



**City of West Palm Beach
City Commission**

PASS/FAIL AGENDA

**October 5, 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.

PROCLAMATION (1):

1. **Proclaiming October 11-17, 2020 as Mediation Week. Proclamation to be accepted by City Commissioner Joseph Peduzzi and Town of Haverhill Vice Mayor Lawrence Gordon. PRESENTED**
Agenda Cover Memorandum No.: 23068

CONSENT CALENDAR (2-8): ALL CONSENT ITEMS APPROVED, EXCEPT #6

2. **Minutes of the Regular City Commission Meeting of September 8, 2020.**
Agenda Cover Memorandum No.: 23058

Staff Recommended Motion:

Approve the Minutes of the Regular City Commission Meeting of September 8, 2020.

3. **Minutes of the Special City Commission Meeting of September 10, 2020.**
Agenda Cover Memorandum No.: 23059

Staff Recommended Motion:

Approve the Minutes of the Special City Commission Meeting of September 10, 2020.

4. **Minutes of the Regular City Commission Meeting of September 21, 2020.**
Agenda Cover Memorandum No.: 23060

Staff Recommended Motion:

Approve the Minutes of the Regular City Commission Meeting of September 21, 2020.

5. **Minutes of the Special City Commission Meeting of September 24, 2020.**
Agenda Cover Memorandum No.: 23067

Staff Recommended Motion:

Approve the Minutes of the Special City Commission Meeting of September 24, 2020.

7. **Resolution No. 266-20 authorizing submittal of an application to the National Science Foundation for a CIVIC Innovation Challenge Grant in the amount of \$50,000 for Phase 1 and \$1 Million for Phase 2 to develop a cohesive research-to-innovation pipeline for projects.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION TO THE NATIONAL SCIENCE FOUNDATION FOR A GRANT OF \$50,000 FOR PHASE 1 AND \$1,000,000 FOR PHASE 2 UNDER THE CIVIC INNOVATION CHALLENGE FOR FUNDING FOR A MOBILITY INTELLIGENCE TECHNOLOGY PROJECT IN CONJUNCTION WITH FLORIDA ATLANTIC UNIVERSITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23062

Staff Recommended Motion:

Approve Resolution No. 266-20.

Background:

The City of West Palm Beach has been working with Florida Atlantic University (FAU) identifying projects that further the City's strategic goals. Recently the National Science Foundation announced a research and action competition that can assist the City in achieving Strategic Goals in Pillar 1 – Built Environment.

The Civic Innovation Challenge (CIVIC) in the Smart and Connected Communities (S&CC) domain. The Civic Innovation Challenge (CIVIC) is a research and action competition in the Smart and Connected Communities (S&CC) domain designed to build a more cohesive research-to-innovation pipeline and foster a collaborative spirit. Building on the NSF S&CC program and the extensive S&CC ecosystem, CIVIC aims to accelerate the impact of S&CC research, and deepen cooperation and information sharing across sectors and regions. CIVIC will lay a foundation for a broader and more fluid exchange of research interests and civic priorities that will create new instances of collaboration and introduce new areas of technical and social scientific discovery. CIVIC will fund projects that can produce significant community impact within 12 months (following a four-month planning phase) — in contrast to many community-university partnerships that take years to provide tangible benefits to communities — and have the potential for lasting impact beyond the period of the CIVIC award.

In the summer of 2018, after approximately 18 months of collaborative planning, the City of West Palm Beach and Florida Atlantic University established a formal partnership to enable mobility intelligence within the city. In this context, mobility intelligence refers to a set of capabilities that will allow residents, managers, policymakers, researchers, and students to observe individual mobility behaviors, aggregate those behaviors at various scales, and link those behaviors to influencing forces (e.g., mobility improvement projects, business development activities). The technological foundation for this program is a mobility sensing and analytics system being deployed along the central downtown corridor. The system will support more than 40 development projects designed to maximize the streetscape for business and leisure.

The proposed CIVIC application, research-centered pilot project, leverages this partnership, its collaborative frameworks, and associated technology investments to apply mobility intelligence to address two critical challenges. First, the project seeks to understand mobility gaps and bottlenecks between the Historic Northwest District, the City Center, and its adjacent inter-regional transit hub. The district and the city center / transit hub are approximately one (1) mile apart, by road. The former is a culturally rich residential district, with a high percentage of affordable housing. The latter is the center of the city's business district, offering a diversity of retail shops, dining choices, and entertainment options, all providing local jobs. Residents of the Historic Northwest have historically enjoyed only limited connectivity to the downtown. This project seeks to understand why, and to provide a basis for corrective intervention. Second, the project seeks to understand how mobility behaviors affect disease transmission, and to use this understanding to inform mobility policy. The approach relies on agent-based models overlaid on real-time mobility traces. Agent-based models simulate the individuals within a population, including sociodemographic and spatial variations in risk factors, behaviors, and mobility patterns. In the proposed project, these models will be superimposed on real mobility data, providing hyper-localized, to-the-minute forecasts of potential disease transmission, providing a fundamentally new tool for city managers and residents.

