



AGENDA
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING –
SECOND REVISION OF ADDITIONS/DELETIONS/REORDERING
CITY HALL COMMISSION CHAMBER
THURSDAY, MAY 19, 2022 - 6:00 PM

The following items were deleted from the agenda:

PRESENTATIONS:

- A. [Legislature Session Update by State Representative David Silvers](#) (will be on the June 21 agenda)
- H. [Oceanfront EKO Park: Fun, Education, and guiding humanity towards a safe future with EKOTECTURE Presentation by Jill Karlin](#)

CONSENT AGENDA:

- A. [Resolution No. 32-2022 – Support for Additional Traffic Calming Measures on Federal Highway](#) (will be on the June 21 agenda)

The following items were added to the agenda:

PRESENTATIONS:

- I. Proclamation declaring June 3, 2022 as National Gun Violence Awareness Day

CITY ATTORNEY’S REPORT: (reordered to follow the City Manager’s Report)

- A. Selection of a third-party negotiator for the Gulfstream Hotel Project – a fifth candidate was added

NEW BUSINESS:

- C. Resolution No. 34-2022 -- Supporting the LWB - Attainable Housing Project with Social Service Support

CORRECTIONS:

Attorney Richard Grosso’s hourly rate is \$325 not \$375.
Presentation C: The correct date for Ocean Rescue Day is May 23, 2022
Presentation D: The correct dates for National Beach Safety Week are May 23-30, 2022.

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

701 Northpoint Parkway, Suite 209
West Palm Beach, Florida 33407-1950
561-686-8700 Telephone / 561-686-8764 Facsimile
www.torcivialaw.com

Glen J. Torcivia
Lara Donlon
Christy L. Goddeau*
Leonard G. Rubin*

Jennifer H.R. Hunecke
Susan M. Garrett
Elizabeth V. Lenihan*
Denise A. Mutamba
Aleksandr Boksner

*FLORIDA BAR BOARD CERTIFIED
CITY COUNTY AND LOCAL GOVERNMENT ATTORNEY

May 16, 2022

Via E-Mail Only

Mayor and Commissioners
City of Lake Worth Beach
7 N. Dixie Highway
Lake Worth Beach, FL 33460

Re: Gulfstream Hotel

Dear Mayor and Commissioners:

In accordance with your direction, we have identified several individuals who you may want to consider selecting to assist the City as an independent third-party. The selected person would assist with any negotiations with the owners and representatives of the Gulfstream Hotel as it pertains to financial matters, including any proposed financial incentives to be provided by the City to the Gulfstream.

The following attorneys have been identified as potential candidates to provide these services to the City:

- 1) Pam E. Booker, Esq., Austin Pamies Norris Weeks Powell, PLLC, <https://apnwplaw.com>, whose proposed hourly rate is \$350;
- 2) Robert P. Diffenderfer, Esq., Lewis, Longman & Walker, P.A., <https://www.llw-law.com>, whose proposed hourly rate is \$355 for Mr. Diffenderfer and Ms. Duhy, and \$275 for Ms. Rossmell;
- 3) Richard Grosso, Esq., Richard Grosso, P.A., <https://richardgrossopa.com>, whose proposed hourly rate is \$375; and

Mayor and Commissioners
May 16, 2022
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- 4) William E. Pruitt, Esq., Pruitt & Pruitt, P.A., <https://pruittpruittlaw.com>, whose proposed hourly rate is \$350.

Attached is the resume of each of these individuals, as well as the links to their websites.

Each of these attorneys has been invited to attend, either in-person or via Zoom, your May 19, 2022, meeting, so that they may make a short presentation and you may discuss this matter with them. It is anticipated that after meeting each of these individuals, the Commission may decide to select one of them to assist the City in negotiations with the owners and representatives of the Gulfstream.

Sincerely,

Glen J. Torcivia

Glen J. Torcivia

Enclosures

cc: Carmen Davis, City Manager
Juan Ruiz, Assistant City Manager
William Waters, Comm. Sustainability Dir.
Melissa Coyne, City Clerk

LWB - Gulfstream Hotel

Glen Torcivia <glen@torcivialaw.com>

Wed 5/18/2022 4:23 PM

To: Melissa Coyne <mcoyne@lakeworthbeachfl.gov>

Cc: Carmen Davis <cdavis@LakeWorthBeachfl.gov>; William Waters <wwaters@lakeworthbeachfl.gov>

 2 attachments (303 KB)

Robert Sanders CV.pdf; Phillip Hutchinson CV.pdf;

Caution: *This is an external email. Do not click links or open attachments from unknown or unverified sources.*

Melissa,

Please add one more attorney, Robert Sanders, to the list of attorneys to be interviewed on Thurs., May 19th. The proposed hourly rate for Mr. Sanders is \$390 and Mr. Hutchinson is \$375. Attached are their resumes. The website link is: <https://www.gtlaw.com/en/locations/west-palm-beach>

Glen J. Torcivia, Esquire

TORCIVIA, DONLON, GODDEAU & RUBIN, P.A.

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Mayor and Commissioners
May 16, 2022
Page 2

- 4) William E. Pruitt, Esq., Pruitt & Pruitt, P.A., <https://pruittpruittlaw.com>, whose proposed hourly rate is \$350.

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Each of these attorneys has been invited to attend, either in-person or via Zoom, your May 19, 2022, meeting, so that they may make a short presentation and you may discuss this matter with them. It is anticipated that after meeting each of these individuals, the Commission may decide to select one of them to assist the City in negotiations with the owners and representatives of the Gulfstream.

Sincerely,

Glen J. Torcivia

Glen J. Torcivia

Enclosures

cc: Carmen Davis, City Manager
Juan Ruiz, Assistant City Manager
William Waters, Comm. Sustainability Dir.
Melissa Coyne, City Clerk

Pam E. Booker Pettis, Esq.
401 North Avenue of the Arts
Ft. Lauderdale, Florida 33311
(772) 971-8676

PROFESSIONAL PROFILE Experienced local government attorney at one of the fastest growing Cities in the nation with over twenty-eight years-experience in various areas of local government practice, including circuit court, appellate court and federal court litigation. Effectively works with government officials, the public and staff to advise the City on all legal matters with a focus on avoiding costly litigation.

BAR MEMBERSHIP Florida Bar, Admitted **October 1994**
U.S. Federal Court Southern District of Florida, Admitted **October 1998**

LEGAL LAW OFFICES OF AUSTIN PAMIES NORRIS WEEKS POWELL PLLC
September 2019-current
Responsible for land use and zoning items, including representation of the Planning and Zoning Boards for multiple cities, special development projects and land use related litigation matters.

CITY OF WESTLAKE **June 2016- April 2021**
City Attorney for a newly incorporated municipality in Palm Beach County. Responsible for creating, drafting and obtaining approval of initial comprehensive plan for the city. Responsible for drafting all ordinances and resolutions for the operations of the city.

CITY OF PORT ST. LUCIE **April 2014-February 2016**
EXPERIENCE **City Attorney**
Responsible for Management of the Legal Department and all of the legal matters for the City of Port St. Lucie, including legal advisor to the City Council, the City Manager and Department Heads on various legal issues. Responsible for management of outside council for complex litigation involving the City and for issuing legal opinions on legal matters as they arise.

Senior Assistant City Attorney **March 1997-April 2014**
Acting City Attorney in the absence of the City Attorney, responsible for advising the City Council and City Manager on all legal matters that arise. Responsible for property acquisitions, review of purchasing contracts, review of multi-million-dollar water and sewer installation services contracts, review of plats, and general counsel for various departments on multiple City issues.

