



WEST PALM BEACH

City Commission Agenda Cover Memorandum

Originating Department: City Clerk (CC)	Meeting Type: Regular	Advertised: Required?: <input type="radio"/> Yes <input checked="" type="radio"/> No	ACM#: 22766
	Agenda Date: 01/13/2020		

Subject:

Minutes of the Regular City Commission Meeting of December 16, 2019.

Ordinance/Resolution:

Staff Recommended Motion:

Approve the Minutes of the Regular City Commission Meeting of December 16, 2019.

Background:

Fiscal Note

Current Year:	Annualized:	Budgeted:	Unbudgeted:	Funding Source:
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Comment: No fiscal impact.

Electronic Attachments: [Click here for assistance with naming convention.](#)

Is this ACM related to a **Grant**? Yes No

Is this ACM related to **Housing**? Yes No

Originating Department - Approved by: Hazeline Carson on 12/19/2019

Agenda Category/Status

Action requested by Reviewer before approval .

12/19/2019 Asst. City Administrator



12/19/2019 City Administrator



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CITY OF WEST PALM BEACH
OFFICE OF THE CITY CLERK
REGULAR CITY COMMISSION MEETING
December 16, 2019

The City Commission of the City of West Palm Beach met in regular session on Monday, December 16, 2019 at 5:04 p.m., at City Hall, with the following persons present:

Mayor Keith James, President of the Commission Christina Lambert, Commissioner Cory Neering, Commissioner Joseph Peduzzi, Commissioner Richard Ryles, and Commissioner Kelly Shoaf, Interim City Administrator Faye Johnson, City Attorney Kimberly Rothenburg, and City Clerk Hazeline Carson.

CALL TO ORDER:

INVOCATION:

Mayor James requested a moment of silence.

PLEDGE OF ALLEGIANCE:

Commissioner Lambert led the 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, Sections 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:

Mayor James requested that item #19 be moved to be heard after item #14.

Motion was made by Commissioner Ryles, seconded by Commissioner Peduzzi, to move item #19 to item #15; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

PRESENTATION AND AWARDS OF MERIT (1):

- 1. Proclaiming: The City of West Palm Beach is committed to partnering with the U.S. Census Bureau to help ensure a full and accurate count in 2020.**

Proclamation to be accepted by Kathleen Walter, Director of Communications; Alex Hansen, City Comprehensive Planner; Wendy Morse, Manager, Office of Community Engagement.

Mayor James read the proclamation into the record and presented it to Alex Hansen, City Comprehensive Planner, and Kathleen Walter, Director of Communications.

Mr. Hansen thanked the Mayor for the proclamation and encouraged everyone in West Palm Beach to complete the Census.

Public comment was made by Ed Chase.

COMMENTS BY THE MAYOR AND CITY COMMISSIONERS:

Commissioner Lambert thanked Commissioners Neering and Peduzzi, and other staff, for their efforts with the Transportation Planning Agency (TPA), and having the State Road 7 extension removed from the plan. She commented on protecting rights of all citizens of the City, and encouraged the City to participate in the Municipal Equality Index. She mentioned a recent community meeting at Howard Park about the dog park. She recognized the young people from Phipps Park in the audience.

Commissioner Neering gave a shout out to Commissioner Peduzzi for the meeting at TPA, and having the items removed. He wished everyone Happy Holidays.

Commissioner Peduzzi thanked his colleagues for their kind words and for helping him with that steady drum beat at the TPA Meeting. He mentioned the water source of Grassy Waters and how important it is for the region. He said it is not over and it will probably come back in February at the next TPA Meeting, and encouraged everyone to attend. He mentioned the Holiday Home Tour and stated that it was a fantastic event.

Commissioner Ryles said that last week he met with residents down south about some parking issues that have to be addressed. He stated that staff met with him and residents to discuss this issue, and we will have to address those issues long-term. There is also a concern about planning for flooding and we are at a point where we cannot overlook it. He stated that he met with the Federal Lobbyist who mentioned that there is federal money available to enhance our seawalls.

Commissioner Shoaf thanked staff for getting construction done before the Holiday Home Tour. She wished everyone Happy Holidays. She

mentioned the loss of a Pleasant City resident, Edmond Harper, and provided background on his service to the community. She stated that the community will try to maintain the Winter Wonderland Event, which will take place on December 21, 2019 at the Pentecostal Church from 12:00 p.m. until 3:00 p.m., and they are accepting toy donations.

Mayor James echoed kudos to Commissioners Neering and Peduzzi for the battle against the State Road 7 extension. He said there is a Liaison for the Municipal Equality Index Committee, which is chosen in March of each year. He mentioned attending the Palm Beach Chambers Meeting and the speech he gave regarding collaboration. He mentioned events he attended last week, including the groundbreakings that took place in the Historic Northwest, and the Jazz concert that took place at the Ann Norton Sculpture Garden, to honor local Veterans. He wished everyone Happy Holidays.

CONSENT CALENDAR (2-14):

Motion was made by Commissioner Neering, seconded by Commissioner Peduzzi, to approve the following Consent Calendar:

2. Minutes of the City Commission Meeting of November 18, 2019.
3. Minutes of the Special City Commission Meeting of November 25, 2019.
4. Resolution No. 386-19 ratifying the submittal of five (5) grant applications to the Florida Department of Emergency Management for Hazard Mitigation Grant Program (HMGP) funding to harden public safety facilities in West Palm Beach against storm events.