Resolution No. 266-20 authorizes submittal of a grant application to the National Science Foundation for a CIVIC Innovation Challenge Grant in the amount of \$50,000 for Phase 1 and \$1 Million for Phase 2 for funding a mobility technology intelligence project in conjunction with FAU.

Project Location: Commission District 3: Commissioner Christy Fox.

Fiscal Note:

The \$70,000 estimated is in-kind budget costs that are paid annually by the City for staff in various departments.

8. **Resolution No. 269-20 approving a Federally Funded Subaward and Grant Agreement with the Florida Division of Emergency Management to accept a grant for reimbursement of eligible expenses from COVID-19.**

RESOLUTION NO. 269-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A FEDERALLY FUNDED PUBLIC ASSISTANCE AGREEMENT BETWEEN THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT AND THE CITY OF WEST PALM BEACH TO ACCEPT A GRANT TO REIMBURSE THE CITY FOR ELIGIBLE EXPENSES RESULTING FROM THE PUBLIC HEALTH EMERGENCY FOR COVID-19; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23063

Staff Recommended Motion:

Approve Resolution No. 269-20.

Background:

On January 27, 2020, the President issued a nationwide Emergency Declaration and the Secretary of Health and Human Services' (HHS) issued a declaration of a Public Health Emergency for COVID-19 (FEMA DR-4486), for the State of Florida as a result of COVID-19. The declaration authorized public assistance and hazard mitigation grants for eligible states. The State of Florida received public assistance grant funds from the Federal Emergency Management Agency (FEMA) and is authorized to sub-grant a portion of such funds to the City of West Palm Beach pursuant to the requirements of federal and state law.

The City desires to enter into a Federally-Funded Subaward and Grant Agreement with the State of Florida, Division of Emergency Management, to receive grant funds and reimbursement for eligible costs and expenses resulting from COVID-19. The attached agreement starts the process for reimbursement based on a FEMA project worksheet obligation. Each successive FEMA project worksheet obligation will trigger a modification to Attachment A - Budget and Project List of this agreement.

The City's estimate of expenses resulting from COVID-19 was \$1,340,000. It is expected the City will be reimbursed by the Federal Emergency Management Agency (FEMA) for 90.0% (\$1,206,000), 5.0% from the State of Florida (\$67,000), leaving the City responsible for 5.0% (\$67,000).

Fiscal Note:

See Resolution No. 127-20(F) recognizing the estimated receipt of Federal, State, and the City's match for COVID-19 estimated expenditures totaling \$1,340,000 passed by Commission on May 18, 2020.

The City's estimate of expenses resulting from COVID-19 was \$1,340,000. It is expected the City will be reimbursed by the Federal Emergency Management Agency (FEMA) for 90.0% (\$1,206,000), 5.0% from the State of Florida (\$67,000), leaving the City responsible for 5.0% (\$67,000).

ITEM PULLED FROM THE CONSENT CALENDAR:

6. **Resolution No. 265-20 APPROVED** authorizing City Staff to submit an application to the State of Florida, Department of Economic Opportunity under the Rebuild Florida General Planning Support Program requesting a grant in the amount of \$450,000 for a sea level rise planning project in conjunction with Florida Atlantic University.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, RATIFYING SUBMITTAL OF AN APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR A GRANT IN THE AMOUNT OF \$450,000 UNDER THE REBUILD FLORIDA GENERAL PLANNING SUPPORT PROGRAM TO FUND A VIRTUAL SEA LEVEL RISE PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
Agenda Cover Memorandum No.: 23061

Staff Recommended Motion:

Approve Resolution No. 265-20.

