



**City of West Palm Beach
City Commission**

AGENDA

**April 20, 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
ADMINISTRATOR, FAYE W. JOHNSON
CITY ATTORNEY, KIMBERLY ROTHENBURG**

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.

ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA:

PRESENTATION AND AWARDS OF MERIT (1):

1. **Tribute presentation to William M. B. Fleming Jr., President of Palm Beach Atlantic University, on the occasion of his retirement.**
Agenda Cover Memorandum No.: 22880

COMMENTS BY THE MAYOR AND CITY COMMISSIONERS:

CONSENT CALENDAR (2-11):

2. **Minutes of the Special City Commission Meeting of March 30, 2020.**
Agenda Cover Memorandum No.: 22881

Staff Recommended Motion:

Approve the Minutes of the Special City Commission Meeting of March 30, 2020.

3. **Resolution No. 66-20(F) authorizes an appropriation of additional revenue from insurance reimbursement and additional expense to purchase a traffic safety messaging board in fiscal year 2019/2020.**

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 PUBLIC WORKS DEPARTMENT BUDGET TO PROVIDE ADDITIONAL APPROPRIATIONS FOR REVENUE AND EXPENDITURES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22882

Staff Recommended Motion:

Approve Resolution No. 66-20(F).

Background:

The Public Works Department—Street Maintenance Division operates five (5) electronic message boards to communicate traffic safety/control messaging as well as raise the public's awareness about important City events. These trailer mounted assets support multiple City departments and are consistently on high-demand.

On or about January 6, 2020, one of the trailers, PW966, was involved in a traffic accident while deployed to S. Flagler Dr. in support of a special event. During the incident, the trailer was struck by a privately-owned vehicle, causing irreparable damages. The equipment was subsequently removed from service. The department has filled an insurance claim.

Resolution No. 66-20(F) requests the allocation of funding for a replacement message board.

Fiscal Note:

Approval will allow the transfer of funds for the current FY.

- 4. Resolution No. 97-20 approving a Conditional Settlement Agreement in the amount of \$82,500 in the matter of Maureen E. Maynard and Sean C. Maynard v. City of West Palm Beach.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A CONDITIONAL SETTLEMENT AGREEMENT FOR \$82,500 IN THE MATTER OF MAUREEN E. MAYNARD AND SEAN C. MAYNARD v. CITY OF WEST PALM BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22883

Staff Recommended Motion:

Approve Resolution No. 97-20.

Background:

Mrs. Maureen E. Maynard was in a motor vehicle accident with a City of West Palm Beach motor vehicle on August 24, 2018. Mrs. Maynard, together with her husband, Sean C. Maynard, subsequently filed a complaint for personal injury damages against the City of West Palm Beach, to wit: Maureen E. Maynard and Sean C. Maynard v. City of West Palm Beach, in the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, Case No.: 50-2019-CA-010834XXXXMB AO. An agreement has been reached with Mr. and Mrs. Maynard and their attorney to resolve their claim for \$82,500. The Plaintiffs have signed a general release which releases the City from any and all claims arising from this accident, which ends all of their claims for damages, including all attorney's fees and costs, against the City of West Palm Beach.

Section 2-268(g)(4) of the Code of Ordinances of the City of West Palm Beach, Florida, provides that the authority for settlement of all claims in excess of \$30,000 shall require approval of the City Commission by formal resolution. Resolution No. 97-20 approves the Conditional Settlement Agreement.

5. Resolution No. 111-20 authorizing a letter of support to the Florida Department of Transportation for the Lane Elimination planned for the Broadway Improvements Project from 25th Street to 45th Street.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING FOR LANE ELIMINATION ON BROADWAY FROM 25TH STREET TO 45TH STREET; AUTHORIZING THE MAYOR TO PROVIDE A LETTER IN SUPPORT OF SUCH APPLICATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22884

Staff Recommended Motion:

Approve Resolution No. 111-20.

