

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: July 12, 2022

Consent

Regular

Ordinance

Public Hearing

Department: Facilities Development & Operations

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:**

- A) Staff's recommendations regarding four independent requests to lease County-owned parking facilities for non-County uses; and
- B) the general policy for evaluating long-term uses of County-owned parking facilities for non-County uses.

**Summary:** On April 26, 2022, during a Board of County Commissioners (Board) scheduled Workshop meeting and as part of public comment following a presentation by County Staff regarding the South County Administrative Complex (SCAC) Master Plan, an attorney representing the Andre Design District located adjacent to the SCAC requested that the Board direct staff to negotiate a lease agreement for the use of County-owned parking spaces at the SCAC to benefit an operator within the Andre Design District. The Board was generally supportive and directed staff to review the request in order to determine if the same could be accommodated. Consistent with Board direction, Staff further evaluated the request and met with the attorney and its client to further discuss the proposal. The attorney's request as it currently stands is for the County to directly negotiate a lease that would provide its client off-hours access to 30-40 parking spaces at the SCAC, and that the same be pursued under Sec.22-104(d)(2) of the County's Real Property Acquisition, Disposition and Leasing Ordinance (PREM Ordinance); which section eliminates the requirement for a competitive process upon a finding by the Board that there is only one person capable of reasonably utilizing the real property for which the Board has determined to be the highest and best use of the real property. Staff disagrees as to the applicability of Sec.22-104(d)(2) to the current request. Furthermore, given the combination of the Board's standing direction for the redevelopment of SCAC, potential conflicts with City of Delray Beach parking regulation, lack of demonstrated need for additional parking and other considerations, Staff recommends against pursuing a competitive process for leasing the requested spaces, as it would divest time and resources from other priority projects, redevelopment of SCAC included. Staff has recently received three other similar requests for use of parking spaces at the County's 4<sup>th</sup> Street parking lot, Convention Center, and Park Place storage facility. The latter being the only request that Staff is recommending for approval. The Facilities Development and Operations Department (FDO) manages over 800 County buildings, equaling approximately 14 million square feet of space. Due to the potential creation of operational challenges and demand on staff resources that addressing these type of requests on a case-by-case basis would entail, Staff is recommending approval of a general policy to be followed in reviewing future requests. Under the recommended policy, Staff will not consider long-term agreements for the use of County parking facilities for non-County uses to the extent that the same may: 1) limit parking availability for existing and/or planned County uses; 2) increase the County's cost of operating and/or maintaining the facility, or ability to sustain operations; 3) encumber County-owned property, with covenants or other instruments, in a way that restricts the County's rights as property owner; and/or 4) deviate from or contradict prior Board direction regarding the use of the facilities. County Staff will consider all remaining requests in accordance with the PREM Ordinance. **FDO Admin (Countywide) (HJF)**

**Background & Policy Issues:** The Facilities Development and Operations Department (FDO) is responsible for the operation and maintenance of approximately 800 County facilities. In general, through the design and construction phases each one of those facilities was provisioned with a total number of parking spaces not only meeting or exceeding the applicable regulatory requirements as prescribed by the permitting authority of the jurisdiction where each facility is located, but also any anticipated peak operating demand for parking. Historically, the County through FDO has remained very cognizant of parking needs (both on a continuous basis and as fluctuations may arise from operations) and has planned its

Continued on Page 3

**Attachments:**

- 1. Attachment 1 – Parking Fees Summary (Downtown Facilities)
- 2. Attachment 2 – Personnel Expenses/Parking Revenues Summary
- 3. Attachment 3 – Maintenance, Repair, and Capital Costs Summary
- 4. Attachment 4 – Convention Center Parking Garage letters

Recommended By:  7/5/22  
 Department Director Date

Approved By:  7/8/22  
 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)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<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.

**C. Departmental Fiscal Review:** *[Signature]*

**III. REVIEW COMMENTS**

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

<p><u><i>[Signature]</i></u> 7/6/22                  OFMB 7/6/22 ESW                  7/6/22</p>	<p><u><i>[Signature]</i></u> 7/17/22                  Contract Development and Control                  7/17/22 TW</p>
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**B. Legal Sufficiency:**

*[Signature]* 7/8/22  
 Assistant County Attorney for H.J. Falcon

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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

**Background & Policy Issues (Cont.):**

facilities accordingly to ensure its ability to sustain the delivery of County services into the future. The vast majority of the parking areas operated by FDO rely on an open/free parking environment where employees and members of the public can access the spaces based on availability and free of charge. A number of County-owned facilities have restricted access to parking to accommodate specific uses (e.g. law enforcement, judicial, employees) and only three County-owned facilities are subject to metered parking fees for public use. An analysis and overview of special considerations regarding the operation of the County-owned metered public parking areas follows.

