



**City of West Palm Beach
City Commission**

**DRAFT
AGENDA**

**October 10, 2017
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
GERALDINE MUOIO**

**CITY COMMISSION
PRESIDENT CORY NEERING**

**COMMISSIONER SYLVIA MOFFETT
COMMISSIONER KEITH JAMES**

**COMMISSIONER PAULA RYAN
COMMISSIONER SHANON MATERIO**

**ADMINISTRATION
CITY ADMINISTRATOR, JEFFREY GREEN
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.

PRESENTATION AND AWARDS OF MERIT (1 – 2):

1. Proclamation recognizing the “Imagine a Day Without Water” campaign being held October 12, 2017 which is an organized effort to highlight the critical importance of reliable access to clean water in our lives and the investment in infrastructure that is necessary to protect this valuable resource.
[Agenda Cover Memorandum No.: 21599](#)
2. Proclaiming October 15-21, 2017 as: Mediation Week. Proclamation to be accepted by Palm Beach County Bar Association President Rosalyn Sia Baker-Barnes, Palm Beach County Bar Association Executive Director Carla Tharp Brown and representatives of the Alternative Dispute Resolution (ADR) Committee.
[Agenda Cover Memorandum No.: 21600](#)

ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA:

RECEIVED / FILED:

CONSENT CALENDAR (3 – 11):

3. **Minutes of the Special City Commission Meeting of September 14, 2017.**
[Agenda Cover Memorandum No.: 21601](#)

Staff Recommended Motion:
Approve the Minutes of the Special City Commission Meeting of September 14, 2017.
4. **Minutes of the Special City Commission Meeting Budget of September 14, 2017.**
[Agenda Cover Memorandum No.: 21602](#)

Staff Recommended Motion:
Approve the Minutes of the Special City Commission Meeting: Budget held on September 14, 2017

5. **Resolution No. 285-17 authorizing approval of settlement of \$38,000 in the matter of Sarah E. Hitz v. City of West Palm Beach.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING APPROVAL OF PROPOSED SETTLEMENT IN THE MATTER OF SARAH E. HITZ V. CITY OF WEST PALM BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21607](#)

Staff Recommended Motion:

Approve Resolution No. 285-17.

Background:

Sarah E. Hitz filed a claim against the City of West Palm Beach for injuries sustained as a result of an automobile accident which occurred on January 19, 2016. Resolution No. 285-17 approves settlement with Sarah E. Hitz of this matter in the amount of \$38,000.00.

6. **Resolution No. 312-17 authorizing approval of settlement (\$125,000.00) in the matter of Ira Green v. City of West Palm Beach, filed in the Fifteenth Judicial Circuit, Palm Beach County, Florida, Case No. 502014 CA010500 XXXXMBAO.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING APPROVAL OF A PROPOSED SETTLEMENT IN THE MATTER OF IRA GREEN v. CITY OF WEST PALM BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21610](#)

Staff Recommended Motion:

Approve Resolution No. 312-17.

Background:

Ira Green is a former Waste Water Plant Operator employee who filed an employment discrimination lawsuit against the City of West Palm Beach in the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, in Case No. 502014 CA010500 XXXXMBAO, asserting in two (2) counts alleged violations of the Florida Civil Rights Act. The City of West Palm Beach denies the allegations in their entirety but reached a proposed settlement with Ira Green for all claims against the City of West Palm Beach in the amount of \$125,000.00 as shown in the attached proposed agreement.

7. **Resolution No. 299-17(F) appropriating \$64,768 for the State of Florida Department of Health Childcare Food Program (CCFP) to provide snacks during the City's after school programs at four (4) community centers.**

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 2017/2018 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 THE PURCHASE OF SNACKS FOR THE CHILDCARE FOOD PROGRAM AND FOR RECOGNIZING REIMBURSEMENT THROUGH A GRANT FROM THE STATE OF FLORIDA DEPARTMENT OF HEALTH CHILDCARE FOOD PROGRAM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21603](#)

Staff Recommended Motion:

Approve Resolution No. 299-17(F).

Background:

In Palm Beach County and in the City of West Palm Beach, many children are only receiving one (1) balanced meal a day, qualifying for free and reduced lunch in our schools. The State of Florida Department of Health (FDOH) in partnership with the US Department of Agriculture administers this reimbursement child care food program for childcare providers.

