



401 Clematis Street
West Palm Beach, Florida 33401
(561) 822-2222 (TTY) 800-955-8771
www.wpb.org

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, March 16, 2026
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 March 2026 as Florida Bicycle Month. Proclamation to be accepted by Brian Ruscher, Deputy Director of Multimodal, Palm Beach Metropolitan Planning Organization; and Nicholas Bixler, Executive Director, Connect West Palm Beach.

Originating Department:

Mayor's Office

- 6.2. Proclaiming March 16-22, 2026, as West Palm Beach Week Without Driving. Proclamation to be accepted by Amelia Sherfield, Program Director with WPBgo.

Originating Department:

Mayor's Office

7. 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.

- 7.1. Resolution No. 52-26 authorizing the assessment of City liens in the total amount of \$18,544.29 for unpaid water service, sewer service, and stormwater charges for the month of November 2025.

Originating Department:

City Attorney's Office

Ordinance/Resolution:

RESOLUTION NO. 52-26: 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 CHARGES FOR THE MONTH OF NOVEMBER 2025; 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.

Background Information:

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. 52-86 are for unpaid water service, sewer service, and stormwater service charges for the month of November 2025.

The list of properties to be assessed and the associated charges totaling \$18,544.29 are provided in Resolution No. 52-26 as EXHIBIT A - Utility Lien List - November 2025.

Fiscal Note:

No fiscal impact.

- 7.2. Resolution No. 53-26(F) approving the allocation of supplemental funding from the Palm Beach County Manatee Protection Program in the amount of \$6,650 to assist in conducting manatee protection enforcement.

Originating Department:

Police

Ordinance/Resolution:

RESOLUTION NO. 53-26(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 2025/2026 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 BUDGET TO RECOGNIZE GRANT PROCEEDS FROM THE PALM BEACH COUNTY MANATEE PROTECTION PROGRAM PROVIDING APPROPRIATIONS FOR MANATEE PROTECTION ENFORCEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

Since 2007, the City of West Palm Beach has provided increased law enforcement presence in the County's waterways in partnership with the Board of County Commissioners of Palm Beach County, as approved in a Manatee Protection Plan and as one of the thirteen (13) "key" manatee counties identified by the Florida Governor and Cabinet in October 1989. Studies by the Florida Fish and Wildlife Conservation Commission have demonstrated that increased law enforcement presence is the most effective means of gaining compliance with boater speed zones and manatee protection speed zones, and of reducing the risks to manatees and members of the public.

In accordance with the Interlocal Agreement for Law Enforcement Services for manatee protection between Palm Beach County and the City of West Palm Beach approved by City Commission November 27, 2023 (WPB Contract No. 21861.001), the West Palm Beach Police Department will enforce State statutes, administrative rules, and local and County ordinances related to vessel control, marine resource protection, and manatee protection and assist in educating boaters in the enforcement area about manatee and boater safety issues.

The Palm Beach County Manatee Protection Program initially awarded \$16,666 for services provided from November 15, 2025, through March 31, 2026, in accordance with the Interlocal Agreement. Resolution No. 288-25(F) allocated the initial award of \$16,666 approved by City Commission on December 8, 2025.

On January 30, 2026, the West Palm Beach Police Department received notification from the Palm Beach County Manatee Protection Program that \$6,650 in supplemental funding was awarded for additional manatee protection enforcement.

Resolution No. 53-26(F) appropriates supplemental funds in the amount of \$6,650 for continued manatee protection enforcement.

Fiscal Note:

Approval will recognize grant proceeds from the Palm Beach County Manatee Protection Program, providing appropriations for manatee protection enforcement.

- 7.3. Resolution No. 57-26(F) amending various fund budgets to appropriate new contributions and program income for housing and homelessness initiatives totaling \$1,138,571; and

Resolution No. 61-26(F) correcting a scrivener's error in the official record of Resolution No. 4-25(F).

Originating Department:

Housing and Community Development

Ordinance/Resolution:

RESOLUTION NO. 57-26(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 2025-2026 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING VARIOUS FUND BUDGETS TO APPROPRIATE NEW FUNDING AND PROGRAM INCOME FOR ELIGIBLE PROJECTS AND ACTIVITIES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 61-26(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 2025-2026 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF CORRECTING A SCRIVENER'S ERROR IN THE OFFICIAL RECORD OF RESOLUTION NO. 4-25(F); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER

PURPOSES.

