



CITY OF LAKE WORTH

7 North Dixie Highway · Lake Worth, Florida 33460 · Phone: 561-586-1600 · Fax: 561-586-1750

**AGENDA
CITY OF LAKE WORTH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, MARCH 18, 2014 - 6:00 PM**

1. **ROLL CALL:**
2. **INVOCATION:** Offered by Pastor Jason Fairbanks of the First Congregational Church
3. **PLEDGE OF ALLEGIANCE:** Led by Commissioner Christopher McVoy
4. **AGENDA - Additions/Deletions/Reordering:**
5. **DESIGNATE APPOINTMENTS:**
 - A. Vice Mayor and Vice Mayor Pro Tem
 - B. Various organizational appointments:
 - 1) Metropolitan Planning Organization liaison
 - 2) Palm Beach County League of Cities liaison
 - 3) Treasure Coast Regional Planning Council liaison
 - 4) Central Palm Beach County Chamber of Commerce liaison
 - 5) Florida Municipal Power Agency liaison
 - 6) Downtown Cultural Alliance liaison
 - 7) Community Redevelopment Agency liaison
 - 8) Lake Worth Sister City Board liaison
 - 9) Neighborhood Association Presidents' Council liaison
6. **PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. Update provided by the Planning and Zoning Board
 - B. Update provided by the Tropical Ridge Neighborhood Association
 - C. Update provided by City staff and Mathews Consulting concerning Park of Commerce Project
7. **COMMISSION LIAISON REPORTS AND COMMENTS:**
8. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**

9. APPROVAL OF MINUTES:

- A. City Commission Meeting - March 4, 2014
- B. City Commission Special Meeting - March 6, 2014

10. CONSENT AGENDA: (public comment allowed during Public Participation of Non-Agendaed items)

- A. Resolution No. 11-2014 - accept Fiscal Year 2013-2014 State Aid to Libraries grant
- B. Resolution No. 12-2014 - submit an application to Palm Beach County for Fiscal Year 2014-2015 Community Development Block Grant funds
- C. Amendment No. 1 to a contract with the Florida Department of Corrections for inmate labor
- D. Four continuing services professional contracts for demolition services
- E. Revise lease with the Community Redevelopment Agency for the Shuffleboard Court facility
- F. Ratify a member to the Community Redevelopment Agency

11. PUBLIC HEARINGS:

- A. Ordinance No. 2014-08 - Second Reading and Second Public Hearing - amend conditional uses in the Mixed Use-Federal Highway (MU-FH) zoning district
- B. Ordinance No. 2014-09 - Second Reading and Public Hearing - create Registered Domestic Partnerships
- C. Resolution No. 13-2014 - Public Hearing - issue a revocable permit on property located at 1501 North L Street

12. UNFINISHED BUSINESS:

- A. City of Lake Worth Landfill Investigation Results

13. NEW BUSINESS:

- A. Resolution No. 14 -2014 - amend the Fiscal Year 2014 Comprehensive Fee Schedule to include domestic partnership registration and Code Compliance release of lien fees
- B. Professional services agreement with URS Corporation Southern for engineering, design and construction services for the Roadway and Utilities Master Plan Capital Projects
- C. Professional services agreement with Craven Thompson & Associates, Inc. for engineering, design and construction services for the Roadway and Utilities Master Plan Capital Projects

D. Contract with All Webbs Enterprises, Inc for Rehabilitation of Surficial Aquifer Well 9R located on Alpine Avenue

E. Discuss beach parking decal

14. LAKE WORTH ELECTRIC UTILITY:

A. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)

B. **PUBLIC HEARING:**

C. **NEW BUSINESS:**

15. CITY ATTORNEY'S REPORT:

16. CITY MANAGER'S REPORT:

A. April 1, 2014 draft Commission agenda

17. ADJOURNMENT:

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

NOTE:ONE OR MORE MEMBERS OF ANY BOARD, AUTHORITY OR COMMISSION MAY ATTEND AND SPEAK AT ANY MEETING OF ANOTHER CITY BOARD, AUTHORITY OR COMMISSION.



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Appointment of Vice Mayor and Vice Mayor Pro Tem

SUMMARY:

According to City Charter Article III, Section 3, the City Commission shall annually elect from among its members a Vice Mayor and Vice Mayor Pro Tem at the first regular City Commission meeting after the election.

