. The estimated budget amount required to accomplish the project is \$300,000. Construction is anticipated to begin in July/August 2020. The project falls within Commission District No. 3: Commissioner Christy Fox.

3. The Flagler Drive Improvements project is located in the Pinewood Park Subdivision. The project limits extend from 54th Street to 58th Street (Exhibit C). Multiple pavement patches in the northbound travel lane are observed above the stormwater pipeline. Preliminary investigation by City staff found that the existing storm system requires rehabilitation. The work involves pipe cleaning, televising, lining of approximately 2,200 linear feet of storm pipes (a combination of reinforced concrete and vitrified clay) ranging from 15-inch to 48-inch diameter. The estimated budget amount required to accomplish the project is \$250,000. Construction is anticipated to begin in September/October 2020. The project falls within Commission District No. 1: Commissioner Kelly Shoaf.
4. The North Flagler Improvements project is budgeted in the Stormwater Renewal and Replacement Fund (485). The objective of the project is to address the flooding in the 3300 – 3500 blocks of N. Flagler Drive and side streets. The boundary of the drainage area for the outfall at 3336 N. Flagler Drive includes the area between 32nd Street and 36th Street, and from west of the F.E.C. railroad tracks to N. Flagler Drive. A hydraulic study was completed in October 2019, and the recommended improvements include construction of two (2) additional outfalls on the 3336 N. Flagler Drive property and upsizing the upstream drainage system on 33rd Court and 33rd Street between Liddy Avenue and N. Flagler Drive. The estimated additional amount required to accomplish the design phase is \$50,000. Construction is anticipated to begin in 2021/2022. The project falls within Commission District No. 1: Commissioner Kelly Shoaf.
5. Puritan Road and Pilgrim Road Improvements project is located east of S. Olive Avenue (Exhibit D). Currently, Pilgrim Road and Puritan Road slope eastward from S. Olive Ave. toward their respective dead ends. At the dead end of each road the stormwater runoff flows onto vacant property where it either continues flowing over private property to S. Flagler Drive or pools and infiltrates into the ground. The vacant land is now being developed and there will be nowhere for the stormwater runoff to go other than perhaps onto other properties or pool at the end of the road. The estimated budget amount required to obtain topographic surveys for a drainage study is \$25,000. The study will determine drainage alternatives to address the stormwater runoff flowing to the ends of each of these roads. The design and construction phase are planned for 2020 and 2021, respectively. The project is located within Commission District 3: Commissioner Christy Fox.
6. The Elizabeth Avenue Improvements project is located in Jefferson Terminal District. The project extends from Blanche Street to Caroline Street for approximately 850 linear feet (Exhibit F). The scope of work being proposed by Transportation involves roadway reconstruction to improve the pavement condition index and provide drainage improvements. Within the project corridor, water main improvements and adjustment to avoid conflicts with the proposed improvements is required. The water main improvements will be accomplished in conjunction with the roadway reconstruction project. Based on engineering cost estimate, the estimated budget amount required to accomplish the water main improvements and supplement the stormwater improvements within the project limits is \$250,000. Currently, the roadway and utility

- improvements are in final design. Construction is anticipated to begin in August/September 2020. The project falls within Commission District 5: Commissioner Christina Lambert.
7. 25th Street Utility Improvements project falls within the 25th Street Complete Street project limits; a Local Agency Program (LAP) Grant project that extends from Australian Avenue to Broadway Avenue (US-1). The 25th Street corridor was adopted as part of the West Palm Beach Bicycle masterplan for complete streets to provide multimodal improvements along 25th Street. The scope of work for the LAP project involves lane re-purposing for complete streets design with bicycle facilities, enhancement of existing railroad crossings, and improvement of pedestrian connectivity. The project will include ADA upgrades, drainage improvements, lane re-purposing, bike facilities, lighting improvements, milling and resurfacing, new sidewalk connections, pedestrian gates upgrade at the railroad crossings, and signing and pavement markings. The estimate budget amount for the planning and preliminary design phase of the City's utility systems within the LAP project corridor is \$75,000. The LAP Grant project has been awarded to the City with construction planned for 2023. The project falls within Commission District No. 1: Commissioner Kelly Shoaf.
  8. Clematis Street South Passageway project is located between Clematis Street and Datura Street. The project extends from Rosemary Avenue to Quadrille Plaza Drive for approximately 520 linear feet (Exhibit E). The existing vitrified clay sanitary sewer in the alleyway is in poor condition and requires replacement. The existing water main has exceeded its useful service life and is not a looped system. The work involves replacement of existing utilities (sanitary sewer and water main) and reconstruction of the alleyway. Currently, the utility improvements are in conceptual design. Funding (\$30,000) is being requested to complete the preliminary design phase (surveying and subsurface utility exploration). Bidding and construction phase are planned for 2021 budget year. The project is located within Commission District 3: Commissioner Christy Fox.
  9. The Citywide Stormwater Improvements is budgeted in the Stormwater Renewal & Replacement Fund (485). This account is used to address Citywide drainage issues and needs that may arise during the budget year. The additional budget amount of \$300,000 will replenish the project account for the remaining budget year. The current balance in the account is \$534.
  10. Water Treatment Plant Control System Upgrade Project: The West Palm Beach Water Treatment Plant (WTP) is nearly 100 years old and the plant is operated and maintained by licensed operators, electricians, mechanics and instrument technicians to meet all regulatory requirements for safe drinking water for the City. Over the years, new equipment, process changes and automation have been implemented to provide a reliable treatment process and a safer work environment. Key to the automation improvements over the years has been the Supervisory Control and Data Acquisition (SCADA) system. The SCADA system allows for the remote operation and monitoring of equipment while capturing the operating data used to control the treatment process