Background Information:

On September 9, 2025, by Resolution No. 170-25, the City Commission approved the Interlocal Funding Agreement between the West Palm Beach Downtown Development Authority (DDA) to support outreach efforts and improve engagement strategies aimed at transitioning individuals off the streets and into services and housing. Under this agreement, the DDA will provide up to \$150,000 in Fiscal Year 2025-2026 to fund outreach services provided by the City.

The City receives donations from bus bench advertising to support homelessness prevention and diversion activities. These donations are made pursuant to Resolution No. 293-16(F), which established the Homelessness Prevention Program within the Donation Fund, and Resolution No. 291-16, which authorized the Bus Bench Agreement requiring the bus bench vendor to contribute 10% of advertising revenue, or not less than \$8,000 per year, to the City's homeless prevention and/or diversion efforts. For Fiscal Year 2024-2025, the City received an additional \$3,443 in donations from bus bench advertising and expects to receive \$8,000 for Fiscal Year 2025-2026.

The City of West Palm Beach receives annual allocations of State Housing Initiatives Partnership (SHIP) Program funding from the State of Florida, as administered by Florida Housing Finance Corporation (FHFC), which provides funds to local governments to produce and preserve housing opportunities to serve very low-, low-, and moderate-income families. For Fiscal Year 2023-2024, the City of West Palm Beach received an additional SHIP allocation in the amount of \$26,555. These funds became available from a portion of the \$5 million that FHFC sets aside annually for disaster-related housing assistance, but remained unrequested.

In addition, the SHIP grant earns program income, and that program income is held in a reserve account and is eligible for appropriation to further SHIP-eligible activities. The SHIP program income annual amounts are determined based on the State fiscal year from July 1 to June 30. The Housing and Community Development Department (HCD) has received SHIP program income from Fiscal Year 2024-2025 generated through activities such as the sale of SHIP-assisted properties and interest accrued on mortgage repayments. HCD seeks to appropriate approximately \$18,854 from the SHIP Program Income Reserve account to the New Construction account.

While specific projects have not been committed at this time, HCD anticipates collaborating with affordable housing Developers, including organizations like Habitat for Humanity, and qualified private Developers. The appropriation of these funds will enable the City to expand its efforts

to increase the availability of affordable and workforce housing units in West Palm Beach and to support the objectives outlined in its Local Housing Assistance Plan (LHAP).

The Housing Trust Fund is used to support the City's efforts to promote the development and preservation of affordable housing within the City of West Palm Beach. Revenue generated from sources of funding for the Housing Trust Fund, such as proceeds from the sale of City-owned properties that have been designated for affordable, attainable or workforce housing, interest, fees, and principal repayments collected from loans funded by the Housing Trust Fund, proceeds from the sale of City-owned Transfer of Development Rights (TDRs), and other transactions is recorded as program income and maintained in a reserve account until needed. This resolution seeks authorization to transfer \$107,240 from the Housing Trust Fund's Reserve for Future Projects account to enable the use of these funds for ongoing and planned affordable housing initiatives.

The Real Estate Management fund is used to support the City's efforts in managing and optimizing the City's real estate assets. Revenue is generated through certain leases, property dispositions, TDRs, and other transactions and is recorded as program income and maintained in a reserve account until needed.

Resolution No. 57-26(F) seeks authorization to transfer \$824,479 from the Real Estate Management Fund's Reserve for Future Projects account to enable the use of these funds for ongoing and planned real estate initiatives.

Resolution No. 4-25(F) was approved on April 14, 2025, authorizing the receipt and appropriation of \$1,000,000 in Community Project Funding(CPF)/Congressionally Directed Spending to be used toward the West Palm Beach Housing Authority's Coleman Park Affordable Housing project. The agenda item reflected the correct general ledger account information. However, the signed resolution contains incorrect general ledger account information. This discrepancy is considered a scrivener's error in the official record and requires correction.

Resolution No. 57-26(F) authorizes the receipt and appropriation of the new contributions, additional grant funding, and program income transfers to support housing and homelessness initiatives.

Resolution No. 61-26(F) corrects Resolution No. 4-25(F).

Fiscal Note:

Approval authorizes the transfer of funds from reserve accounts.

- 7.4. Resolution No. 67-26(F) approving the transfer of \$206,197 of City funds in Fiscal Year 2025/2026 for the purpose of amending the Grants Capital Project fund budget to provide additional appropriations for the Currie Park Redevelopment project.

