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Mayor Keith A. James  
Commission President Christy Fox (District 3)  
Commissioner Cathleen Ward (District 1)  
Commissioner Shalonda Warren (District 2)  
Commissioner Joseph A. Peduzzi (District 4)  
Commissioner Christina Lambert (District 5)

City Administrator Faye W. Johnson  
City Attorney Kimberly Rothenburg  
City Clerk Hazeline Carson

**City of West Palm Beach  
Special City Commission  
PASS/FAIL Agenda  
Wednesday, May 18, 2022  
9:00 AM**

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, FL 33401, (561) 822-1210.

## 1. CALL TO ORDER

## 2. 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.

## 3. PRESENTATION-SELECTED: Flagler Realty; #2-Kaufman Lynn

3.1. Presentations to the City Commission by the three (3) finalists proposers and final project selection under Invitation to Negotiate (ITN) No. 20-21-503 for the purchase or lease and development of property located at 8111 South Dixie Highway.

**Originating Department:**  
Housing and Community Development

**Ordinance/Resolution:**

N/A

**Background Information:**

On December 6, 2021 and in accordance with Invitation to Negotiate ("ITN") 20-21-503, the City of West Palm Beach Commission selected three (3) proposers for negotiation of best offers and final terms for the sale and/or lease and development of City-owned property located at 8111 S. Dixie Highway. The selected finalists were as follows (in alphabetical order):

- Blueway Partners (the "JV") - a joint venture between L&M Development Partners, Inc., MSquared and Coconut Properties LLC
- Flagler Realty & Development, Inc - team with Woodfield Development
- Kaufman Lynn and Falcone Group (KL- Falcone) – "South End"

Over several individual meetings, the City's negotiation team, consisting of Jennifer Ferriol (Director of HCD and Project Manager), Nancy Urcheck (Deputy City Attorney), and Rick Green (Director of Development Services), negotiated with the finalists. In addition, the City hired a third-party consultant, Walter Duke + Partners, to perform an analysis of each project to evaluate relevant metrics regarding the feasibility and strengths and weaknesses of each project.

The final negotiated term sheets and support exhibits and/or documents are attached to this agenda item.

In accordance with the ITN document, the negotiated terms will be presented to the City Commission for consideration and for final selection. Once a determination has been made and based on the terms negotiated and/or as directed by the City Commission, a sale/lease and development agreement will be fully negotiated and drafted with the selected proposer.

The final development agreement is subject to approval of the City Commission by Ordinance which requires two (2) readings and two (2) approving votes of City Commission. One such vote must be by super majority of the City Commission.

Commission District 5: Commissioner Christina Lambert.

#### 4. 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 2.) written communications shall be placed in the record; and 3) site visits, investigations, etc. shall be disclosed.

NOTICE: If any person decides to appeal any decision made by the City Commission at this meeting, that person will need a record of the proceedings, and that, for such purposes, may need to ensure that a verbatim records of the proceedings be made, which record includes the testimony and evidence upon which the appeal is based. The City of West Palm Beach does not prepare or provide such record.