- and document compliance with the various federal, state and local laws and regulations. The current SCADA system is expensive to maintain and requires specialized support services to keep it operational which have not been readily available or reliable. Moreover, the existing system has reached the end of its useful life. The WTP is addressing these issues with the replacement the existing SCADA system with a more user-friendly operating system. To be compatible with the new SCADA system, the WTP must also upgrade the Programmable Logic Controllers (PLC) used to control the equipment and treatment systems. The existing PLCs are obsolete and routinely fail and are labor intensive to operate. The proposed PLC replacement will meet Utility standards for security, reliability, parts availability, and equipment standardization. This project will focus on a) the filtration process at the WTP which will include the replacement of 6 PLCs; and b) at the (2) booster stations and six (6) repump stations which will include replacement of eight (8) PLCs. The project involves highly technical work by SCADA Integrators to accomplish the following: a) Selecting and building the PLC equipment, b) Programming the PLC to meet plant automation functional requirements, and c) Integrating the new PLC with the plant SCADA system.
11. CC&B Upgrade Project: The current version of the Oracle Customer, Information, Billing and Revenue Management system for water and wastewater utility services is no longer supported by the software developer and is creating security and stability risks. The project will update the current version from CC&B v2 3.1 to v2.7.0. The project is a collaboration between the Utilities Customer Service and the IT department and will allow the Utilities Customer Service to provide reliable and efficient service to all our customers.
12. Customer Service Process Improvement Project: The process improvement project will allow the department to continue working with the current staffing levels though the current state volume of field water meter collections activities indicates an immediate need for 2 additional full-time positions in order to maintain customer service performance levels and cost. Inability to maintain current service levels will negatively impact the response time of the City of West Palm Beach's to turn on/off water service to residents (voluntarily & involuntarily). This project has an opportunity to reduce the manual effort related to creating work orders, assigning work orders and updating CC&B accordingly by introducing mobile tablets and automating workflow system process to bypass manual processes. This project will automate manually intensive and paper driven processes to create the capacity to support the existing volume with the current resources and mitigate the risk of hiring 2 additional FTEs. This project will also mitigate the safety risk associated with drivers using cell phones to field order(s) information. The automated process will convey field orders to drivers via a tablet and provide the field representatives a means to submit concerns to their dispatch team via the tablet application.

**Fiscal Note:**

Post approval the Water and Sewer General Reserve Fund 459 balance will be approximately \$52 million. The approximate reserve for future projects balances in the various funds will be: Water and Sewer Renewal, Replacement and Improvement Fund 454 - \$1M; Storm Water Renewal and Replacement Fund 485 - \$232,000; and Storm Water Series 2017 Construction Fund - \$1.9M.

7. **Resolution No. 146-20 authorizing the assessment of city liens in the total amount of \$28,367.44 for unpaid water service sewer service, and stormwater service charges for the month of March 2020.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AND AUTHORIZING AN ASSESSMENT OF CITY LIENS FOR UNPAID WATER SERVICE, SEWER SERVICE, AND STORMWATER SERVICE; PROVIDING THAT SAID LIENS SHALL BE PRIOR IN DIGNITY TO ALL OTHER LIENS AGAINST THE ASSESSED PROPERTIES, SAVE AND EXCEPT A LIEN FOR TAXES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22938*

**Staff Recommended Motion:**

Approve Resolution No. 146-20.

**Background:**

In accordance with the Code of Ordinances of the City of West Palm Beach, Florida, 2003, Sections 90-4 and 90-5, the City imposes liens on private real property for delinquent payments due for utility services. The liens to be assessed by Resolution No. 146-20 are for unpaid water sewer, sewer service and stormwater service charges for the month of March 2020. The list of properties to be assessed and the associated charges totaling \$28,367.44 are attached to Resolution No. 146-20 as Exhibit A - Utility Lien List - March 2020. If not paid, these liens may be foreclosed by the City.