Originating Department:

Housing and Community Development

Ordinance/Resolution:

RESOLUTION NO. 67-26(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 2025/2026 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE COMMUNITY DEVELOPMENT FUND AND GRANT CAPITAL PROJECT FUND BUDGETS TO PROVIDE FOR APPROPRIATIONS FOR THE CURRIE PARK REDEVELOPMENT PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The City of West Palm Beach has prioritized the revitalization of Currie Park as part of its broader strategy to enhance public spaces, promote community engagement, and stimulate economic development along the City's waterfront. Located in the Currie Corridor of the Community Redevelopment Agency (CRA), the 13-acre waterfront park is currently approved and funded for \$35.3 million in renovations. Renovations include: flood and stormwater mitigation work, the inclusion of a tidal amphitheater, a waterfront lagoon, a beach area, and other shoreline restoration and access infrastructure. Additional enhancements will include a playground, pedestrian/bicyclist trails, fitness lawn, and other community recreation and resilience facilities and features.

To support this transformative initiative, by Resolution No. 135-25(F), approved by City Commission on June 9, 2025, the Housing and Community Development Department (HCD) allocated \$1,287,996 in Community Development Block Grant (CDBG) funding to the Currie Park Redevelopment Project. HCD desires to allocate additional funding of \$206,197 in CDBG funding to the project. These funds were originally appropriated in the City's Community Development Fund. Governmental Accounting Standard Board (GASB) Statement Number 54 restricts the use of Special Revenue Funds to account for revenue and expenditures for purposes other than capital projects. It is acceptable for Special Revenue Fund 110, the Community Development Fund, to provide funds for eligible capital improvement projects. However, capital purchases cannot be expensed in Fund 110, per government accounting requirements. Therefore, it is required that funds be transferred out from Fund 110 to the Grant Capital Project Fund 399, so the capital payments can be expensed and reported properly in financial statements.

Resolution No. 162-23, Resolution No. 73-25, and Resolution No. 95-25(F) amended the Annual One-Year Action Plans for Program Years 2020 through 2025 for the CDBG to reallocate funding to eligible public facilities/improvement projects. A portion of these funds will be used for the Currie Park Redevelopment project.

On April 7, 2025, HCD entered into an Inter-Department Subrecipient Agreement with the Engineering Department for the use of CDBG funds for the Currie Park Redevelopment project. The Inter-Department Subrecipient Agreement is being amended to increase the allocation by \$206,197. The project is eligible under the CDBG program regulations, as per 24 CFR 570.210(c), and meets the National Objective of Area Benefit Activities, as defined by 24 CFR 570.208(a)(1).

Resolution No. 67-26(F) approves the transfer of the grant funds.

Commission District 1: Commissioner Cathleen Ward.

Fiscal Note:

Approval authorizes the transfer of funds from CDBG Fund 110 to the Grant Capital Project Fund 399.

- 7.5. Resolution No. 58-26 accepting the award for the 2026 Technical Equipment Grant in the amount of \$254,766 with a required local match of \$382,150 for the purchase of dive rescue-related and other technical equipment; and

Resolution No. 66-26(F) recognizing receipt of grant funds and opioid settlement to provide appropriations for the purchase of fire and dive-related technical equipment.

Originating Department:

Fire

Ordinance/Resolution:

RESOLUTION NO. 58-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, ACCEPTING THE AWARD FOR THE 2026 TECHNICAL EQUIPMENT GRANT IN THE AMOUNT OF \$254,766 WITH A REQUIRED LOCAL MATCH OF \$382,150 FOR THE PURCHASE OF DIVE RESCUE-RELATED EQUIPMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 66-26(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 2025/2026 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 AND GRANT CAPITAL PROJECT FUND BUDGETS TO PROVIDE FOR THE RECEIPT OF THE 2026 TECHNICAL EQUIPMENT GRANT AND TO RECOGNIZE OPIOID SETTLEMENT FUNDS TO PROVIDE APPROPRIATIONS FOR THE PURCHASE OF DIVE-RELATED RESCUE AND OTHER TECHNICAL EQUIPMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The State of Florida, Department of Financial Services, approved the Florida Firefighter Technical Equipment Grant application and awarded the City of West Palm Beach Fire Department a \$254,766 grant for the purchase of dive rescue-related equipment. Some examples of dive equipment to be purchased include: Viking Haztech Drysuits, OTS MK-III Diver Communication Systems, Gemini Switch Blocks, Surface Support Equipment, and ZOLL Monitors.