**FDO Parking Operations**

FDO Facilities Management Division (FMD), Parking Section is comprised of a Parking Facilities Coordinator and six Parking Facilities Attendants. The Parking Section is staffed Monday thru Friday, from 5:30 am to 7:00 pm and manages the operation of the Governmental Center Parking Garage, Judicial Center Parking Garage and surface lot, State Attorney/Public Defender (SA/PD) parking lot, and the 4<sup>th</sup> Street parking lot (collectively the “Downtown Parking Facilities”). The entire SA/PD parking lot is restricted for employee-only access. The remaining Downtown Parking Facilities provide for a combination of public metered parking spaces and employee-only spaces. Overall space availability is summarized as follows:

Location	Hours of Operation (Public Areas)	Employee-Only Spaces	Public Spaces	Total Spaces
Judicial Center Parking Garage & lot	Monday-Friday (6:00am – 7:00 pm)	1,811		1,811
Government Center Parking Garage	7 days/week (6:00 am – 12:00 am)	558	53	611
4 <sup>th</sup> Street parking lot		231	101	332
SA/PD parking lot	N/A	62	0	62
<b>Total</b>				<b>2,816</b>

Outside of the Downtown Parking Facilities, only three other County-owned facilities rely on structured parking to meet the required parking accommodations: Vista Center Office, South County Courthouse and the Convention Center. The latter relies on metered parking and operates under a distinct operational agreement due to its very specialized purpose, and therefore, is not part of this analysis. Metered public parking is not in place at Vista Center Office nor the South County Courthouse but both facilities have restricted access sections to accommodate designated uses (i.e. law enforcement, employee only, judicial). Overall space availability is summarized as follows:

Location	Employee-Only Spaces	Public Spaces	Total Spaces
Vista Center Office Parking Garage	735	0	735
Vista Center Office parking lot	598		598
South County Courthouse Parking Garage	537		537
South County Courthouse parking lot	207	0	207
<b>Total</b>			<b>2,077</b>

**Metered Parking Fees**

The metered parking fees for the Downtown Parking Facilities were originally established in 1995 and revised in 2012, and no further adjustments have occurred since then. In establishing the fees, the County’s intent was to ensure parking space availability for County services and operations while maintaining accessibility through a price structure that is responsive to the surrounding environment. For those reasons, the County’s parking rates have historically tracked (and continue to) below market levels when compared to adjacent public and privately owned parking accommodations in the area. See Attachment 1. Parking operations have not been construed as a revenue-generating or profit maximizing endeavor but rather as a tool to ensure adequate parking capacity for government personnel and affording accessibility for members of the public seeking to obtain government services. Therefore, as a direct result of maintaining low parking fees, expenses for parking operations have usually exceeded revenues. See Attachment 2. Maintenance, repair and capital expenses incurred in the last three fiscal years for the Downtown Parking Facilities are summarized in Attachment 3.

**Use of County Owned Facilities for Non-County Uses**

On October 1, 2013, the Board approved a revised Standard License Agreement (SLA) for use of County-owned property for non-County uses. The delegation of authority which provided for the County Administrator or designee to execute standard license agreements was designed to expedite and streamline the process for commercial use of County-owned property after submission of an application for use and after determination of whether a license fee should be charged for the use. There is no license fee if the applicant demonstrates that (i) the activity is for the purpose of promoting community interest and welfare and (ii) the applicant will not realize a profit based on the use. The SLA is the Board-approved tool which FDO uses to accommodate one-time and short-term uses of County-owned parking areas. Other than incidental uses

authorized through SLAs, the County has only two agreements/leases that provide for the use of County-owned parking areas over an extended term.