**Fiscal Note:**

No fiscal impact.

8. **Resolution No. 154-20 authorizing the release of code enforcement liens encumbering 3815 Eastview Avenue.**

**A RESOLUTION OF THE CITY COMMISSION OF CITY OF WEST PALM BEACH, FLORIDA, CONDITIONALLY WAIVING CITY LIENS; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A RELEASE OF CODE ENFORCEMENT LIENS ENCUMBERING CERTAIN REAL PROPERTY LOCATED AT 3815 EASTVIEW AVE., WEST PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22939*

**Staff Recommended Motion:**

Approve Resolution No. 154-20.

**Background:**

The historic property at 3815 Eastview Ave. was built in 1926 and is known as the Helen Miller House. Oral history claims that the home was owned by a bootlegger who used it as a look-out for Federal Agents. It is located at the highest point above sea level in West Palm Beach. Code history shows that the property started to deteriorate in 2009 when it was owned by a financial institution. The property has been cited 11 times since then for multiple code violations, including but not limited to: exterior paint, overgrowth, trash, debris, exterior deterioration, roof repairs, and numerous structural issues. Two cases were heard by the Special Magistrate which have been accruing fines: one in 2016 at \$250 per day, and the other in 2018 at \$250 per day. Currently, the fines total \$353,000. The property was declared a Chronic Nuisance in April of 2019. Since the deterioration of this property began, there have been 3 different owners unable to save this remarkable property. It was recently acquired by a new owner, PaceCon Inspections and Consulting, LLC, who has rehabilitated many properties, including historic properties, in the City of West Palm Beach. PaceCon has established a good reputation and shown an admirable work ethic indicating that it is capable of taking on a project of this size. This Resolution would provide for the release of the code enforcement liens if all of the following conditions are met: submission of acceptable plans for the rehabilitation of the property to the Building Division within 60 days and address any plan review comments of the Building Division within 30 days of receipt of such comments; payment of any resolution liens or outstanding taxes within 60 days; payment of an administrative fine of \$10,000 within 90 days; completion of the property's rehabilitation by May 31, 2021 including finalization of all permitting and inspections.

**Fiscal Note:**

Approval will conditionally release the \$353,000 fine/lien in exchange for, among other conditions, a \$10,000 administrative fee, payment of any outstanding debt owed to the City, and payment of any outstanding taxes.

**9. Resolution No. 155-20 approving a Data Provision and Confidentiality Agreement between the City and Palm Beach County.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA AUTHORIZING AND APPROVING A DATA PROVISION AND CONFIDENTIALITY AGREEMENT BETWEEN THE CITY AND PALM BEACH COUNTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22940*

**Staff Recommended Motion:**

Approve Resolution No. 155-20.

**Background:**

The Department of Housing and Community Development (HCD) and the Palm Beach County Department of Community Services both receive annual federal and state funding from the U.S. Department of Housing and Urban Development (HUD) and Florida Housing Finance Corporation (FHFC) to provide social service programs to at-risk populations within the community.

On January 30, 2017, by Resolution 36-17, the City Commission authorized the City and Palm Beach County's execution of a Data Provision and Confidentiality Agreement (the "2017 Agreement") whereby the City agreed to maintain HOPWA health and housing services data in the County's Provide Enterprise system and the City and County agreed to share access to client-level data for clients who receive both Ryan White Part A and HOPWA services.

This data sharing partnership has facilitated better coordination of community services to mutual clients and is beneficial for the City and the County to have the ability to share data regarding these clients. The County and the City's common software and databases used has helped manage client eligibility, generate unduplicated counts and service patterns of clients accessing services. Additionally, the system has assured adherence to client housing plans, monitor client health outcomes and reduce duplication of services. By utilizing a common data system and collaborating in service delivery planning, the City and County have simplified the application and enrollment process for eligible individuals using technology, streamline services to those in need and improve the health and housing outcomes of shared clients.

The 2017 Agreement was originally for a term of three years with an option to renew for another three years. The County and the City now desire to enter into an agreement for a five-year term, with an option to renew for an additional five-year term. In addition to the term extension, the County will now provide the City access to additional databases, collectively referred to as "Data Management Information Systems." The City and the County will now collectively have access to Provide Enterprise software, ClientTrack software, and the Online System for Community Access to Resource and Social Services (OSCARSS) that enable interoperability between client services databases. This collaborative effort will help allocate unduplicated resources to the most vulnerable population while ensuring data integrity and confidentiality.

The City and the County, continue to find that the sharing of data enhances the ability of each agency to provide this vital service and as such desire to renew the terms of this partnership by executing a new Data Provision and Confidentiality Agreement to provide the terms and conditions for sharing such data.