RESOLUTION NO. 386-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, RATIFYING THE SUBMITTAL OF FIVE GRANT APPLICATIONS TO THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT REQUESTING FUNDING FOR CRITICAL MITIGATION PROJECTS FOCUSED ON PUBLIC SAFETY FACILITIES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. Resolution No. 248-19 approving and authorizing the execution of a Mutual Aid Interlocal Agreement for Fire/Rescue Assistance between the City of West Palm Beach and the City of Riviera Beach.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF A MUTUAL AID INTERLOCAL AGREEMENT FOR FIRE/RESCUE ASSISTANCE BETWEEN THE CITY AND THE CITY OF RIVIERA BEACH; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. Resolution No. 400-19 granting ad valorem tax exemption for completion of the rehabilitation of the historic property located at 147 Greymon Drive.

RESOLUTION NO. 400-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE PROPERTY LOCATED AT 147 GREYMON DRIVE, WEST PALM BEACH, FLORIDA, AS A RESULT OF THE HISTORIC REHABILITATION OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. **Resolution No. 401-19 granting an ad valorem tax exemption for completion of the rehabilitation of the historic property located at 194 Pershing Way.**

RESOLUTION NO. 401-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE PROPERTY LOCATED AT 194 PERSHING WAY, WEST PALM BEACH, FLORIDA, AS A RESULT OF THE HISTORIC REHABILITATION OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. **Resolution No. 402-19 granting an ad valorem tax exemption for completion of the rehabilitation of the historic property located at 313 Datura Street.**

RESOLUTION NO. 402-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE PROPERTY LOCATED AT 313 DATURA STREET, WEST PALM BEACH, FLORIDA, AS A RESULT OF THE HISTORIC REHABILITATION OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9. **Resolution No. 375-19(F) accepting and appropriating funds in the amount of \$13,548.00 from Prime Time of Palm Beach County funded by the Children Services Council in recognition of the after-school programs at Gaines Park, Howard Park and South Olive Park achieving outstanding performance. These funds are solely to be used for program enhancements, staff development and staff recognition.**

RESOLUTION NO. 375-19(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 GENERAL FUND TO PROVIDE FOR THE RECEIPT AND APPROPRIATION OF THE IMOTIVATE INCENTIVE AWARD FROM PRIME TIME OF PALM BEACH COUNTY TO PROVIDE AFTER SCHOOL PROGRAM ENHANCEMENTS, STAFF DEVELOPMENT AND STAFF RECOGNITION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

10. **Resolution No. 409-19 approving a Grant Agreement with the FEMA through the Florida Division of Emergency Management for a hazard mitigation project related to hurricane hardening at the City's Water Treatment Plant and Resolution No. 407-19(F) providing appropriations for the receipt of the Grant funds and providing for the project funding.**

RESOLUTION NO. 409-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ACCEPTING A FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT FOR A HAZARD MITIGATION PROJECT RELATING TO THE HURRICANE HARDENING AT THE CITY'S WATER TREATMENT PLANT LOCATED AT 1009 BANYAN BOULEVARD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 407-19(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 GENERAL RESERVE FUND AND THE WATER AND SEWER RENEWAL AND REPLACEMENT FUND BUDGETS TO PROVIDE APPROPRIATIONS FOR THE RECEIPT OF A 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.

11. **Resolution No. 395-19 approving the use of Art in Public Places funds to fund a Public Art Project at Sunset Park and Resolution No. 396-19(F) authorizing related budget appropriations.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA APPROVING THE USE OF ART IN PUBLIC PLACES FUNDS TO FUND A PERMANENT PUBLIC ART PROJECT AT SUNSET PARK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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 ART IN PUBLIC PLACES CAPITAL PROJECT FUND BUDGET TO PROVIDE APPROPRIATIONS FOR THE SUNSET PARK PUBLIC ART PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

12. **Resolution No. 379-19 approving and adopting the 2020 Revised Palm Beach County Local Mitigation Strategy Plan.**

RESOLUTION NO. 379-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA APPROVING AND ADOPTING THE 2020 REVISED PALM BEACH COUNTY LOCAL MITIGATION STRATEGY PLAN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

13. **Resolution No. 390-19 authorizing the Mayor to execute a release of code enforcement liens encumbered at 939 35th Street and 720 L A Kirksey Street.**

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 939 35TH STREET AND 720 L A KIRKSEY STREET, WEST PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

14. **Resolution No. 414-19 approving an Interlocal Agreement among the Downtown Development Authority, the West Palm Beach Community Redevelopment Agency and the City, regarding the DDA Work Plan, Exemption for the tax increment portion of the second mill of ad valorem tax, Operation of the trolley system, and Downtown exterior maintenance, for Fiscal Years 2020-2024.**

Resolution No. 414-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT AMONG THE WEST PALM BEACH DOWNTOWN DEVELOPMENT AUTHORITY, THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF WEST PALM BEACH REGARDING THE DDA WORK PLAN; EXEMPTION FOR THE TAX INCREMENT PORTION OF THE 2ND MILL OF AD VALOREM TAX, OPERATION OF A PORTION OF THE TROLLEY SYSTEM, AND EXTERIOR MAINTENANCE IN THE DOWNTOWN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

Public comments were made by the following: Sandy Matkivich, Alan Levine, Sabra Kirkpatrick, and Jonathan Harris.