The first of the aforementioned agreements is with the City of Delray Beach (CDB), for the use of the South County Courthouse Parking Garage during off-hours, which evolved from a 1986 development agreement between CDB, the County, the Delray Beach Public Library (DBPL), and the Delray Beach Community Redevelopment Agency (DBCRA) for the development of the South County Courthouse and Delray Beach Library in downtown Delray Beach (R2002-1980). Among other matters, the parties to agreed to a funding plan that provided for the construction and shared use of the parking garage and surface parking lot. Under the existing agreement, CDB has an annual license to use the parking garage in order to accommodate events in the Atlantic Avenue area (e.g. Delray Beach Open, St. Patrick's Parade), may charge a parking fee for the use of spaces, and bears all costs associated with the operation of the parking structure during said events.

The second agreement is a lease with Hive Home, Inc. (HHI) for the use of approximately 0.15 acres of County-owned property for parking spaces located on the south side of Palm Street in West Palm Beach. Said property is nearby although physically separated from a dedicated record storage facility, and has limited utility but for parking given its size and configuration. The lease agreement resulted from an Invitation for Bid (IFB) issued in 2016 for the licensing of the County's parking lot. HHI was the only bidder at \$840.00/month. The original lease agreement was approved on August 16, 2016 (R2016-0990) and amended on August 17, 2021. The agreement is set to expire on August 31, 2026 and the current monthly fee is \$910.

### **Pending Requests for Use of County-owned parking areas**

As of the date of this agenda item, Staff has four pending independent requests to utilize County-owned parking areas.

#### 1) South County Administrative Complex (SCAC)

On April 26, 2022, the legal counsel for the Andre Design District (ADD) requested that the Board direct Staff to negotiate a lease agreement for the use of County-owned parking spaces at the SCAC. The Board directed staff to review the request in order to determine if the same could be accommodated. On May 10, 2022, County Staff met with ADD representatives to further discuss the request. In summary, the requestor would like for the County to enter into a lease that would provide ADD off-hours access to 30-40 parking spaces at the SCAC. CDB regulations state that, if the leased spaces are intended to meet code requirements then, a written agreement with the City will be required *"providing that the land comprising the alternate off-street parking area shall never be disposed of except in conjunction with the transfer or sale of the building which the parking area is intended to serve, so long as the parking facilities are required. The owner agrees that such agreement shall be in recordable form, the expense of recording to be borne by the owner, and that the agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns"*. The Board has directed Staff to pursue the redevelopment of the SCAC; encumbering the land with a covenant for the provision of parking spaces counters the direction previously communicated by the Board. In response to Staff's position, the requestor indicated that the spaces are not needed to meet CDB's regulatory requirements but rather, are deemed to be an addition to expand on the offerings of ADD. As a result, County Staff does not see the parking spaces of interest to be essential for ADD's private operations, and there may be further conflict with City of Delray Beach regulations governing off-site parking, valet parking, or otherwise. It should also be noted that a sufficient supply of parking exists elsewhere upon the property from which ADD operates during off-hours to meet any reasonable demand for on-site parking without reliance on SCAC.

Per the PREM Ordinance, leasing of County-owned real property requires a competitive process unless one of the exceptions detailed in the ordinance applies. The requestor argues that no competitive process is required, under Sec.22-104(d)(2) of the PREM Ordinance, as it should be deemed as the only person capable of reasonably utilizing the real property at issue. Staff strongly disagrees with requestor's premise and therefore, Staff's position is that Sec.22-104(d)(2) is inapplicable to the request and would not recommend entering into a lease without a competitive process.

**Staff's recommendation:** Given the combination of the Board's standing direction for the redevelopment of SCAC, potential conflicts with City of Delray Beach parking regulation, lack of demonstrated need for additional parking and other considerations, Staff recommends against pursuing a competitive process for leasing the requested spaces, as it would divest time and resources from other priority projects, redevelopment of SCAC included.

#### 2) 429 Park Place (Clerk of Courts Records Storage Facility)

In February 2022, City of West Palm Beach (CWPB) staff approached County staff to explore the possibility of entering into an operational agreement to lease seven (7) parking spaces that front Park Place Street. CWPB has indicated that it is facing limited parking availability in the area and is exploring options to expand its parking inventory. If the County enters into an agreement with CWPB, the spaces would be used by the public visiting businesses in the neighborhood. The seven parking spaces are located outside the facility's fenced area and serve no purpose other than direct support to records management, which is largely limited to traditional business hours only. Therefore, its private use would pose no or minimal operational impacts.

Under Fla. Sta. 125.38 no competitive process would be required if the Board desires to enter into a lease agreement with CWPB, as it is a governmental entity, for the use of the seven parking spaces.