The new Data Provision and Confidentiality Agreement between the City of West Palm and Palm Beach County is attached.

The Department of Housing and Community Development recommends and requests approval of Resolution No. 155-20.

**Fiscal Note:**

No fiscal impact.

10. **Resolution No. 158-20 ratifying the submittal to FEMA for an amendment to the grant award for the hurricane hardening at the City's Water Treatment Plant to remove the Project Management costs.**

**Resolution 159-20(F) amending the Water and Sewer Renewal and Replacement Fund budget in accordance with the amended grant agreement.**

**RESOLUTION 158-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, RATIFYING AN AMENDMENT TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT FOR A HAZARD MITIGATION PROJECT RELATED TO HURRICANE HARDENING AT THE CITY'S WATER TREATMENT PLANT LOCATED AT 1009 BANYAN BOULEVARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**RESOLUTION 159-20(F): A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2019/2020 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE WATER AND SEWER RENEWAL AND REPLACEMENT FUND BUDGET TO INCREASE THE APPROPRIATION IN ACCORDANCE WITH THE AMENDED FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT FOR A HAZARD MITIGATION PROJECT RELATING TO HURRICANE HARDENING AT THE CITY'S WATER TREATMENT PLANT LOCATED AT 1009 BANYAN BOULEVARD; APPROPRIATING PROJECT FUNDING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**  
*Agenda Cover Memorandum No.: 22941*

**Staff Recommended Motion:**

Approve Resolution No. 158-20 and Resolution No. 159-20(F).

**Background:**

The West Palm Beach Water Treatment Plant operates 24 hours per day 7 days per week to meet the City's demand for potable water. During hurricane events, the Water Treatment Plant continues to operate until it either loses all power or suffers catastrophic damage to the facilities or equipment.

Operations during a storm event requires a Lock-Down crew of licensed operators, electricians and mechanics to maintain the facilities and equipment. In 2019, Hurricane Dorian threatened to strike Palm Beach County with Category 5 winds raising serious questions about the safety and security of the lock-down crews.

The Operations Control Center is located within the Administration Building which is rated for Category 3 winds or less. In addition, the East Pump House, which typically houses the Distribution System Lock-Down crews during a storm event, is also rated for Category 3 winds or less.

Following hurricane Dorian, the City obtained a FEMA Wind Mitigation Grant through the Florida Department of Emergency Management. The Grant addresses the hardening of the Administration and East Pump House buildings to Category 5 winds of 187 miles per hour.

The Grant included Project Management (PM) costs of \$42,500 which were to be split 75/25 between FEMA and the City. On April 17, 2020, the City was notified that the PM costs would not be included within the grant budget but would be reimbursed 100 percent at the end of the project up to 5 percent of the total project costs. The City was required to submit a request to amend the grant agreement to remove the PM costs from the grant or risk losing nearly \$715,000 in federal dollars by June 1, 2020.

The request to remove the PM costs was submitted to the Florida Department of Emergency Management on May 8, 2020. The removal of PM costs reduces the City's required grant match and results in the City receiving additional grant funds in an amount not to exceed \$11,850.

Resolution No. 158-20 ratifies the Mayor's execution of the amendment to the Grant Agreement.

**Fiscal Note:**

The Water and Sewer Renewal and Replacement Fund 454 will be amended to reflect an increase of \$11,850 in eligible grant revenue and project expense according to amended agreement.

11. **Resolution No. 160-20(F) accepting funding in the amount of \$23,000 from the West Palm Beach Library Foundation to support the Mandel Public Library's Teen Homework Center.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2019/2020 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE SPECIAL REVENUE FUND TO PROVIDE APPROPRIATIONS FOR A CONTRIBUTION FROM THE WEST PALM BEACH LIBRARY FOUNDATION TO CONTINUE OPERATION OF THE TEEN HOMEWORK CENTER; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22942*

**Staff Recommended Motion:**

Approve Resolution No. 160-20(F).

**Background:**

On January 11, 2010, the City Commission of the City of West Palm Beach adopted Resolution No. 6-10 which authorized execution of a fundraising agreement between the City and the West Palm Beach Library Foundation, Inc. to solicit donations for the Mandel Public Library of West Palm Beach and to assist in funding enhanced services at the Library. The Library strives to provide unique programming for citizens of all ages in West Palm Beach such as health and fitness classes, art classes, computer workshops, homework help and so much more.

The West Palm Beach Library Foundation received funds from the Palm Beach County Sheriff's Office State Law Enforcement Trust Fund in the amount of \$23,000. Funding will continue to support the Teen Homework Center by employing local and certified public-school teachers. The teachers will provide homework assistance in a safe and inviting setting for teens four nights a week at the Mandel Public Library of West Palm Beach. Not only will the teens receive homework assistance, they can also take part in Get-That-Job courses, STEAM workshops and college preparation classes.