RESOLUTIONS (15-22):

- 15. Resolution No. 387-19 approving an agreement between the City of West Palm Beach and the Urban League of Palm Beach County for continuance of the Urban Youth Employment Works Program in the amount of \$150,000.00.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A GRANT AGREEMENT WITH URBAN LEAGUE OF PALM BEACH COUNTY TO PROVIDE A GRANT FOR CONTINUATION OF THE URBAN YOUTH EMPLOYMENT WORKS PROGRAM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Kevin Jones, Community Initiatives Coordinator, presented this item. He discussed the following: the Mayor's Village Initiative; 5 core pillar areas; the urban youth employment training program; and history.

Tomas Evangelista, Senior Director of Programs and Operations at the Urban League of Palm Beach County, introduced other members from the Urban League and discussed the following: mission statement; workforce development model; and Executive Summary Program Year 2019.

Richard Haines, Program Manager at the Urban League of Palm Beach County, provided statistics on the success of participants in the program.

Miles Davis, Case Manager at the Urban League of Palm Beach County, introduced participants in the program.

Richard Hendrix, participant of the program, spoke about his success with the program.

Tyreese Adelakun, participant of the program, spoke about his success with the program.

Isha Jamal Bogues, participant of the program, spoke about his success with the program.

Mr. Evangelista discussed the program strengths and why the City should continue to fund the Urban League program. He spoke about the mission of the City and their partnership with the Urban League.

Mayor James thanked them for the presentation and congratulated the young men in attendance for participating in the program.

Motion was made by Commissioner Ryles, seconded by Commissioner Shoaf, to approve Resolution No. 387-19; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

16. **Resolution No. 270-19 and Resolution No. 286-19(F) approving a temporary public art installation by local artist Eduardo Mendieta in Northwood Village at 24th Street and Broadway Avenue.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE ARTWORK ENTITLED “ORIGAMI CHAIN LINK FENCE SCULPTURES AND MURAL” BY ARTIST EDUARDO MENDIETA FOR INSTALLATION IN NORTHWOOD VILLAGE AT 24TH STREET AND BROADWAY AVENUE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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 2018/2019 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE ART IN PUBLIC PLACES CAPITAL PROJECT FUND TO PROVIDE APPROPRIATIONS FOR THE ORIGAMI CHAIN LINK FENCE SCULPTURES BY EDUARDO MENDIETA IN NORTHWOOD VILLAGE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sybille Welter, Art in Public Places Coordinator, presented the Origami chain link fence sculptures and murals project and discussed the following: the importance of temporary artwork; Eduardo Mendieta, artist; proposed renderings, origami crane, paper boat, and paper plane; location where the art will be at; and artists as contributors.

Commissioner Shoaf asked about the maintenance of the artwork.

Ms. Welter said there is a maintenance budget included in the Arts in Public Places fund that will maintain the integrity of the art work. She stated that if it becomes a safety issue, the City has the authority to pull it.

Motion was made by Commissioner Shoaf, seconded by Commissioner Lambert, to approve Resolution No. 270-19 and Resolution No. 286-19(F); and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

17. **Resolution No. 394-19 approving multiple artworks as Face of the City by local artist Hector Diaz for installation at Howard, Coleman, Gaines and South Olive Parks.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE ARTWORK ENTITLED “FRAME YOUR NEIGHBORHOOD” BY ARTIST HECTOR DIAZ FOR INSTALLATION AT HOWARD, COLEMAN, GAINES, AND SOUTH OLIVE PARKS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ms. Welter said this is the second exhibition under the call to artists for locals. The artist is local and wants to do art in three parks that have afterschool programs. She provided background on Hector Diaz aka ArtistDiaz. She showed his anamorphic artworks and explained how it is done. She showed the location for each of the artwork in the different parks and the name for each: Coleman Park will have the Florida Limpkin artwork; Gaines Park will have Kayaking artwork; Howard Park will have the Florida Gator artwork; and South Olive Park will have Manatee artwork. She stated that there will be a sign that shows where the vantage point is at each location, which will show the best 3D effects.

There was discussion regarding encouraging residents to visit each of the parks to view the artwork.

Motion was made by Commissioner Lambert, seconded by Commissioner Peduzzi, to approve Resolution No. 394-19; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 18. Resolution No. 399-19 to correct a scrivener's error and amend Resolution No. 273-19 regarding a Community Aesthetic Feature Agreement with the Florida Department of Transportation regarding installation of a sculpture in the Okeechobee median near the Tamarind Avenue intersection and provide that the City will to provide a perpetual deposit as security for repair or removal of the sculpture.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, TO CORRECT A SCRIVENER'S ERROR AND AMEND RESOLUTION NO. 273-19 TO PROVIDE THAT THE CITY WILL PROVIDE A PERPETUAL DEPOSIT TO FDOT WITH RESPECT TO THE COMMUNITY AESTHETIC FEATURE AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION RELATING TO INSTALLATION OF A SCULPTURE IN THE OKEECHOBEE MEDIAN NEAR TAMARIND AVENUE; PROVIDING FOR AN EFFECTIVE DATE; AND OTHER PURPOSES.

Ms. Welter explained the reason for the correction requested by the Florida Department of Transportation. She provided an update on when the projects will be completed.

Motion was made by Commissioner Lambert, seconded by Commissioner Ryles, to approve Resolution No. 399-19; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 19. Resolution No. 349-19 approving the Term Sheet for a loan to Rosemary WPB LLC in an amount not to exceed \$1,000,000 for the development of a 289 unit multi-family, mixed-income development in the Historic Northwest.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A LOAN TO ROSEMARY WPB, LLC, FOR THE DEVELOPMENT OF A 289 UNIT MULTIFAMILY RENTAL MIXED INCOME DEVELOPMENT IN THE HISTORIC NORTHWEST AREA; APPROVING A TERM SHEET; AUTHORIZING THE MAYOR TO EXECUTE THE LOAN AGREEMENT AND RELATED LOAN DOCUMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Jennifer Ferriol, Director of Housing and Community Development, said this is the companion item to the one heard during the CRA Meeting. She explained the City's contribution and the terms of the loan. She said they request approval of the term sheet and provided the reason. She said that the final agreement is contingent upon considerations and provided a list of those considerations. She said it is the biggest workforce housing development in the City.