Staff's recommendation: This request carries minimal operational or other material impact, if any, to County and Clerk operations for the nearby records facility. It is feasible to enter into an agreement with CWPB, with similar terms and conditions as the lease agreement that the County has with HHI immediately to the north of this facility.

3) 4<sup>th</sup> Street Parking Lot (Employee-only section)

In May 2022, the Executive Director of the West Palm Beach Downtown Development Authority (DDA) reached out to County Staff asking for consideration of its idea to use the 4<sup>th</sup> Street Parking Lot (Employee-only section) to provide for the rapidly growing demand for parking in the area. DDA proposes entering into an agreement with the County that will allow for the space to be used afterhours by employees of the restaurant, hospitality and other retail operations in the downtown area. Per the DDA, the goal would be to have the employers (i.e. private business) pay for monthly parking passes that would then be provided to the employees to access the 4<sup>th</sup> Street parking lot. DDA offers to be responsible for daily cleaning of the lot and for ensuring that no vehicles authorized under the pilot arrangement (pilot-vehicles) remain onsite by the time County operations resume. The presence of pilot-vehicles onsite during regular working hours would limit the ability for County and other government staff to park in their designated areas which carries the potential of impacting County operations and/or affecting delivery of services to the public. In reviewing the DDA's request, County Staff inquired if similar pilot programs were in place with CWPB. Per the DDA's Executive Director, no pilots are in place. As a taxing district within the city, the DDA has an operational agreement with CWPB but the same does not include the use or management of City-owned garages.

Under Fla. Sta. 125.38 no competitive process would be required if the Board desires to enter into a lease agreement with the DDA for the use of the 4<sup>th</sup> Street parking lot (Employee-only section).

Staff's recommendation: The 4<sup>th</sup> Street parking lot is a metered parking facility and County Staff manages the software/hardware that controls access to the site. If the Board decides to enter into an agreement with the DDA which results in continuous operations of the parking area, County staff would be required to be available in order to address potential equipment malfunctioning. This could be done through on-call or full-time assignments, both of which would result in a need for additional staff. Increased use of the property would also cause increased wear and tear, leading to increased maintenance, operational failure and renewal/replacement costs. Assuming a potential agreement with the DDA would be consistent with existing parking fees, a significant portion of the additional costs would be borne by the County, as the typical way to offset them would be to increase parking fees. Since the County's parking operations are not commercial in nature, it is unlikely that parking fees will be increased to match market conditions. There are also potentially material consequences to operations should the DDA fail or not be successful in having all vehicles timely removed on a continuous basis.

Lastly, the 4<sup>th</sup> Street parking lot is slated to accommodate a future expansion for countywide judicial operations per the Palm Beach County Judicial Master Plan Update that was approved by the Board on June 7, 2022 (item 5.B.1). While the exact timing of that expansion is challenging to predict at present day, recent planning has projected need no later than year 2040. With the fate of the property not being committed to parking, County Staff would not recommend creating any further reliance or expectation of parking on the property that may carry into the future. As the County's own parking supply will be impacted by future site redevelopment and require an accommodation throughout the construction duration until replacement parking is delivered, any further commitments against the property may only compound the County's future ability to deliver an interim parking accommodation while the property is removed from public service.

For all the foregoing, Staff recommends against authorizing this use.

4) Convention Center Parking Garage

The Convention Center Parking Garage was designed and built to accommodate the future expansion of the Convention Center along with the possibility of building a second hotel. A total of 2,648 parking spaces are available within this structure. Current operations (being less than build-out conditions) do not encumber the totality of said spaces and as a result, through the years, County Staff has received requests towards the utilization of the same for non-County uses. More recently, in October 2020, a potential use by Palm Beach Atlantic University (PBAU) surfaced as a means to accommodate the parking shortage resulting from the removal of a PBAU-owned property from the Campus Master Plan. At the time, County Staff sent a letter to PBAU cautioning the institution against reliance on the Convention Center Parking Garage to address PBAU's need for parking in support of university operations. PBAU responded indicating that it would not rely on the County's assets to accommodate its parking needs. See Attachment 4. However, informal inquiries have been recently made which point towards the concept being once again of interest.

Per the PREM Ordinance, leasing of County-owned real property requires a competitive process unless one of the exceptions detailed in the ordinance applies. A private use of this nature, if formally requested by PBAU or other private entity, would require a competitive process.

