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

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

**City of West Palm Beach  
City Commission  
Agenda  
Monday, May 12, 2025  
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. MOMENT OF SILENCE**

**3. PLEDGE OF ALLEGIANCE**

**4. 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.

## 5. ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA

## 6. PROCLAMATIONS

- 6.1. Proclaiming May 4–10, 2025 as National Small Business Week. Proclamation to be accepted by Frank Hayden, Director Office of Small Minority Business Programs; and Dieulanie Claude, Outreach & Marketing Specialist, South Florida District Office, U.S. Small Business Administration.

**Originating Department:**

Mayor's Office

- 6.2. Proclaiming Thursday, May 15, 2025, as Peace Officers Memorial Day, and May 11 – May 17, 2025, as West Palm Beach Police Week. Proclamation to be accepted by Police Chief Tony Araujo, Sergeant Adam Myers, Sergeant Ariel Munoz, and Officer Seth Buxton.

**Originating Department:**

Mayor's Office

- 6.3. Proclaiming May 18-24, 2025, as National Public Works Week. Proclamation to be accepted by Leon Pinder, Public Works Director; Amy Marks, Administrative Services Manager; Matthew Williams, Fleet Manager; and Jonathan Algaranaz, Facilities Manager.

**Originating Department:**

Mayor's Office

## 7. PRESENTATIONS

- 7.1. Highlight of Award Presentation to Aida Veronica Vidal, CCMS, who was awarded the Women Business Owner of the Year by the Small Business Administration (SBA). Ms. Vidal is the Chief Executive Officer President of Custom Cleaning and Management Services, Corp.

**Originating Department:**

Mayor's Office

**Background Information:**

The National Small Business Week Woman Business Owner of the Year award is given to a business that can show “staying power,” has an increase in sales, net profit and net worth for consecutive calendar years, shows innovation in products or services offered, contributes to community-oriented projects, responds to adversity and volunteers to the advancement of minority business interests. Aida’s leadership reflects hard work, resilience, and determination as both a woman and immigrant, breaking barriers in a traditionally male-dominated industry.

Beyond her company’s success, Aida strives to provide a work

environment that helps others to grow and reach their own success. She advocates for women business achievements at leadership forum, panels, and expos to amplify the voices of women and small business owners in Florida.

“My goal is to leave a legacy of empowerment, inclusivity, and opportunity for future generations,” said Aida.

7.2. Presentation: 2025 Boat Show

**Originating Department:**  
Mayor's Office

## 8. APPOINTMENTS

- 8.1. City Commission approval is requested for the Mayor's reappointments of Beverly Morrison and Leon Lipsick to the Criminal Justice Advisory Committee for a term of two (2) years to expire on July 19, 2027. Ms. Morrison and Mr. Lipsick have served over the maximum allowed number of terms (3), and it is required that the City Commission confirm their reappointments.

**Originating Department:**  
Mayor's Office

**Staff Recommended Motion:**

Approve the reappointments of Beverly Morrison and Leon Lipsick to the Criminal Justice Advisory Committee for a term of two (2) years to expire on July 19, 2027.

**Background Information:**

Ms. Morrison and Mr. Lipsick have shown commitment to the Committee and have professional knowledge and experience.

- 8.2. City Commission approval is requested for the Mayor's reappointments of Antonio Duboy, Eric Sain, and Robert Norberg to the Watersheds Advisory Committee for a term of two (2) years to expire on June 2, 2027. Mr. Duboy, Mr. Sain, and Mr. Norberg have served over the maximum allowed number of terms (3), and it is required that the City Commission confirm their reappointments.

**Originating Department:**  
Mayor's Office

**Staff Recommended Motion:**

Approve the reappointments of Antonio Duboy, Eric Sain, and Robert Norberg to the Watersheds Advisory Committee for a term of two (2) years to expire on June 2, 2027.

**Background Information:**

Mr. Duboy, Mr. Sain, and Mr. Norberg have shown commitment to the Committee along with their knowledgeable service.

## 9. CONSENT CALENDAR

All items listed under the consent calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items.

- 9.1. Resolution No. 100-25 approving a Conditional Settlement Agreement for \$150,000 in the matter of Heather Nicole Richards, as the Personal Representative of the Estate of Elizabeth A. Anderson vs. the City of West Palm Beach.

**Originating Department:**

City Attorney's Office

**Ordinance/Resolution:**

RESOLUTION NO. 100-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A CONDITIONAL SETTLEMENT AGREEMENT FOR \$150,000 IN THE MATTER OF HEATHER NICOLE RICHARDS, AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF ELIZABETH A. ANDERSON VS. CITY OF WEST PALM BEACH, A GOVERNMENTAL ENTITY, FILED IN THE FIFTEENTH JUDICIAL CIRCUIT, IN AND FOR PALM BEACH COUNTY, FLORIDA, CASE NO. 50-2023-CA-001385-XXXX-MB AN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Background Information:**

Heather Nicole Richards, as the Personal Representative of the Estate of Elizabeth A. Anderson filed a complaint for wrongful death stemming from a motor vehicle accident that occurred on or about July 30, 2021, at or near the Beeline Highway and PGA Boulevard, Unincorporated, Palm Beach County, Florida, to wit: Heather Nicole Richards, as the Personal Representative of the Estate of Elizabeth A. Anderson vs. the City of West Palm Beach, a Governmental Entity, filed in the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, Case No. 50-2023-CA-001385-XXXX-MB AN.