Background:

The City of West Palm Beach has been working with Florida Atlantic University (FAU) in identifying projects that further the City's strategic goals. Recently the State of Florida made Community Development Block Grant dollars available for cities to pursue planning efforts that make their communities more resilient to natural disasters. In addition, the City is also pursuing the redesign and investment of parks located along the intracoastal. Namely, the parks including Currie Park and Osprey Park have funding dedicated to their improvements from the recently, voter approved, parks bond. After careful consideration and discussions, FAU proposed a sea level rise study that would illustrate to residents in the north end of the City the potential impacts of sea level rise by using mobile devices. These devices will allow residents to interactively visualize the impacts of sea level rise and then apply different strategies to mitigate the negative effects. Residents will then be surveyed asking how they feel about sea level rise and what mitigations strategies should be pursued, if at all. The data will then be shared and used by local and state planning agencies. The effort has a strong component of outreach to minority communities that typically don't have access to technology or exposure to the science related to sea level rise. If awarded, the team from FAU will coordinate with local schools to share information with students and families as well. The total grant requested is \$450,000. The grant awards are expected to be announced by the end of the year.

Resolution No. 265-20 ratifies submittal of the grant application. If awarded, an item will be brought back to the Commission for acceptance of the grant.

Project Location: Commission District 1: Represented By Commissioner Kelly Shoaf.

Fiscal Note:

The grant is tied to Community Development Block Grant (CDBG) dollars and does not require any match.

RESOLUTIONS (9-12):

9. **Resolution No. 220-20 APPROVED finding that City-owned property located at 8111 South Dixie Highway is not needed for City purposes, declaring the property surplus, and providing the method of disposition.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA FINDING THAT THE REAL PROPERTY LOCATED AT 8111 SO. DIXIE HIGHWAY IS NOT NEEDED FOR CITY PURPOSES AND IS DECLARED TO BE SURPLUS; DIRECTING THE METHOD OF DISPOSITION BY COMPETITIVE INVITATION TO NEGOTIATE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23004

Staff Recommended Motion:

Approve Resolution No. 220-20.

Background:

The City hereby desires to make a determination of surplus of property located at 8111 South Dixie Highway, consisting of approximately 6.51 acres, as shown on Exhibit A attached. Given the significant interest for development of the property and its importance as a gateway to the southern border of the City, staff seeks authorization to declare the property surplus and the method of disposition to be a competitive invitation to negotiate (ITN) with interested parties. This method of disposition, of which the parameters will be submitted for City Commission approval at a later date, will allow City staff to evaluate and negotiate proposals that will result in obtaining the best potential use and value for the parcel.

Section 2-31(27)(b) of the Code of Ordinances of the City of West Palm Beach, Florida, requires that prior to the disposition of City property, the City Commission shall: (i) make a legislative finding that the City property is not needed for City purposes and declaring the property surplus; and (ii) select the method of disposition. City staff seeks authorization to begin the process of developing a competitive invitation to negotiate solicitation that will include parameters that will have staff and citizen input. The parameters for the ITN will require approval by the City Commission at a future meeting date.

Commission District: The subject Property is located within Commission District No. 5: Commissioner Christina Lambert.

10. **Resolution No. 249-20 APPROVED granting "Face of the City" approval of the design features for the proposed new HCD Community Resource Center located at 1540 N. Australian Ave.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE DESIGN FEATURES PRESENTED TO

THE CITY COMMISSION FOR THE NEW HCD COMMUNITY RESOURCE CENTER LOCATED AT 1540 N. AUSTRALIAN AVE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23064

Staff Recommended Motion:

Approve Resolution No. 249-20.

Background:

The New HCD Community Resource Center located at 1540 N. Australian (formally 1600 N. Australian). The former building that was on the site has been demolished and will be replaced with a 5,422 SF building that be home to the Sickle Cell Foundation of PBC, a replacement center for Vickers House, and other non-profit organizations. The former building had seen major damage from water intrusion and needed to be replaced. The proposed HCD Community Resource Center will consist of office/co-workspaces, computer lab, energy efficient materials, restrooms, meeting rooms for programming/multipurpose room.

Over a period of a year, the project team has held numerous meetings; ensuring that all internal and external parties were involved in the overall design process. It was determined that this space will serve as a Hub for social services and programming for City of West Palm Beach residents.

Resolution No. 249-20 approves the above-ground design features for the proposed HCD Community Resource Center.

Commission District: District 1: Commissioner Kelly Shoaf.

Fiscal Note:

No fiscal impact.

11. **Resolution No. 257-20 APPROVED granting Face of the City approval of the design features of the replacement of the Nancy M. Graham dedication signs located in Centennial Square Plaza and approving a project funding interlocal agreement between the City and the CRA for funding of the replacement signs in the amount not to exceed \$16,729.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE DESIGN FEATURES PRESENTED TO THE CITY COMMISSION FOR REPLACEMENT OF THE NANCY M. GRAHAM DEDICATION SIGNS LOCATED AT THE CENTENNIAL SQUARE AND APPROVING A PROJECT FUNDING INTERLOCAL AGREEMENT BETWEEN THE CITY OF WEST PALM BEACH AND THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY FOR AN AMOUNT NOT TO EXCEED \$16,729; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23065

Staff Recommended Motion:

Approve Resolution No. 257-20.