Mayor James asked her to summarize the steps that need to be taken before the funding kicks in.

Ms. Ferriol explained what needs to be done before the final agreement is made.

Commissioner Lambert asked about the third party cost review analysis.

Ms. Ferriol explained what is entailed in the analysis.

Commissioner Neering asked about community involvement as we begin to develop the agreement.

Ms. Ferriol said that as long as it does not impact the ask and cost, the developer will continue to engage the community.

There was discussion regarding: survey of cost for surrounding properties; structure of the loan; the Stull and Lee updated study; how we know units will qualify at 80% or 100% AMI; way to quantify the amount of money we are spending; the percentage of the CRA funds allocated for northwest that this project will comprise; the amount of funds coming out of the CRA and the amount of TIF dollars; and the impact on future projects.

Public comments were made by the following: Phyllis Johnson, Robert Graham, Raphael Clemente, Robbie Littles, Michael Cleveland, Lawrence Gordon, Paula Ryan, Sandy Matkivich, Martina Walker, Stewart Bosley, Darren Studstill, Lia Gaines, Anthony Fasano, Teresa Johnson, Robbie Littles, Nivia Jean-Louis, and Shalonda Warren.

Commissioner Neering asked when the clock on the 15 years will start.

Ms. Ferriol responded that it starts when the certificate of occupancy is issued.

Commissioner Shoaf asked about other projects budgeted for FY20/21.

Allison Justice, Interim CRA Executive Director, mentioned the projects that are budgeted for 2020 and 2021.

Commissioner Neering asked about community engagement and how the project will move forward.

Jeffrey Burns, representing Rosemary WPB LLC, discussed the first look program and how the process will be done through the application process.

Motion was made by Commissioner Ryles, seconded by Commissioner Peduzzi, to approve Resolution No. 349-19 with an amendment to include in the term sheet a delineation of income levels and specific numbers and/or percentages; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 20. Resolution No. 406-19: Authorizing an application for and execution of all necessary contracts for insurance coverage for one-time payment benefits to certain firefighters as required under Florida Statute 112.1816.**

RESOLUTION NO. 406-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AND AUTHORIZING APPLICATION FOR AND EXECUTION OF ALL NECESSARY CONTRACTS FOR FIREFIGHTER CANCER INSURANCE FOR THE 14-MONTH PERIOD OF DECEMBER 1, 2019 – JANUARY 31, 2021, AS RECOMMENDED BY THE CITY'S INSURANCE BROKER, GEHRING GROUP; AUTHORIZING PAYMENT OF ALL INSURANCE PREMIUMS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Jose-Luis Rodriguez, Chief Human Resources Officer, said this item is required under the new Florida Statute.

Motion was made by Commissioner Ryles, seconded by Commissioner Shoaf, to approve Resolution No. 406-19; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 21. Resolution No. 391-19 approving a Local Agency Program Agreement with the Florida Department of Transportation for the construction of Roosevelt Estates ADA and Traffic Calming Improvements project; and Resolution No. 403-19 (F) providing for the receipt and appropriation of the grant funds.**

RESOLUTION NO. 391-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A LOCAL AGENCY PROGRAM AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF WEST PALM BEACH PROVIDING \$496,862.00 IN FUNDING FOR THE CONSTRUCTION OF ADA IMPROVEMENTS AT THE ROOSEVELT ESTATES NEIGHBORHOOD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 403-19 (F): A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF 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 ONE-CENT SALES TAX CAPITAL IMPROVEMENTS AND GRANT CAPITAL PROJECT FUND BUDGETS TO PROVIDE FOR THE RECEIPT OF A STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM (LAP) GRANT, MATCHING FUNDS, AND APPROPRIATIONS FOR THE ROOSEVELT ESTATES SIDEWALKS PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Uyen Dang, Traffic Engineer, explained the 2016 TPA Grant Project that was approved in 2016, and the reimbursement program. She discussed the scope of the project, the LAP agreement, and the next steps.

Commissioner Ryles asked what they are doing in terms of traffic calming.

Ms. Dang responded that they are doing a combination of speed humps and speed circles.

Commissioner Ryles asked about parking in the swales.

Ms. Dang explained what will be done to help mitigate parking issues.

Motion was made by Commissioner Ryles, seconded by Commissioner Neering, to approve Resolution No. 391-19 and Resolution No. 403-19 (F); and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

22. Resolution No. 352-19 granting "Face of the City" approval of above-ground design features for the improvements in connection with the Lift Station 52 Improvements project, located at the northwest corner of 36th Street and 36th Court.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING AND

APPROVING THE ABOVE-GROUND DESIGN FEATURES PRESENTED TO THE CITY COMMISSION FOR THE IMPROVEMENTS OF LIFT STATION 52, LOCATED AT THE NORTHWEST CORNER OF 36th STREET AND 36th COURT; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Luis Perez, Public Utilities, presented the Lift Station 52 improvements and discussed the following: project location; background information; proposed location-overall view; proposed site plan; scope of work; tentative schedule; and staff recommendation of approval.