BACKGROUND AND JUSTIFICATION:

On February 11, 2014, the incumbent Mayor and Commissioner for District Nos. 1 and 3 were unopposed after the election qualifying period ended. Additionally, the City Commission adopted Resolution No. 07-2014 on February 11, 2014, cancelling its election on March 11, 2014. In accordance with Article V, Section 5 of the City Charter each unopposed candidate shall be deemed to have voted for himself or herself and thereafter declared to be duly elected to office.

This is the first regular City Commission meeting after Mayor Triolo, Commissioner Maxwell, and Commissioner Amoroso were administered the oath of office. On November 13, 2012, the City Commission appointed Scott Maxwell to serve as Vice Mayor and Andy Amoroso to serve as Vice Mayor Pro Tem.

MOTION:

I move to appoint _____ as Vice Mayor.

I move to appoint _____ as Vice Mayor Pro Tem.

ATTACHMENT(S):

Fiscal Impact Analysis - not applicable



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Appoint members to various organizations and board

SUMMARY:

Historically, the City Commission has appointed, from its members, City liaisons to various organizations and boards at the first regular City Commission meeting following the election.

BACKGROUND AND JUSTIFICATION:

On February 11, 2014, the incumbent Mayor and Commissioner for District Nos. 1 and 3 were unopposed after the election qualifying period ended. Additionally, the City Commission adopted Resolution No. 07-2014 on February 11, 2014, cancelling its election on March 11, 2014. In accordance with Article V, Section 5 of the City Charter each unopposed candidate shall be deemed to have voted for himself or herself and thereafter declared to be duly elected to office.

This is the first regular City Commission meeting after Mayor Triolo, Commissioner Maxwell, and Commissioner Amoroso were administered the oath of office. On November 13, 2012, the City Commission made the following appointments:

1. Metropolitan Planning Organization – Mayor Triolo

They provide a cooperative, comprehensive, and continuing transportation planning and decision-making process. The process encompasses all modes and covers both short-range and long-range transportation planning.

2. Palm Beach County League of Cities – Commissioner Scott Maxwell

Their purpose is to promote and advance the collective interest of the municipalities of the County to study municipal issues and seek desired results through cooperative effort, to respect the principles of Home Rule, to encourage and enhance the quality of life of the citizens of the County, and/or to engage in any other lawful purpose not for profit.

3. Treasure Coast Regional Planning Council – Commissioner Szerdi

This is a regional forum where elected and appointed leaders regularly come together to discuss complex regional issues, develop strategic regional responses for resolving them, and build consensus for setting and accomplishing regional goals.

4. Central Palm Beach County Chamber of Commerce – Mayor Triolo

This is a business support network for the heart of Palm Beach County to promote a healthy business climate throughout the diverse region while respecting the individual characteristics of each community.

5. Florida Municipal Power Agency – Commissioner Maxwell

This is a wholesale power agency owned by municipal electric utilities. They provide economies of scale in power generation and related services to support community-owned electric utilities.

6. Downtown Cultural Alliance – Commissioner Amoroso

This is a membership organization of downtown businesses, galleries, merchants and restaurants formed to enhance the downtown corridor. Their mission is to organize and promote events that will benefit the entire community.

7. Community Redevelopment Agency – Commissioner Amoroso

The Agency is responsible for formulating and implementing projects that are consistent with the Lake Worth Redevelopment Plan to assist in revitalizing and redeveloping portions of the City.

8. Sister City Board – Commissioner McVoy

The Board initiates, plans, sponsors, organizes, and promotes cultural exchanges. It also provides support for international economic development programs and acts as the City’s official hosts for international guests.

9. Neighborhood Association Presidents’ Council – Commissioner Amoroso

The Council supports and promotes their members’ neighborhood associations and serve as an umbrella type organization with no opinion on how each association individually chooses to decide matters.

MOTION:

I move to appoint _____ to serve as liaison to the Metropolitan Planning Organization.

I move to appoint _____ to serve as liaison to the Palm Beach County League of Cities.

I move to appoint _____ to serve as liaison to the Treasure Coast Regional Planning Council.

I move to appoint _____ to serve as liaison to the Central Palm Beach County Chamber of Commerce.

I move to appoint _____ to serve as liaison to the Florida Municipal Power Agency.

I move to appoint _____ to serve as liaison to the Downtown Cultural Alliance.

I move to appoint _____ to serve as liaison to the Community Redevelopment Agency.

I move to appoint _____ to serve as liaison to the Lake Worth Sister City Board.