Background:

Design and renovation construction are ongoing at the Centennial Fountain and Plaza, and the original Nancy M. Graham Dedication Sign was removed. As part of the Centennial Fountain Plaza improvements, the dedication signs are being relocated to Centennial Square and located on the large planter leading up to the fountain plaza. This Resolution will approve the design features for replacement dedication signs. The City will obtain the appropriate approvals and procure the materials and equipment for the replacement of the signs subject to funding by the CRA. The City and CRA will execute a project funding interlocal agreement to establish the authority for the City to access and encumber CRA funds for the project.

Approval of Resolution No. 257-20 provides for approval of the design and placement of the Nancy M. Graham Centennial Square signs for installation at the Centennial Fountain Plaza and approves the project funding interlocal agreement between the City and the CRA.

There is a companion item on the CRA's Agenda as Resolution No. 20-51.

Commission District 3: Commission Christy Fox.

Fiscal Note:

No general fund fiscal impact--to be funded through the CRA's wayfinding signage account.

12. **Resolution No. 272-20 **APPROVED** accepting \$8,007,597.36 in grant funding from the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) Grant to be used to hire 28 additional Fire Department firefighters;**

Resolution No. 273-20(F) **APPROVED providing appropriation for fiscal year 2020/2021 for the grant funds; and**

Resolution No. 282-20(F) **APPROVED provides for adding 28 Full-Time Equivalent Firefighters.**

RESOLUTION NO. 272-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ACCEPTING A GRANT AWARD OF EIGHT MILLION SEVEN THOUSAND FIVE HUNDRED NINETY-SEVEN AND 36/100 DOLLARS (\$8,007,597.36) FROM THE DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT ON BEHALF OF THE WEST PALM BEACH FIRE DEPARTMENT FOR

PERSONNEL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 273-20(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 2020/2021 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 FISCAL YEAR 2020/2021 FOR THE FEMA SAFER GRANT 2019 FUNDS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 282-20(F): A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, TO AMEND THE FULL TIME EQUIVALENT (F.T.E.) PERSONNEL DETAIL OF THE GRANT PROGRAMS SPECIAL REVENUE FUND BUDGET FOR THE FIRE DEPARTMENT FEMA SAFER GRANT 2019 TO ADD 28 ADDITIONAL FIREFIGHTER POSITIONS IN FISCAL YEAR 2020/2021; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 23066

Staff Recommended Motion:

Approve Resolution Nos. 272-20, 273-20(F), and 282-20(F).

Background:

By Resolution No. 137-20, the City Commission approved submittal of this grant application to FEMA for personnel funds. The purpose of the SAFER Grant Program is to provide funding directly to fire departments to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments.

The City of West Palm Beach Fire Department applied for the Fiscal Year (FY) 2019 Staffing for Adequate Fire and Emergency Response (SAFER) Grant and has been awarded grant funding in the amount of \$8,007,597.36. The City is not required to contribute a cost match for this award. The Federal share is \$8,007,597.36 of the approved total project cost of \$8,007,597.36. This grant is intended to hire 28 additional firefighters. This staffing is critical to maintaining safe fire department operations and adherence to National Fire Protection Association (NFPA) 1710 and maintaining the City's favorable Insurance Services Office (ISO) rating of "2". The period of performance for this grant is three (3) years. Pursuant to the Resolution and the Grants Policy, upon award of the grant, approval of the grant agreement, along with the financial resolution to accept the grant funds is brought back to the City Commission.

- Resolution 272-20(F) approves the acceptance of the grant award;

- Resolution 273-20(F) approves the appropriation of funds; and
- Resolution 282-20(F) approves the addition of 28 Full-Time Equivalent Firefighter positions.

Fiscal Note:

FEMA has waived the cost share requirement for this SAFER grant since the submission of the application. Previously the cost share was 25% for the first two years (\$667,299.78 each year) and 65% for the third year (\$1,734,979.43) saving the City \$3,069,578.99 over the three year period. Resolution 273-20(F) is for 9½ months of expenses based on a hiring date of December 15, 2020.

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

COMMENTS BY THE MAYOR AND CITY COMMISSIONERS:

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.