Commissioner Neering asked who owns the land.

Mr. Perez responded that the City owns the land.

Motion was made by Commissioner Shoaf, seconded by Commissioner Ryles, to approve Resolution No. 352-19; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

PUBLIC HEARING (23-26):

- 23. Public Hearing and Second Reading of Ordinance No. 4883-19 amending Chapter 94 Zoning and Land Development Regulations, Article IV, Section 94-109, Definitions and minimum requirements; Section 94-132, Transfer of Development Rights program, and Figure IV-35, TDR Sending and Receiving Sites, to clarify certain regulations and update the eligible sending and receiving sites.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES AT CHAPTER 94 - ZONING AND LAND DEVELOPMENT REGULATIONS, SECTION 94-109-DEFINITIONS AND MINIMUM REQUIREMENTS; SECTION 94-132-TRANSFER OF DEVELOPMENT RIGHTS PROGRAM; AND FIGURE IV-35-TDR SENDING AND RECEIVING SITES; INTRODUCING ADDITIONAL REGULATIONS; CLARIFYING SEVERAL PROVISIONS; AND UPDATING THE ELIGIBLE TDR SENDING AND RECEIVING SITES; PROVIDING A CONFLICTS CLAUSE, A CODIFICATION CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ana Aponte, City Urban Designer, said that there have been no changes since first reading.

Motion was made by Commissioner Shoaf, seconded by Commissioner Ryles, to approve Ordinance No. 4883-19 amending the Zoning and Land Development Regulations at Section 94-109, Section 94-132 and Figure IV-35 to clarify certain regulations regarding transfer of development rights ("TDRs"). This motion is based on the factual

testimony presented, the staff report, the recommendation of the Planning Board, and the finding that the amendment complies with the standards found in Section 94-32 of the City's Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

24. **Public Hearing and Second Reading of Ordinance No. 4887-19 amending the Minority and Women Business Ordinance to better incorporate the recommendations of the Disparity Study.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, AT CHAPTER 66 – PROCUREMENT, ARTICLE XI - MINORITY / WOMEN BUSINESS ENTERPRISE PROGRAM, SECTION 66-260, CONSTRUCTION SUBCONTRACTOR GOALS; SECTION 66-261, PROFESSIONAL SERVICES PREFERENCE, AND ARTICLE I - GENERAL, SECTION 66-4 – DEFINITIONS TO BETTER INCORPORATE THE RECOMMENDATIONS OF THE DISPARITY STUDY AND TO CLARIFY PROVISIONS; PROVIDING A CONFLICTS CLAUSE, A CODIFICATION CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Nancy Urcheck, Deputy City Attorney, said that this is second reading, and this clarifies the definition of professional services and the subcontractor goals for construction services.

Motion was made by Commissioner Ryles, seconded by Commissioner Lambert, to approve Ordinance No. 4887-19. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

25. **Public Hearing and First Reading of Ordinance No. 4829-19: A City initiated request to amend Article X Supplemental District Regulations of Chapter 94 Zoning and Land Development Regulations to provide regulations for accessory structures and manufactured utility and tool sheds in the Echo Lake, North Shore and Westfield Neighborhoods.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST PALM BEACH, FLORIDA, AT CHAPTER 94, ZONING AND LAND DEVELOPMENT REGULATIONS, ARTICLE X, SUPPLEMENTAL DISTRICT REGULATIONS, SECTION 94-304, ACCESSORY STRUCTURES, TO LIMIT THE SIZE AND LOCATION OF SHEDS AND PROHIBIT OTHER ACCESSORY STRUCTURES IN THE ECHO LAKE, NORTH SHORE AND WESTFIELD NEIGHBORHOODS; DECLARING THIS AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING A

CONFLICTS CLAUSE, A CODIFICATION CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Angella Jones-Vann, Planning and Zoning Administrator, discussed the background and showed the location map. She explained accessory structures and said mailers were sent to all property owners. She stated that staff recommends approval.

Public comments were made by the following: Pearlene Dixon - did not want to speak, Virginia Grant, Eric Morris, Monica Morris' comment was read into the record by the Mayor, Maxine Young, Jacqueline Smith, and Ron Dixon.

Ms. Jones-Vann responded to comments made by the public.

Commissioner Shoaf asked if they remove a neighborhood from the list after first reading, can the ordinance be amended before second reading.

Kimberly Rothenburg, City Attorney, said if it was a significant change it cannot be amended, and removing a neighborhood is a significant change, so there would be an option to read the ordinance three times.

There was discussion regarding changing the language in the ordinance to please all three neighborhoods as opposed to carving out a neighborhood.

Motion was made by Commissioner Shoaf, seconded by Commissioner Neering, to approve Ordinance No. 4829-19, a text amendment to the Zoning and Land Development Regulations at Article X, Section 94-304 to amend the regulations regarding accessory structures to define and regulate manufactured utility and tool sheds and prohibit accessory structures in the Echo Lake, North Shore and Westfield Neighborhoods. This motion is based upon the factual testimony presented, the application submitted, the staff report, the Planning Board recommendation, and the findings that the amendment is consistent with the Comprehensive Plan and complies with the standards found in Section 94-32 of the City's Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

- 26. Public Hearing and First Reading of Ordinance No. 4885-19: A City initiated request for an amendment to the Downtown Master Plan Section 94-109, Definitions; and Section 94-113 Landscape and streetscape requirements to introduce additional provisions and clarify certain regulations.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES AT CHAPTER 94-ZONING AND LAND

DEVELOPMENT REGULATIONS SECTION 94-109 DEFINITIONS AND MINIMUM REQUIREMENTS; AND SECTION 94-113 LANDSCAPE AND STREETScape REQUIREMENTS; INTRODUCING ADDITIONAL PROVISIONS AND CLARIFYING CERTAIN REGULATIONS; PROVIDING A CONFLICTS CLAUSE, A CODIFICATION CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ms. Aponte discussed the following: background; proposed amendments; and staff's recommendation of approval.