Planning & Zoning Board Attorney, responsible for representation of the board for all matters appearing before the board. Responsible for representing the City in negotiating complex contracts with multiple developers regarding annexation, transportation and development rights. Several of these transactions involved complex bond funding.

Community Redevelopment Agency Board Attorney, responsible for representation of the Community Redevelopment Agency ("CRA") including review of several bond financings and Council for the establishment of the CRA.

Responsible for providing legal opinions and legal advice in writing and orally for various statutes, ordinances, the constitution, and case law for a variety of legal issues which have occurred during my tenure at the City of Port St. Lucie.

**LEGAL
EXPERIENCE**

Circuit Court Practice

Represented the City in a breach of contract case over former Chief of Police termination. Case was dismissed based upon a Motion to Dismiss for failure to state a cause of action. Represented the City in suit for injunctive relief regarding City's bidding procedures under Florida Statutes, Chapter 255. The request for injunctive relief was denied by the Circuit Court. Represented the City in a breach of contract issue on a multi-million-dollar road construction project. The case settled based upon the construction engineer's estimates.

Represented the Expressway Authority and Florida Department of Transportation for an environmental challenge and request for injunctive relief objecting to transportation funding for a bridge over the St. Lucie River. The request for injunctive relief was denied. Represented the City in civil forfeiture proceedings.

Appellate Practice

Represented the City in the appeal of the complaint for injunctive relief for alleged violations of Florida Statutes, Chapter 255, for bidding procedures and posting of a bond for a construction project. The lower court's decision was affirmed on appeal, injunctive relief was denied.

Represented the City twice in a case of first impression, in appellate practice before the Fourth District Court of Appeals regarding stormwater litigation and notice requirements under Florida Statutes, Chapter 197. The first case was brought on behalf of a large developer, the second case was brought as a class action suit. The City had to refund stormwater fees due to improper notice under Chapter 197.

Federal Court Practice

Worked with outside counsel representing the City in two federal court cases regarding sober homes and/or community residential facilities locating within the City and possible violations of the American's with Disabilities Act and the Fair Housing Act based upon reasonable accommodations.

Represented the City in Federal Court on a complaint based upon several constitutional claims violations in a zoning matter for alleged discrimination against a church locating in a strip shopping center. The case was settled. Represented the City in Federal Court on an alleged Federal Telecommunications Act violation case. The case was dismissed in a Motion for Summary Judgment based upon the record below, statutory interpretation and case law analysis.

**LEGAL
EXPERIENCE**

Represented the City in a Federal Court case for Breach of Contract with Clear Channel Communications, regarding construction of billboards on City owned property. That case resulted in a settlement agreement wherein the City pays no attorney's fees.

Assisted in trial preparation by interviewing and preparing over forty witnesses for trial, conducted direct and cross examination of several witnesses and representation of the City during a two-week trial in a federal discrimination case under 42 U.S.C. 1981 and 42 U.S.C. 1983.

SIMMONS & SOLOMON

June 1994-March 1997

Solely responsible for family law practice, guardianships, representation for condominium associations, and litigation. A change of custody case was appealed to the Fourth District Court of Appeals, the change of custody for my client was affirmed by the Fourth District Court of Appeals.
Legal research as an intern and trial assistance.

COONEY, HALICZER, MATTSON & LANCE

Summer 1993

Responsible for legal research and writing for a major insurance defense firm on complex legal liability issues post hurricane Andrew. Writing memorandums of law on various legal matters.

EDUCATION

Juris Doctor, University of Florida, Gainesville, FL

1994

Virgil Hawkins Scholarship Recipient
Public Interest Fellowship Recipient

**Bachelor of Science Business Administration, Finance/
Insurance, University of Florida, Gainesville, FL**

1991

**PROFESSIONAL
ASSOCIATIONS**

Board of Directors Pace Center for Girls

2015-2020

Board of Directors First Tee of the Treasure Coast

2016-2022

Florida Bar Judicial Administration & Evaluation Committee

2014-2022

Vice-President Port St. Lucie Business Women's Association

2010-2011

President, Port St. Lucie Bar Association

2003-2004

Vice-President, Port St. Lucie Bar Association

2002-2003

Treasure Coast Women's Lawyers Association

2001-2004

References Shall be Provided Upon Request



Robert Sanders

OF COUNSEL

sandersr@gtlaw.com

WEST PALM BEACH

777 South Flagler Drive
Suite 300 East
West Palm Beach, FL 33401
+1 561.650.7972

Government Law & Policy | Real Estate

Robert Sanders focuses his practice on governmental, administrative and real estate matters. Prior to joining the firm, former West Palm Beach Mayor Nancy Graham brought Sanders out of semi-retirement to serve as Deputy City Attorney. In that position, Sanders was in charge of city transactions and pivotal economic development projects. He also served as a board member of the Economic Council of Palm Beach County. Sanders then became the City Administrator of West Palm Beach. Sanders was a key negotiator and advisor crafting deals in West Palm Beach, including projects such as the Convention Center, the redevelopment of the West Palm Beach Auditorium, and the city's previous baseball stadium site, and today's The Square, previously named City Place, a \$750,000,000 development of 72 vacant acres in downtown West Palm Beach.

Before his tenure with the City of West Palm Beach, he was a venture capitalist providing capital and organizational consulting to new and expanding business ventures. Bob had retired as the President and Chief Operating Officer of a nationally recognized real estate development company that developed, constructed and managed regional and local retail malls, office buildings and hotels.

Concentrations

- Governmental and administrative law
- RFQ/RFP strategist
- Litigation
- Acquisitions
- Construction
- Development
- Leasing
- Management and disposition of property
- Planning and zoning
- Permitting
- Equity and debt financing
- Venture capital
- Real estate

Experience

Noteworthy Experiences

- City of West Palm Beach, Florida, 1994-1999
- City Administrator, West Palm Beach
 - Reported to the Mayor of West Palm Beach; coordinated all department, division and agency activities; special liaison between the Mayor, the City Commission and all departments, divisions, boards and commissions, as well as the County Commission and county administration; performed administrative and executive duties as were assigned by the Mayor; oversaw an \$86M general operating budget, a \$62M utilities fund, and various capital funds; oversaw approximately 1,300 full-time employees and ten full-service departments including police, fire, public utilities (water, wastewater, engineering, streets maintenance, public works), recreation, library, human resources, support services, finance, planning, zoning and building, economic and community development.
- Deputy City Attorney/Deputy City Administrator, West Palm Beach
 - City's Key Negotiator in major matters including all significant economic impact Development Projects and transactions including the redevelopment of a 75 acre blighted area in downtown West Palm Beach into a \$500,000,000 Mediterranean style mixed use retail, entertainment, restaurant, cultural, office and residential development with a Convention Center.
- President and Chief Operating Officer, The Goodman Company, West Palm Beach, Florida, 1972-1990
 - Negotiated complex land purchases and sales, over 300 leases, reciprocal easement agreements, construction agreements and shopping center joint ventures.
 - Directed growth of the company with personal involvement in the recruitment, compensation determination and training of all executive-level employees.
 - Coordinated and supervised the development, municipal approvals and construction of many of the company's projects, including its flagship projects, Phillips Point, a multi-million dollar mixed-use urban office/retail complex in West Palm Beach, Florida, and The Esplanade, a high-quality upscale specialty retail development on Worth Avenue in Palm Beach, Florida.
- Executive Vice President - Financial, Legal and Administrative Affairs, Docktor Pet Centers, Inc., Wilmington, MA, 1967-1972
 - Developed and implemented overall business plan and National Franchise Program of a national chain of full-line pet centers.
 - Established and managed the in-house Legal Department including the negotiation of numerous leases, subleases, franchise and partnership agreements, and the acquisition of a major competitor.
 - Coordinated the public underwriting of the company's stock and was instrumental in directing the expansion of the company from 8 to 110 retail units.

