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

City Administrator Faye W. Johnson
City Attorney Kimberly Rothenburg
City Clerk Shaquita Edwards

**City of West Palm Beach
Special City Commission
PASS/FAIL Agenda
Thursday, July 20, 2023
5:01 PM**

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.
- Any person desiring to address the Commission **shall** file a written request with the city clerk prior to consideration of the matter by the Commission or prior to the public comment portion of a meeting. The person wishing to speak **shall** complete a comment card for each agenda item the person wishes to address, which **shall** include the person's full name, address, and the numbered agenda item. The person will not be recognized if the comment card is not completed.

3. RESOLUTIONS- ALL ITEMS WERE APPROVED

- 3.1. Resolution No. 175-23 setting the proposed Fire Service Assessment rate for 2023, directing an update to the assessment roll, and setting the date for a public hearing on August 21, 2023.

Originating Department:

Finance

Ordinance/Resolution:

RESOLUTION NO. 175-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, DETERMINING THE FIRE SERVICE ASSESSED COSTS AND THE SERVICES, FACILITIES OR PROGRAMS TO BE PROVIDED; ESTABLISHING THE ESTIMATED RATES FOR THE FIRE SERVICE SPECIAL ASSESSMENT FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2023; DIRECTING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; SETTING THE DATE AND TIME OF A PUBLIC HEARING; PROVIDING A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 175-23 and set a public hearing for August 21, 2023.

Background Information:

Fire suppression, prevention, and other fire services provide a special benefit to properties by protecting the value and integrity of improvements to real property and protecting the use and enjoyment of such property. The availability of comprehensive fire services reduces the cost of fire insurance and enhances the market perception and property values. In 2008, the City Commission adopted Ordinance No. 4141-08, Resolution No. 212-08, and Resolution No. 332-08, establishing an annual recurring Fire Services special assessment program for properties within the City to fund the assessable costs of providing fire services, excluding Emergency Medical Services (EMS). In 2019, the City Commission adopted Resolution No. 228-19 and amended the apportionment methodology for the Fire Service Special Assessment.

Pursuant to the procedure established in Ordinance No. 4141-08, the City Commission annually passes a preliminary rate resolution describing the services, facilities, or programs to be funded, determining the cost to be assessed, establishing the assessment rates, establishing any exemptions, and following all procedural requirements required by law and Ordinance No. 4141-08.

Resolution No. 175-23 is the Preliminary Rate Resolution and proposes no increase of the Fire Service Assessment rates.

The proposed Fire Service Assessment rate for 2023/2024 is, as follows:

RESIDENTIAL \$100

NON-RESIDENTIAL PROPERTY

Rate Per Building Square Foot

Commercial	\$0.103
Industrial/Warehouse	\$0.018
Institutional	\$0.123
Nursing Home	\$0.372

The special assessment will be collected by the County Tax Collector through the property tax bill.

A public hearing on the assessment rates will be scheduled for August 21, 2023.

Resolution No. 175-23: (1) determines that the Fire Service Assessed Cost to be assessed for the upcoming Fiscal Year 2023/24 is approximately \$8 million; (2) establishes the assessment rate for the upcoming Fiscal Year as shown above; (3) sets the date for the public hearing; and (4) directs the Chief Financial Officer to update the Assessment Roll and provide notice by first class mail and directs the City Clerk to provide notice by publication.

Fiscal Note:

Reaffirming the existing Fire Assessment Rates for FY 23/24. Estimated total assessments \$8M.

- 3.2. Resolution No. 176-23 directing the development of the preliminary assessment roll for the Chronic Nuisance Assessments for 2023 and setting the date for a public hearing for final adoption of the Chronic Nuisance Assessment roll on August 21, 2023.

Originating Department:

Finance

Ordinance/Resolution:

RESOLUTION NO. 176-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, DIRECTING THE DEVELOPMENT OF A PRELIMINARY ASSESSMENT ROLL FOR THOSE NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED FOR THE COST OF PROVIDING PROPERTY MAINTENANCE SERVICES TO ELIMINATE NUISANCE CONDITIONS ON PRIVATE REAL PROPERTY WITHIN THE INCORPORATED AREA OF THE CITY, INCLUDING BUT NOT LIMITED TO: LOT MOWING AND DEBRIS REMOVAL SERVICES, BOARDING AND SECURING OF VACANT OR UNSAFE STRUCTURES, DEMOLITION AND REMOVAL OF UNSAFE STRUCTURES, CALLS FOR SERVICE AND INSPECTIONS, AND WHICH COSTS REMAINED DELINQUENT AND

UNPAID; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 176-23 and set a public hearing for August 21, 2023.

Background Information:

In September 2011, the City of West Palm Beach adopted a series of Ordinances intended to change the way the City deals with chronic nuisance properties and chronic nuisances in general. These ordinances were intended to recognize that the work that City staff provides to chronic nuisance properties is of direct benefit to the affected property. Through the adoption of Ordinance Nos. 4350-11, 4361-11, and 4362-11, the City Commission declared that any unpaid chronic nuisance service charges, unpaid Code Enforcement re-inspection assessment charges, or unpaid costs incurred for the abatement of code violations that remained delinquent and unpaid should become a special assessment against these properties as a non-ad valorem assessment equal in rank and dignity to a lien for ad valorem taxes.

Pursuant to Section 54-422 of the City Code of Ordinances, the Chief Financial Officer must prepare an initial assessment roll of the proposed assessments, which are unpaid as of June 1st.

Approval of Resolution No. 176-23 will direct the preparation of a preliminary assessment roll and schedule the public hearing for final adoption of the Chronic Nuisance Assessment roll on August 21, 2023.

Fiscal Note:

No fiscal impact, since revenues generated from the Chronic Nuisance Program is a reimbursement of expenditures incurred by the City to abate the nuisance.

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.