Mayor James asked if there was opposition from the Planning and Zoning Board.

Ms. Aponte responded no, it was unanimous.

Motion was made by Commissioner Ryles, seconded by Commissioner Shoaf, to approve Ordinance No. 4885-19 amending Sections 94-109 and 94-113 of the Zoning and Land Development Regulations for the Downtown Master Plan area. This motion is based on the factual testimony presented, the staff report, the recommendation of the Planning Board, and the finding that the amendment complies with the amendment standards found in Section 94-32 of the City's Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

**PUBLIC HEARING – QUASI JUDICIAL (27-31):
DISCLOSURE OF EX PARTE COMMUNICATIONS, IF ANY*
SWEARING IN OF WITNESSES**

The City Clerk swore in all those persons having an interest in items 28-31.

Commissioner Ryles disclosed as to items 28 and 29: He has not had ex-parte communications; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

Commissioner Ryles disclosed as to items 30 and 31: He has had ex-parte communications with the applicant's representative; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

Commissioner Shoaf disclosed as to items 28 and 29: She has not had ex-parte communications; she has not received written communications; she has not conducted an investigation; she has not made a site visit; she

has not received expert opinions.

Commissioner Shoaf disclosed as to items 30 and 31: She has had ex-parte communications with the applicant and the developer's representatives; she has not received written communications; she has not conducted an investigation; she has not made a site visit; she has not received expert opinions. She requests that these disclosures and all written communications be made part of the record.

Commissioner Lambert disclosed as to items 28 and 29: She has not had ex-parte communications; she has not received written communications; she has not conducted an investigation; she has not made a site visit; she has not received expert opinions.

Commissioner Lambert disclosed as to items 30 and 31: She has had ex-parte communications with the applicant and the applicant's representative; she has not received written communications; she has not conducted an investigation; she has not made a site visit; she has not received expert opinions. She requests that these disclosures and all written communications be made part of the record.

Commissioner Neering disclosed as to items 28 and 29: He has not had ex-parte communications; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

Commissioner Neering disclosed as to items 30 and 31: He has had ex-parte communications with the applicant and their representatives; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

Commissioner Peduzzi disclosed as to items 28 and 29: He has not had ex-parte communications; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

Commissioner Peduzzi disclosed as to items 30 and 31: He has had ex-parte communications; he has not received written communications; he has not conducted an investigation; he has not made a site visit; he has not received expert opinions. He requests that these disclosures and all written communications be made part of the record.

- 27. Resolution No. 362-19: Public Hearing of Resolution No. 88-03: Regarding a request by Harvey Oyer of Shutts & Bowen LLP, on behalf of CityPlace Retail, LLC, for the approval of a Level III Site Plan Review within the CityPlace Development of Regional Impact (DRI) to construct a 21 story mixed use building containing 325 residential units, approximately 34,000 square feet of retail and approximately 57,000**

square feet of office.

Resolution No. 362-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, RELATING TO A DEVELOPMENT OF REGIONAL IMPACT (DRI) KNOWN AS "CITYPLACE" (FORMERLY KNOWN AS "DOWNTOWN/UPTOWN") GOVERNED BY ORDINANCE NO. 4412-12, WHICH AMENDED AND RESTATED ORDINANCE NO. 3098-97, AS AMENDED BY ORDINANCE NOS. 3124-98 AND 4154-08, BEING THE DEVELOPMENT ORDER OF THE CITY OF WEST PALM BEACH APPROVING THE CITYPLACE DRI; APPROVING A LEVEL III SITE PLAN PURSUANT TO ORDINANCE NO. 4412-12 TO ALLOW THE CONSTRUCTION OF A 21 STORY MIXED USE BUILDING AT 575 SOUTH ROSEMARY AVENUE; DECLARING THE SITE PLAN TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY, THE CONDITIONS OF APPROVAL OF THE CITYPLACE DRI DEVELOPMENT ORDER, AND THE REQUIREMENTS OF SECTION 94-35 OF THE CITY'S ZONING AND LAND DEVELOPMENT REGULATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion was made by Commissioner Neering, seconded by Commissioner Lambert, to continue Item #27 to the January 13, 2020 City Commission meeting; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

28. **Public Hearing and Second Reading of Ordinance No. 4874-19: correcting the legal description of the Rosarian Academy Community Services Planned Development.**

Public Hearing and Second Reading of Ordinance No. 4873-19: transferring the site plan approvals and development regulations for Rosarian Academy Community Service Planned Development to a separate Resolution.

Public Hearing of Resolution No. 351-19: a Major Amendment to the Rosarian Academy Community Service Planned Development to permit the use of artificial turf for the soccer field, for modifications to the sports fields and for a waiver for the sports field fence height.

ORDINANCE NO. 4874-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING ORDINANCE NO. 3033-97 TO CORRECT THE LEGAL DESCRIPTION FOR THE ROSARIAN ACADEMY COMMUNITY SERVICES PLANNED DEVELOPMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Elizabeth Levesque, Urban Design Planner, said that there have been no changes since first reading.