The City reached a settlement agreement with Heather Nicole Richards, as the Personal Representative of the Estate of Elizabeth A. Anderson, and her attorney to resolve the matter for a total of \$150,000. The plaintiff signed a general release that releases the City from all claims arising from this incident, which resolves all of the claims for damages, including attorneys' 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 the approval of the City Commission by

formal resolution.

Resolution No. 100-25 approves the Conditional Settlement Agreement.

**Fiscal Note:**

Settlements are paid out of the Risk Annual Budget.

- 9.2. Resolution No. 101-25 approving a Conditional Settlement Agreement for \$150,000 in the matter of Amanda L. Ray, as the Personal Representative of the Estate of George J. Nienhouse, Jr. vs. the City of West Palm Beach.

**Originating Department:**

City Attorney's Office

**Ordinance/Resolution:**

RESOLUTION NO. 101-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING A CONDITIONAL SETTLEMENT AGREEMENT FOR \$150,000 IN THE MATTER OF AMANDA L. RAY, AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF GEORGE J. NIENHOUSE, JR. VS. CITY OF WEST PALM BEACH, A GOVERNMENTAL ENTITY, FILED IN THE FIFTEENTH JUDICIAL CIRCUIT, IN AND FOR PALM BEACH COUNTY, FLORIDA, CASE NO. 50-2023-CA-001276-XXXX-MB AN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Background Information:**

Amanda L. Ray, as the Personal Representative of the Estate of George J. Nienhouse, Jr. filed a complaint for wrongful death stemming from a motor vehicle accident that occurred on or about July 30, 2021, at or near the Beeline Highway and PGA Boulevard, Unincorporated, Palm Beach County, Florida to wit: Amanda L. Ray, as the Personal Representative of the Estate of George J. Nienhouse, Jr. vs. the City of West Palm Beach, a Governmental Entity filed in the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, Case No. 50-2023-CA-001276-XXXX-MB AN.

The City reached a settlement agreement with Amanda L. Ray, as the Personal Representative of the Estate of George J. Nienhouse, Jr., and her attorney to resolve the matter for a total of \$150,000. The plaintiff signed a general release that releases the City from all claims arising from this incident, which resolves all of the claims for damages, including attorneys' 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 the approval of the City Commission by formal resolution.

Resolution No. 101-25 approves the Conditional Settlement Agreement.

**Fiscal Note:**

Settlements are paid out of the Risk Annual Budget.

- 9.3. Resolution No. 103-25 accepting a State of Florida Department of Environmental Protection Resilient Florida grant in the amount of \$400,000 to be used to fund a Citywide Adaptation Plan; and

Resolution No. 104-25(F) provides budget appropriations in the Water and Sewage Systems Revenue Fund.

**Originating Department:**

Public Utilities

**Ordinance/Resolution:**

RESOLUTION NO. 103-25:A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ACCEPTING A RESILIENT FLORIDA GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF \$400,000 TO BE USED TOWARD FUNDING COMPLETION OF THE RESILIENT CITYWIDE ADAPTATION PLAN; AUTHORIZING EXECUTION OF THE GRANT AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 104-25(F): 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 2024/2025 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE WATER AND SEWAGE SYSTEMS REVENUE FUND BUDGET TO RECOGNIZE A GRANT FROM THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND TO PROVIDE APPROPRIATIONS FOR A CITYWIDE ADAPTATION PLAN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Background Information:**

Resolution No. 103-25 accepts an awarded grant in the amount of \$400,000 under the Resilient Florida Program from the State of Florida Department of Environmental Protection while Resolution No.104-25(F) amends the Public utilities Water and Sewage Systems Revenue Fund Budget to accept the grant funds and provides appropriations for the Project.

The Florida Department of Environmental Protection Resilient Florida program, includes various grants that are available to counties, municipalities, water management districts, flood control districts, and regional resilience entities to effectively address the impacts of flooding

and sea level rise facing the state, including funding assistance to analyze and plan for vulnerabilities, as well as implement adaptation and mitigation projects. Florida Statutes Section 380.093 establishes grant requirements.

This action continues from Resolution No. 182-24, under which the submittal of the application by the City of West Palm Beach (Grantee) for a Resilient Florida Planning grant to develop a Citywide Adaptation Plan was so authorized. The grant in the amount of \$400,000 (with no match required) was awarded by the State of Florida Department of Environmental Protection through its Resilient Florida Program. The Grantee will complete the Citywide Adaptation Strategy Project (Project) to include an Adaptation Plan (AP) consistent with the Florida Adaptation Planning Guidebook. The Project will include public outreach and stakeholder engagement. The AP will be comprised of two (2) major elements: 1) an Adaptation Strategy, and 2) a prioritized Adaptation Project list. Subtasks will include conceptual designs for prioritized projects and recommendations into existing local plans.

The grant funding covers the Project development costs incurred and expended from July 1, 2024, to June 30, 2027.

Resolution No. 103-25 accepts the grant and authorizes execution of the grant agreement.

Resolution No.104-25(F) amends the Water and Sewage Systems Revenue Fund Budget to accept the grant funds and provides appropriations for the Project.

**Fiscal Note:**

No match is required for this grant. Resilient Citywide Adaptation Plan costs to be supported by Fund 450 Water & Sewage Systems Revenue Fund until reimbursement is received.