I move to appoint _____ to serve as liaison to the Neighborhood Association Presidents’ Council.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Update provided by the Planning and Zoning Board

SUMMARY:

Mr. John Rinaldi, Board Chair, will update the Commission on activities that have taken place over the past several months.

BACKGROUND AND JUSTIFICATION:

These members review and consider applications for conditional uses and major site plan review; hear and decide appeals; and serve three-year terms. Last update from the Planning and Zoning Board was on May 7, 2013.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Update provided by the Tropical Ridge Neighborhood Association

SUMMARY:

Mr. Mark Humm, Tropical Ridge President, will advise the Commission on activities in the neighborhoods.

BACKGROUND AND JUSTIFICATION:

At the City Commission meeting on July 20, 2010, the City Commission requested that all neighborhood associations provide an update. The last update from the Tropical Ridge Neighborhood Association was on April 2, 2013.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Community Sustainability
and Water Utility

EXECUTIVE BRIEF

TITLE:

Update provided by City staff and Mathews Consulting concerning Park of Commerce Project

SUMMARY:

Mr. David Mathews, Mathews Consulting and staff will advise the Commission on the status of the Park of Commerce Engineering Project.

BACKGROUND AND JUSTIFICATION:

At the City Commission Meeting approving the Park of Commerce Engineering contracts on January 7, 2014, the Commission requested periodic updates on the status of this important project.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 11-2014 - accept Fiscal Year 2013-2014 State Aid to Libraries grant

SUMMARY:

The Resolution approves and authorizes the acceptance of \$15,753 in grant funds to encourage the development and provision of free public library service.

BACKGROUND AND JUSTIFICATION:

At its meeting of September 3, 2013, the City Commission approved Resolution No. 37-2013 authorizing the submission of the City's application to the Florida Department of State, Division of Library and Information Services for a formula allocation initially estimated to be \$16,669 under the State Aid to Libraries Program to assist with the operation and maintenance of its Public Library for Fiscal Year 2013-2014. These funds cannot supplant existing local funds budgeted for the operation of the Public Library during this period. As an eligibility requirement, the City must have a single administrative head employed on a full-time basis with the responsibility of management and coordination of the operations of the library. The library must provide its services free to the public.

On February 10, 2014, the State executed State Aid to Libraries Grant Agreement 14-ST-60, thereby approving an award of \$15,753 in FY 2013-2014 State Aid to Libraries Program grant funds, a slight decrease in the formula amount originally announced for the City. Grant funds will be paid to the City in two installments. The first payment, requested upon full execution of the Grant Agreement, will be in the amount of \$11,814.75, which represents seventy-five percent (75%) of the award, and the second installment will be for the remaining twenty-five percent (25%) of the award in the amount of \$3,938.25. No cash match is required of the City for these grant funds.

MOTION:

I move to approve/not approve Resolution No. 11-2014.

ATTACHMENT(S):

Fiscal Impact Analysis

Resolution

FY 2013-2014 State Aid to Libraries Grant Award

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	0	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	15,753	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	15,753	0	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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

C. Department Fiscal Review: _____



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 12-2014 - submit an application to Palm Beach County for Fiscal Year 2014-2015 Community Development Block Grant funds

SUMMARY:

The Resolution authorizes a request for infrastructure improvements, including the initial development of a pedestrian friendly greenway on 11th Avenue South between South A and South H Streets.

BACKGROUND AND JUSTIFICATION:

On March 3, 2014, Palm Beach County Department of Economic Sustainability (DES) announced that it is accepting applications from eligible applicants for Fiscal Year 2014-2015 Community Development Block Grant Program funding.

The Palm Beach County Department of Economic Sustainability (DES) has announced the start of the planning process for its Consolidated Plan One Year Action Plan for Fiscal Year 2014-2015. The purpose of this process is to develop projects for the upcoming fiscal year for the County's HOME Investment Partnerships (HOME) Program, Emergency Solutions Grant (ESG) Program and Community Development Block Grant (CDBG) Program in accordance with strategies that have been identified for these programs in its approved Five Year Consolidated Plan for Fiscal Years 2010 – 2015.

In furtherance of this process, DES has announced that it is accepting applications from eligible applicants for Fiscal Year 2014-2015 CDBG Program funding. By participating in its CDBG Urban County Program and by having an approved target area, the City is eligible to submit an application for a formula allocation that is currently estimated to be \$212,396 for eligible projects under CDBG regulations set forth at 24 CFR Part 570, with the exception of planning and administration activities and public service activities. Eligible activities must further address one of the three national objectives of the CDBG program that include providing benefit to low and moderate income persons, aiding in the prevention of slums and blight and meeting an urgent community development need.