Staff's recommendation: Encumbering the available parking spaces at the Convention Center Parking Garage would hinder the County's intended future ability to use the same towards the expansion of the Convention Center and the potential construction of a second hotel on site. Staff recommends against authorizing this use as a measure to protect and preserve the planned future reliance upon the structure and investment backed expectation in same.

### **Risk Management Considerations**

A critical matter to consider in establishing policy related to non-County uses of County-owned parking areas is the additional liability that the operations may carry and the risk exposure it could entail for the County. The County is covered by an approved Self-Insured Retention Plan in accordance with Fla. Stat. 768.28. In approving one-time and short-term uses through SLAs, licensees are required to provide insurance coverage meeting the County's requirements. A similar approach would be followed if the County were to enter into long-term lease agreements with private entities for the use of its parking facilities. This would allow the County to transfer potential liability resulting from the non-County use. However, if the agreements are entered into with another governmental entity, the County would still carry liability exposure as per the limits set forth in Fla. Stat. 768.28.

### **General Policy**

In planning County facilities, Staff has historically recommended, and the Board has approved, the provision of parking infrastructure in sufficient quantity to ensure adequate delivery of services while retaining room for growth in order to carry County operations into the future. Said approach reflects a long-term planning strategy that has incorporated collocation and collaboration as needed and where feasible; the agreement with CDB for the development of the South County Courthouse being a prime example. While pursuing its own projects, County Staff has remained very vigilant of the developments being planned and authorized in the immediate vicinity of County-owned properties, identifying instances where parking infrastructure seemed to be at a deficit as a function of added development intensities. Staff's main concern was, and remains, that an additional burden would be imposed upon County properties rather than be carried by the new developments being permitted. The four requests recently brought to Staff's attention and summarized in this item, serve to validate Staff's continued vigilance on this matter. It is Staff's expectation that as the need for parking spaces continues to grow, additional requests will be received and as such, it recommends that the Board approves a general policy for review and analysis of future requests.

Staff's recommendation: As a general policy, County Staff will not consider long-term agreements (more than 90 consecutive days) for the use of County parking facilities for non-County uses to the extent that the same may: 1) limit parking availability for existing and/or planned County uses; 2) increase the County's cost of operating and/or maintaining the facility, or ability to sustain operations; 3) encumber County-owned property, with covenants or other instruments, in a way that restricts the County's rights as property owner; and/or 4) deviate from or contradict prior Board direction regarding the use of the facilities. County Staff will consider all remaining requests in accordance with the PREM Ordinance.

## ATTACHMENT 1

### Parking Fees Summary (in the vicinity of Downtown Parking Facilities\*)

Location	Type	Fee
PBC Downtown Parking Facilities	Public	Minimum : \$1.00 Hourly: \$2.00 Daily Maximum: \$10.00
Courthouse Commons	Private	Minimum: \$4.00 Hourly: \$4.00 first, \$2.00 each additional Daily Maximum: \$10.00
North Bridge Center	Private	1 <sup>st</sup> Hour: \$7.00 Additional Hour: \$3.00 Daily Maximum: \$20.00
City of West Palm Beach Garages (City Center, Banyan Blvd., Sapodilla St.)	Public	Minimum : \$1.00 Hourly: \$1.00 first 2 hrs, \$2.00/add. 30 min. Daily Maximum: \$20.00
City of West Palm Beach Garages (Evernia St.)	Public	Minimum : \$1.00 Hourly: \$1.00 first 2 hrs, \$2.00/add. 30 min. Daily Maximum: \$20.00 Monthly Parking Residential: \$80.00 Monthly Parking 24/7 Commercial/Retail: \$100.00
City of West Palm Beach (metered street parking)	Public	Minimum: \$2.35 for first 48 minutes Additional: \$0.50/each add. 12 minutes Daily Maximum: \$5.35 (2 hr limit)

\*Excludes Convention Center Parking Garage

**ATTACHMENT 2**

**Personnel Expenses/Parking Revenue Summary – Palm Beach County  
Downtown Parking Facilities**

<b>Fiscal Year</b>	<b>Personnel Expenses</b>	<b>Parking Revenues</b>	<b>Net</b>
2019	\$310,000.72	\$303,175.59	(\$6,825.13)
2020	\$292,012.44	\$266,024.30	(\$25,988.14)
2021	\$331,165.70	\$161,336.62	(\$169,829.08)
<b>Total</b>	<b>\$933,178.86</b>	<b>\$730,536.51</b>	<b>(\$202,642.35)</b>