- 9.4. Resolution No. 108-25 approving the installation of a Florida Historic Marker for the Sunshine Park Historic District at a City-owned right of way located on Georgia Avenue between Avon Road and Belvedere Road.

**Originating Department:**

Development Services

**Ordinance/Resolution:**

RESOLUTION NO. 108-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE INSTALLATION OF A FLORIDA HISTORICAL MARKER FOR THE SUNSHINE PARK HISTORIC DISTRICT ON CITY-OWNED PROPERTY; APPROVING THE DESIGN FEATURES OF THE HISTORICAL MARKER; PROVIDING AN EFFECTIVE DATE; AND FOR

OTHER PURPOSES.

**Background Information:**

On behalf of the Sunshine Park neighborhood Association, Dennis Perry is requesting the City's approval for the installation of a Florida Historical Marker for the Sunshine Park Historic District on a city-owned median located along Georgia Avenue between Avon Road and Belvedere Road. The association intends to submit an application to the Florida Department of State requesting the historical marker to recognize the significance of the Sunshine Park neighborhood.

According to their website, "the Florida Department of State Florida Historical Marker program recognizes historic resources, persons and events that are significant in the areas of architecture, archeology, Florida history and traditional culture by promoting the placing of historic markers and plaques at sites of historical and visual interest to visitors. The purpose of the program is to increase public awareness of the rich cultural heritage of the state and to enhance the enjoyment of historic sites in Florida by its citizens and tourist."

City staff reviewed the proposed location and determined the proposed location is acceptable for the installation of the historical marker.

The marker will include the following text:

Sunshine Park is a residential neighborhood founded in 1920 as one of the oldest subdivisions in the City of West Palm Beach. Its original Mission-style architecture was common among new construction throughout South Florida during the real estate boom that occurred between 1920 and 1926. The original subdivision encompassed 56 homes along Westwood, Sunset, and Avon Road. Housing expanded to 168 homes during World War II, with Craftsman, Mediterranean Revival, and American Foursquare being developed along Georgia, Westwood, Upland, and Ardmore Road. Today, there are 188 historical and architecturally significant structures in the district that are considered contributing properties and a business section from the west to the east side of Florida Avenue, which today includes an art gallery section which serves West Palm Beach's creative and design communities.

The district is historically significant for its inception during the Florida Land Boom and is an excellent example of its respective architectural styles.

The district is located within Commission District 5: Commissioner Christina Lambert.

**Fiscal Note:**

No fiscal impact.

- 9.5. Resolution No. 112-25 approving Supplemental Agreement No. 2 to the Local Agency Program Grant Agreement with FDOT to accept additional grant funds in the amount of \$822,732 for the construction of the Northmore Elementary Sidewalks Project; and

Resolution No. 111-25(F) providing the supplemental funding from the One-Cent Sales Tax Capital Improvements of \$699,285 and accepting a Local Agency Program supplemental grant from the FDOT in the amount of \$822,732 for a revised total amount of \$3,720,687 in funding for the construction of the Northmore Elementary Sidewalks Project.

**Originating Department:**

Engineering

**Ordinance/Resolution:**

RESOLUTION NO. 112-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, REGARDING THE CONSTRUCTION OF ADA IMPROVEMENTS FOR THE NORTHWOOD HILLS NEIGHBORHOOD; APPROVING SUPPLEMENTAL AGREEMENT NO. 2 TO THE LOCAL AGENCY PROGRAM AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF WEST PALM BEACH TO ADJUST THE FEDERAL FUNDS GRANT AND THE TERM UNDER THE LOCAL AGENCY PROGRAM AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 111-25(F): A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OR TRANSFER OF FUNDS IN FISCAL YEAR 2024/2025 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE ONE-CENT SALES TAX CAPITAL IMPROVEMENTS AND GRANT CAPITAL PROJECT FUND BUDGETS TO PROVIDE FOR THE RECEIPT OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM (LAP) GRANT SUPPLEMENTAL AGREEMENT FUNDS, AND APPROPRIATIONS FOR THE NORTHMORE ELEMENTARY SIDEWALKS PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Background Information:**

On April 11, 2017, the City Commission approved Resolution No. 116-17 for the City to apply for a Transportation Alternative Projects (TAP) grant to the Florida Department of Transportation (FDOT) through the Palm Beach Metropolitan Planning Organization (MPO) for the construction of sidewalk improvements and a multi-use trail in the Northwood Hills neighborhood (the "Northmore Elementary Sidewalks").

In January 2022, FDOT originally awarded funding up to \$590,151 as a reimbursable Local Agency Participation (LAP) grant.

On February 7, 2022, the City Commission approved Resolution No. 21-22 and Resolution No. 25-22(F), authorizing allocation of the grant funding provided.

In May 2023, FDOT executed a LAP agreement Supplemental Amendment No.1 extending the original agreement to June 30, 2025, for the construction of the Northmore Elementary Sidewalks Project.

The original estimated construction cost of the project in 2022 was \$2,198,670 and has been revised to \$3,720,687 by increasing the original scope of work. The City of West Palm Beach is adding \$699,285 to the original matching funds of \$1,608,519 for a total of \$2,307,804.

In April 2025, FDOT submitted a LAP agreement supplement to add \$822,732 of FDOT LAP supplement grant funds with the revision of the original Term of Agreement by extending the term to December 31, 2026. This increases FDOT's grant funding to a total of up to \$1,412,883.