Pursuant to direction provided by the Mayor and the City Commission at its Special Meeting of April 12, 2012, Public Services staff is recommending that this allocation of CDBG funds should be utilized for infrastructure improvements as prioritized in the City's Streets and Sidewalks Master Plan. Accordingly, the City intends to propose Phase 1 of the development of a pedestrian friendly greenway that is aesthetically pleasing in the unimproved public right-of-way of 11th Avenue South between South A Street and South H Street. Specifically, these improvements will include installation of a concrete pedestrian sidewalk, concrete driveways, crosswalks with striping and sod. Surfaces at each intersection will be ADA compliant and marked crosswalks will be provided.

It should be noted that the U.S. Department of Housing and Urban Development (HUD) has not yet determined the formula allocation of Fiscal Year 2014-2015 CDBG funds that Palm Beach County will receive. As instructed by DES, the City's funding request will for \$212,396, the amount of CDBG funding that the City received in Fiscal Year 2013-2014. This amount will be subject to adjustment based on HUD's actual formula allocation for Fiscal Year 2014-2015.

The City's application must be submitted to DES by March 19, 2014. No cash or in/kind services match is required of the City for this funding.

MOTION:

I move to approve/not approve Resolution No. 12-2014.

ATTACHMENT(S):

Fiscal Impact Analysis
Resolution
CDBG Target Area Map
Aerial Map
In-House Cost Estimate

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Allocation of funds will be available in FY 2015, even though the application is in FY 2014.

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	0	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	212,396	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	212,396	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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

C. Department Fiscal Review: _____



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Amendment No. 1 to a contract with the Florida Department of Corrections for inmate labor

SUMMARY:

The Amendment will renew the current contract for one year through April 19, 2015, and adds a provision to comply with the Prison Rape Elimination Act.

BACKGROUND AND JUSTIFICATION:

On March 5, 2013, the City Commission approved a contract with the Florida Department of Corrections to provide inmate labor in work programs under the supervision of the Florida Department's staff. An inmate work squad consists of up to seven inmates plus a Florida Department of Corrections Guard/Supervisor. The work squad is available five days per week throughout the year except when a Department of Correction Guard is on vacation or sick. This service will continue to be overseen by the City's Ground Maintenance Division.

MOTION:

I move to approve/disapprove Contract # WS817 Amendment 1.

ATTACHMENT(S):

Fiscal Impact Analysis
2013 Contract
Amendment No. 1

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	0	0	0	0	0
Operating Expenditures	23,957.08	33,539.92	0	0	0
External Revenues	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	23,957.08	33,539.92	0	0	0

No. of Addn'l Full-Time Employee Positions	0	0	0	0	0
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B. Recommended Sources of Funds/Summary of Fiscal Impact:

Public Services					
Account Number	Account Description	FY2014 Budget	Pre Exp; Balance	Expenditure for this item	Post Exp; Balance
001-5040-519.34-50	Contractual Services/ Other Contractual Services	152,000.00	38,401.00	23,957.08	14,443.92

*Contract is from April 2014 to April 2015

Additional funds needed from FY2015 Budget	33,539.92
	57,497.00

C. Department Fiscal Review: _____



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Contracts authorizing demolition services for Code Remediation Program

SUMMARY:

The Contracts authorize demolition services, under the City's Code Remediation Program, for a term of one (1) year with the option to exceed the contract for an additional two (2) one (1) year terms.

BACKGROUND AND JUSTIFICATION:

The City has experienced a serious decline in the overall condition of many residential and commercial properties due to the economic downturn and recession beginning in 2007. Many of the structures involved necessitate emergency demolition to remediate code compliance violations and to address life safety issues. To date Code Compliance has exhausted all legal avenues to encourage responsible property owners and parties to privately handle the demolitions. Unfortunately, in dozens of cases the code compliance process has not resulted in private actions, and the City must now intervene and perform the demolitions under its Chronic Nuisance program. The program affords the City to perform remediation activities including but not limited to demolitions on private property. If the cost for the services is not reimbursed by the property owner and/or responsible party, then the cost can be attached to the property's tax card as an assessment, which ultimately will be paid upon the outstanding taxes on the property being paid.