**Fiscal Note:**

Approval recognizes grant proceeds and provides appropriations for the Library Teen Homework Center.

12. **Resolution No. 161-20(F) accepting and appropriating funds in the amount of \$17,000 from the West Palm Beach Library Foundation for the Summer Learning Programs at the Mandel Public Library of West Palm Beach.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2019/2020 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE GRANT PROGRAMS SPECIAL REVENUE FUND BUDGET TO PROVIDE APPROPRIATIONS FOR THE RECEIPT OF WEST PALM BEACH LIBRARY FOUNDATION FOR A SUMMER READING PROGRAM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22943*

**Staff Recommended Motion:**

Approve Resolution No. 161-20(F).

**Background:**

Library staff understands the important role summer learning plays in children's and teens lives. We recognize that research shows that summer learning loss is the major factor in explaining the achievement gap between middle class and disadvantaged students. Each summer, the youth services staff creates a Summer Learning Program (SLP), (formerly known as Library Summer Academy), that is an interactive hands-on learning experience that also includes teacher-led small group tutoring to support K-12 learners. Last summer, nearly 1,300 K-12 students reported over 5,400 hours of reading and attended teacher-led small group sessions over 1,000 times. We are currently modifying these programs to support, encourage and inspire today's learners in this physically distanced season as a response to COVID-19. Teachers will be providing online tutoring assistance and the library's summer reading incentive program will go online as well with library staff mailing out free gift books to readers and other fun prizes to keep them reading all summer long.

This funding will support the Library's Summer Learning Program by providing incentives and general supplies for children participating in the Library's nine (9) week summer learning activities. The funding source is the West Palm Beach Library Foundation (WPBLF).

- 13. Resolution No. 163-20(F) authorizing the transfer of funds in the amount of \$67,449.46 for the Martin Luther King Memorial project.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF CITY FUNDS IN FISCAL YEAR 2019/2020 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE CAPITAL ACQUISITION FUND TO PROVIDE APPROPRIATIONS FOR THE MARTIN LUTHER KING MEMORIAL PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22944*

**Staff Recommended Motion:**

Approve Resolution No. 163-20(F).

**Background:**

Resolution No. 163-20(F) provides additional appropriations for the Martin Luther King (MLK) Memorial Refurbishment/Improvements in the amount of \$67,449.46.

On March 11, 2019, City Commission approved Resolution No. 90-19 for the MLK Memorial Wall refurbishment. The MLK Memorial Wall is located east of North Flagler Drive between Piccadilly Street and Butler Street in Currie Park. It was designed in 1998 and built in the early 2000's. The improvements include repair of the fountain, replacement of the granite slabs to improve visibility, removal of the secondary wall to open up the wall's view to the water, relocating the writings to a more prominent location at the front of the wall, and the addition of lighting features to improve safety and security. The scope



of work also includes addressing the plumbing system of the fountain, improving of the visuals of the wall, re-grading the back of the removed wall for public use and locating the writings and information stand about the specific design features of the wall and flags.

In February 2020, the City competitively bid the repair work. All-Site Construction, Inc. was the only bidder with a construction cost of \$292,123. All-Site Construction, Inc. is both a certified Small Business and a certified MWBE company.

There is currently \$94,403.99 in the 304 Capital Acquisition Fund 304 and \$143,686 available in the 2016B Capital Improvement Fund 329 for a total of \$238,089.99 available for construction.

The Currie Park Boat Ramp project was completed in early 2020. There is \$67,449.46 left in the project budget in the Capital Acquisition Fund 304. This request is for the transfer of the available funding left over from the Currie Park Boat Ramp project to complete the MLK Refurbishment project. This would provide for a total amount of \$305,539.45 to complete the MLK Refurbishment project, which includes a contingency over the actual Bid Amount.

Resolution No. 163-20(F) approves the transfer of \$67,449.46 presented to the Commission for the MLK Memorial repairs.

COMMISSION DISTRICT: District 1: Commissioner Kelly Shoaf.

**Fiscal Note:**

Approval will transfer funding, as follows:

From: Improvements Other Than Buildings – Basin Dredging/Staging  
304-070600-572-500630-10138460 \$(67,449.46)

To: Other Capital Expenditures- Martin Luther King Memorial Rebuild  
304-042100-539-500661-10138603 \$67,449.46

**15. Resolution No. 170-20 granting an easement to Florida Power & Light at 202 N. Sapodilla Ave. as part of the Banyan Boulevard Complete Streets project.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING A UTILITY EASEMENT TO FLORIDA POWER & LIGHT ON CITY PROPERTY AT 202 N. SAPODILLA AVE. FOR UNDERGROUNDING EXISTING FACILITIES ALONG BANYAN BOULEVARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

***Agenda Cover Memorandum No.: 22946***

**Staff Recommended Motion:**

Approve Resolution No. 170-20.