Resolution No. 112-25 authorizes the execution of the Supplemental Amendment No. 2 to adjust the grant amount.

Resolution No. 111-25(F) allocates the \$699,285 supplement local funds from the City and the \$822,732 of FDOT LAP supplement grant funds to be used for the construction of the Northmore Elementary Sidewalks Project.

Commission District 1: Commissioner Cathleen Ward.

**Fiscal Note:**

FDOT will provide up to \$1,412,883 in grant funding for this project, which is an increase of \$822,732 to their original funding amount of \$590,151.

## 10. PUBLIC HEARING

- 10.1. Public Hearing and Second Reading of Ordinance No. 5129-25 approving the conveyance of City-owned property located at 815 Palm Beach Lakes Boulevard to the Sickle Cell Foundation of the Palm Beaches; and

Resolution No. 109-25(F) authorizing the transfer of City funds from Real Estate Management Fund reserves in the amount of \$350,000 to support the rehabilitation of property located at 815 Palm Beach Lakes Boulevard.

**Originating Department:**

Housing and Community Development

**Ordinance/Resolution:**

ORDINANCE NO. 5129-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING THE SALE AND CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 815 PALM BEACH LAKES BOULEVARD TO THE SICKLE CELL FOUNDATION OF PALM BEACH COUNTY, INC.; AUTHORIZING EXECUTION OF A CONVEYANCE AGREEMENT AND ALL ANCILLARY DOCUMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 109-25(F): 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 2024/2025 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE REAL ESTATE MANAGEMENT FUND BUDGET PROVIDING APPROPRIATIONS FOR A GRANT AWARD TO THE SICKLE CELL FOUNDATION FOR THE REHABILITATION OF 815 PALM BEACH LAKES BLVD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Staff Recommended Motion:**

Approve Ordinance No. 5129-25 and Resolution No. 109-25(F).

**Background Information:**

By Resolution No. 339-23, the City Commission declared the property located at 815 Palm Beach Lakes Boulevard as surplus, determining that it was no longer needed for municipal purposes, and authorized negotiations with the Sickle Cell Foundation of the Palm Beaches for the potential conveyance of the property.

The property is home to the Jenkins House, a structure built in 1946, which currently serves as the operating location for the Sickle Cell Foundation. The Foundation has expressed interest in obtaining the property to continue providing essential services to the community.

The Sickle Cell Foundation of the Palm Beaches, a longstanding nonprofit organization, has led efforts to combat Sickle Cell Disease for over fifty (50) years across Palm Beach and Treasure Coast counties. Beyond its core mission, the Foundation has expanded its programming to address broader public health concerns, including reducing infant mortality through prenatal care initiatives, providing support, education, and training for fathers to promote family stability, and enhancing access to high-quality healthcare for underserved communities. The Foundation's commitment to the community includes remaining centrally located to

serve its target population effectively, securing funding to rehabilitate and renovate the Jenkins House as part of neighborhood revitalization efforts, and ensuring operational control and adequate space to sustain and expand its programs.

The City proposes to convey the property at no cost to the Sickle Cell Foundation, subject to the following conditions: the Foundation must retain ownership and actively use the property exclusively for its mission for at least ten (10) years following the conveyance, and the Foundation is responsible for the rehabilitation and renovation of the Jenkins House to ensure its continued use as a community-serving facility.

To assist in the rehabilitation and repair of the Jenkins House, the City will provide the Foundation with a \$350,000 grant to be disbursed in multiple phases in accordance with the terms outlined in the Conveyance Agreement.

The property shares driveway access with the City's adjacent Vicker's House property at 811 Palm Beach Lakes Boulevard. To preserve access, the City and the Foundation will enter into Reciprocal Access Easements, ensuring mutual ingress and egress over the shared driveways from Palm Beach Lakes Boulevard and the rear alley.

Pursuant to Section 270.11, Florida Statutes, the City reserves an interest in mineral rights unless it expressly waives them. While the statute provides for the reservation of phosphate, minerals, metals, and petroleum rights, the City has no indication that such resources exist on the property and has no intent to conduct mining activities.

Pursuant to Section 2-31(27)(c), appraisals are not required for conveyance to a bona fide not-for-profit organization. The agreement for conveyance of real property is provided with this agenda item, which contains a detailed description of the terms and conditions negotiated between the parties.

Section 2-31 of the City Code of Ordinances provides that agreements for the conveyance of real property are subject to approval of the City Commission by Ordinance, requiring approval at two (2) readings, one of which must be by a super majority of the City Commission.

The City Commission is being asked to authorize and approve the conveyance of 815 Palm Beach Lakes Boulevard to the Sickle Cell Foundation under the outlined terms. First Reading of this ordinance was approved at the April 14, 2025, City Commission Meeting.

Further, Resolution No. 109-25(F) authorizes the transfer of City funds from the Real Estate Management reserves in the amount of \$350,000 to

support the rehabilitation of the property as detailed in the Conveyance Agreement.

Commission District 1: Commissioner Cathleen Ward.

**Fiscal Note:**

The City will provide the Foundation with a \$350,000 grant, to be disbursed in multiple phases in accordance with the terms outlined in the Conveyance Agreement.

- 10.2. Public Hearing and First Reading of Ordinance No. 5130-25 amending the City of West Palm Beach Code of Ordinances, at Chapter 86, Traffic and Parking, creating Article VII, Mobility Fee, Sections 86-500 through 516, establishing a mobility fee benefit district, and providing for the establishment of a mobility fee fund account.