The purchase of the equipment will keep the firefighters safe from contaminated water, enable communication in the most challenging underwater environments, and ensure divers' safety and uninterrupted air supply during emergency situations. It will also provide rapid, accurate detection of hazardous substances, including toxic chemicals, explosives, and narcotics. The Zoll EKG monitors will provide the latest technology to assist in monitoring a patient's cardiac rhythm and deliver defibrillation for life-threatening arrhythmias. Zoll monitors are a vital component of patient assessment and will be used on all patients during cardiac arrest, including patients seen by paramedics.

Additionally, the purchase of dive equipment will improve emergency response time by several minutes and ensure more equipped divers are spread throughout the City. It will allow divers to deploy life-saving measures more rapidly and will have a significant impact on the response to high-profile events and locations such as Mar-a-Lago, the convention center, and other venues.

As a condition of the grant, the City of West Palm Beach is required to contribute \$382,150 in addition to accepting the grant award, for a total budget of \$636,916.

Resolution No. 58-26 accepts the State Grant Award, and Resolution No. 66-26(F) recognizes the grant funding and opioid settlement, to be used for the purchase of dive-related and other fire technical equipment.

Fiscal Note:

Approval of this item will provide receipt of the 2026 Technical Equipment Grant and recognize opioid settlement revenue for the purchase of dive rescue-related and other technical equipment.

- 7.6. Resolution No. 64-26 approving an Inter-local Agreement between the City of Riviera Beach and the City of West Palm Beach, granting the opportunity for residents of Riviera Beach to participate in the aquatic programs offered at the Warren Hawkins Aquatic Center in Gaines Park, with the City of Riviera Beach subsidizing the difference in the fees charged to non-West Palm Beach residents.

Originating Department:

Parks and Recreation

Ordinance/Resolution:

RESOLUTION NO. 64-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE ACCEPTANCE OF RESIDENTS OF THE CITY OF RIVIERA BEACH IN CITY AQUATIC PROGRAMS AT THE WARREN HAWKINS AQUATIC CENTER AT GAINES PARK; APPROVING AN INTERLOCAL AGREEMENT WITH RIVIERA BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The City of Riviera Beach has closed the Barracuda Bay Aquatic Center to build a new police station. To make sure residents still have access to swimming programs, the City asked the City of West Palm Beach to allow Riviera Beach residents to use the Warren Hawkins Aquatic Center at Gaines Park.

West Palm Beach would like to accommodate Riviera Beach residents to join its aquatic programs under certain terms and conditions. Riviera Beach residents will be charged the non-resident rate listed in West Palm Beach's current fee schedule. However, the City of Riviera Beach will pay the difference between the resident and non-resident rates to help cover the cost.

This agreement will remain in effect until September 30, 2029, unless it ends earlier according to its terms.

Resolution No. 64-26 approves the acceptance of residents of Riviera Beach in City aquatic programs at the Warren Hawkins Aquatic Center in Gaines Park.

Commission District 1: Commissioner Cathleen Ward.

Fiscal Note:

No fiscal impact.

- 7.7. Resolution No. 70-26 authorizing contracts for master property insurance, water system property insurance, excess liability insurance, excess workers' compensation insurance, crime insurance, and miscellaneous insurance policies for policy year 2026-2027 (March 1, 2026 - February 28, 2027).

Originating Department:

Human Resources

Ordinance/Resolution:

RESOLUTION NO. 70-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AND AUTHORIZING APPLICATION FOR AND EXECUTION OF ALL NECESSARY CONTRACTS FOR MASTER PROPERTY INSURANCE, WATER SYSTEM PROPERTY INSURANCE, EXCESS LIABILITY, EXCESS WORKERS' COMPENSATION, CRIME INSURANCE, ECR PROPERTY GENERAL LIABILITY AND OTHER INSURANCE, PUBLIC OFFICIALS BOND, CITY CENTER PROPERTY INSURANCE, FIDUCIARY LIABILITY, AND OTHER MISCELLANEOUS INSURANCE, FOR THE PERIODS OF MARCH 1, 2026 – FEBRUARY 28, 2027, AS RECOMMENDED BY THE CITY'S INSURANCE BROKER, ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES, INC; AUTHORIZING PAYMENT OF ALL INSURANCE PREMIUMS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Background Information:

The City, through its broker of record, Arthur J. Gallagher Risk Management Services, Inc., obtained master property, water systems property, excess liability, excess workers' compensation, crime, and other miscellaneous insurance coverages for the 2026-2027 policy year. The policy year is for the period of March 1, 2026 - February 28, 2027.