Recognition & Leadership

Awards & Accolades

- Listed, *The Best Lawyers in America*, Land Use and Zoning Law, 2010-2022
- Recognized, *Palm Beach Illustrated*, "Top Lawyers," 2018-2019
- Team Member, *Best Lawyers in America*® "Top Listed – Government Relations," 2018

- Team Member, a U.S. News - Best Lawyers® "Government Relations Law Firm of the Year," 2014
 - Ranked, Tier 1 – Government Relations, Miami Metropolitan Area
- Team Member, *The Legal 500 United States*, "Top Tier" Firm in Real Estate, 2013
- Team Member, a *Law360* "Real Estate Practice Group of the Year," 2011 and 2012
- Member, Winning Team, Chambers USA Award for Excellence, Real Estate, 2010 and 2017

Professional & Community Involvement

- Current and Founding Board Member, West Palm Beach Library Foundation
 - Past Chairman
- Board Member, Palm Beach County Film and Television Commission
- Board Member, West Palm Beach Downtown Development Authority
 - Past Chairman
- Board Member, Economic Forum of Palm Beach County
- Past President and Board Member, Chamber of Commerce of the Palm Beaches
- Founder, Past Chairman and Board Member, Cities in Schools
- Past Board Member, Epilepsy Association of the Palm Beaches
- Past Chairman of the Board, Governors Club
- Past Board Member, Palm Beach International Film Festival
- Past Board Member, The Economic Council of Palm Beach County
- Past Board Member, The Adam Walsh Children's Fund
- Bailli Honoraire (Past President), Chaîne des Rotisseurs - Bailliage de Palm Coast

Credentials

Education

- J.D., Temple University Beasley School of Law
- B.S., Accounting, Temple University

Admissions

- Florida



Phillip H. Hutchinson

SHAREHOLDER

WEST PALM BEACH +1 561.650.7952

hutchinsonp@gtlaw.com | [LinkedIn](#) | [Detailed Biography](#)

Phillip H. Hutchinson is a strategic business litigator who defends corporations in complex litigation claims in state and federal courts, including individual class actions and real estate litigation disputes. Phillip has represented clients in cases involving complex product liability disputes, automobile rollover claims, construction defects (including delay claims), insurance coverage defense, eminent domain actions, employment discrimination, non-competition agreements, and real estate disputes, including commercial leases. He has broad experience in complex case management, electronic discovery management, extensive pre-trial discovery, and work product protection.

Phillip also has an emerging government relations practice that involves advocating for his clients' interest while guiding them through Palm Beach and other local government protocols for real estate and other commercial development activities. As part of his ongoing pro bono endeavors targeting economic development in underprivileged communities, Phillip helped secure site and land use approvals for the opening of a medical clinic in downtown Palm Beach.

A trained aerospace engineer, Phillip spent five years designing jet engines for military fighter aircraft prior to attending the University of Florida College of Law where he was a member of the Florida Law Review. Phillip has served as an instructor in the firm's Litigation Skills Academy and is an avid mentor to young lawyers.

Concentrations

- Products liability
- Insurance coverage defense
- Class-action lawsuits
- Eminent domain
- Securities
- Labor and employment matters, including discrimination and statutory claims
- Jury trials and arbitrations
- Insurance regulation
- Consumer finance

Education

- J.D., University of Florida Levin College of Law, 1997
 - Comment Advisor, Florida Law Review, Selections Committee
 - Florida Trial Team; Vice President, ABA Advocate, Competition Master
- B.S., Aerospace Engineering, University of Florida, 1990

Admissions

- Florida
 - Supreme Court of the United States
 - U.S. Court of Appeals for the Eleventh Circuit
 - U.S. District Court for the Middle District of Florida
 - U.S. District Court for the Northern District of Florida
 - U.S. District Court for the Southern District of Florida
-

News, Insights & Presentations

News

07.23.21

[Golf Course Workers Denied FLSA 'Volunteer' Suit For Now, Law360](#)

Presentations

09.16.19

[Speaker, Virgil Hawkins Florida Chapter National Bar Association – Meet and Greet Reception](#)

Richard Grosso, Esq.

Richard Grosso, P.A.

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Plantation, FL 33317
Mailbox 142
richardgrosso1979@gmail.com
954-801-5662
richardgrossopa.com

CURRICULUM VITA

Biographical Sketch

Richard Grosso, President of Richard Grosso, P.A., in Plantation, Fla., is a widely recognized lawyer and advocate, with 35 years of experience as a public interest litigator, appellate lawyer, advocate and counselor in the areas of federal and Florida environmental, land use, constitutional, property rights and related governmental and administrative law. He offers services throughout Florida and in Washington DC.

Mr. Grosso is a former Law Professor at the Shepard Broad College of Law at Nova Southeastern University in Ft. Lauderdale, Florida, where he taught in the areas of environmental, energy, land use, administrative, appellate practice and federal and state constitutional law. He is the former Executive Director and General Counsel of the Everglades Law Center, Inc., (ELC) a public interest law firm which represents citizens and environmental interests in environmental and land use matters concerning the Florida Everglades, Florida Keys and the south Florida ecosystem in general. He is also a former Legal Director for 1000 Friends of Florida, and attorney for the Florida departments of Community Affairs and Environmental Regulation. Over a 34 – year litigation and appellate career, he represented numerous public interest clients and the state of Florida in federal and state administrative and judicial proceedings. He frequently appears before local governments, state and federal agencies, and other bodies concerning land use and environmental issues.

Mr. Grosso has worked extensively on the local, state and federal policy, legal and agency decision-making aspects of the Comprehensive Everglades Restoration Plan, cutting edge "carrying capacity" land use planning in the Florida Keys, climate and sea level rise sustainability issues in south Florida and a wide variety of environmental and land use issues throughout Florida. Richard's work and analysis has been quoted or referenced in the New York Times, the Washington Post, Forbes, Politico, National and Florida Public Radio, in almost every major news media in Florida, and other newspapers and blogs across the country and around the world.

Professional Experience

Richard Grosso, P.A.

President

Plantation, Fla.

Jan. 2018- present

Consultation and representation of public interest clients in land use, environmental and related governmental matters before local, state and federal agencies and state and federal courts and administrative tribunals.

Shepard Broad College of Law, Nova Southeastern University

Ft. Lauderdale, Fla.

Professor of Law – 2007 to July 2021

Assistant Professor of Law 1998 - 2007

Taught constitutional law, land use, environmental, energy and administrative law and appellate practice. Directed land use and environmental law practice clinic.

Everglades Law Center, Inc.

Ft. Lauderdale, Fla.

Executive Director\ General Counsel - March 1996 to December 2010

Responsible for administrative and legal activities of non-profit, public interest law firm which represents clients in litigation, appeals and administrative advocacy on major legal cases and public policy decisions impacting the south Florida ecosystem. Extensive state and federal trial and appellate practice on cases of significant precedential value. Lectures and writes frequently on legal and policy issues concerning environmental and land use law and policy. Clients included federal, state and local environmental organizations.

1000 Friends of Florida, Tallahassee & Ft. Lauderdale, Fla. Legal Director - August 1990 to March 1996

Responsible for all legal activities of non-profit, public interest growth management advocacy group.

Florida Department of Community Affairs, Tallahassee, Fla.

Assistant General Counsel - June 1989 to August 1990

Represented state agency in administrative challenges to local government comprehensive plans and policy plans of regional planning councils.

Florida Department of Environmental Regulation, Tallahassee, Fla.