**Background:**

As part of the Banyan Complete Streets Project, a portion of the overhead electrical facilities is to be relocated underground between N. Sapodilla and Rosemary Ave. with one above-ground transformer. The City currently owns the property located at 202 N Sapodilla Ave., which is on the Northeast corner of Sapodilla and Banyan. FPL has requested a 10-foot easement along the North right-of-way of Banyan Blvd. to relocate its facilities.

COMMISSION DISTRICT: This project is located in Commission District No. 3: Commissioner Christy Fox.

**Fiscal Note:**

No fiscal impact.

**16. Resolution No. 174-20 authorizing the recording of a Maintenance Map for Banyan Boulevard from Australian Avenue to Flagler Drive.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH AUTHORIZING THE RECORDING OF A MAINTENANCE MAP FOR BANYAN BOULEVARD FROM AUSTRALIAN AVENUE TO FLAGLER DRIVE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22947*

**Staff Recommended Motion:**

Approve Resolution No. 174-20.

**Background:**

The City is making pedestrian and streetscape improvements as part of the Banyan Boulevard Complete Streets Project. The Banyan Boulevard Complete Streets project is a major reconstruction project to enhance safety and efficiency of the corridor. The scope of work includes but is not limited to: drainage improvements, street lighting, ADA access, landscaped median, midblock crosswalk enhancement, traffic signalization, smart city technology, and sidewalk and bike access. The City Commission, by Resolution No. 357-19 granted "Face of the City" approval of the design features for the proposed improvements to Banyan Boulevard; by Resolution No. 57-20 approved the Guaranteed Maximum Price for Banyan Boulevard streetscape under the construction contract with Whiting-Turner; and by Resolution No. 58-20 approve the Project Funding Agreement with the CRA.

As part of the Banyan Boulevard Complete Streets Project, the City completed a boundary survey along the corridor. The survey revealed several gaps in the rights of way maps along Banyan Boulevard, resulting in portions of the sidewalk laying outside of the platted and dedicated right of way.

The portions of the existing sidewalk and project areas not within the platted right of way have served as part of the sidewalk and right-of-way. The City of West Palm Beach has

maintained the Banyan Boulevard right-of-way and sidewalks, including these areas, in the same manner as its other right of ways, continuously and uninterruptedly for significantly more than the immediate last seven years.

Pursuant to Section 95.361, Florida Statutes, the filing of a maintenance map by the City in the Office of the Circuit Court of Palm Beach County will vest the ownership of the area in the City and allow the City to repair or replace the sidewalk along Banyan Boulevard and make other improvements as part of the Banyan Boulevard Complete Streets Project. Resolution No. 174-20 approves the recording of a Maintenance Map for Banyan Boulevard from Australian Avenue to Flagler Drive in order to allow for the City to repair and/or replace those portions of the sidewalk and project area laying outside the existing platted and dedicated right-of-way (but within existing street and sidewalk areas).

COMMISSION DISTRICT: District 3: Commissioner Christy Fox.

**Fiscal Note:**

No fiscal impact.

**ITEM PULLED FROM THE CONSENT CALENDAR:**

14. **Resolution No. 165-20 PULLED authorizing a Memorandum of Understanding between the City of West Palm Beach and the West Palm Beach Association of Firefighters Local 727; providing for a resolution concerning the upcoming 2020 Lieutenants promotional process.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA RATIFYING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WEST PALM BEACH AND THE WEST PALM BEACH ASSOCIATION OF FIRE FIGHTERS LOCAL 727 (IAFF) TO ADDRESS CONCERNS OF CANDIDATES FOR THE UPCOMING 2020 LIEUTENANTS PROMOTIONAL PROCESS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22945*

**Staff Recommended Motion:**

Approve Resolution No. 165-20.

**Background:**

Candidates for the upcoming 2020 Lieutenants promotional process ("2020 LPP") presented concerns that due to the COVID-19 pandemic and the shutdown of certain services in response to the Governor's Executive Order and Florida's State of Emergency, they are or were unable to meet certain eligibility criteria set forth in Article 25 - PROMOTIONS of the current collective bargaining agreement. The proposed Memorandum of Understanding (MOU) was collectively bargained and allows for the resolution of their concerns uniquely applicable to the 2020 LPP. The MOU is pending IAFF ratification by June 15, 2020 and requires ratification by the commission in order for it to be binding on the City.

The exact terms of the MOU are shown in the attachment, and address the following eligibility criteria:

1. Renewal of drivers' licenses to sit for the 2020 LPP test; and
2. Deadline extension until September 30, 2020 to meet Apparatus Operations and ICS-300 Intermediate ICS for expanding Incidents training requirements.