Background:

Transportation staff is proposing to submit a Lane Elimination Application to the Florida Department of Transportation to eliminate vehicular travel lane(s) on Broadway from 25th Street to 45th Street. Implementing a lane elimination or lane repurposing will create a focus on enhancing pedestrian safety, improving pedestrian and bicyclist access to the City, County and State broader transportation network, and connecting citizens to schools, parks, transit facilities, and commercial centers. This would be accomplished by upgrading the existing crosswalks, improving aesthetics and visibility, constructing ADA compliant ramps, providing shade trees to create a linear park, and creating median parking from the inside lanes along the corridor.

Turn lanes will be maintained at the intersections. The multi-use path will include on street parking, shade trees, tree grates, pedestrian level lighting, street furniture, bicycle racks, and protection for users at the intersections. Over 30% of crashes along the Broadway corridor are pedestrian and bicyclists and a priority in the City's Vision Zero Policy. The lane repurposing will reduce vehicle speeds, encourage the consolidation of driveways and reduce the number of curb cuts, and allow for the unifying of street lighting along the corridor.

The National Complete Streets Coalition promotes the development and implementation of "Complete Street" policies and practices. A Complete Streets approach integrates people and place in the planning, design, construction, operation, and maintenance of our transportation networks. This helps to ensure streets are safe for people of all ages and abilities, balance the needs of different modes, and support local land uses, economies, cultures, and natural environments.

BACKGROUND: As one of the highest traveled corridors in Palm Beach County, Broadway (State Road 5/ US Highway 1) is the ideal location for storefronts and businesses that will contribute to business expansion and commercial revitalization. The corridor, which runs through the north end of West Palm Beach, runs parallel with the Intracoastal Waterway and is just blocks from marinas, boat builders, and related businesses. The Broadway Corridor is also a great and growing locale for those in the marine industry. Designated as a mixed-use district, this main thoroughfare is being transformed as several façade and landscaping improvement projects are underway. The targeted population for this project includes the marine industries, Northwood Village merchants, and the surrounding residential neighborhoods. The public benefit is an increase of economic development for the area, with an emphasis on bringing a workforce that can also live in the area they work, thus supporting and growing the local economy.

EXISTING CONDITIONS: The Broadway Improvements are located between 25th Street and 45th Street. The surrounding land uses are residential, commercial and institutional, and includes connections to transit facilities, parks, and schools. The project corridor is approximately one mile long and is entirely in Florida Department of Transportation (FDOT) right-of-way (ROW). The ROW width varies between 70 and 80 feet. There are no existing on-street parking or bicycle facilities.

Broadway is currently a four-lane divided roadway with a raised median and center turn lanes. Walkability on the corridor is deficient for several reasons. There is a limited amount of shade on the sidewalks as most of the trees are placed in the median. Many pedestrian ramps are missing ADA compliant truncated domes. Furthermore, there are no high emphasis crosswalks along the corridor.

PROPOSED PROJECT:

- Project Limits: Broadway from 25th Street to 45th Street.
- Project length: Approximately 1.14 mile
- Proposed: 3 lane cross section

The proposed design is to repurpose a 4-lane section to a 3-lane roadway section with multi-use paths, on street parking, shade trees, enhanced lighting, utilities improvements, landscape architecture and protected bicycle and pedestrian infrastructures.

FUNDING: Broadway Ave. Lane Elimination project was submitted to FDOT in 2016 for consideration for a 2-lane section with center turn lane at the intersections under Resolution No 195-16. This concept was rejected by FDOT and staff was directed to resubmit for a proposed 3-lane section. Three projects were awarded by the TPA (Transportation Planning Agency) for 25th Street and 36th Street as a connection to the Broadway corridor.

- 25th Street: Resolution No. 136-19 authorizes submittal of a grant application to FDOT.
- 36th Street: Resolution No. 120-17 and 121-17 authorizes submittal of a grant application to FDOT.

The Broadway Improvements capital improvement project was identified in the one-cent sales tax project list with over \$6M prioritized for the Broadway Corridor. In addition, there is currently \$1.28M in the Palm Beach TPA's TIP (transportation Improvement Plan) for preliminary engineering.

