

# STAFF REPORT REGULAR MEETING

**AGENDA DATE:** March 18, 2025

**DEPARTMENT:** City Manager

**TITLE:**

Long Term Parking Facility Agreement (WMODA Project)

**SUMMARY:**

Proposed Long Term Parking Facility Agreement between the City of Lake Worth Beach, Lake Worth Beach Community Redevelopment Agency (CRA), and Sunshine Lake Worth Development LLC (SLWD) setting forth the responsibilities and obligations for the operation and maintenance of the South K Street Parking Garage.

**BACKGROUND AND JUSTIFICATION:**

At the October 15, 2024 and October 29, 2024, City Commission Meetings, the City Commission determined that SLWD's unsolicited proposal for the design and construction of South K Street parking garage was in the public's interest consistent with section 255.065, Florida Statutes ("P3 Statute"), and approved the City, CRA, and SLWD moving forward with preparing the necessary agreements. On November 20, 2024, the City Commission approved a Development Agreement between the City, CRA, and SLWD on behalf of The Wiener Museum of Decorative Arts (WMODA) to negotiate various agreements related to the development of the WMODA Project that includes the parking garage component under the P3 Statute.

Consistent with the Development Agreement, the City, CRA, and SLWD negotiated a Comprehensive P3 Agreement for the development of the parking garage under the P3 Statute (which is a companion item on the agenda) and the proposed Long Term Parking Facility Agreement ("LTPF Agreement"). The key business terms under the proposed LTPF Agreement are as follows:

1. Once SLWD completes construction of the parking garage, SLWD's parking requirements for the WMODA Project museum as an "in lieu of payment" will be deemed satisfied. Subject to applicable warranties as set forth in the Comprehensive P3 Agreement, the City shall then have sole ownership and responsibility for the operation and maintenance, repair, and replacement of the Parking Garage.
2. During the 19 year, 11 month term of the proposed LTPF Agreement, the City agrees to make available to the public and patrons of the WMODA Project museum at least fifty (50) parking spaces.
3. During the **first five (5) years** of the LTPF Agreement, the City shall incorporate and utilize validation technology to allow patrons who visit the WMODA Project museum to receive one (1) hour of free parking in the Parking Garage ("**One Hour Free Parking**"). All other parking by the WMODA Project museum patrons shall be at the same rate as all other public users of the Parking Garage.
4. The One Hour Free Parking may be revoked by the City during the Annual Street Painting Festival, the annual Holiday Parade, annual Tree Lighting, Little Scream Halloween event, 4<sup>th</sup> of July and Easter.
5. SLWD may request during the term the special reservation of spaces in the Parking Garage up to four (4) times per year to support large special events that will be held at the WMODA Project museum. The museum events cannot be held during the City's special events. SLWD shall receive a **50% discount on the cost of this special reserved parking** for the **first five (5) years** of the LTPF Agreement; after five (5) years, SLWD will be required to pay the same rate as other uses for its special events. The special reservation requires the reservation of at least 50 spaces for at least four (4) hours, which is required to be staffed by SLWD personnel.

6. For residents of the WMODA Residential Component who wish to park additional vehicle(s) in the Parking Garage, the City shall establish an annual lease pass rate, not exceeding a calendar year, for residents. The City has the sole discretion to decide each year the number of such annual leases or to discontinue the program at any time.

**MOTION:**

Move to approve/disapprove the Long Term Parking Facility Agreement between the City of Lake Worth Beach, Lake Worth Beach Community Redevelopment Agency (CRA), and Sunshine Lake Worth Development LLC, for the responsibilities, obligations and maintenance of the South K Street Parking Garage.

**ATTACHMENT(S):**

Fiscal Impact Analysis – N/A (See Comprehensive P3 Agreement)

Long Term Parking Agreement

Unsolicited Proposal

WMODA Development Agreement