**Originating Department:**

Engineering

**Ordinance/Resolution:**

ORDINANCE NO. 5130-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ASSERTING THE NEED FOR ADOPTION OF MOBILITY FEES; ACKNOWLEDGING REPEAL OF TRANSPORTATION CONCURRENCY; ADOPTING THE CITY OF WEST PALM BEACH DOWNTOWN MOBILITY FEE TECHNICAL REPORT; AMENDING THE CITY OF WEST PALM BEACH CODE OF ORDINANCES, AT CHAPTER 86, TRAFFIC AND PARKING, TO CREATE ARTICLE VII, MOBILITY FEE, SECTIONS 86-500 THROUGH 86-517; ESTABLISHING INTENT AND PURPOSE; PROVIDING FOR DEFINITIONS, IMPOSITION AND EXEMPTION OF MOBILITY FEES; ESTABLISHING A MOBILITY FEE SCHEDULE; PROVIDING FOR MOBILITY FEE DETERMINATION, AGREEMENTS, AND CREDITS; ESTABLISHING A DOWNTOWN MOBILITY FEE BENEFIT DISTRICT AND MOBILITY FEE ACCOUNT; PROVIDING FOR EXPENDITURES, REFUNDS, LAND DEVELOPMENT REGULATION IMPACT, ADMINISTRATION, REPORTS, UPDATES, APPEALS, VESTED RIGHTS, PENALTIES, CODIFICATION, CONFLICTS, SEVERABILITY AND FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Staff Recommended Motion:**

Approve Ordinance No. 5130-25 and schedule Second Reading for the May 27, 2025 Commission Meeting.

**Background Information:**

In 2024, the Legislature, through HB 479, formally defined mobility fees and mobility plans and stated that any local government can adopt an alternative transportation system (aka alternative mobility funding systems), such as a mobility fee based on a mobility plan. HB 479 also

stipulates that only one transportation mitigation fee may be collected within a municipality and that the local government issuing building permits is the entity responsible for collection of the transportation mitigation fee.

The City of West Palm Beach Downtown Mobility Fee Technical Report, dated April 2025, documents projected development and the “need” for mobility projects to accommodate future travel demand. The Technical Report documents the data and methodology used to develop a Downtown Mobility Fee to mitigate the impact of new development. The Downtown Mobility Fee meets legally established dual rational nexus requirements for “need” and “benefit” and is in rough proportionality to the impact of new development. The Downtown Mobility Fee has been developed consistent with the requirements of Sections 164.3164, 163.3180, 163.31801, Florida Statutes and Chapter 380, Florida Statutes.

The City of West Palm Beach is developing a Mobility Fee for Downtown based on mobility projects from its 2018 Downtown Mobility Plan and updates to the 2025 Downtown Mobility Plan. The Downtown Mobility Fee is intended to fund an alternative transportation system consistent with Florida Statute Section 163.3180. The Downtown Mobility Fee will replace the Palm Beach County transportation concurrency system and will be the only transportation mitigation fee to be assessed on all new development within the Downtown Mobility Fee Assessment Area.

The Downtown Mobility Fee is based on the mobility projects identified to meet projected growth in travel from new development within Downtown West Palm Beach. Mobility projects consist of “intersection improvements, new and upgraded complete streets, corridor studies, a PD&E study, trail and transit improvements.

Mobility Fees are not: (1) a recurring tax; (2) assessed to existing residential or non-residential property; or (3) deposited into general revenue funds of the City.

Mobility Fees are: (1) a streamlined one-time assessment on new development; (2) intended to offset the impact of new development; and (3) deposited into special revenue funds for Mobility Fees to be expended within a defined benefit district.

Mobility Fees are legally and statutorily required to be spent on Mobility Projects that provide a mobility benefit to the new development that paid the Mobility Fee.

**Fiscal Note:**

Mobility fees will be utilized towards mobility related improvements.

- 10.3. Public Hearing and First Reading of Ordinance No. 5133-25 amending Chapter 74 - Solid Waste of the Code of Ordinances of the City of West Palm Beach, amending and replacing Article V - Commercial Collection Franchise, converting to a franchise fee based on revenue rather than volume, and amending and restating the regulations for franchises for the collection of solid waste within the City.

**Originating Department:**

Public Works & Support Services

**Ordinance/Resolution:**

ORDINANCE NO. 5133-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING CHAPTER 74 – SOLID WASTE OF THE CODE OF ORDINANCES OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING AND REPLACING ARTICLE V – COMMERCIAL COLLECTION FRANCHISE; PROVIDING A CONFLICTS CLAUSE, A CODIFICATION CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Staff Recommended Motion:**

Approve Ordinance No. 5133-25 and schedule Second Reading for the May 27, 2025 Commission Meeting.

**Background Information:**

Ordinance No. 5133-25 approves revisions to Chapter 74, Article V of City Ordinance to amend regulations for franchises for the collection of commercial solid waste within the City. The proposed amendment will update the current fee formula to charge franchise fees based on revenues billed by the commercial hauler, rather than the current method, which is based on a \$1 per cubic yard hauled formula.

The ordinance regulating commercial waste collections and franchise fees charged to private waste collection providers that provide services to the public for waste collections over ten (10) cubic yards has not been updated since 2006.