COMMISSION DISTRICT: Commission District 1 - Commissioner Kelly Shoaf.

Fiscal Note:

No fiscal impact- project fully funded by FDOT.

6. Resolution No. 85-20: A Resolution Expressing Approval and Support for the Development of United States Bike Route 1 (USBR 1) through the City of West Palm Beach.

Resolution No. 85-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE ROUTE THROUGH THE CITY TO BE DESIGNATED AS A PORTION OF UNITED STATES BIKE ROUTE 1; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22885

Staff Recommended Motion:

Approve Resolution No. 85-20.

Background:

Bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists. A national effort to build a US Bicycle Route system is being led by the American Association of State Highway and Transportation Officials (AASHTO). The U.S. Bicycle Route System (USBRS) will be a network of national cycling routes across the United States, consisting of interstate long-distance cycling routes that use multiple types of bicycling infrastructure, including off-road paths, bicycle lanes, and low-traffic roads. As of June 2018, 24 parent routes and 14 child routes extended 13,099 miles across 26 states and the District of Columbia; currently 14,000 miles have been designated throughout 27 states. The system, once fully connected, is projected to encompass over 50,000 miles of bike routes.

U.S. Bicycle Route 1 (USBR 1) is a cross-country bicycle route that runs along the United States eastern seaboard from Bar Harbor, Maine and ends in Key West, Florida. FDOT, Bike Florida, Florida Bicycle Association, and the Adventure Cycling Association have identified a corridor crossing Florida proposed to be designated as United States Bicycle Route 1 (USBR 1).

West Palm Beach lies within the proposed route for USBR 1, which would be about 7 miles long within the City limits. The route would enter the City from Riviera Beach on Broadway/US 1 then onto 54th St., N Flagler Dr/Poinsettia Ave., 27th St., N Flagler Dr., S Flagler Dr., Washington Rd., S Flagler Dr/Greenwood Dr. then onto US 98/Southern Blvd, where it turns east and would cross the bridge to run south on A1A. The route was investigated, and it was found to be suitable for bicycle tourists.

Designating a USBR does not impose any constraints or restrictions on the use of a road, street, trail or right-of-way. There is no requirement that roads for US Bicycle Routes meet the guidelines in the AASTHO Guide for Bicycle Facilities.

The City desires that the proposed route be designated as USBR 1 so that it can be mapped and signed, thereby promoting bicycle tourism in our area, improving awareness and safety around the route, and facilitate improvements to bike lanes around the City.

Designating a USBR does not impose any constraints or restrictions on the use of a road, street, trail or right-of-way. There is no requirement that roads for US Bicycle Routes meet the guidelines in the AASTHO Guide for Bicycle Facilities. Lastly, there is no inherent liability for local agencies per the federal Transportation Research Board report NCHRP 20-6.

Resolution No. 85-20 approves the route through the City to be designated as a part of United States Bike Route 1.

Fiscal Note:

No fiscal impact.

- 7. Resolution No. 107-20(F) authorizing the transfer of funds in the amount of \$130,000 for the Pleasant City Community Center Renovation project.**

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 CAPITAL ACQUISITION FUND TO PROVIDE APPROPRIATIONS FOR RENOVATION OF THE PLEASANT CITY COMMUNITY CENTER; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22886

Staff Recommended Motion:

Approve Resolution No. 107-20(F).

Background:

Pleasant City Community Center located at 501 21st Street was constructed in the late 1970. The center needs improvements and upgrades to meet the current use of the facility. A total interior makeover including a defined entryway, new office space and an enlarged kitchen are a few of the highlights. The overall building area is +/- 10,500 SF and supplements the historic Gloria Y. Williams Multicultural Center's 1926 structure.

Renovations to the building will include new flooring throughout, wall treatments, an enlarged upgraded kitchen, improved and new office space, an enlarged expanded entry/reception area, new bleachers, new basketball court floor, additional storage space for supplies and equipment, an upgraded HVAC system, new energy efficient lighting, windows and doors, and a new roof.