Assistant General Counsel - December 1986 to June 1989

Duties included trial and appellate work as well as advisory duties relating to environmental permitting. Heavy emphasis in administrative law and inverse condemnation defense. Extensive trial and appellate practice.

Bar Admissions

Supreme Court of the United States

Eleventh Circuit Court of Appeals.

United States' District Court for the Northern District of Florida

United States' District Court for the Middle District of Florida

United States' District Court for the Southern District of Florida

Florida Bar Association

Education

Legal

FLORIDA STATE UNIVERSITY COLLEGE OF LAW

Tallahassee, Florida

Juris Doctor, April 1986, Honors

Law Review

Legal Writing Faculty-Student Committee

Supreme Court Role-Playing Seminar

Book Award-Coastal Zone Law

Undergraduate

FLORIDA STATE UNIVERSITY

B.S. Political Science, 1983

GPA: 3.47 (4.0 scale)

Pi Sigma Alpha Honor Society

Vice President, Government Studies Association

MIAMI-DADE COMMUNITY COLLEGE

A.A. 1981 - Dean's List

Civic

Former Member, Broward County Planning Council

Former member, Broward County Climate Task Force

Significant Litigation

Mr. Grosso has successfully litigated many significant and precedent setting cases, including:

- *1000 Friends of Fla., Inc. v. Palm Beach County and Bergeron Sand & Rock Mine Aggregates, Inc.*, 69 So. 3d 1123 (Fla. 4th DCA 2011); *1000 Friends of Fla., Inc. v. Palm Beach County and Rinker Materials of Fla., d/b/a Cemex*, 75 So. 3d 1270 (Fla. 4th DCA 2011); and *United States Sugar Corp. v. 1000 Friends of Fla.*, 134 So. 3d 1052 (Fla. 4th DCA 2013), which strictly enforced the Palm Beach County land use plan, and protected the Everglades Agricultural area from wide-spread limerock mining, thus preserving its environmental restoration potential;
- *Fla. Wildlife Fed. & Sierra Club v. US Army Corp of Engineers*, 401 F. Supp. 2d 1298, 1308 (S.D. Fla. 2005), which halted construction of the Scripps Research Institute on the fringe of the Everglades in western Palm Beach County and resulted in the relocation of the project to an urban infill area.
- *Pinecrest Lakes, Inc. v. Shidel*, 795 So. 2d 191 (Fla. 1st DCA 2001), where demolition of buildings built in violation of a local comprehensive plan was ordered by the courts;
- *1000 Friends of Florida v. Monroe County*, the precedent - setting case on the issue of carrying-capacity - based planning;
- *Miami Sierra Club v. State Admin. Comm'n*, 721 So. 2d 829 (Fla. 3d DCA 1999), which overturned the state approval for a commercial airport at the former Homestead Air Force Base, and
- *Poulos v. Martin County*, which guaranteed citizens the right to a de novo trial in plan consistency challenges.
- *Dep't of Environmental Regulation v. MacKay*, 544 So. 2d 1065 (Fla. 3d DCA 1989) and *Namon v. State, Dep't of Environmental Regulation*, 558 So. 2d 504 (Fla 3d DCA 1990), which rejected inverse condemnation claims and strengthened the state of Florida's ability to protect wetlands on private property;
- *DCA v. Withlacoochie Regional Planning Council*, which upheld the state's authority to require Regional Policy Plans to be consistent with the State Comprehensive Plan;
- *Homebuilders and Contractors v. Dept. of Community Affairs*, which upheld the state's ability to discourage urban sprawl through the state land use planning process.

Mr. Grosso also co-authored an influential amicus curie brief in the ground -breaking case of *Brevard County v. Snyder*, Florida's leading land use case.

Publications

Among Professor Grosso's notable publications are:

- Richard Grosso, *A Guide to Development Order "Consistency" Challenges Under Florida Statutes Section 163.3215*, 34 J. of Envtl. L. & Litig. 129 (2019)
- *Planning and Permitting to Reduce and Respond to Global Warming and Sea Level Rise in Florida*, J. Land Use & Env. Law., Vol 30, No. 2, 201 (Spring 2015)
- *Planning and Permitting to Reduce and Respond to Global Warming and Sea Level*

- Rise*, 6 J. Animal and Environmental L. 41 (2015),
<https://drive.google.com/file/d/0B0gcImiUSq5ETIVZSW1melFzcm8/view?pref=2&pli=1>
- ***Regulating for Sustainability: The Legality of Carrying Capacity – Based Environmental and Land Use Permitting Decisions***, 35 Nova L. Rev. 711 (Summer 2011)
 - ***The Public Interest Perspective on SB 360***, FLA. BAR JOURNAL, Oct. 2009, at 24.
 - Richard Grosso & Jason Totoiu, ***Planning and Permitting to Protect Wetlands: The Different Roles and Powers of State and Local Government***, FLA. BAR JOURNAL, Apr. 2010, at 39.
 - ***Old McDonald Still Has a Farm: Agricultural Property Rights After the Veto of S.B. 1712***, Fla. Bar. J. March, 2005, Volume 79, No. 3 (co-author with Robert Hartsell)
 - ***Environmental View of the 50 Year Picture***, Fla. Bar, Env. & Land Use Law Section Annual Update Materials (Aug. 25-27, 2005)
 - ***Florida's Burt Harris Act: Does it Protect Third Parties and the Public Interest?*** (Georgetown University Law Center Continuing Legal Education; October 18 - 19, 2001)
 - ***Legal Issues Concerning the Water Preserve Areas*** (Fla. Bar. April 20, 2001)
 - ***Wildlife Habitat and Land Use in the Florida Keys*** (Fla. Bar, Env & Land Use Law Section) (January 18, 2001).
 - ***Quit Exploiting the Everglades***, ENGINEERING NEWS-RECORD, Jan. 11, 1999, at 59 (Co-author)
 - ***Florida's Growth Management Act: How Far We Have Come, and How Far We Have Yet to Go***, 20 NOVA L. REV. 589 (1996).
 - ***Carrying Capacity in the Florida Keys: The Implications for Land Use Planning***, A NATIONAL SYMPOSIUM: ASSESSING THE CUMULATIVE IMPACTS OF WATERSHED DEVELOPMENT ON AQUATIC ECOSYSTEMS AND WATER QUALITY (Northeastern Illinois Planning Commission, Natural Resources Department, 1996).
 - ***Looking for the Middle Ground in Snyder***, 15 ENVTL. & LAND USE LAW SEC. REP. (1993).
 - Richard J. Grosso & David J. Russ, ***Takings Law in Florida: Ramifications of Takings Clauses***, 8 J. LAND USE & ENVTL. L. 431, 485 (1993).
 - ***Federal Offshore Leasing: States' Concerns Fall on Deaf Ears***, 2 J. LAND USE & ENVTL. L. 249 (1986).
 - ***A Return to Sunshine: Florida Sunsets Open Government Exemptions***, 13 F. S. U. L. REV. 705 (1985) (co-author with Barry Richard).

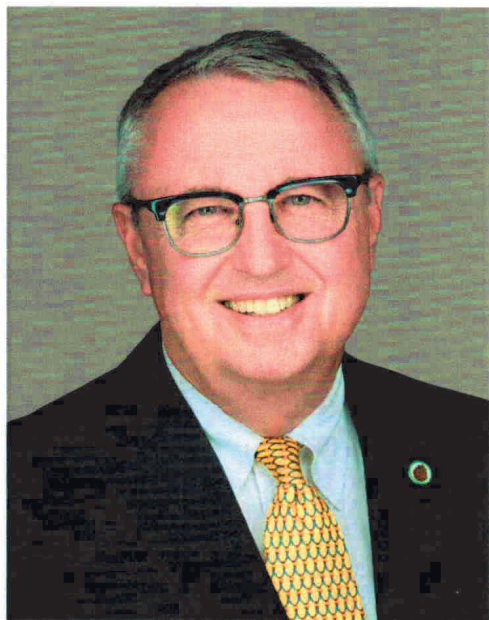
Numerous published Continuing Legal Education and other articles and outlines on growth management, land use, environmental and property rights law.

