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Mayor Keith A. James
Commission President Cathleen Ward (District 1)
Commissioner Shalonda Warren (District 2)
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 18, 2024
5:00 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. Public Hearing of Resolution No. 140-24 establishing the rates for the Fire Service Assessment Fee for fiscal year 2024/2025 and approving the assessment roll and setting the date for a public hearing on August 19, 2024.

Originating Department:

Finance

Ordinance/Resolution:

RESOLUTION NO. 140-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ESTABLISHING THE RATES FOR THE FIRE SERVICE SPECIAL ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2024; APPROVING THE RATES OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 140-24 with no increase in the Fire Service Assessment Fee.

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.

The City Commission approved a rate increase for the Fire Service Assessment on August 27, 2018 for the first time since initially adopted in 2008 and then again in 2019 to assist in covering significant increases in firefighters' pensions, building renovations, additional personnel, acquisition and maintenance of fire trucks, equipment, hoses and apparatus, and operating costs over the period 2008 to 2019 justifying the two (2) rate increases.

The fire service assessment fee for 2024/2025 will remain unchanged again, and has remained unchanged since 2020. Below are the proposed fire assessment service fee/rates for 2024/2025 by category:

RESIDENTIAL: \$100

NON-RESIDENTIAL PROPERTY

(Rate Per Building Square Foot)

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

No Fire Services Assessment will be imposed upon Governmental Property. The City will buy down this exemption with non-assessment funds.

Institutional Property, whose use is wholly exempt from taxation under Florida law, shall be assessed, but shall be required to pay only twenty percent (20%) of the Fire Services Assessment imposed against each parcel. The City will buy down this eighty percent (80%) exemption with non-assessment funds.

The Fire Service Special Assessment will be collected by the County Tax Collector through the property tax bill.

The final public hearing and adoption of the Fire Service Assessment Rate is set for August 19, 2024.

Fiscal Note:

Anticipated revenues to be collected is \$8 Million.

- 3.2. Resolution No. 141-24 directing the development of the preliminary assessment roll for the Chronic Nuisance Assessments for 2024 and setting the date for a public hearing for final adoption of the Chronic Nuisance Assessment roll on August 19, 2024.

Originating Department:

Finance

Ordinance/Resolution:

RESOLUTION NO. 141-24: 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 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 TO ELIMINATE NUISANCE CONDITIONS ON PRIVATE REAL PROPERTY, AND OTHER PROPERTY MAINTENANCE SERVICES TO ELIMINATE NUISANCE CONDITIONS ON PRIVATE

REAL PROPERTY WITHIN THE INCORPORATED AREA OF THE CITY AND WHICH REMAINED DELINQUENT AND UNPAID; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approval of Resolution No. 141-24 will schedule the public hearing for final adoption of the Chronic Nuisance Assessment roll on August 19, 2024.

Background Information:

In September 2011, the City of West Palm Beach adopted a series of ordinances intended to change the way the City addresses chronic nuisance properties. These ordinances were intended to recognize that the work City staff provides to chronic nuisance properties is of direct benefit to the affected property.

Through the adoption of Ordinance No. 4350-11, Ordinance No. 4361-11, and Ordinance No. 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.

Fiscal Note:

No fiscal impact until final resolution.

4. ADJOURNMENT - 5:09 PM

*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.