Pleasant City Community Center Renovation project was competitively bid, with the renovation work cost of \$1,373,500, and the roof replacement cost of approximately \$73,000 totaling \$1,446,500. We currently have approximately \$1,338,000 available for the project. The additional \$130,000 will increase the funding available for the project to \$1,503,500 and allow the City to complete the renovation of the existing building. Currently the project is being funded out of the One-Cent Sales Tax Capital Improvements Fund.

Under Resolution No. 409-17(F) in FY 17/18, the City approved funding of \$800,000 for the removal of Australian Pine trees along Village Boulevard and Brandywine Road and they were replaced with a sustainable landscape. The project was completed during the first half of 2018. There is currently \$156,954.95 left over in the project budget. Per direction from the City's Landscape Planner, it was recommended to wait 1-2 years after the installation of landscape to replace any dead plant materials and allow the rest of the landscape grow in. While most of the landscape installed is thriving, the City is proposing to use the remainder of the funding to replace landscape material that has died and fix a broken irrigation line that was discovered at the north end of the project. The funding left in this budget would be \$26,954.95 and is estimated to be adequate to cover these additional expenses. After the transfer of the \$130,000, any additional funding leftover after the landscape is replaced and irrigation fixed would be moved to reserves.

Resolution No. 107-20(F) approves the transfer of \$130,000 presented to the Commission for the proposed Pleasant City Community Center.

COMMISSION DISTRICT: District 1: Commissioner Kelly Shoaf (Pleasant City Community Center) & District 2: Commissioner Cory Neering (Village Blvd. Australian Pine Project).

Fiscal Note:

- Reduce project budget 304-070400-572-500340-20142645 by \$130,000.
- Add project budget 304-070400-572-500460-10138551 add \$130,000.

8. **Resolution No. 108-20 approving an interlocal agreement between the West Palm Beach Community Redevelopment Agency and the City of West Palm Beach for funding the operation of the Blue Line Trolley service.**

RESOLUTION NO. 108-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF WEST PALM BEACH REGARDING FUNDING OPERATIONS OF THE TROLLEY BLUE LINE FOR FY 19-20 AND FY 20-21; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22887

Staff Recommended Motion:

Approve Resolution No. 108-20.

Background:

The City entered into a Trolley Operating Agreement with Molly's Trolleys of West Palm Beach, Inc., which was subsequently assigned to Hoffman PB Trolley's, LLC, to provide Trolley services within the City. The purpose of the Blue Line trolley is to connect downtown West Palm Beach with the Historic Northwest, Pleasant City and Northwood Village, for the purpose of supporting increased economic development. The City and the CRA has supported and funded the operation of a trolley route, known as the Blue Line for a number of years. The Blue Line Trolley Service supports economic development throughout the City and benefits the public.

The interlocal agreement allows the City to continue operations of the Blue Line Trolley Service through September 30, 2021. The CRA, DDA, and Palm Beach Outlets had funded portions of this route over the last several years. Due to a decrease in funding from the Palm Beach Outlets and inconsistent and low ridership numbers, the City is in the process of modifying the Blue Line Route to eliminate the Palm Beach Outlets and add stops within the Historic Northwest and Pleasant City, which both reside within the CRA. The proposed Route is attached and will run from 11AM to 10PM each Thursday through Sunday and have shorter wait times than the current route. The City will also use the two new trolleys it recently purchased and just received, which will reduce costs and add consistency to the trolley service.

The DDA has agreed to continue funding the modified route and will contribute \$30,000 through September 30, 2020. Estimated costs for the CRA for the remainder of FY 19-20 are \$110,000, but will not exceed \$120,000, which has been previously budgeted. The ILA also provides for funding by the CRA for FY 20-21 in an amount not to exceed \$211,000.

Companion Resolution No. 26-20 will be presented to the CRA Board.

Commission District 1: Kelly Shoaf.

Fiscal Note:

Approval will provide funding from the CRA to the City in an amount not to exceed \$120,000 in FY19-20 and \$211,000 in FY20-21.