The City's after school program wishes to provide a snack during after school care at the four (4) after school program locations; South Olive Community Center, Gaines Park Community Center, Coleman Park Community Center and Howard Park Community Center. The Child Care Food Program will reimburse the City for snacks served, food program administration and supplies.

The State of Florida Department of Health will reimburse the City for actual costs, not to exceed \$64,768 in Fiscal Year 2018.

Fiscal Note:

Approval will provide approximately \$64,768 in reimbursable expenditures providing snacks to children in the after school program.

- 8. Resolution No. 295-17 authorizing the assessment of city liens in the total amount of \$42,786.98 for unpaid water service, sewer service, and stormwater service charges for the month of June 2017.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AND AUTHORIZING AN ASSESSMENT OF CITY LIENS FOR UNPAID WATER SERVICE, SEWER SERVICE, AND STORMWATER SERVICE; PROVIDING THAT SAID LIENS SHALL BE PRIOR IN DIGNITY TO ALL OTHER LIENS AGAINST THE

**ASSESSED PROPERTIES, SAVE AND EXCEPT A LIEN FOR TAXES;
PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

[Agenda Cover Memorandum No.: 21506](#)

Staff Recommended Motion:

Approve Resolution No. 295-17.

Background:

In accordance with the Code of Ordinances of the City of West Palm Beach, Florida, 2003, Sections 90-4 and 90-5, the City imposes liens on private real property for delinquent payments due for utility services. The liens to be assessed by Resolution No. 295-17 are for unpaid water service, sewer service and stormwater service charges for the month of June 2017. The list of properties to be assessed and the associated charges totaling \$42,786.98 are attached to Resolution No. 295-17 as EXHIBIT A - Utility Lien List June 2017. If not paid, these liens may be foreclosed by the City.

Fiscal Note:

No fiscal impact.

9. **Resolution No. 305-17(F) appropriating funds for capital improvement projects for fiscal year 2017/2018.**

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 2017/2018 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE GAS TAX FUND, THE FIRE ASSESSMENT FEE FUND, THE CAPITAL ACQUISITION FUND, THE 2016B CAPITAL IMPROVEMENT FUND, AND THE ONE-CENT SALES TAX CAPITAL IMPROVEMENTS FUND BUDGETS TO PROVIDE APPROPRIATIONS FOR THE CARRYFORWARD OF FUND BALANCE AND ALLOCATION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS FOR FY18; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21608](#)

Staff Recommended Motion:

Approve Resolution No. 305-17(F).

Background:

On August 21, 2017 the Engineering Department recommended to the City Commission the capital projects for fiscal year 2017/2018 (FY18).

On September 28, 2017 the City Commission adopted the final estimates of revenue and expense for FY18, per Resolution No. 301-17(F).

Many of the capital projects were detailed and adopted at that time. However, due to time constraints caused by Hurricane Irma, the Budget Office adopted a lump-sum amount in the Reserve for Future Projects account for the approved projects in the Gas Tax Fund and the Fire Assessment Fee Fund. Resolution No. 305-17(F) transfers the adopted budgets from Reserve for Future Projects to individual project-numbered accounts, as follows:

Gas Tax Fund 101

\$770,000 - Citywide Mobility Study
423,500 - Okeechobee Lighting
1,400,000 - GASB Roadway Improvements
\$2,593,500 - Total

Fire Assessment Fee Fund 131

\$82,500 - FS #1 HVAC
17,500 - FS #6 HVAC
385,000 - FS Exhaust Ventilation Systems
44,000 - FS #1 Door & Window Repairs
198,000 - FS #7 Re-Roof
\$727,000 - Total

In addition, \$3,328,993 of available funds from fiscal year 2016/2017 (FY17) is being carried forward in the One-Cent Sales Tax Capital Improvements Fund, as follows:

One-Cent Sales Tax Capital Improvements Fund 325

\$1,606,329 - Coleman Park Community Center Renovation
89,600 - Gaines Park Community Center Renovation
634,689 - Pleasant City Community Center Renovation
290,932 - Greenway & Multipurpose Paths
680,155 - Citywide Lighting Improvements
27,288 - S Dixie Renovation Phase 1
\$3,328,993 - Total

In addition, City Administration has identified the need for repairs to the Martin Luther King Memorial. Available funds from Reserve for Future Projects in FY17 are being carried forward in the 2016B Capital Improvement (Bond) Fund for that purpose, as follows:

2016B Capital Improvement Fund 329

\$192,500 - Martin Luther King Memorial Rebuild

In addition, City Administration has determined, in consideration of Hurricane Irma, that the City should install weather stations in the fire stations. Available funds from Reserve for Future Projects in FY17 are being carried forward in the Capital Acquisition Fund 304, as follows:

Capital Acquisition Fund 304
\$73,500 - Weather Stations in Fire Stations

Fiscal Note:

Approval will provide appropriations in project-numbered accounts for approved FY18 capital projects.