Currently, franchise fees for commercial waste collections over ten (10) cubic yards provided to the public by private companies are based on a formula consisting of an annual fee of \$12,500 plus \$1 per cubic yard hauled by each franchisee. The current billing structure is outdated and makes auditing the revenue collected labor-intensive, resulting in higher administrative costs.

In order to ensure regulations related to private commercial waste collectors and our fee formula are up to date, the City contracted independent consultant, Raftelis Financial Consultants, Inc. (Raftelis) to conduct a study and provide an independent recommendation of any ordinance revisions/updates that may be advisable.

As part of their study, Raftelis evaluated eleven (11) other Florida municipalities of similar size. The study found that our City was the only municipality billing franchisees by weight hauled and only one of two municipalities that imposed an annual fee. All other municipalities surveyed billed franchisees by percent of gross revenue collected within the respective City. Based on this data, the independent study recommended that the City update its fee methodology to move to a revenue collected versus volume collected fee, which is being proposed with this ordinance revision. Updating to this new fee formula will reduce the City's administrative burden in relation to tracking and auditing franchisees' waste collection volume, will allow for easier auditing of revenue due from franchisees, and will ensure revenue collected keeps up with inflation.

The 10% revenue rate proposed for approval is on the low end of the range of surveyed municipalities, which charged rates ranging from 10% to 20%. Currently, there are seven (7) commercial haulers that have franchises to provide waste collection services over ten (10) cubic yards to City customers.

In addition to updating the fee formula, other non-financial revisions are being proposed to update the ordinance language to conform it to current operations and best practices. Some key, not all-inclusive revisions include:

- Revisions to more clearly outline the application process and requirements.
- Addition of an annual reporting requirement that requires certification by a public accountant of information submitted to the City.
- Bond requirements updated from \$12,500 to \$50,000.

**Fiscal Note:**

Estimated additional revenue of \$200,000 annually.

- 10.4. Public Hearing of Resolution No. 65-25 regarding a request of Brian Cheguis, of iPlan & Design, LLC (the Applicant), on behalf of 215 ESSEX RE LLC and ESSEX COURT HOLDINGS LLC (the Owner), for the abandonment of a portion of approximately 0.029 acres (1,294 square feet) of the northernmost leg of the Essex Court right-of-way, generally located at the terminus of Essex Lane (a 20-foot-wide dead-end roadway terminus).

**Originating Department:**

Development Services

**Ordinance/Resolution:**

RESOLUTION NO. 65-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, VACATING AND ABANDONING A PORTION OF AN APPROXIMATELY 0.0029 ACRES (1,294 SQUARE FEET) OF ESSEX COURT, WHICH IS A PLATTED RIGHT-OF-WAY, GENERALLY LOCATED AT THE INTERSECTION OF ESSEX COURT AND ESSEX LANE; AUTHORIZING EXECUTION OF A DISCLAIMER OF INTEREST IN THE AFORESAID RIGHT-OF-WAY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Staff Recommended Motion:**

Approve Resolution No. 65-25.

**Background Information:**

Brian Cheguis, of iPlan & Design, LLC, on behalf of 215 ESSEX RE LLC and ESSEX COURT HOLDINGS LLC (the "Applicant") submitted a request for the abandonment of a portion of the northernmost leg of the Essex Court right-of-way, generally located at the terminus of Essex Lane (a 20-foot-wide dead-end roadway terminus), pursuant to Article VII of Chapter 78 (Streets, Sidewalks and Public Places) of the Code of Ordinances of the City of West Palm Beach, Florida. The applicant owns the adjacent properties directly to the north, east, and west of the subject right-of-way, and is utilized by the owner to access the properties. The abandonment will allow full utilization and integration with the north, east, and west properties. The portion of the right-of-way considered for the abandonment consists of approximately 0.029 acres (1,294 square feet) of land.

COMPENSATION TO THE CITY

The Applicant has agreed to compensate the City in the amount of \$220,000 as the value for partial right-of-way abandonment, as estimated by an appraisal conducted by Anderson & Carr, Inc., dated January 30, 2025.

STANDARDS

Staff found that the requested abandonment complies with the abandonment criteria of Section 78-217 of the City's Code of Ordinances.

PUBLIC NOTICE

Pursuant to the requirements of Section 78-215(b) of the Code of Ordinances, individual notices were mailed to all property owners within 400 feet of the subject right-of-way, and signs were also posted in the vicinity of the subject right-of-way on February 17, 2025.

Resolution No. 65-25 approves the abandonment of the subject area conditioned upon receipt within twelve (12) months of the \$220,000 compensation.

Commission District 5: Commissioner Christina Lambert.

**Fiscal Note:**

\$220,000 consideration to be paid by the Applicant to the City.

## 11. PUBLIC HEARING - QUASI-JUDICIAL

Disclosure of ex-parte communications, if any\*  
Swearing-in of witnesses.

- 11.1. Public Hearing and Second Reading of Ordinance No. 5127-25 regarding a rezoning to change the zoning designation of approximately ±41.3 acres located at 4200 North Australian Avenue from Community Service (CS) to Community Service Planned Development (CSPD); and

Resolution No. 94-25 regarding the development regulations and conditions for the County's Community Services Department Planned Community Service Development (CSPD).

The above-referenced requests are being made by Alfonso Hernando Architect, on behalf of PB County and its Facilities Development & Operations Department (FD&O).