9. **Resolution No. 110-20 approving the City's intent to engage in mandatory conflict resolution procedures in an action filed against the Palm Beach Transportation Planning Agency regarding an amendment to its Long Range Transportation Plan that added a project extending and widening State Road 7.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ADOPTED PURSUANT TO SECTION 164.1052, FLORIDA STATUTES, DECLARING ITS INTENT TO INITIATE THE CONFLICT RESOLUTION PROCEDURES SET FORTH IN CHAPTER 164, FLORIDA STATUTES; FINDING THAT A CONFLICT EXISTS BETWEEN THE CITY OF WEST PALM BEACH AND THE PALM BEACH TRANSPORTATION PLANNING AGENCY REGARDING AN AMENDMENT ADDING THE STATE ROAD 7 PROJECT TO ITS PREVIOUSLY ADOPTED 2045 LONG RANGE TRANSPORTATION PLAN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22888

Staff Recommended Motion:

Approve Resolution No. 110-20.

Background:

On December 12, 2019, the Palm Beach Transportation Planning Agency ("TPA") met to consider the draft 2045 Long Range Transportation Plan ("LRTP"). The draft LRTP included the State Road 7 Extension and Widening Project consisting of a southern and northern segment ("SR 7 Project"). The southern segment is located between Okeechobee Blvd. and 60th Street and the northern segment is located between 60th Street and Northlake Blvd. At the December meeting, the TPA Board first voted to approve several amendments to the draft LRTP, one of which included the removal of the SR 7 Project from the LRTP. Following the vote to remove several road projects, including the SR 7 Project, the TPA Board voted to approve the 2045 LRTP, as amended. On December 13, 2019, one of the TPA Board members sent an e-mail to the TPA Executive Director requesting reconsideration of the vote on the amendment. The Executive Director then prepared an agenda item for the February 20, 2020 TPA meeting to add the State Road 7 Project as an amendment to the adopted 2045 LRTP (SR 7 Amendment). During the February 20th meeting, the TPA approved the SR 7 Amendment adding the SR 7 Project to the plan. The approval of the SR 7 Amendment has created a conflict between the City and the TPA. The specific legal challenges are identified in the Complaint for Declaratory and Injunctive Relief filed with the Fifteenth Judicial Circuit on March 23, 2020 and attached as Exhibit A to Resolution No. 110-20. The relief requested includes entry of an order 1) declaring the TPA's passage of the SR 7 Amendment failed to comply with applicable federal regulations and state law, as well as the TPA's own by-laws, and

declaring the SR 7 Amendment is null and void, and 2) enjoining the TPA from adopting, implementing, or executing the SR 7 Amendment and requiring the TPA to strike the SR 7 Project from the 2045 LRTP.

A summary of the issues raised in the complaint are as follows:

- 1) The TPA Board failed to follow its own procedures and by-laws in adopting the SR 7 Amendment to the 2045 LRTP;
- 2) The SR 7 Amendment required a redemonstration of “fiscal constraint” (i.e. review of project costs) and the TPA made no such redemonstration;
- 3) There was no meaningful public review or public comment due to the failure to undertake a redemonstration of fiscal constraint;
- 4) The SR7 Amendment is not consistent to the "maximum extent feasible" with the City's Comprehensive Plan;
- 5) TPA failed to comply with state and federal laws by failing to consider “environmental mitigation activities,” “natural resources, environmental protection conservation,” and “mitigation of water pollution due to highway runoff” associated with the SR 7 Amendment; and
- 6) The TPA failed to follow federal regulations and state law by not considering the actual “need” for the SR 7 Project.

The City is required under Chapter 164, Florida Statutes, to abate the proceedings for the purpose of engaging in conflict resolution procedures with the TPA and has filed a Motion to Abate with the Court. To engage in such conflict resolution procedures, the City Commission is required, by statute, to pass a resolution stating that it intends to engage and follow Chapter 164's conflict resolution procedures. Resolution No. 110-20 serves that purpose and should be passed by the City Commission.

10. Resolution No. 114-20 approving a funding interlocal agreement between the City of West Palm Beach and the West Palm Beach Community Redevelopment Agency for repaving a portion of Flagler Ave. adjacent to the Old City Hall development.