Awards & Recognition

Mr. Grosso has been widely recognized for his work on behalf of Florida's environment, including:

- Audubon Florida's 2021 Everglades Champion Award
- Environmental Advocacy Award (Key West environmental group Last Stand 2021)
- Lifetime Achievement Award (2010 Fla. Bar, Environmental and Land Use Law Section's Public Interest Environmental Conference).
- The Urban Environmental League's (Miami-Dade County) Orchid Award for Lawyers Who Make a Difference (2009).
- The Bill Sadowski Memorial Public Service Award by the Florida Bar, Environmental and Land Use Law Section (2008)
- The Tropical Audubon Society's Polly Redford Citizens Service Award for his legal work on behalf of the environment (2008).
- 2005 Most Effective Environmental Lawyer, Daily Business Review
- The Sierra Club Florida chapter's William K. 'Red' Howell Legal Services Award (2005)
- Named Most Effective Environmental Lawyer in south Florida by the Daily Business Review (2004).
- Conservationist of the Year, (Marshall Foundation 2003).
- Conservationist of the Year (Everglades Coalition 2002)
- Conservationist of the Year (Audubon Society of the Everglades 2001)
- Public Service Award (Martin County Conservation Alliance 2000)
- Environmentalist of the Year (CityLink Newspaper [Broward & Palm Beach Counties] 2000)
- Conservationist of the Year. (Florida Wildlife Federation (1999)
- Hal Scott Memorial Award for legal advocacy on behalf of the environment. (Florida Audubon Society 1997)
- Individual of the Year (Key West environmental group Last Stand 1995)

Robert P. Diffenderfer
Shareholder



Biography

Mr. Diffenderfer maintains a diverse governmental practice involving complex environmental and land use matters, including representation before local, state and federal legislative and regulatory bodies; growth management counseling; comprehensive plan adoption, implementation and defense; DRI approval and implementation; environmental resource permitting, and related litigation. His practice also includes projects relating to special district creation, operation and administration, as well as representation of local general-purpose governments on a variety of specialized governmental, growth management and natural resource issues.

Bob has handled a variety of growth management, land use and regulatory issues for large public infrastructure projects including the Fort Lauderdale-Hollywood International Airport, the Palm Beach International Airport, the North Palm Beach County General Aviation Airport and various Florida Department of Transportation highway projects.

Bob serves as Chair of the firm's Business Development Committee and immediate past chair of the firm's Transportation and Infrastructure practice group. He is a Trustee and Chair-elect of the Chamber of Commerce of the Palm Beaches. Bob is past chair of the Pine Jog Environmental Education Center. He is a member of the Palm Beach and Collier County Bar Associations, the Florida Bar, and the American Bar Association.

Bob earned a Bachelor of Arts degree, *cum laude*, from Florida State University and his Juris Doctor from Georgetown University Law Center. He is admitted to practice in Florida and the District of Columbia.

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Biography

Ms. Duhy chairs the firm's Land Use & Real Estate Law Practice Group. As part of her state-wide land use, natural resource and water law practice, Tara advises clients through every stage of permitting, government coordination and enforcement related to development including:

- Comprehensive land use planning;
- Zoning, site planning and other local development orders;
- Transportation planning and concurrency, including coordination with the Florida Department of Transportation and regional metropolitan planning organizations;
- Development of regional impact ("DRI") review, including coordination with the Florida Department of Economic Opportunity and regional planning councils;
- Environmental resource permitting ("ERP") and water use permitting through the various Florida water management districts;
- Coastal construction and environmental wetland permitting through the Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission;
- Federal wetland and coastal construction permitting through the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers;
- Endangered Species Act coordination with the U.S. Fish and Wildlife Service;
- Federal NEPA compliance; and
- Related administrative and civil litigation, including appeals.

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Tara is an active alumni of Leadership Florida, and currently serves on the Gulfstream Region Council. Tara is also active in the Florida Association of Community Developers and the Northern Palm Beach County Chamber of Commerce and serves on the Board of Directors of Healthy Mothers Healthy Babies Coalition of Palm Beach County. She has been listed as a Top Lawyer in Palm Beach Illustrated Magazine, and in the past as a Rising Star by Florida Super Lawyers, a peer designation awarded to only 2.5% of Florida lawyers. In 2013, she was selected as a Rising Star by the Daily Business Review, a program recognizing the region's 40 most promising lawyers under the age of 40.

Tara earned a Bachelor of Science degree from Northwestern University in 1997 and her Juris Doctor from the University of Colorado School of Law in 2004.

Kathryn B. Rossmell

Attorney



LLW

LEWIS
LONGMAN
WALKER



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Biography

Kathryn's practice focuses on land use, environmental, local government and natural resources law. She represents private clients on land use matters including comprehensive planning issues and land development regulation application, drafting and implementation; public and private clients on natural resources permitting issues; clients challenging and defending National Environmental Policy Act (NEPA) compliance; as well as civil litigation for public and private clients for matters within her practice areas. She also represents and advises public clients as general and special counsel, including legal analysis of special assessment methodology and counseling clients on community redevelopment and other special district matters.

Kathryn serves as General Counsel to Leadership Palm Beach County and as a Board Member for the Palm Beach North Chamber of Commerce. Kathryn is Chair-Elect of Florida Atlantic University's Pine Jog Environmental Education Center, where she was recognized with the 2020 Young Professional of the Year Award. She is a Past President of the Treasure Coast Chapter of the Florida Association of Environmental Professionals and in 2020 she was awarded the Treasure of the Chapter Award for her exemplary dedication to the success of the chapter. She is a member of the Advancement and Moments Committees for Healthy Mothers Healthy Babies, and a member of the Women's Foundation of Florida Palm Beach County 2020 Raise the Bar Committee.

Kathryn is also a member of The Florida Bar's Environmental and Land Use Law Section, City County and Local Government Law Section, Administrative Law Section and the Young Lawyers Division. She is a member of the American Bar Association's Section of Environment, Energy and Resources and a member of the Palm Beach County Bar Association's Young Lawyers Section.

Kathryn was named a 2021 and 2020 Rising Star by Florida Super Lawyers, a peer designation awarded to only 2.5% of Florida lawyers. She was also named a 2021 Top Lawyer in transportation law from Palm Beach Illustrated magazine, a 2021 Honoree of South Florida Business & Wealth Magazine's 2021 Legal Awards, and was an ATHENA Young Professional Leadership Award finalist in 2021.

Kathryn earned a Bachelor of Arts degree in Political Science, *magna cum laude*, from the University of Florida, and her Juris Doctor, *cum laude*, from the University of Florida, Levin College of Law.



WILLIAM E. PRUITT
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wep@pruittpruittlaw.com
561-655-8080

William Earnest Pruitt was born and raised in West Palm Beach, Florida. He is a graduate of Forest Hill High School where he was a co-captain of the football team. He attended Samford University in Birmingham, Alabama and graduated cum laude in 1976 with a bachelor of science degree in business administration, majoring in finance with a minor in speech and economics. As a student he served as President of his fraternity. He received the William Hester Manley Award for outstanding finance major in his senior year.

