

STAFF REPORT REGULAR MEETING

AGENDA DATE: October 29, 2024

DEPARTMENT: Community Sustainability and
City Attorney

TITLE:

Resolution No. 46-2024 – Determination that the Unsolicited Proposal from Sunshine Lake Worth Development, LLC for the K Street Parking Garage serves the public's interest – Second Publicly Noticed Meeting

SUMMARY:

Pursuant to section 255.065, Florida Statutes, Sunshine Lake Worth Development, LLC, submitted an unsolicited proposal to develop a parking garage on the City's property at K Street. Resolution No. 46-2024 is the next step in the process to move the unsolicited proposal forward to a comprehensive agreement.

BACKGROUND AND JUSTIFICATION:

At the October 15, 2024 City Commission meeting, pursuant to section 255.065, Florida Statutes (entitled, "Public-Private Partnerships") (P3), the City presented and heard public comment regarding Sunshine Lake Worth Development, LLC's (SLWD), unsolicited proposal to construct a parking garage on K Street property. The unsolicited proposal was presented as a companion item to the Development Agreement with the Lake Worth Beach Community Redevelopment Agency (CRA) and SLWD for the Wiener Museum of Decorative Arts (WMODA) Project. The City Commission approved the WMODA Development Agreement; however, said approval is contingent upon the City Commission determining that the SLWD unsolicited proposal is in the public's interest and moving to the next step in the P3 process.

Pursuant to section 255.065, Florida Statutes, the determination as to whether SLWD's unsolicited proposal for the K Street Parking Garage is in the public's interest, is based on the City Commission's consideration of the following five (5) factors:

1. The benefits to the public.
2. The financial structure of and the economic efficiencies achieved by the proposal.
3. The qualifications and experience of the private entity that submitted the proposal and such entity's ability to perform the project.
4. The project's compatibility with regional infrastructure plans.
5. Public comments submitted at the meeting.

If the City Commission determines that SLWD's unsolicited proposal is in the public's interest, the City, CRA, and SLWD will then commence preparing the agreements necessary to implement the actual design and construction of the K Street Parking Garage along with the other components of the WMODA project. Specifically, under section 255.065, Florida Statutes, the City and SLWD will commence preparing a comprehensive agreement for the design and construction of the K Street Parking Garage which will include, but not be limited to, the rights and responsibilities of SLWD and the City; requirements for insurance and bonding; design preparation and reviews standards; financing; fees to be charged; and cost savings.

The property at issue under the SLWD unsolicited proposal for construction of the K Street Parking Garage is owned by the City (with a small parcel owned by the CRA) and is generally located at 13 South

K Street, 19 South K Street, and 25 South K Street (with PCNs: 38-43-44-21-15-019-0220, 38-43-44-21-15-019-0230, and 38-43-44-21-15-019-0290).

SLWD's unsolicited proposal is attached to this item. SLWD has stated in the submission of its proposal that the WMODA Project will provide the City and the CRA the opportunity to advance the long-standing goal of constructing a centrally located parking garage in the downtown. Further since the potential development of the WMODA Project will remove sixty-five centrally located parking spaces which are heavily utilized for downtown parking, the proposed public / private solution to develop a multi-story, structured parking garage in accordance with the City's 2024 *WGI Lake Worth Beach Parking Study Update* will not only replace the removed parking spaces but will add further public parking for the downtown and in support of the WMODA museum component.

The Commission voted 4 – 1 at the first publicly noticed meeting on October 15, 2024 to move the unsolicited proposal to its second publicly noticed meeting.

MOTION:

Move to approve/disapprove Resolution No. 46-2024 determining that the Sunshine Lake Worth Development, LLC's, unsolicited proposal for the K Street Parking Garage serves the public's interest.

ATTACHMENT(S):

Fiscal Impact Analysis (See Parking Garage Proposal Page 5-8)
WMODA Unsolicited K Street Parking Garage Proposal
Resolution No. 46-2024