Currently, there are approximately, fifty (50) properties on a growing list of properties that require demolition. The Building Official in tandem with Code Compliance and the Palm Beach Sheriff's Office (PBSO) has evaluated the list and prioritized them according to worst first. Required legal notifications already have been prepared for nearly a dozen with demolitions anticipated to begin by early April. To pursue this effort, the City issued a Request for Qualifications for demolition services. The City received proposals from six (6) demolition contractors, and a selection committee evaluated the proposals and four (4) contractors were short listed and asked to sign contracts with the City. The Request for Qualifications and Evaluation Matrix for the selection of the four (4) firms are attached. The proposed contracts with the four (4) demolition contractor are attached. The recommended demolition contractors are: Arbor Tree & Land; The BG Group, LLC; Cross Construction Services; and, Wells Brothers Construction Company.

Approval of the top ranked four (4) demolition contractors and their contracts with the City allows the City to move more quickly with the demolitions and to expend all available funds for this endeavor. Upon award of the contracts, proposals will be solicited from all four contractors for each property that is to be demolished. City staff will select the best proposal for each property. Requested proposals may include more than one (1) property in an effort to save time and funding. If any proposal exceeds the \$25,000 purchasing threshold, City staff will obtain City Commission approval to proceed with the demolition. Proposals which are \$25,000 or less can be approved by the City Manager. The contracts establish a continuing services approach for a one (1) year term with the option to extend two (2) additional one (1) year terms. At present, there is just over \$260,000 available for demolitions. If more funding is needed this fiscal year, a budget amendment will be prepared and brought to the Commission for consideration.

MOTION:

I move to approve/disapprove a continuing services professional contract with Arbor Tree & Land; The BG Group, LLC; Cross Construction Services, Inc.; and, Wells Brothers Construction Company for demolition services.

Attachments:

Fiscal Impact Analysis

Request for Qualifications

Evaluation Matrix

Four (4) contracts with the Demolition Contractors

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	0	0	0	0	0
Operating Expenditures	\$266,825	0	0	0	0
External Revenues	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	\$266,825	0	0	0	0

No. of Addn'l Full-Time Employee Positions	0	0	0	0	0
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B. Recommended Sources of Funds/Summary of Fiscal Impact: \$64,414 was budgeted for demolition services during Fiscal Year 2014. Account No. 160-2040-515-34-80. An additional \$202,411 was budgeted for contractual services that can provide supplemental funds for demolitions. Account No. 160-2040-515-31-88.

Arbor Tree & Land		Community Code Compliance Div				
Account Number	Account Description	Project #	FY14 Budget	Current Balance	Agenda Item Expenditure	Remaining Balance
160-2040-515-31-88	Demolition	N/A	64,414	64,414	Up to 64,414	0
160-2040-515-34-50	Contractual Services	N/A	202,411	202,411	Up to 202,411	0

C. Department Fiscal Review: __WW__



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: City Attorney

EXECUTIVE BRIEF

TITLE:

Revised lease with the Community Redevelopment Agency (CRA) for Shuffleboard Court Facility

SUMMARY:

The Revised Lease contains minor amendments to be consistent with a sublease to the Armory Art Center.

BACKGROUND AND JUSTIFICATION:

On October 15, 2013, the City and the CRA entered a lease for the CRA to renovate and utilize the City's Shuffleboard Courts Facility as a new Community Cultural Facility for the promotion of culture and arts in the City. The proposed revised lease acknowledges the CRA's sublease to the Armory Art Center and amends the term of the lease to commence no later than May 1, 2014 (for one full year with the option to renew). The revised lease also contains some minor amendments to make it consistent with the sublease to the Armory.

The City owns the Shuffleboard Courts Facility located at 1121 Lucerne Avenue, Lake Worth, Florida, 33460. The City leased the Facility to the CRA on October 15, 2013. Shortly thereafter, the CRA issued a request for proposals to sublease the Facility to entities that would provide and promote cultural and art-based events/classes at the Facility. The CRA reviewed the two proposals it received and awarded the sublease to the Armory Art Center. The Armory will provide (at a minimum) the following services at the Facility:

- a. A minimum of 20 operating hours per week.
- b. Minimum operating hours must include 5 hours on weekends (Saturday only).
- c. Minimum operating hours must include at least 3 evenings per week, having a duration of at least 1 hour each.

City staff has met with the Armory and reviewed the approved sublease between the CRA and the Armory. The existing lease with the CRA needs to be revised to be consistent with the sublease. The revisions include extending the term to commence no later than May 1, 2014 (for one full year with the option to renew); identifying areas of the Facility which City staff (Recreation) will continue to use; and, clarify the parties' responsibility for utilities, maintenance and repairs.