- 10. Resolution No. 293-17 approving Amendment No. 1 to the Landscape Maintenance Memorandum of Agreement (MMOA) with the Florida Department of Transportation (FDOT) for State Road 704 (Okeechobee Boulevard) to construct additional improvements adjacent to the new Restoration Hardware at 560 Okeechobee Boulevard.**

Resolution No. 292-17 approving a Right-of-Way (ROW) Maintenance Agreement with CityPlace Office II LLC.

RESOLUTION NO. 293-17: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AMENDMENT NO. 1 TO THE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR STATE ROAD 704 (OKEECHOBEE BOULEVARD) TO CONSTRUCT ADDITIONAL IMPROVEMENTS ADJACENT TO THE NEW RESTORATION HARDWARE AT 560 OKEECHOBEE BOULEVARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 292-17: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A RIGHT-OF-WAY MAINTENANCE AGREEMENT WITH CITYPLACE OFFICE II LLC TO MAINTAIN A PORTION OF STATE ROAD 704 (OKEECHOBEE BOULEVARD); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21605](#)

Staff Recommended Motion:

Approve Resolution No. 293-17 and Resolution No. 292-17.

Background:

On August 3, 2015, the City Commission approved Resolution No. 206-15 permitting the construction of a Restoration Hardware gallery on the Okeechobee Parcel immediately east of Rosemary Avenue. The landscape plan approved as part of the resolution includes pavers and required landscape within the Okeechobee Boulevard right-of-way, which is controlled by the Florida Department of Transportation (FDOT). As the FDOT will not contract directly with a developer, a Landscape Maintenance Memorandum of Agreement (MMOA) between FDOT and the City for the maintenance of material installed within the Okeechobee Boulevard right-of-way is required. The City submitted the plans for the improvements to FDOT for review and the FDOT determined that the

new installation would require an amendment to the previously approved MMOA for Okeechobee Boulevard (attached) approved by Resolution No. 132-16. The original MMOA covered the paver installation that the Related Companies did for the Okeechobee Boulevard pedestrian crossing on the west side of Rosemary Avenue within the median as part of the Hilton Hotel project.

Resolution No. 293-17 approves Amendment No. 1 to the MMOA for the intersection of Okeechobee Boulevard and Rosemary Avenue to cover the landscape and paver material installed by Restoration Hardware as part of their development plan.

Resolution No. 292-17 approves a Right-of-Way Maintenance Agreement with CityPlace Office II LLC, the property owner of the Okeechobee Parcel, which will transfer the maintenance obligations for the Restoration Hardware improvements within the FDOT right-of-way to CityPlace Office II LLC.

COMMISSION DISTRICT - The subject area is located in Commission District No. 3 - Commissioner Paula Ryan.

Fiscal Note:

No fiscal impact.

11. **Resolution No. 315-17 approving and authorizing the Mayor to execute a Resolution urging President Donald J. Trump to extend the Country of Haiti's Temporary Protected Status designation for an additional period of 18 Months.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, URGING PRESIDENT DONALD J. TRUMP TO EXTEND THE COUNTRY OF HAITI'S TEMPORARY PROTECTED STATUS DESIGNATION FOR 18 MONTHS BEYOND ITS EXPIRATION ON JANUARY 22, 2018; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21611](#)

Staff Recommended Motion:

Approve Resolution No. 315-17.

Background:

In recent years the Country of Haiti has suffered extraordinary calamities, including the 2010 earthquake which killed 300,000 people, injured and displaced millions and nearly 40,000 earthquake victims still remain in internally displaced persons (IDP) camps and 200,000 more remain in a camp simply renamed a "settlement" (Canaan); the unchecked cholera epidemic introduced by United Nations (UN) peacekeepers in October 2010 which has killed at least 10,000 and sickened over 800,000; and last October's devastating Hurricane Matthew, a Category 4 hurricane with 145 mph winds which killed 1,000 people, left hundreds of thousands without safe water or food, and destroyed crops, livestock, and infrastructure.