This MOU is non-precedent setting. All other terms of the collective bargaining agreement between the City and the IAFF remain in full force and effect.

#### **COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:**

#### **PUBLIC HEARING:**

17. **Public Hearing and First Reading of Ordinance No. 4900-20: ~~WITHDRAWN~~ Regarding a Future Land Use Map Amendment of ±9.995 acres located at 2400 Metrocentre Boulevard East from Commercial/Special Impact Zone to Multifamily;**

**Public Hearing and First Reading of Ordinance No. 4901-20: ~~WITHDRAWN~~ Regarding a rezoning of ±9.995 acres located at 2400 Metrocentre Boulevard East from Commercial Planned Development to Multifamily High Density Residential; and**

**Discussion of Resolution No. 152-20: ~~WITHDRAWN~~ Regarding a Major Amendment to the Metrocentre Commercial Planned Development to modify the boundaries, removing Lot 10 and a portion of the adjacent lake, totaling ±9.995 acres located 2400 Metrocentre Boulevard East.**

The above-referenced requests are being made by David Milledge and Alex Ahrenholz, of Cotleur & Hearing, on behalf of TAM-CAT 45th ST LLC.

**ORDINANCE NO. 4900-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF WEST PALM BEACH, FLORIDA, BY CHANGING THE FUTURE LAND USE DESIGNATION OF ±9.995 ACRES LOCATED AT 2400 METROCENTRE BOULEVARD EAST FROM COMMERCIAL/SPECIAL IMPACT ZONE TO MULTIFAMILY; DECLARING THE PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**ORDINANCE NO. 4901-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH BY REZONING ±9.995 ACRES LOCATED AT 2400 METROCENTRE BOULEVARD EAST FROM A COMMERCIAL PLANNED DEVELOPMENT ZONING DESIGNATION TO MULTIFAMILY HIGH DENSITY RESIDENTIAL; DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE ZONING MAP OF THE CITY ACCORDINGLY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**RESOLUTION NO. 152-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE METROCENTRE COMMERCIAL PLANNED DEVELOPMENT, GENERALLY LOCATED SOUTH OF 45TH STREET, WEST OF INTERSTATE 95, TO MODIFY THE BOUNDARIES OF THE COMMERCIAL PLANNED DEVELOPMENT BY REMOVING LOT 10 AND A PORTION OF THE ADJACENT LAKE TRACT, TOTALING ±9.995 ACRES LOCATED AT 2400 METROCENTRE BOULEVARD EAST; DECLARING THIS AMENDMENT CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*Agenda Cover Memorandum No.: 22948*

**Staff Recommended Motion:**

**MOTION TO CONTINUE THIS ITEM UNTIL JULY 27, 2020.**

Approve Ordinance No. 4900-20, changing the Future Land Use designation of ±9.995 acres located at 2400 Metrocentre Boulevard from Commercial to Multifamily. This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board and the findings that the request complies with the standards found in Policy 1.1.5 of the Future Land Use Element of the City's Comprehensive Plan.

Approve Ordinance No. 4901-20, changing the zoning designation of ±9.995 acres located at 2400 Metrocentre Boulevard from Commercial Planned Development to Multifamily High Density Residential. This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board and the findings that the request complies with the Comprehensive Plan and the standards in Section 94-32 of the City's Zoning and Land Development Regulations.

Discuss Resolution No. 152-20, this will approve a Major Amendment to the Metrocentre Commercial Planned Development to modify the boundaries and remove Lot 10 and a portion of the adjacent lake, totaling ±9.995 acres located 2400 Metrocentre Boulevard East.

**Background:**

(The information provided below is a general summary. A full analysis is included in the Staff Report attached hereto as ATTACHMENT 1).

Located on the south side of 45th Street, immediately west of Interstate 95, the subject property consists of the development that is currently known as Metrocentre. Originally approved in 1987 and referred to as Presidential Square Corporate Park, the City Commission adopted Ordinance No. 2052-87 establishing the site as a Commercial Planned Development (CPD) with a total of 17 lots, a lake tract, and private roadways. Every lot within Metrocentre has since been built out and totals over 540,000 square feet of various commercial uses.

In recent years, there has been an increase in interest to re-use some of the lots, especially Lot 10 located at the eastern terminus of Metrocentre Boulevard. This site most recently housed the Lincoln Culinary School in the existing two (2) story building, consisting of just under 27,000 square feet. The building has remained vacant for several years after the culinary school vacated the property. There was a recent effort to try and repurpose the site by expanding the existing building to a total of 62,044 square feet, as well as construct an additional 20,000 square foot building in the northeast corner of the site. Both buildings were proposed to consist of office uses and were approved by the City Commission on May 20, 2019, with the adoption of Ordinance No. 4852-19 and Resolution No. 132-19. This project never came to fruition and applications have now been submitted with the end-goal to demolish all existing improvements and redevelop the site with a multifamily residential development. In order to begin their plans for redevelopment, multiple applications have been submitted to the City.