City staff recommends revising the City's lease with the CRA in order to amend the term of the Lease and make other minor revisions and acknowledge the sublease between the CRA and the Armory.

MOTION:

I move to approve/not approve the revised lease with the CRA and acknowledge the sublease with the Armory Art Center.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Approved sublease between CRA and Armory

Proposals to CRA

Proposed revised lease between City and CRA (to be distributed prior to the meeting)



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: City Clerk's Office

EXECUTIVE BRIEF

TITLE:

Ratify a member to the Community Redevelopment Agency

SUMMARY:

This item is to ratify Commissioner John Szerdi's appointment of John Paxman to fill an unexpired term ending on July 31, 2016.

BACKGROUND AND JUSTIFICATION:

On February 5, 2013, the Commission adopted an ordinance amending the board member appointment process to allow for the selection of board members by individual elected officials. In accordance with the ordinance, the board appointments would be effective upon ratification by the Commission as a whole.

MOTION:

I move to ratify Commissioner John Szerdi's appointment of John Paxman to the Community Redevelopment Agency for an unexpired term ending on July 31, 2016.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Application



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-08 - Second Reading and Second Public Hearing - amend conditional uses in the Mixed Use-Federal Highway (MU-FH) zoning district

SUMMARY:

The Ordinance amends Chapter 23 – Land Development Regulations. Section 23.3-16 c) 2.J., Mixed Use – Federal Highway (MU-FH), to allow medical office and related uses such as day spas to be located on North Federal Highway north of 13th Avenue North.

BACKGROUND AND JUSTIFICATION:

Prior to the August 16, 2013 implementation of the City’s new LDRs, medical office uses were permitted by right on North Federal Highway north of 13th Avenue North as only day spas were subject to the location exception detailed above. The proposed amendment will allow medical offices and related uses such as day spas as a Conditional Use in the MU-FH zoning district regardless of the property location within the MU-FH zoning district. As such, a medical office or day spa requesting to either open a new office or expand an existing office will be required to request Conditional Use approval from the decision making board (either the Planning and Zoning Board or the Historic Resources Preservation Board depending upon the location of the subject property), which process is discretionary and requires a public hearing.

On February 5, 2014 the Planning & Zoning Board at its regularly scheduled meeting discussed the text amendment to the LDRs and voted 4-0 to recommend approval to the City Commission.

The Historic Resources Preservation Board at its regularly scheduled meeting of February 12, 2014 reviewed the text amendment to the LDRs and voted 6-0 to recommend approval to the City Commission.

At its meeting of March 4, 2014, the City Commission voted 5-0 to schedule the second reading and second public hearing for this request.

MOTION:

I move to approve/disapprove Ordinance No. 2014-08 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis – Not applicable
P&Z and HRPB Boards Staff Report and Minutes
Ordinance No. 2014-08



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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: City Attorney

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-09 – Second Reading and Public Hearing – create Registered Domestic Partnerships

SUMMARY:

The Ordinance recognizes long-term, committed relationships and provides certain rights to domestic partnerships which register with the City of Lake Worth.

BACKGROUND AND JUSTIFICATION:

Currently, the City provides health benefits to City employees and their qualified domestic partners whether of the same or opposite sex. The City seeks to expand this recognition by offering to all a registration process to qualified domestic partners with certain rights. While the rights provided upon registration cannot conflict with state or federal law, the rights are intended to provide domestic partners with equal rights afforded to married couples in the City of Lake Worth for health care visitation; health care decisions; funeral/burial decisions; family member notifications; and, preneed guardian designations.

A registration fee will be established in the City-wide fee resolution to cover the City Clerk's office administration of the registration process. The fiscal impact to the City should be covered by the fees set for the program (i.e., registration fee; amendment fee; and, termination fee).

MOTION:

I move to approve/not approve Ordinance No. 2014-09 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



CITY OF LAKE WORTH

7 North Dixie Highway · Lake Worth, Florida 33460 · Phone: 561-586-1600 · Fax: 561-586-1750

AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 13-2014 - Public Hearing - issue a revocable permit on property located at 1501 North L Street for property located at 1501 North L Street

SUMMARY:

The Resolution authorizes the issuance of a revocable permit on the northern half of an unimproved right-of-way at 15 Avenue North between North L and K Streets.

BACKGROUND AND JUSTIFICATION:

On March 5, 2014, the City Commission approved Resolution No. 08-2014 declaring the City's intent to issue a revocable permit and scheduled the public hearing date to March 18, 2014.