In response to these tragedies, since January, 2011, fifty eight thousand Haitians migrated to the United States (US) and were subsequently granted Temporary Protected Status (TPS) which allowed them to remain in this country during the protected period which typically lasted for 18 months. Since first being granted, the protected period has always been renewed for additional 18 month periods however on May 22, 2017 the period was only extended for six months, ending on January 22, 2018. Haitians in America enjoying protected status were warned to prepare to return to Haiti.

The 58,000 Haitians in the US have greatly contributed to the recovery of Haiti from the tragedies by regularly sending remittances which sustain approximately 320,000 to 500,000 relatives in Haiti. In 2015 the remittances totaled approximately \$1.3 billion dollars, which constitute Haiti's chief source of foreign assistance.

The Haitian Government, struggling to recover from the recent catastrophes, is unable to safely receive or assimilate the 58,000 Haitians with TPS, along with an influx of repatriates expelled from the Dominican Republic; nor can the Government replace the remittances from Haitians in the US which help sustain the Haitian economy. Such deportations would be both unsafe and destabilizing.

Resolution No. 315-17 urges President Trump to extend Haiti's Temporary Protected Status and authorizes the Mayor to execute and transmit the resolution to the President and other related department heads.

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

RESOLUTION (12):

- 12. Resolution No. 265-17 approving a funding commitment in the amount of \$394,980 to Blue Onyx 1401 Division Avenue, LLC., for the rehabilitation and historic preservation of an affordable rental project at 1401 Division Avenue and authorizing the Mayor to execute all documents necessary to expend the funds.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A FUNDING COMMITMENT IN THE AMOUNT OF \$394,980 TO BLUE ONYX 1401 DIVISION AVENUE, LLC., FOR THE REHABILITATION AND HISTORIC PRESERVATION OF AN AFFORDABLE RENTAL PROJECT AT 1401 DIVISION AVENUE; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EXPEND THE FUNDS; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY LOCAL GOVERNMENT VERIFICATION FORMS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21609](#)

Staff Recommended Motion:

Approve Resolution No. 265-17.

Background:

Blue Onyx 1401 Division Avenue, LLC, is proposing to rehabilitate the former “Pine Ridge Hospital” as a twenty unit affordable rental housing project with a set-aside for persons at-risk of homelessness and has requested financial assistance from the City in the amount of \$394,980 in the form of loans, grants and Housing Incentive Fee Waivers to assist in the rehabilitation. 1401 Division Avenue is the former “Pine Ridge Hospital” which served as the hospital providing medical services to African Americans in Palm Beach County during the Segregation Era and is listed on both the National Register of Historic Places and the City of West Palm Beach Register of Historic Places.

The estimated cost of the project is \$1,181,515.00. With the assistance of a financial commitment from the City, Blue Onyx has sufficient financing to complete the project. The City’s financial commitment will be in the form of a repayable loan in the amount of \$200,000 and a forgivable loan in the amount of \$100,000 from the City’s Housing Trust Fund (HTF), a \$50,000 historic preservation grant from the Community Development Block Grant (CDBG) and \$44,980 in Housing Incentive Fee Waivers approved under Resolution No. 84-16. The balance of the funds in the amount of \$786,535 will be provided by Blue Onyx. The City’s loan will be in first lien position and secured by a Loan Agreement, a Promissory Note, a Mortgage, and a Restrictive Covenant. During the redevelopment and lease-up phase the City’s loan will be secured by cross collateral and pledging of rents from rental properties owned by Blue Onyx US Holdings, Corp.

PUBLIC HEARING (13 – 14):

13. **Public Hearing and Second Reading of Ordinance No. 4734-17 approving a Communications Site Lease with RPC Holdings, Inc. for a portion of 3033 Cumberland Drive.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A COMMUNICATIONS SITE LEASE BETWEEN THE CITY AND RPC HOLDINGS, INC. FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A COMMUNICATIONS FACILITY ON APPROXIMATELY 2,500 SQUARE FEET OF PROPERTY LOCATED AT 3033 CUMBERLAND DRIVE AND ADJACENT TO FIRE STATION 6; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21612](#)

Staff Recommended Motion:

Approve Ordinance No. 4734-17.

Background:

In 2010, by Resolution No. 321-10, the City Commission adopted the Wireless Telecommunication Master Plan as the blueprint to address the future wireless telecommunication needs of the City. The Master Plan designated appropriate City owned sites as potential locations for siting wireless facilities. Fire Station 6, located at

3033 Cumberland Drive, was identified as a site for a slick stick or flag pole structure with a proposed structure height of 100 feet.