Section 66-94 of the City Code requires that the City Commission approve contracts for insurance.

Resolution No. 70-26 authorizes contracts and binders for the insurance coverages described in the accompanying resolution.

The City is self-insured for workers' compensation, automobile liability, and general liability up to various self-insured retention levels and purchases excess insurance policies for general liability claims exceeding \$350,000 and workers' compensation claims exceeding \$500,000.

Master property, utility systems, excess liability, excess workers' compensation, and crime insurance coverages will be bound effective March 1, 2026.

Other miscellaneous insurance coverages will be renewed as they expire.

8. RESOLUTIONS

- 8.1. Resolution No. 8-26 approving an Inter-local Agreement between the Town of Palm Beach and the City of West Palm Beach for the 2026-2028 Water System Improvement projects in the Town of Palm Beach, in an amount not to exceed \$6,200,000; and

Resolution No. 9-26(F) appropriating funds for the planned improvements.

Originating Department:

Public Utilities

Ordinance/Resolution:

RESOLUTION NO. 8-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF PALM BEACH AND THE CITY OF WEST PALM BEACH FOR THE 2026-2028 TOWN OF PALM BEACH WATER MAIN IMPROVEMENTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 9-26(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 2025/2026 IN ACCORDANCE WITH SECTION 4.03 OF THE CITY CHARTER OF THE CITY OF WEST PALM BEACH, FLORIDA, FOR THE PURPOSE OF AMENDING THE RENEWAL AND REPLACEMENT FUND 457 BUDGET TO PROVIDE APPROPRIATIONS FOR THE 2026-2028 WATER SYSTEM IMPROVEMENT PROJECTS IN THE TOWN OF PALM BEACH; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 8-26 and Resolution No. 9-26(F).

Background Information:

In 1999, the City of West Palm Beach and the Town of Palm Beach entered into a Water Franchise Agreement ("Agreement") for the City to provide potable water service to the Town. This Agreement also states that the water infrastructure in the Town, and serving the Town, is owned by the City. The Agreement requires the City and the Town to review the City-owned water infrastructure in the Town annually to identify repair and replacement projects necessary for maintenance of the system. The

Agreement includes a provision allotting five percent (5%) of the gross water sales in the Town be deposited into a Renewal & Replacement (R&R) Fund reserved for water main improvements in the Town. The City Utilities has assigned Fund 457 to receive the required water sales contributions from the Town for the R&R infrastructure improvements.

The City and the Town have identified R&R water system improvement projects for the period of January 1, 2026, to December 31, 2028, and have agreed that it is in the best interest of both the City and Town to enter into an agreement to accomplish the engineering design and construction of the agreed-upon projects.

The Interlocal Agreement (ILA) will enable the Town to hire the consultants and contractors necessary to design and construct the improvement projects, with the City providing general review and oversight of the work. The proposed water system improvements in the Town, identified for action in 2026 through 2028, are valued not to exceed \$6,200,000 and are described in detail in Attachment "A" to the ILA.

While no date has been confirmed, it is anticipated that this ILA for the 2026-2028 Water System Improvement Projects in the Town of Palm Beach will be presented to the Town Council at a meeting in February or March 2026 for action.

City Resolution No. 8-26 approves the Interlocal Agreement with the Town of Palm Beach for the 2026-2028 Water System Improvement Projects.

City Resolution No. 9-26(F) appropriates \$6,200,000 from the reserve for future projects Fund 457, specifically to the 2026-2028 Water System Improvement Projects in the Town of Palm Beach.

Fiscal Note:

Post approval, the Town of Palm Beach Renewal & Replacement Fund 457 reserve for future projects balance will be approximately \$76,000.

- 8.2. Resolution No. 69-26(F) amending the Fiscal Year 2025/2026 General Fund budget to recognize a parking meter donation in the amount of \$11,078.12 for Martin Luther King Jr. Day, January 19, 2026, and appropriating the funds for a donation to the Martin Luther King Jr. Caregivers.

Originating Department:

Parking & Mobility Administration

Ordinance/Resolution:

RESOLUTION NO. 69-26(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 2025/2026 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 BUDGET TO RECOGNIZE PARKING METER REVENUES AND PROVIDE APPROPRIATIONS FOR A DONATION TO MARTIN LUTHER KING JR. CAREGIVERS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 69-26(F).