**MAJOR PLANNED DEVELOPMENT (PD) AMENDMENT | Resolution No. 152-20**

The subject property currently has a Commercial Planned Development (CPD) zoning designation. The applicant is first proposing to remove Lot 10 ( $\pm 3.997$  acres), as well as a portion of the existing lake ( $\pm 5.998$  acres), from the CPD and make it a stand-alone development site. Pursuant to Sec. 94-207.e.1.b. of the City's Zoning and Land Development Regulations (ZLDRs), any boundary change to an existing PD necessitates a Major Amendment. The change in the boundary requires modification of the existing Development Order and corresponding Master Plan. With the exception of the boundary change and modification to remove the  $\pm 9.995$  acres from the existing CPD, no other changes are being made. The development potential on all other lots will remain unchanged and continue to be governed by the same development regulations that have been in place for many years.

FUTURE LAND USE MAP AMENDMENT and REZONING | Ordinance Nos. 4900-20 and 4901-20

After removal of Lot 10 and a portion of the adjacent lake from the Metrocentre CPD, the applicant is requesting that the FLU designation of the subject property be changed from Commercial/Special Impact Zone (C/SIZ) to Multifamily (MF) and that the property be assigned a zoning designation of Multifamily High Density (MF32) Residential. While no specific development plans have been submitted at this time, changing the FLU designation on the ±9.995 acres would allow the property to be redeveloped with a maximum of 322 multi-family dwelling units. As the existing lake would need to be maintained for drainage purposes, all of the development would occur within Lot 10.

As shown in the LOS analyses, this change in FLU will result in an increase in impact to some of the various public utility systems. However, it has been determined that the change in the FLU designation can be accommodated. It is important to highlight that the conversion of the subject property to a MF FLU designation will significantly reduce the traffic that could be generated from the property. With the assumption that the entire subject property (±9.995 acres) could currently be built out at a Floor Area Ratio of 0.75, this would result in over 9,500 daily vehicular trips. A multifamily development built to the maximum potential of 322 dwelling units would result in just over 1,700 daily vehicular trips, a reduction of over 7,700 daily vehicular trips.

The above-described amendments to the FLU and zoning maps will allow the subject property, currently confined within an office park, to be redeveloped as a multifamily use. This is a trend that has been growing recently as office parks look to diversify and bring residents closer to employment centers. A similar effort is underway at Centrepark, located on Australian Avenue just north of Belvedere Road. What was once an office park strictly limited to commercial/office uses is now seeing the construction of its first residential project; a second residential project is being planned as well.

Due to its location at the terminus of Metrocentre Boulevard and disconnect from amenities and services that would support the residential development, Staff will need to work extensively with the developer at the time when the site plan is submitted for review to ensure there is connectivity, pedestrian facilities, residential amenities, etc. The scale of the project would also require that it go through the public hearing process, providing a process to further refine the future project.

**CONCLUSION:** The proposed amendments to the FLU and Zoning Maps will allow for redevelopment of a site that has otherwise remained unoccupied for a number of years. As indicated previously, there is a growing trend of residential dwelling units being introduced into office parks that were formerly exclusive of commercial uses. Future development of the subject property with residential will result in less impact than if the site were build-out to its maximum commercial potential and the residential development will bring new residents and a continued investment in the area. It is Staff's professional opinion that the requests comply with the standards required by the City's Comprehensive Plan and Zoning

and Land Development Regulations, and therefore is recommending approval.

PLANNING BOARD: After a Public Hearing on April 21, 2020, the Planning Board recommended approval (7-0).

PUBLIC NOTICE: Individual notices were mailed to all property owners within 500 feet of the property, and signs were posted on the subject property. As required by Florida Statutes, Ordinance No. 4900-20 was advertised on June 8, 2020. All ordinances and resolutions will also be advertised prior to second reading.

COMMISSION DISTRICT: The site is located within Commission District No. 2: Commissioner Cory Neering.

**Fiscal Note:**

No fiscal impact.

**ADJOURNMENT:**

**\*Pursuant to Resolution No. 179-95, adopted according to the provisions of Section 286.0115, Florida Statutes, members of the Commission shall disclose on the record: 1) ex-parte communications - verbal or written and written communications shall be placed in the record; and 2) site visits, investigations, etc.**

**NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION OF THE CITY COMMISSION AT THIS MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THAT PURPOSE 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. THE CITY OF WEST PALM BEACH DOES NOT PREPARE OR PROVIDE SUCH A RECORD.**