Knowing that he always intended to return to South Florida to practice law, he attended Stetson University College of Law graduating with a Juris Doctorate. Upon passing the bar he was sworn in in May of 1979 and began to practice law in his father, William H. Pruitt's, firm. Both of Mr. Pruitt's grandfathers were attorneys in South Florida. He also had two uncles that were lawyers, one who was elected as the mayor of West Palm Beach and the other serving as a federal magistrate. Currently Mr. Pruitt practices law with his son, William Braedyn Pruitt, who went to law school after a few years playing in the New York Yankees minor-league system.

During his career he has practiced primarily with a focus on business transactions, contracts, financial issues, and civil litigation. He has represented individuals, corporations, banks, and served as a trustee for family trusts. He has tried both jury and Non-jury trials. The largest resulting in a verdict in his client's favor exceeding \$12,000,000. As a practicing attorney for 43 years he deals with mediations, contract negotiations, and settlements of disputes of various issues on a daily basis. He has negotiated business sales and purchases, real estate contracts, and represented clients in resolving litigation concerning accidents, property damage, commercial leasing, real estate disputes, construction contracts, and development deals. The range of these negotiations have involved issues and matters up to and in excess of \$40,000,000.

William E. Pruitt recognizes that not every client is the same nor is every negotiation identical. He spends the time necessary to educate himself about the issues, the client, and the adversary so that he may obtain a necessary and clear understanding of his client's goals and needs. Mr. Pruitt uses his contacts, knowledge of the history of the community learned as a lifelong resident, together with a focus on persuasion developed through his experience as a practiced negotiator and litigator, to assist his clients in reaching their desired results.

Mr. Pruitt has an AV Preeminent Rating as an attorney and in 2020 received the Sydney Stubbs Professionalism Award by the Palm Beach County Bar Association. He is a member of the Florida Bar and Palm Beach County Bar Association serving on several subcommittees including professionalism and judicial relations.

Mr. Pruitt and his family believe in giving back and being involved in the community. During his career he has served as president of the Chamber Of Commerce Of The Palm Beaches (1996), as a Director and Trustee of the South Florida Fair and Palm Beach County Expositions from 1994 through his serving as chair from 2018 to 2020. In addition he served at various times over a period of twenty two years as a

board member and special master on code enforcement boards for the City of West Palm Beach, the Town of Jupiter, and Palm Beach County. He served as chair of the Palm Beach County Business Alliance in 1996, chair of the Palm Beach County Education Commission, and as chair of the Palm Beach County Workforce Development Board (now known as Career Source Palm Beach County). He is currently a member and past chair of the Roger Dean Chevrolet Stadium Advisory Board and assists The Board and the Stadium with the Dick Howser All Star Showcase for Palm Beach County high school senior baseball players.

Mr. Pruitt's firm, Pruitt & Pruitt, PA, is located at 2475 Mercer Ave. Suite 101 in West Palm Beach, Florida. In addition to the representation of clients and serving their needs as advocates, the firm is dedicated to making Florida, particularly south Florida, a better place to live and grow a family. With a family of four generations of Florida lawyers and now being a sixth generation Florida family, the Pruitts are believers in promoting and preserving Florida's unparalleled landscape and natural resources in balance with economic vibrancy and opportunity, which together make this an economically strong, vibrant and beautiful place for visitors and residents alike.

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: May 31, 2022

DEPARTMENT: City Manager

TITLE:

Resolution No. 34-2022 -- supporting the LWB - Attainable Housing Project with Social Service Support

SUMMARY:

Funding is available for local government projects through Congresswoman Lois Frankel's office.

BACKGROUND AND JUSTIFICATION:

The housing crisis and lack of affordable housing has been an issue that the City has been trying to address. Estimates from the FIU Affordable Housing Needs Assessment found that more than 65% of owners and 90% of renters pay more for housing than they can afford. After discussions with the City, the CRA submitted an application for the LWB - Attainable Housing Project with Social Service Support under the auspices of the Community Project Funding (CPF): FY23 Transportation, Housing and Urban Development. The amount requested was \$2.5M to address creating more attainable housing in the City.

The City Commission is being asked to submit a resolution of support for the project; the application is included in the backup.

MOTION:

Move to approve/disapprove Resolution No. 34-2022 -- supporting the LWB -Attainable Housing Project with Social Service Support.

ATTACHMENT(S):

Fiscal Impact Analysis – N/A
Resolution 34-2022
Project Application

RESOLUTION NO. 34-2022 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, IN SUPPORT OF THE LWB - ATTAINABLE HOUSING PROJECT WITH SOCIAL SERVICE SUPPORT; DIRECTING CITY ADMINISTRATION TO TRANSMIT A COPY OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Congresswoman Lois Frankel seeks funding and investments for nonprofit or governmental programs in Palm Beach County through the Community Project Funding (CPF): FY23 Transportation, Housing and Urban Development; and

WHEREAS, according to a housing needs assessment completed in 2021 by FIU's Metropolitan Center and the Housing Leadership Council of Palm Beach County, 56.6% of rental households in the County are costburdened, making Palm Beach County one of the most unaffordable places to live in the U.S.; and

WHEREAS, the Lake Worth CRA, in partnership with, Adopt-a-Family, Habitat for Humanity, Neighborhood Renaissance, Housing Leadership Council, the Community Land Trust of Palm Beach and the Treasure Coast, Community Partners of South Florida and the City of Lake Worth seeks to purchase available, blighted or foreclosed properties, and build much-needed attainable housing in the CRA District; and

WHEREAS, Lake Worth Beach is not an entitlement City, and suffers from a lack of outside funding even though the need in the City is critical; and

WHEREAS, the application for the Lake Worth Beach - Attainable Housing Program with Social Service Support was produced by the Lake Worth CRA in two weeks, after meetings with City Administration, and requests \$2.5M in funding with leverage just over \$8M in cash, land, administration and social services (this includes City ARPA funds and land owned by the CRA); and

WHEREAS, if awarded, the funds would be used for financing such as soft-second mortgages and down payment assistance, to purchase available, blighted or foreclosed properties, and build affordable housing in the CRA District. Furthermore, the program would also include working with private developers to build attainable units in mixed-use, mixed-income projects; and

WHEREAS, this program benefits households making less than 120% of Area Medium Income with an extra benefit given to households making less than 80% of area medium income; and

WHEREAS, if funded, the program would begin late in 2022 with the CRA collaborating with the City on the program and serving as lead with oversight by City Finance. All funds must be obligated in a 12 month time frame; and

WHEREAS, due to the proposed collaboration between the City and the CRA on the program, the City has been requested to adopt a Resolution in support of the program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

Section 2. The City Commission of the City of Lake Worth Beach fully supports the Lake Worth Beach - Attainable Housing Program with Social Service Support.

Section 3. The City Commission further directs City Administration to transmit a copy of this resolution to the Congresswoman Lois Frankel and any other interested parties.

Section 4. All resolutions or parts of resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 5. This resolution shall become effective immediately upon its passage.

The passage of this resolution was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Christopher McVoy
- Commissioner Sarah Malega
- Commissioner Kimberly Stokes
- Commissioner Reinaldo Diaz

The Mayor thereupon declared this resolution duly passed and adopted on the 19th day of May 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

**LAKE WORTH ATTAINABLE HOUSING
PROJECT
WITH SOCIAL SERVICE SUPPORT**

APPLICATION



OFFICE OF CONGRESSWOMAN LOIS FRANKEL (FL-21)

Community Project Funding (CPF): FY23 Transportation, Housing and Urban Development

Return completed form and required documentation to: bradley.solyan@mail.house.gov
Due Date: April 15, 2022

Note: Only non-profit entities, public institutions, and state and local government entities are eligible to request projects. Projects cannot be designated for private individuals or for-profit entities. The Subcommittee will only accept legally eligible requests under the following accounts: Department of Transportation – Airport Improvement Program; Department of Transportation – Highway Infrastructure Projects; Department of Transportation – Transit Infrastructure Projects; Department of Housing and Urban Development – Economic Development Initiatives. To be considered, the project must be legally eligible for grants under these accounts and comply with all applicable laws, rules, and regulations related to the specific grant program.