City Staff has reviewed the revocable permit application and issued comments in order for the application to be accepted. The owner has accepted the comment and agreed to the terms. The terms will be formalized in a written agreement with the owner which shall be recorded in official records (if approved).

MOTION:

I move to approve/not approve Resolution No. 13-2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Revocable Permit
Resolution



CITY OF LAKE WORTH

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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Accept and File Landfill Report

SUMMARY:

Acceptance of Mock Roos & Associates report will finalize issues involving the Landfill.

BACKGROUND AND JUSTIFICATION:

Since the official closure of the City's landfill in 1993, the City has dealt with a variety of issues. The issues include matters related to a 2007 lease to Sun Recycling Systems (SRS) as a hurricane staging area, allegations of odors emanating from the landfill, and allegations of contamination. At this time, a report from Mock Roos & Associates conclude that the odor and contamination issues are insignificant. City staff would like to move forward with analyzing viable uses of the landfill including a possible photovoltaic array.

The City of Lake Worth Landfill time line is as follows:

- Ø 1961 – Site began functioning as a landfill.
- Ø 1988 – Site stopped receiving waste.
- Ø 1993 – Official closure of the landfill with a 20-inch thick soil cover system (certified by the State).
- Ø 2007/2008 – The City agreed to lease the landfill to SRS and the site was prepared for use as a hurricane staging area. The site preparation plan was approved by the FDEP in July 2007 and indicated that the working platform (as well as an access road and ramp) was to consist of a minimum of 2 feet of Recovered Screened Material (RSM). This material primarily consists of soil, small pieces of wood, concrete, drywall, and roofing tiles derived from construction/demolition debris. 105,000 Cubic Yards of RSM were delivered to the landfill site and the depth was between 0 and 3.8 feet based on 30 geotechnical borings.
- Ø 2010 – The City decided not to renew the lease with SRS and requested that Mock Roos analyze the site conditions and report on the cost to restore the site to the previous condition. The 2010 report is attached to this Agenda and concluded that the site contained trace amounts of arsenic. Specifically, the amount of arsenic was high enough to prohibit residential use of the landfill; but not high enough to limit commercial use of the landfill. In its report, Mock Roos also estimated it would cost approximately \$1.5 million to restore the site to its condition prior to use by SRS (including removal of the RSM). Mock Roos noted that removal of the RSM would result in a significant impact on surrounding neighborhoods, as +/- 6,000 truckloads of material would be needed to haul the RSM from the site. There was also a concern that removal of the RSM might disrupt the soil cover system installed in 1993 at the official closure of the landfill. Upon written demand by the City to remove the RSM, SRS refused and asserted that it was not required to remove the RSM under the lease.
- Ø 2013 - The City received official notice that it had fulfilled its post-closure permit requirements for monitoring the landfill per the Florida Department of Environmental Protection (FDEP) and the Palm Beach County Health Department (the notice is attached to this Agenda). The permit requirements

consisted of 20 years of semi-annual methane monitoring and ground water sampling via monitoring wells. Upon successfully completing the monitoring, the methane monitoring wells and ground water monitoring wells were backfilled with neat cement grout. After receiving notice from FDEP, during one of the District 1 meetings at the Osborne Community Center, it was noted that landfill odor was still a concern for residents in that area. To gain a better understanding of the concern, a survey was created and distributed to residents surrounding the landfill. The first round of surveys were issued door-to-door the first week of July 2013. Of the 56 surveys delivered (which contained a stamped return envelope), only 6 were returned. Due to the minimal response, a second round of surveys were issued August 9th (again containing a stamped return envelope) and only 4 were returned. The few results of the completed surveys the City received back gave no new insight to issues previously expressed. The City then requested a second report from Mock Roos on the presence of odors at the landfill. In December 2013, testing began and the final report is attached to this Agenda (the report was completed in 2014). The 2014 report concludes that some odor may be present in areas where the soil cap may have been breached or may become breached in the future.

The City's Attorney has reviewed the lease with SRS and the dispute over the removal of the RSM. The City Attorney does not recommend pursuing the dispute.

City staff has been analyzing potential uses of the landfill. However, until the prior issues are put behind the City, staff cannot move forward in its analysis. Acceptance of Mock Roos' reports and closure of all prior issues would assist City staff in analyzing and pursuing viable uses of the landfill.