Resolution No. 115-20 approving the project participation agreement between Navarro Lowrey, Inc., and the City of West Palm Beach for repaving a portion of Flagler Drive, adjacent to the Ben Hotel, the site of the Old City Hall development.

RESOLUTION NO. 114-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE PROJECT FUNDING AGREEMENT BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF WEST PALM BEACH FOR REPAVING A PORTION OF FLAGLER DRIVE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 115-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE PROJECT PARTICIPATION AGREEMENT BETWEEN NAVARRO LOWREY, INC., AND THE CITY OF WEST PALM BEACH FOR REPAVING A PORTION OF FLAGLER DRIVE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22889

Staff Recommended Motion:

Approve Resolution Nos. 114-20 and 115-20.

Background:

The CRA's Strategic Finance Plans for the Downtown/City Center District identifies target project areas and specific redevelopment activities and funding mechanisms for such projects. The CRA's Strategic Finance Plans for the City Center/Downtown CRA District, identifies the downtown core as a target area with focus on the redevelopment of the Old City Hall and Helen Wilkes Sites.

The Old City Hall and Helen Wilkes Sites are completing redevelopment. The Ben hotel has been constructed and the office, restaurant, retail and residential component of the project will be completed in the near future. The condition of the pavement on Flagler Dr. adjacent to this development site has deteriorated to the point that it needs to be repaved. To support the patrons, residents and workers of this new development, a portion of Flagler Drive, from north of 3rd St. to south of Banyan Blvd needs to be repaved.

The total cost of the repaving is estimated at \$275,698.50; the developer of the Old City Hall/Helen Wilkes sites, Navarro Lowrey, Inc., has agreed to contribute \$15,964. The CRA will fund a portion of the repaving in an amount not to exceed \$27,570. The City of West Palm Beach will fund the remaining amount of \$232,144.50 from the existing Roadway Improvements budget. The City will execute a contract Work Order with DP Development to perform the paving.

Resolution No. 114-20 approves a Project Funding Agreement with the CRA committing \$27,570 to the repaving of this portion of Flagler Drive.

Resolution No. 115-20 approves a Project Participation Agreement with the Navarro Lowrey, Inc. committing \$15,964 to the repaving of this portion of Flagler Drive.

Companion CRA Resolution No. 20-27 approves a Project Funding Agreement with the City of West Palm Beach committing \$27,570 to the repaving of a portion of Flagler Drive.

COMMISSION DISTRICT: District 3: Commissioner Christy Fox.

- 11. Public Hearing of Resolution No. 117-20 ratifying the City's application submitted to the U.S. Department of Justice under the Coronavirus Emergency Supplemental Funding Program seeking a grant in the amount of \$215,649 for funding for the Police Department to aid in the prevention, preparation for, and response to COVID-19.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE SUBMITTAL OF AN APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE, FOR A GRANT UNDER THE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM FOR EXPENDITURES INCURRED BY THE POLICE DEPARTMENT IN RESPONDING TO THE COVID-19 PANDEMIC; PROVIDING FOR AN EFFECTIVE DATE; AND OTHER PURPOSES.

Agenda Cover Memorandum No.: 22890

Staff Recommended Motion:

Approve Resolution No. 117-20.

Background:

On March 30, 2020 the United States Department of Justice announced the Coronavirus Emergency Supplemental Funding Program grant opportunity. The City of West Palm Beach was allocated \$215,649 of that funding.

The application was submitted upon preparation in order to facilitate distribution of funds awarded as they may be drawn down in advance or on a reimbursable basis. Permissible uses include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks and sanitizer), training, and travel expenses (particularly related to the distribution of resources to the most impacted areas). No matching funds are required. The application deadline is May 29, 2020.

Consistent with the CESF's program purposes, which involve assistance in responding to the present national emergency in connection with the coronavirus, OJP has determined that eligible states or units of local government may draw down funds either in advance or on a reimbursable basis.

Fiscal Note:

No fiscal impact and no matching funds are required.

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

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.