RPC Holdings, Inc. desires to lease approximately 2,500 square feet of property from the City to construct, maintain and operate a communications facility. The communications tower will be 130 foot and designed as a concealed "slick stick" or concealed "flagpole" tower similar to those depicted in the City's wireless Master Plan and will be located in the northeast corner of the property. City Code allows new concealed towers of 130 feet or less.

The initial lease term will be five (5) years and RPC will have the right to renew for six additional five year terms. RPC will pay the City the greater of \$20,000.00 annually or 35% of gross income from subleases on the tower. Rent will increase three percent each year. RPC will also pay an additional \$5,000 for each carrier installed on the tower.

The value of the leased property, based on the Property Appraiser's assessment, is approximately \$6,500.00. In accordance with Section 2-31(27)(c) of the City Code, an appraisal is not required for the lease of a property which is assessed for less than \$50,000.00.

A four-fifths vote of the Commission at either first reading, or second reading, or both, is required to approve Ordinance No. 4734-17.

14. Public Hearing and First Reading of Ordinance No. 4735-17: Regarding a City initiated text amendment to modify Policy 1.7.2.2 of the Future Land Use Element of the City's Comprehensive Plan by amending specific criteria for the Northwood Mixed Use District (NMUD).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING POLICY 1.7.2.2 OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN REGARDING THE NORTHWOOD MIXED USE DISTRICT; DECLARING THE PROPOSED AMENDMENT TO BE CONSISTENT WITH ALL OTHER ELEMENTS OF THE COMPREHENSIVE PLAN; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

[Agenda Cover Memorandum No.: 21604](#)

Staff Recommended Motion:

Approve Ordinance No. 4735-17, a City initiated text amendment to Policy 1.7.2.2 of the Future Land Use Element of the City's Comprehensive Plan regarding NMUD. This motion is based upon the staff report, factual testimony, the recommendation of the Planning Board and the findings that the request complies with Chapter 163, Florida Statutes and the City's Comprehensive Plan.

Background:

(The information provided below is a general summary. A full analysis is included in the Staff Report attached hereto as ATTACHMENT 1).

Redevelopment Management Associates (RMA) on behalf of the Community Redevelopment Agency (CRA) conducted public outreach in 2014 to develop a strategy and consensus for the redevelopment of the North End Community Redevelopment Area, which includes the Northwood Mixed Use District (NMUD). The NMUD contains approximately 35 acres and is generally bounded on the north by the alley north of 25th Street; Dixie Highway to the east; 23rd Street to the south; and the F.E.C. Railroad Tracks to the west.

In September of 2014, the City Commission adopted amendments to the Future Land Use Element of the Comprehensive Plan to update the general provisions Policy for the Mixed Use Future Land Use Category as well as the specific Policy related to the Currie Mixed Use District. These amendments established the format for the amendment contained herein for Future Land Use Element Policy 1.7.2.2.

As part of the review of the existing NMUD regulations, RMA determined that the existing building typology allowances were not financially feasible for development to occur. RMA analyzed the maximum buildout potential in the NMUD based on the proposed regulations that will be presented as part of the amendment to the Zoning and Land Development Regulations. The proposed amendment to Future Land Use Element Policy 1.7.2.2 removes the building typology framework that was established when the NMUD policy was originally adopted in 2001. RMA concluded that the current total maximum development capacity for the NUMD of 850,000 square feet of retail/commercial use and 650 residential units is sufficient to accommodate the buildout permitted by the proposed NMUD zoning regulations, so this will not change as part of this amendment. Additionally, the provision in the existing policy which outlined the additional units that could be constructed as part of the sunsetted limited duration residential incentive has been removed. Since there is no increase in the maximum square feet of retail/commercial use or number of residential units, no additional Level of Service Analysis is required as part of this Future Land Use Element amendment. Planning staff will track the future development to ensure that the total permitted retail/commercial square footage and number of residential units is not exceeded as redevelopment occurs.

PLANNING BOARD: After a Public Hearing on August 15, 2017, the Planning Board voted unanimously (6-0) to recommend approval of the request.

PUBLIC NOTICE: Ordinance No. 4735-17 was advertised in the Palm Beach Post on October 3, 2017.

COMMISSION DISTRICT: The proposed amendment affects properties within Commission District No. 1 – Commissioner Sylvia Moffett.

COMMENTS BY THE CITY COMMISSIONERS:

COMMENTS BY THE MAYOR:

ADJOURNMENT:

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.