\*Excludes Convention Center Parking Garage



**ATTACHMENT 3**

**Maintenance, Repair and Capital Expenses– Palm Beach County Downtown  
Parking Facilities\***

<b>Facility</b>	<b>FY2019</b>	<b>FY2020</b>	<b>FY2021</b>	<b>Total</b>
Governmental Center Garage	\$377,562.38	\$186,450.32	\$205,977.75	\$769,990.45
4 <sup>th</sup> Street Parking Lot	\$30,809.42	\$67,812.85	\$26,752.69	\$125,374.96
Judicial Center Garage	\$173,462.94	\$220,678.77	\$176,931.71	\$571,073.42
<b>Total</b>	<b>\$581,834.74</b>	<b>\$474,941.94</b>	<b>\$409,662.15</b>	<b>\$1,466,438.83</b>

\*Excludes Convention Center Parking Garage

**ATTACHMENT 4**  
**Convention Center Parking Garage Letters (2)**



**Facilities Development & Operations**

**Strategic Planning**

2633 Vista Parkway  
West Palm Beach, FL 33411-5607  
TELEPHONE: (561) 233-0200  
FAX: (561) 233-0206  
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**Palm Beach County  
Board of County  
Commissioners**

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Mary Lou Berger

Melissa McKinlay

Mack Bernard

**County Administrator**

Verdenia C. Baker

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Affirmative Action Employer"*

October 19, 2020

President Debra A. Schwinn  
Palm Beach Atlantic University  
901 S. Flagler Drive  
West Palm Beach, FL 33401

**RE: PBAU Major Planned Development Amendment**

Dear President Schwinn:

This office has become aware of the University's pending application with the City of West Palm Beach to remove approximately three acres of land from the Campus Master Plan. That same application proposes to assign that land a Multifamily (MF) Future Land Use designation and Multifamily High Density Residential (MF32) zoning. The stated objective of the application is to ready the property for sale in the future.

The City staff report references a Campus Parking Study prepared by Kimley-Horn and Associates. That Study confirms a parking shortage upon removal of the 178 parking spaces that are provided by the subject property. At the same time, a representative of PBAU previously contacted Convention Center Staff with interest in use of the County's Convention Center Parking Garage to satisfy campus parking demand during recent construction. We were not willing to accommodate that request in order to preserve the integrity of the County's investment in, and expectations for, the Convention Center and Parking Garage.

This office cautions PBAU in placing any reliance upon the Convention Center Parking Garage to address PBAU's need for parking in support of university operations. Given the ever-changing landscape of the downtown, we would also see it being ill advised for the university to rely upon any properties owned by third parties as a long-range planning solution for university parking demand.

Respectfully,

A handwritten signature in cursive script that reads "Robert Eric McClellan".

R. Eric McClellan,  
Director FD&O Strategic Planning

c: Verdenia Baker, County Administrator  
Audrey Wolf, Director, FD&O  
Isami Ayala-Collazo, Deputy Director, FD&O  
Ross Hering, Director, FD&O PREM  
Purvi Bhogaita, Director, FD&O PREM



October 22, 2020

R. Eric McClellan  
Director FD&O Strategic Planning  
Palm Beach County  
2633 Vista Parkway  
West Palm Beach, FL 33411-5607

**RE: PBAU Major Planned Development Amendment**

Dear Mr. McClellan:

Thank you for your letter dated October 19, 2020 cautioning Palm Beach Atlantic University to not rely on the Convention Center parking garage to address the University's need for parking in support of its operations.

I have confirmed with Joni Brinkman, Principle & Senior Planner with Urban Design Studio, that the University's Rezoning Application does not rely on spaces that may be available in the Convention Center garage.

Please let me know if you have any additional comments or concerns. I may be reached at 561-803-2083 or [John\\_Kautz@pba.edu](mailto:John_Kautz@pba.edu). Thank you.

Sincerely,

John Kautz III, Sr. Vice President for Finance and Administration/CFO

cc: Debra A. Schwinn, President, Palm Beach Atlantic University  
Verdenia Baker, County Administrator  
Audrey Wolf, Director, FD&O  
Isami Ayala-Collazo, Deputy Director, FD&O  
Ross Hering, Director, FD&O PREM  
Purvi Bhogaita, Director, FD&O PREM