Non-federal Project Sponsor Requesting Funds:
[Lake Worth Beach Community Redevelopment Agency](#)

Primary Point of Contact (name, email, phone number, organization address):
[Joan Oliva, Executive Director, \[joliva@lakeworthbeachfl.gov\]\(mailto:joliva@lakeworthbeachfl.gov\), \(561\) 493-2550, 1121 Lucerne Ave., Lake Worth Beach, FL 33414](#)

Project Priority (if non-federal sponsor is submitting more than 1 project): 1

Short Name of Project: [LWB – Attainable Housing Project with Social Service Support](#)

Complete Description of Project (limit 1000 characters, including spaces):
[The Lake Worth CRA, in partnership with, Adopt-a-Family, Habitat for Humanity, Neighborhood Renaissance, Housing Leadership Council, the Community Land Trust of Palm Beach and the Treasure Coast, Community Partners of South Florida and the City of Lake Worth seek to purchase available, blighted or foreclosed properties, and build, much-need attainable housing in the CRA District. The Lake Worth CRA has several land-banked parcels and City funding to leverage any money awarded. Some of our land-banked parcels do have private sector partners. In this case, we can help subsidize a portion of the units to make them attainable to households. This will result in mixed-use, mixed-income units that will help further stabilize the area. In other cases, we will purchase more properties and work with our non-profit partners to build or rehabilitate new attainable units. All units will be deed restricted and for-sale units will have a shared-equity agreement to give the program longevity.](#)

Has this project been submitted to any other Member of Congress, if so please list the Members' name and a staff point-of-contact: **NO**

Is the entity to receive the funds a non-profit? If yes, provide documentation that the non-profit is a 501(c)3:
[While the CRA will work with non-profits, the CRA will act as the Lead and fiscal agent for the project with](#)

oversight from the City of Lake Worth Beach.

Attach a letter of support from the non-federal sponsor of the project or the project partner for the project being requested. If there is no official non-federal sponsor or project partner, this can be a letter of support from the community or city/county. [Attached](#)

Why this project is a community priority?:

The City of Lake Worth Beach has made considerable strides in the past twelve years, thanks in large part, to the successful Neighborhood Stabilization Project (NSP-2), led by the Lake Worth CRA, with immense help and support from the City our non-profit partners. Together we created over 400 affordable units, provided the necessary financing mechanisms, demolished unsafe structures and created new affordable units. Because Lake Worth Beach is not an entitlement City, we suffer from a lack of outside funding. However, the need in the City is critical. According to a housing needs assessment completed in 2021 by FIU's Metropolitan Center and the Housing Leadership Council of Palm Beach County, with a 56.6% of rental households in the County being cost-burdened and the medium single-family home price being unaffordable to 81% of Palm Beach County households, Palm Beach County is one of the most unaffordable places to live in the U.S.

Adding to this crisis, both single and multi-family properties are being bought by holding companies and rented out for market rate to above market rate rents. If the City/CRA and partners do not expand their capacity, produce, maintain and monitor new units, the City cannot keep up with the pace of the market and too many units will be out of reach for people in and wanting to live in Lake Worth Beach.

Amount of Request: [\\$2.5 M](#)

Please answer all additional questions below for the appropriate account

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT--Economic Development Initiative (EDI)

EDI community project funding may be used for economic and community development activities, including land or site acquisition, demolition or rehabilitation of housing or facilities, construction and capital improvements of public facilities (including water and sewer facilities), and public services. Requests may also include planning and other activities consistent with previously funded activities eligible under the Community Development Block Grant (CDBG) program (title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.)), unless otherwise specified. EDI community project funding is not eligible for the reimbursement of expenses for activities or costs incurred prior to the obligation of funds, if such activities are not eligible under the CDBG program. Capital and operating expenses for fire and police stations are not eligible for EDI community project funding. All projects must be:

- Supported broadly by local stakeholders, including residents, businesses, and elected officials.
- Administered by governmental or non-profit entities, including public housing agencies, as well as tribes and tribally designated housing entities.

The average award in this account for fiscal year 2022 was \$1.5 million. Note that the Committee may consider project amounts of up to \$4 million for FY23, but any caps will be determined by the Chairman after reviewing the full universe of requests.

Community project funding questions for EDI:

- Project Name: [Lake Worth Beach – Attainable Housing Program with Social Service Support](#)
- General description of the project and why it is needed.

The Lake Worth CRA, in partnership with, Adopt-a-Family, Habitat for Humanity, Neighborhood Renaissance, Housing Leadership Council, the Community Land Trust of Palm Beach County and the Treasure Coast, Community Partners and the City of Lake Worth seek to purchase available, blighted or foreclosed properties, and build, much-needed attainable housing in the CRA District. Furthermore, the program will also include working with private developers to build attainable units in mixed-use, mixed-income projects.

Estimates from the FIU Affordable Housing Needs Assessment found that more than 65% of owners and 90% of renters pay more for housing than they can afford. Without a safe, secure place to live, households are vulnerable to health issues, food insecurity and lower than average educational outcomes. Home prices jumped 25% in just the last year. Construction expenses jumped 23% since the Covid pandemic arrived in 2020. Land costs have also skyrocketed. Although many municipalities in South Florida are trying to combat this issue, it will take multiple funding sources and partnerships to make a program successful. Without on-going support, local social services and government involvement, many families will struggle, or even worse, be forced out of the area.

The strategy we are implementing is proven successful. Although we won't be able to assist as many families as last time due to less funding and higher prices, we are confident we can make positive, lasting strides in making more attainable units with continued affordability. With the addition of equity-sharing in our model, we will have funding to continually leverage and provide more units in the future.

Estimated Budget

| | |
|------------------------|-------------|
| Financing | \$1,500,000 |
| Acquisition and Rehab. | \$3,500,000 |
| Land-banking | \$1,000,000 |
| Demolition | \$250,000 |
| New Construction | \$4,550,000 |

- What are the benefits of this project and why is it a priority?

The medium price of a home in Palm Beach County exceeds \$500K. Rents have increased over 37% in the past few years. The average rent in Palm Beach County is \$5703 a month and 92% of rents in the County are above \$2000 a month (Roofstock, 2021). Currently, there is no limit in how much a landlord can increase a household's rent. Construction materials have increased just over 17% just in the last year and there is no decline in sight. Without direct intervention by local City's, CRA's and both profit and non-profit partners, housing for our most vulnerable and our local workforce will disappear. Companies will no longer be able to relocate and offer jobs to our local citizens and graduating students. The lack of housing will greatly intensify the need for not only rooftops but also social services. Without a continuum of care, that includes, housing, transportation, food and health options and education, the County will suffer and the largest burden will be placed on households earning less than 120% of Area Medium Income.