Motion was made by Commissioner Ryles, seconded by Commissioner Lambert, to approve Ordinance No. 4874-19 to correct the legal description for the Rosarian Academy CSPD. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

ORDINANCE NO. 4873-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING ORDINANCE NOS. 3033-97, 3376-00, 3506-02 AND 3941-06, AS AMENDED, RELATING TO THE ROSARIAN ACADEMY COMMUNITY SERVICE PLANNED DEVELOPMENT, LOCATED GENERALLY AT 807 NORTH FLAGLER DRIVE; TO TRANSFER THE SITE PLAN APPROVALS AND DEVELOPMENT REGULATIONS TO A SEPARATE RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion was made by Commissioner Ryles, seconded by Commissioner Lambert, to approve Ordinance No. 4873-19, transferring the site plan approvals and development regulations for Rosarian Academy Community Service Planned Development to a separate Resolution. This motion is based upon the factual testimony presented, the application submitted, the staff report, the recommendation of the Planning Board, and the findings that the request is consistent with the Comprehensive Plan and complies with the standards found in Section 94-32 of the City's Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

RESOLUTION NO. 351-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE ROSARIAN ACADEMY COMMUNITY SERVICE PLANNED DEVELOPMENT, LOCATED GENERALLY AT 807 NORTH FLAGLER DRIVE, TO PERMIT THE USE OF ARTIFICIAL TURF FOR THE SOCCER FIELD, FOR MODIFICATIONS TO THE SPORTS FIELDS, AND FOR A WAIVER FOR A MAXIMUM FENCE HEIGHT; DECLARING THIS AMENDMENT CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion was made by Commissioner Ryles, seconded by Commissioner Shoaf, to approve Resolution 351-19 for the Major Amendment to the Rosarian Academy Community Service Planned Development to permit the use of artificial turf and for a fence height waiver for Rosarian Academy; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

29. A request by Alan J. Ciklin of Ciklin Lubitz and George Gentile of 2GHO, on behalf of Prime Development, LLC for the following:

Public Hearing and Second Reading of Ordinance No. 4877-19: Changing the Future Land Use designation of 5.02 acres of the overall 5.68-acre parcel, located at 5701 North Military Trail, from Industrial (I) to Commercial (C).

Public Hearing and Second Reading of Ordinance No. 4878-19: Changing the zoning designation of 2.18 acres of the overall 5.68-acre parcel, located at 5701 North Military Trail, from Industrial (I) to General Commercial (GC).

Public Hearing and Second Reading of Ordinance No. 4879-19: Changing the zoning designation of 2.84-acres of the overall 5.68-acre parcel, located at 5701 North Military Trail, from Industrial Planned Development (IPD) to Industrial (I) with a further rezoning to General Commercial (GC).

ORDINANCE NO. 4877-19: 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 5.02 ACRES OF THE OVERALL 5.68-ACRE PROPERTY AT 5701 NORTH MILITARY TRAIL FROM INDUSTRIAL TO COMMERCIAL; DECLARING THE PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP TO BE CONSISTENT WITH ALL OTHER ELEMENTS OF THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Linda Louie, Senior Planner, said that there have been no changes since first reading.

Motion was made by Commissioner Peduzzi, seconded by Commissioner Neering, to approve Ordinance No. 4877-19 to change the Future Land Use designation for 5.02 acres of the overall 5.68-acre subject parcel, located at 5701 North Military Trail from Industrial (I) to Commercial (C). This motion is based upon the application submitted, the staff report, the factual testimony, the recommendation of the Planning Board and the findings that the request complies with the Future Land Use Amendment Standards found in Policy 1.1.5 and Policy 1.1.6 of the Future Land Use Element of the City's Comprehensive Plan. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

ORDINANCE NO. 4878-19: 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 TO REZONE 2.18 ACRES OF THE OVERALL 5.68-ACRE PROPERTY AT 5701 NORTH MILITARY TRAIL FROM

INDUSTRIAL TO GENERAL COMMERCIAL; 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.

Motion was made by Commissioner Peduzzi, seconded by Commissioner Neering, to approve Ordinance No. 4878-19 to change the zoning designation of 2.18 acres of the overall 5.68-acre subject parcel, located at 5701 North Military Trail, from Industrial (I) to General Commercial (GC). This motion is based upon the application submitted, the staff report, the testimony given, the recommendation of the Planning Board, along with the findings that the application complies with the Rezoning Standards of Section 94-32 of the City of West Palm Beach Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

ORDINANCE NO. 4879-19: 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 TO REZONE 2.84 ACRES OF THE OVERALL 5.68-ACRE PROPERTY AT 5701 NORTH MILITARY TRAIL FROM INDUSTRIAL PLANNED DEVELOPMENT TO INDUSTRIAL, WITH A FURTHER REZONING TO GENERAL COMMERCIAL; 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.

Motion was made by Commissioner Peduzzi, seconded by Commissioner Neering, to approve Ordinance No. 4879-19 to change the zoning designation of 2.84 acres of the overall 5.68-acre subject parcel, located at 5701 North Military Trail, from Industrial Planned Development (IPD) to Industrial (I), with a further rezoning to General Commercial (GC). This motion is based upon the application submitted, the staff report, the testimony given, the recommendation of the Planning Board, along with the findings that the application complies with the Rezoning Standards of Section 94-32 of the City of West Palm Beach Zoning and Land Development Regulations. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

30. A request by Michelle Cuetara of Urban Design Kilday Studios, on behalf of CityPlace Retail, LLC, for a Major Amendment to modify the CityPlace Master Sign Plan, which necessitates the following:

Public Hearing and First Reading of Ordinance No. 4881-19: Regarding the transfer of the current CityPlace Master Sign Plan to Resolution No.

