

GA-1

Agenda Item #:

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: December 7, 2021

Consent

Regular

Ordinance

Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Staff's report regarding the status of the collaboration with the University of Florida (UF) and the City of West Palm Beach (City) towards the development of an Urban Campus.

Summary: On August 24, 2021, the mayors of the City of West Palm Beach and Palm Beach County held a joint press conference to announce an economic and educational initiative for the region. The initiative provides for the conveyance of real estate owned by the City, County and private third parties within the area historically known as Government Hill in downtown West Palm Beach to the University of Florida for the planning, design and construction of an urban educational campus focused on graduate, professional and executive programs. On August 31, 2021, the Board of County Commissioners (Board) instructed staff to commence conversations with UF and City towards reaching mutual understandings and the necessary agreements for the development of an Urban Campus. As of the date of this report, staff has: 1) obtained the necessary appraisals for the conveyance of the County-owned properties; 2) drafted and commenced exchanges with UF of a proposed term sheet for the potential conveyance agreement; 3) met with City staff to discuss the conditions necessary for the construction of Community Services Department's replacement building and other future programming on the County's 45th Street Complex property; and 4) met multiple times with UF representatives to discuss the development of the programmatic and capital plan for the Urban Campus. Staff and UF representatives are actively engaged in the negotiations of the conveyance agreement term sheet for consideration by the Board as early as its January 4, 2022 regular meeting. (FDO Admin) District 7 (HJF)

Background & Policy Issues: The County's current holdings on Government Hill amount to 5.03 acres with an assessed value, as reported by the Property Appraiser's Office, of \$12,853,662. In preparation for a possible conveyance action, staff obtained two separate appraisals (prepared by Callaway & Price, Inc. and M.R. Ford & Associates, Inc.) which average to a fee simple interest market value for the properties totaling \$42,072,500. The City's holdings amount to approximately 2.2 acres and the private holdings amount to approximately 4.5 acres. Consistent with Board's direction, staff drafted a term sheet that is currently under review by UF and which addresses, among other matters, the four key considerations previously brought in front of the Board: reversionary rights, use restrictions, closing costs and development timeline. UF representatives have advised staff that in order to request funding for the Urban Campus as part of UF's fiscal year 2023 budget submission, the term sheet must be finalized by January 2022. Therefore, staff and UF representatives have agreed to continue working in the coming weeks towards submission of a finalized term sheet for consideration by the Board during its January 4, 2022 regular meeting.

Continued on Page 3

Attachments:

1. Location Map
2. Aerial Photograph
3. UF Official Statement

Recommended By: *Danni L. Ayala Colley* *11/19/2021*
 Department Director Date

Approved By: *J. Baker* *12/1/21*
 County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

Is Item Included in Current Budget? Yes _____ No X
 Does this item include use of federal funds? Yes _____ No X

Budget Account No: Fund Dept. Unit Object

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact associated with this item.

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development & Control Comments:

<p><u>Luz Maria</u> 11/22/21 OFMB 11-22-21 MG 11/22/21</p>	<p><u>A. J. Jackson</u> 12/1/21 Contract Development and Control 11-30-21 Tr</p>
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B. Legal Sufficiency:

Anne Delmont 12-1-21
 for Assistant County Attorney Howard Falcon

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

Background & Policy Issues (Cont.):

As part of the ongoing collaboration, Staff has met multiple times with UF representatives to discuss, among other matters, the development of the programmatic and capital plan for the Urban Campus. At this time, the County's real estate holdings on Government Hill continue to support the Community Services Department (CSD) therefore, a full understanding of the programmatic and the capital plan proposed for the Urban Campus is a required condition precedent for Staff to effectively delineate the next steps related to the timely construction of CSD's replacement building. The new building is to be located at the County's 45th Street Complex at the southeast corner of 45th Street and Australian Avenue in the City of West Palm Beach, funding for which is approved under the Infrastructure Sales Tax (IST) project plan starting in FY2025. Once UF finalizes its programmatic and capital plan for the Urban Campus, Staff will submit to the Board a revised schedule for design and construction of the CSD replacement building. It is foreseen that expediting of the design/construction project, along with appropriation of the required funding, will be necessary to mitigate possible negative impacts to the development timeline of the Urban Campus. Completion by UF of the programmatic and capital plan for the Urban Campus is therefore a critical component for the initiative to proceed. In preparation for the submission of the present status report, UF representatives provided the excerpt that follows as to the actions to date related to the development of the programmatic and capital plan, and requested an opportunity to further elaborate through an in person presentation during the Board's regular meeting on December 7, 2021.

“The University of Florida is grateful for the opportunity to provide Palm Beach County an update on our West Palm Beach opportunity. Since we met last on August 31, we have made considerable progress on the shared aspirational vision for this project. We have assembled strategic teams that are advancing the planning in tactical areas such as, academic programming, capital and finance plans, fundraising, and communications among others. Our graduate, executive and professional academic programming will be one of a kind, interdisciplinary, experiential, technology-focused and solutions-centric, and will primarily involve the Colleges of Business, Engineering and Law. We have actively started to fundraise for private support, and begun to frame out various phases of the project with a conceptual master plan, and associated financial and operational plans. We envision a world-class campus, co-creating with business, industry, and community.”

The County's ability to relocate CSD is largely dependent on the development guidance and mutual understanding to be established by the City. Therefore, Staff met with City Staff to discuss the feasibility of permitting the CSD replacement building at the 45th Street Complex. City Staff requested additional information which was diligently provided. At the time of preparation of this agenda item Staff is awaiting City Staff's response as to the City's regulatory feasibility and expectations that will apply.

On November 3, 2021, the Board directed Staff to include in its upcoming Urban Campus agenda item a confirmation as to the successful completion by UF of the protocols that, at the time, had been under media scrutiny pertaining to UF's operations. In addressing the Board's request, UF has provided the official statement included as Attachment 3.

ATTACHMENT 1

Location Map



ATTACHMENT 2
Aerial Photograph



ATTACHMENT 3
University of Florida Official Statement



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for Strategic Communications and Marketing

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November 18, 2021

The University of Florida, free speech and academic freedom

The University of Florida is resolute in its commitment to free speech and the academic freedom of our faculty.

In response to several faculty members being told by the university they could not participate as expert witnesses in a lawsuit against the state of Florida, UF President Kent Fuchs and Provost Joe Glover on Nov. 1 announced the appointment of a task force to review the university's conflict of interest policy. In that statement, they also reaffirmed that the professors are free to testify pro bono on their own time without using university resources.

On Nov. 5, President Fuchs announced the members of the task force and asked UF's Conflicts of Interest Office to reverse its decisions on recent requests by UF employees to serve as expert witnesses in litigation in which the state of Florida is a party and to approve the requests regardless of personal compensation.

The President's Task Force is charged with providing recommendations to President Fuchs by November 29th concerning the university's conflicts of interest policy, particularly regarding employees' requests to serve as expert witnesses in litigation against the state of Florida. Its recommendations are expected to serve as the foundation for how UF applies the policy in similar requests moving forward.

The Task Force has been given complete independence to develop whatever recommendations it believes are in the best interests of the university. Its seven members include the university's Chief Academic Advisor and Provost, Joe Glover, as well as representatives from a variety of backgrounds across the university, including leading experts on the First Amendment and academic freedom.