This Lake Worth Attainable Housing Program will:

- Acquire much-needed properties
- Rehabilitate/construct up to 50 properties to offer affordable rents
- Rehabilitate/construct up to 20 number of properties to new homebuyers
- Land bank up to 10 properties for future need
- Seek to build units close to mass transit and schools
- Provide funding mechanisms for up to 30 households
- Provide deep-subsidy for 10 households
- Provide credit and home-buyer counseling

- Offer financial literacy classes
 - All new construction will meet or exceed Florida Green Building Coalition (FGBC) Standards
 - Provide green maintenance guide for all homes
 - Offer electric car charging stations in multi-family units
 - Include a neighborhood safety program
 - Work with local businesses, universities and non-profits to offer wrap-around services
- Amount requested for the community project funding and the total project cost.
Requesting \$2.5M with a local match in cash and land worth - \$10.8M
 - Can the project obligate all appropriated funds within 12 months after enactment?
Yes, the Lake Worth Consortium obligated over \$12M in NSP-2 funds within 12 months of enactment. We are comfortable saying we can obligate the same or more with this funding source.
 - Estimated start and completion dates.
Development agreements for land-banked properties can be obligated within 3-4 months of receiving the award. In fact, the addition of these funds to help subsidize projects already in the pipeline will speed up their delivery date. Additional properties could also be brought into play within the first 3-4 months.
Other projects that are not shovel-ready could be included in this program within 9 months, thus obligating all funds within the 12-month time frame. Construction will likely begin within the first year of obligation and continued development will continue for several years. Because a shared-equity formula will be used for the for-sale homes, we expect to be able to continue this project, with additional funding for years to come.
 - Has the request been submitted to another Subcommittee or Committee this fiscal year? If yes, which one(s)? NO
 - Does the project have other public (federal, state, local) and/or private funds committed to meet match or cost-share requirements for costs related to construction, operations, and maintenance? If so, what is the source and amount of those funds? NOTE: EDI community project funding does not have a match requirement.
CRA Land Value – \$5.2M City Land - \$500K In-kind – Admin.& Social Service Value - \$100K
CRA Dollars - \$500K City ARPA Dollars- \$2M Total Leverage = \$8.3
 - Does the project require an environmental review? If so, what is the status and/or outcome of the environmental review and National Environmental Policy Act (NEPA) category of action (if applicable)?
Yes, Tier 1 and 2 reviews will take place including lead and asbestos testing and sound impact studies, when needed.
 - Is the project purpose primarily for services, new construction, rehabilitation, land or site acquisition, planning, or economic development?
This ambitious, yet, proven type of project will include demolition, financial mechanisms, site acquisition, redevelopment and new development along with needed social services.
 - Does the project primarily benefit persons of low-income or Tribal communities? If yes, please describe who the project is intended to benefit.
This project benefits households making less than 120% of Area Medium Income with an extra benefit given to households making less than 80% of area medium income.
 - Who are the community partners participating in this project?
Adopt-a-Family of the Palm Beaches
Habitat for Humanity of the Palm Beaches
The Community Land Trust of Palm Beach County and the Treasure Coast
Housing Leadership Council

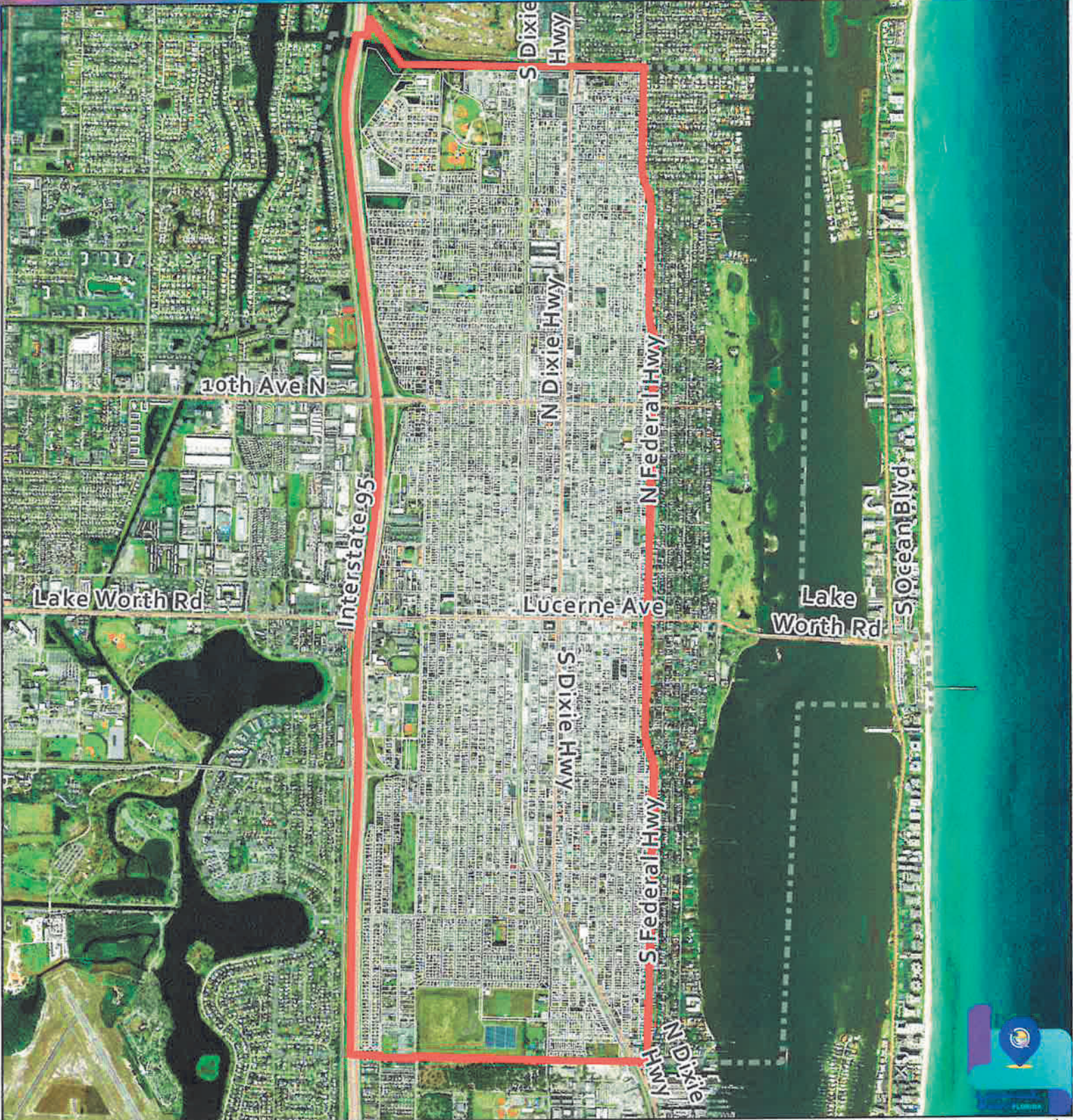
Neighborhood Renaissance
Community Partners of South Florida
The Lake Worth Beach Community Redevelopment Agency
The City of Lake Worth Beach
Other social service agencies – once awarded

- If the project purpose is for new construction or land or site acquisition, does it comply with local zoning requirements?
Yes, our goal will be to work closely with the City to identify areas that could sustain duplexes, fourplexes and other multi-family, mixed use areas as well as single family neighborhoods that are in LM-25 and LMMI census tracts
- Is the project included or supported by an identified priority area within a state or local HUD Consolidated Plan? If yes, please provide a link to the plan.
This plan is a continuation of our NSP-2 plan that from 2011 created over 400 new or improved deed restricted units.
<https://files.hudexchange.info/reports/published/NSP AP Grantee 2 LAKW-FL FL.pdf>
- Is the project intended to address climate change, resiliency, mobility, or equitable access to housing or services?
Yes, the plan includes providing access to affordable, sustainable units that are resilient to inevitable climate change issues. The plan includes interwoven priorities including, equity, access to transportation, education, social services and safety.

MAP



Attainable Housing Program Target Area City of Lake Worth Beach, FL



Map Legend

- Target Area Boundary
- Parcel Boundary

- Municipal Boundary