361-19.

Resolution No. 361-19: Regarding the Major Planned Development Amendment to rescind the current CityPlace Master Sign Plan and replace it with the Amended and Restated Rosemary Square - CityPlace CPD Master Sign Plan.

Ordinance No. 4881-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE PRIOR ORDINANCES RELATING TO THE CITY PLACE MASTER SIGN PLAN TO CONSOLIDATE AND TRANSFER THE SIGNAGE REQUIREMENTS TO A SEPARATE RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Michelle Cuetara, Urban Design Kilday Studios, presented this item and discussed the following: request; amendment standards; master sign plan history; master sign plan amendment intent; proposed regulations rescind or replace several of the previously approved Master Sign Plan exhibits; sign zone map; sign zone 1-CityPlace residential; sign zone 2-Rosemary Square; sign zone 3, 4, 5; and sign zone 6-South Tower Tract 2.

Eric Schneider, Principal Planner, pointed out an error on the date heard of the Planning Board and stated that he will correct that for second reading.

Motion was made by Commissioner Ryles, seconded by Commissioner Peduzzi, to approve Ordinance No. 4881-19 authorizing the transfer of the current CityPlace Master Sign Plan to Resolution No. 361-19. The City Clerk read the ordinance by title; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

Resolution No. 361-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE CITYPLACE MASTER SIGN PLAN TO RESCIND THE CITYPLACE MASTER SIGN PLAN AND REPLACE IT WITH THE AMENDED AND RESTATED ROSEMARY SQUARE - CITYPLACE CPD MASTER SIGN PLAN; DECLARING THIS RESOLUTION CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

This item was for discussion only.

31. **Public Hearing of Resolution No. 363-19: Regarding a request by Harvey Oyer of Shutts & Bowen LLP, on behalf of CityPlace Retail, LLC, for the approval of a Major Amendment to the CityPlace Core portion of the CityPlace Commercial Planned Development (CPD) to reflect the Rosemary Square rebranding, establish revised development regulations for the 375 South Rosemary Avenue block (Rosemary**

Square North Subarea), add an accessory bakery use, and add the Plaza Area to the Himmel Theater subarea.

RESOLUTION NO. 363-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A MAJOR PLANNED DEVELOPMENT AMENDMENT TO THE DEVELOPMENT REGULATIONS FOR THE CITYPLACE CORE PORTION OF THE CITYPLACE COMMERCIAL PLANNED DEVELOPMENT TO 1) AMEND THE NOMENCLATURE IN THE REGULATIONS TO REFLECT THE REBRANDING TO ROSEMARY SQUARE, 2) ESTABLISH DEVELOPMENT REGULATIONS FOR THE NEW ROSEMARY SQUARE NORTH SUBAREA, 3) ADD THE ACCESSORY BAKERY USE TO THE ROSEMARY SQUARE RETAIL CORRIDOR SUBAREA, AND 4) INCLUDE THE PLAZA AREAS WITH THE HIMMEL THEATER SUBAREA; DECLARING THIS RESOLUTION CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Harvey Oyer, on behalf of CityPlace Retail LLC, discussed the following: the four elements of the request; change the nomenclature; add the Rosemary Square plaza area to the Himmel Theater subarea; add a bakery use as an accessory use to the Rosemary Square retail corridor; re-designate the Publix block from the Rosemary Square retail corridor subarea to a new Rosemary Square North subarea; location map-Rosemary Ave to Sapodilla Ave on north side of Fern St.; current City Place core regulating plan and proposed Rosemary Square core regulating plan; Section 94-32(a)- Standards for major amendment; and requests approval, and have received approval from staff and the Planning Board.

Commissioner Neering asked if there were concerns from the Planning Board.

Mr. Oyer responded no.

Public comments were made by the following: Alex Millan, Raphael Clemente, David Bradley, and Mayor James read names and comments from other comment cards into the record.

Commissioner Lambert asked about Publix, and possibly moving locations.

Mr. Oyer said Related has been working with Publix to make a full size grocery store and the zoning change will help accomplish that. He stated that they would have to master develop a site for Publix.

Mr. Schneider commented on the bakery use, he will correct an error on the date for the Planning Board, and the Commission will get to see the site plan before they vote on it.

Motion was made by Commissioner Ryles, seconded by Commissioner Shoaf, to approve Resolution 363-19, a Major Planned Development Amendment to amend the CityPlace Core portion of the CityPlace CPD to reflect the Rosemary Square rebranding, establish revised development regulations for the 375 South Rosemary Avenue block (Rosemary Square North Subarea), add an accessory bakery use, and add the Plaza Area to the Himmel Theater subarea. This motion is based upon the factual testimony presented, the application submitted, the staff report, the recommendation of the Planning Board, and the findings that the amendment is consistent with the Comprehensive Plan and complies with the standards found in Section 94-32 of the City's Zoning and Land Development Regulations; and thereafter it was voted as follows: Ayes: Commissioners Lambert, Neering, Peduzzi, Ryles and Shoaf. Motion therefore carried unanimously.

ADJOURNMENT:

There being no further business to come before the City Commission, the meeting was adjourned at 9:28 p.m.

APPROVED AT THE CITY COMMISSION MEETING OF JANUARY 13, 2020.

PRESIDING OFFICER

X

ATTEST:

X

CITY CLERK