**Originating Department:**

Development Services

**Ordinance/Resolution:**

ORDINANCE NO. 5127-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH BY REZONING ± 41.3 ACRES LOCATED AT 4200 NORTH AUSTRALIAN AVENUE FROM COMMUNITY SERVICE TO COMMUNITY SERVICE PLANNED DEVELOPMENT TO CREATE PALM BEACH COUNTY COMMUNITY SERVICE PLANNED DEVELOPMENT; PROVIDING FOR THE ESTABLISHMENT OF DEVELOPMENT REGULATIONS BY SEPARATE RESOLUTION; DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE ZONING MAP OF THE CITY ACCORDINGLY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 94-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ESTABLISHING THE DEVELOPMENT REGULATIONS, INCLUDING THE SITE AND LANDSCAPE PLANS AND BUILDING ELEVATIONS,

FOR PHASE 1 OF THE PALM BEACH COUNTY COMMUNITY SERVICE PLANNED DEVELOPMENT LOCATED AT 4200 NORTH AUSTRALIAN AVENUE; DECLARING THIS AMENDMENT CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Staff Recommended Motion:**

Approve Ordinance No. 5127-25 at Second Reading for a rezoning to change the Zoning designation of approximately ±41.3 acres located at 4200 North Australian Avenue from Community Service (CS) to Community Service Planned Development (CSPD). This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board, and the finding that the request complies with the Comprehensive Plan and the standards in Section 94-32 of the City's Zoning and Land Development Regulations.

Approve Resolution No. 94-25 to establish the development regulations, including the site and landscape plans and building elevations for Phase 1 of the Palm Beach County Community Service Planned Development (CSPD) located at 4200 North Australian Avenue. This motion is based upon the factual testimony presented, the application submitted, the staff report, the recommendation of the Planning Board, and the findings that the amendment is consistent with the Comprehensive Plan and complies with the standards found in Section 94-32, Section 94-35 and Section 94-203 of the City's Zoning and Land Development Regulations.

**Background Information:**

(THE INFORMATION PROVIDED BELOW IS A GENERAL SUMMARY. A FULL ANALYSIS IS INCLUDED IN THE STAFF REPORT.)

The subject property is comprised of five (5) parcels, with the address of 4200 North Australian Avenue, consisting of approximately ±41.3 acres. Specifically, the subject property is located on the south side of 45th Street and west of North Australian Avenue. The subject property currently contains existing Palm Beach County office facilities and surface parking areas.

This development project will be completed in two (2) phases. Phase I is the new CSD facility, which will provide essential services for veterans, individuals affected by HIV/AIDS, the homeless population, and other underserved communities. This office facility will be approximately 57,000 square feet. The current Palm Beach County facilities are located downtown on the future site of the Vanderbilt University campus.

Phase II of the site will take place at a later date and will potentially include a 350,000 square foot County government office building with an ancillary parking structure to supply a proportionate amount of parking.

CITY COMMISSION

After First Reading on April 28, 2025, the City Commission recommended approval (3-0).

PLANNING BOARD

After a Public Hearing on March 18, 2025, the Planning Board recommended approval (7-0).

PUBLIC NOTICE

Individual notices were mailed to all property owners within 500 feet of the property, and signs were posted on the subject property. Ordinance No. 5127-25 and Resolution No. 94-25 were advertised in the Palm Beach Post.

Commission District 1: Commissioner Cathleen Ward.

- 11.2. Public Hearing and First Reading of Ordinance No. 5128-25 regarding a Rezoning to change the Zoning designation of approximately 1.42 acres located at 3705 South Flagler Drive from Multifamily High Density Residential (MF32) to Residential Planned Development (RPD); and

Discussion of Resolution No. 96-25 regarding the development regulations and conditions for the Flagler House Residential Planned Development, and granting waivers of the Zoning and Land Development Regulations.

The above-referenced requests are being made by Lentzy Jean-Louis of Urban Design Studio, on behalf of PK Flagler House, LLC, to create the Flagler House Residential Planned Development.

**Originating Department:**

Development Services

**Ordinance/Resolution:**

ORDINANCE NO. 5128-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH, FLORIDA, BY REZONING ONE (1) PARCEL LOCATED AT 3705 SOUTH FLAGLER DRIVE, APPROXIMATELY 1.42 ACRES, FROM MULTIFAMILY HIGH DENSITY RESIDENTIAL (MF32) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO CREATE THE FLAGLER HOUSE RESIDENTIAL PLANNED DEVELOPMENT ZONING DESIGNATION; PROVIDING FOR THE ESTABLISHMENT OF DEVELOPMENT REGULATIONS BY SEPARATE RESOLUTION; DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE ZONING MAP

OF THE CITY ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE;  
AND FOR OTHER PURPOSES.

RESOLUTION NO. 96-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ESTABLISHING THE DEVELOPMENT REGULATIONS, INCLUDING THE SITE AND LANDSCAPE PLANS AND BUILDING ELEVATIONS, FOR THE FLAGLER HOUSE RESIDENTIAL PLANNED DEVELOPMENT LOCATED AT 3705 SOUTH FLAGLER DRIVE; GRANTING WAIVERS TO THE ZONING AND LAND DEVELOPMENT REGULATIONS; DECLARING THIS AMENDMENT CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Staff Recommended Motion:**

Approve Ordinance No. 5128-25, a rezoning to change the Zoning designation of approximately 1.42 acres located at 3705 South Flagler Drive from Multifamily High Density Residential (MF32) to Residential Planned Development (RPD). This motion is based upon the application submitted, the staff report, factual testimony, the recommendation of the Planning Board, and the findings that the request complies with the Comprehensive Plan and the standards in Sections 94-32 of the City's Zoning and Land Development Regulations and schedule Second Reading for the May 27, 2025 Commission Meeting.