Background Information:

Resolution No. 69-26(F) appropriates parking meter revenue collected during the 2026 Martin Luther King Jr. (MLK) Holiday in the amount of \$11,078.12 as a donation to the Martin Luther King Jr. Caregivers.

The Martin Luther King Jr. Caregivers are volunteers who provide assistance to the frail, elderly, and home-bound in the City. This program began in 1996 and continues to provide much-needed assistance.

Fiscal Note:

Approval recognizes donation proceeds and provides appropriations for Martin Luther King Jr. Caregiver programming.

9. PUBLIC HEARING

- 9.1. Public Hearing and Second Reading of Ordinance No. 5166-26 approving the sale of City property at 202 - 206 N. Sapodilla Avenue to Publix Super Markets, Inc., for development of a full-service supermarket.

Originating Department:

Mayor's Office

Ordinance/Resolution:

ORDINANCE NO. 5166-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE SALE OF CITY-OWNED PROPERTY LOCATED AT 202 – 206 NORTH SAPODILLA AVENUE FOR DEVELOPMENT AS A SUPERMARKET FOR THE PURCHASE PRICE OF \$3,526,684; APPROVING A PURCHASE AND SALE AGREEMENT WITH PUBLIX SUPER MARKETS, INC.; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Ordinance No. 5166-26 on Second Reading.

NOTE: Section 22-31(27) of the Code of Ordinances requires that the sale shall be approved by ordinance and such ordinance shall be approved by a super majority (4/5) vote of the City Commission at either First Reading or Second Reading. This requirement was met at First Reading.

Background Information:

The City of West Palm Beach is the owner of certain real property located at 202, 204, and 206 North Sapodilla, consisting of approximately 0.79 acres, more or less (the "Property"), currently vacant and zoned Quadrille Business District-3.

By Resolution No. 272-25, the City Commission declared the property to be surplus, finding that it was not needed for City purposes, and authorized negotiations with Publix Super Markets, Inc. ("Publix"), for its sale for use as a supermarket.

Publix desires to relocate its current supermarket within the West Palm Beach downtown to the Property to allow development of a more expansive store. Publix is under contract to purchase the adjacent properties, which comprise the remainder of the block.

A Phase I environmental report indicated the existence of several contaminants on the Property resulting from the Property's prior uses, which included a railroad spur, a manufactured gas plant, and a coal storage area.

City staff and Publix have negotiated the sale of the Property subject to the following key terms and conditions:

Purchase Price: The purchase price of Three Million Five Hundred Thousand Six Hundred Eighty-Four Dollars (\$3,526,684) represents 85% of the appraised values, adjusted for environmental remediation, in compliance with Section 2-31(27)(c) of the Code of Ordinances.

Supermarket Use Restriction: Publix intends to construct and operate a full-service supermarket of a minimum of 40,000 square feet, offering a wide variety of groceries, including fresh produce, meats, dairy, beer and wine, pantry staples, plus household goods and non-food items, including a pharmacy, with associated parking. A restrictive covenant shall require the Property to be used for a supermarket for a term of fifteen (15) years. Other uses will be allowed on the Property so long as the supermarket remains in operation.

Local Workforce: Publix shall use all commercially reasonable efforts to inform and hire at least fifteen percent (15%) of the on-site construction labor workforce from City residents.

Small Business Participation: Publix shall use all commercially reasonable efforts to engage no less than eighteen percent (18%) of its contractors and subcontractors from small businesses certified by the City.

Mineral Rights: Section 270.11, Florida Statutes, provides that unless the City chooses not to reserve its interest, deeds for the sale of land shall reserve to the City an undivided three-fourths interest in, and title in and to an undivided three-fourths interest in, all the phosphate, minerals and metals that are or may be in, on or under the said land and an undivided one-half interest in all the petroleum that is or may be in, on or under said land with the privilege to mine and develop the same. The City has no indication that any such minerals exist on the property and has no intent to enter the Property to mine for minerals. The City will release its statutory interest with the deed.

Ordinance No. 5166-26 approves the sale of the Property to Publix and authorizes the Mayor to execute the Purchase and Sale Agreement, which contains the key terms, and all closing documents.

The purchase price revenue will be recorded in the City's General Fund (GF) real estate sales account.

Commission District 3: Commissioner Christy Fox.

Fiscal Note:

Revenue to be received from the sale of the property deposited in the GF real estate sales account.

10. 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.

11. COMMENTS BY THE MAYOR AND CITY COMMISSIONERS

12. 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.