Discuss Resolution No. 96-25.

**Background Information:**

(THE INFORMATION PROVIDED BELOW IS A GENERAL SUMMARY. A FULL ANALYSIS IS INCLUDED IN THE STAFF REPORT.)

The subject property is comprised of one (1) parcel, with the address of 3705 South Flagler Drive and consisting of approximately 1.42 acres. Specifically, the subject property is located on the east side of South Flagler Drive and the west side of Washington Road, between Lytton Court (to the north) and Lakeland Drive (to the south), and the Intracoastal Waterway to the east of South Flagler Drive. The subject property, which has frontages along South Flagler Drive and Washington Road, provides motor vehicular access to the property on both ends. The western portion of the site is bordered by Washington Road, which is a City-owned right-of-way and is adjacent to the Central Park historic multifamily residential neighborhood. The subject property, known as the Flagler House Condominium, is developed with a 3-story multifamily residential development with 39 units.

The request includes rezoning the subject property from MF32 to RPD with waivers from the City of West Palm Beach Zoning and Land Development Regulations (ZLDRs), to allow for the construction of a 39-unit condominium with 996 square feet of commercial space. Specifically, the applicant is proposing an 18-story multifamily residential tower (193 feet - 10 inches in

height), a two-level parking garage podium (17.8 feet in height), and the residential lobby with an amenitized pool deck atop the podium.

To accommodate the proposed development, the applicant is requesting the following waivers (all of which are described and analyzed in the staff report):

	<u>ZLDRs Sections</u>	<u>Minimum Required</u>	<u>Provided</u>	<u>Waiver Requested</u>
1	Sec. 94-207 (c)(2) Minimum Area Required for RPD	Ten (10) Acres	1.428 Acres	<b>8.57 Acre</b> Reduction
	Sec. 94-241 (Table VIII-1) Minimum Area Required for RPD	Two (2) Acres	1.428 Acres	<b>0.57 Acre</b> Reduction
2	Sec. 94-77(a)(3) Maximum Building Height/Setback (Sides)	96.9 Feet Setback	15 Feet (North & South Setbacks)	<b>81.9 Feet</b> 85% Reduction
	Sec. 94-207(c)(4) (PD) Required Setbacks	20 Feet	15 Feet (North & South Setbacks)	<b>5 Feet</b> 25% Reduction
3	Sec. 94-312(1)(a) Number of Access Points	One (1) Access Point Onto Each Adjacent Public Right-of-Way	4 Access Points  77.4 Feet (Internal to Site)	<b>2 Access Points</b> Increase
			38.8 Feet (From Property to south)	<b>47.6 Feet</b> 38% Decrease
			Along South Flagler 86.2 feet (Internal to site)	<b>86.2 Feet</b> 68% Decrease
4	Sec. 94-312(2)(a) Separation of Access Points	125 Feet	56 feet (From Property to the North)	<b>38.8 Feet</b> 31% Decrease
			106.5 feet (From Property to the South)	<b>69 Feet</b> 55% Decrease
			Along Washington Road	<b>18.5 Feet</b> 14% Decrease
5	Section 94-443(d)(1)(a) Additional Landscaping Requirements for Multifamily Residential Uses	34.6 feet Buffer Interruption Length	40.1 feet	<b>5.5 Feet</b> 3% Increase
6	Section 94-305(b)(9) Outside Stairways	25 feet Minimum Setback	20.5 feet Western Frontage	<b>4.5 Feet</b> 18% Decrease
			5.88 Washington Front Setback	<b>1.88 Feet</b> 47% Increase
7	Section 94-302(b)(1) Maximum Fence/Wall Height	4 Feet Maximum	10.88 South Flagler Front Setback	<b>6.88 Feet</b> 172% Increase

This includes the applicant's request for an 8.57-acre waiver from the minimum area requirement for an RPD per Section 94-207(c)(2) of the ZLDRs (which is described and analyzed in the Staff Report). It is staff's professional opinion that, with the finding that particular circumstances justify the specified waiver requests and that the requirements for the planned development district zoning and the benefits to be derived from the planned development district zoning can be derived in such a lesser area. The proposed RPD, therefore, complies with the City's Comprehensive Plan, and the proposed development, with the waivers granted, will comply with the standards required by the ZLDRs. Planning staff, therefore, is recommending approval, subject to the conditions contained in Resolution No. 96-25.

### PLANNING BOARD

After a Public Hearing on March 18, 2025, the Planning Board recommended approval (7-0).

### PUBLIC NOTICE

Individual notices were mailed to all property owners within 500 feet of the property, and signs were posted on the subject property.

Commission District 5: Commissioner Christina Lambert.

## **12. COMMENTS FROM THE PUBLIC**

Public comments are limited to three (3) minutes. Anyone wishing to address the Commission should complete a "Comments by the Public" card and present it to the City Clerk prior to the Public Comments. When you are called to speak, please go to the podium and state your name and address for the record prior to addressing Commission. The Commission will not discuss the matter nor respond to the comment this evening. Comments made will become part of the record and may be addressed at a later date.

### **13. COMMENTS BY THE MAYOR AND CITY COMMISSIONERS**

### **14. 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.