MOTION:

I move to accept/not accept the reports by Mock Roos on the City of Lake Worth Landfill and accept/not accept the closure of all landfill issues and disputes.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

2014 Mock Roos Summary of Dunkelberger Engineering & Testing Final Report

2014 Dunkelberger Engineering & Testing Final Report

2010 Mock Roos Final Landfill Evaluation Report

Lake Worth Landfill – Health Dept Conclusion Notice



CITY OF LAKE WORTH

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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Finance

EXECUTIVE BRIEF

TITLE:

Resolution No. 14-2014 - amend the Fiscal Year 2014 Comprehensive Fee Schedule to include domestic partnership registration and Code Compliance release of lien fees

SUMMARY:

The Resolution provides for the establishment of the fees as listed below.

BACKGROUND AND JUSTIFICATION:

On September 12, 2013, the City Commission adopted Resolution No. 41-2013 establishing the fees for City services and other charges for Fiscal Year 2013-2014. The effective date of the charges was October 1, 2013.

- The Domestic Partnership registration fees allow for the various fee schedules for this item.
- The Code Compliance fees for the release of liens provides for the cost of these services.

Additionally, on March 18, 2014, the City Commission will take action on Ordinance No. 2014-09 to regulate the Domestic Partnership registration process and establish fees by resolution. If the ordinance is approved, this resolution will establish those fees. The effective date of this resolution will be the same as Ordinance No. 2014-09.

MOTION:

I move to approve/disapprove Resolution No. 14-2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



CITY OF LAKE WORTH

7 North Dixie Highway · Lake Worth, Florida 33460 · Phone: 561-586-1600 · Fax: 561-586-1750

AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Professional services agreement with URS Corporation Southern for engineering, design and construction services for the Roadway and Utilities Master Plan Capital Projects

SUMMARY:

The Agreement provides for engineering, design and construction phase services for the Roadway and Utilities Master Plan Capital Projects for a twenty-four month term with provisions for three two-year renewals. The initial work authorization is for engineering and permitting services for Year 1 Projects # 2, 4 and 7 in a lump sum amount of \$681,807.

BACKGROUND AND JUSTIFICATION:

In order to move forward on the infrastructure improvements for the City's Roadway and Utilities Master Plan Capital Projects, the City prepared a formal Request for Proposals and initiated a competitive solicitation process to select one or more Engineering and Design Firm(s) for the initial phase of the Project. Following a review of the submitted proposals by the evaluation panel, URS Corporation Southern was selected as the top candidate to serve in this capacity. Two engineering firms are recommended due to the large scope associated with the Master Plan Projects.

The anticipated overall engineering and construction budget for Year 1 Projects # 2, 4 and 7 is \$8,287,268. The engineering and permitting services proposal is 8.2% of the project budget. The services to be provided under the agreement include ten (10) tasks outlined as follows:

1. Feasibility Study and Implementation
2. Project Coordination
3. Public Involvement
4. Transportation and Street Improvements (including surveying)
5. Stormwater Collection System Improvements
6. Potable Water Distribution System Improvements
7. Bid Phase Services
8. Permitting Phase Services
9. Services During Construction and Delivery
10. Contract Administration

The initial work authorization includes the first eight tasks. This array of services will ensure a professional level of engineering and design services initially and timely delivery of the shovel ready designs to undertake construction of the Project. Services during construction will be authorized separately following funding of project construction. A list of deliverables and project schedule are included in the proposal.

The funding for this project is housed in multiple funds as shown in the attached schedule.

MOTION:

I move to approve/not approve a Professional Services Agreement with URS Corporation Southern and an initial Work Authorization for engineering and permitting services for Year 1 Projects # 2, 4 and 7, in a lump sum amount of \$681,807.

ATTACHMENT(S):

Fiscal Impact Analysis

URS proposal and scope of work

Professional Services (Engineering) Presentations

Roadway and Utility Master Plan Year 1 Prioritization

Signed Professional Services Agreement including exhibits

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2017
Capital Expenditures	\$681,807	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	\$681,807	0	0	0	0

No. of Addn'l Full-Time Employee Positions	0	0	0	0	0
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B. Recommended Sources of Funds/Summary of Fiscal Impact:

Roadway and Utilities Master Plan Capital Projects		URS Corporation Engineering, Design & Construction Contract			
Account Number (s)	Account Description (s)	FY 2014 Budget	Current Balance	Agenda Expenses	Remaining Balance
402-9010-581-91-80	Water Fund	\$6,151,297	\$6,071,297	-\$283,668	\$,5787,629
305-5020-541-63-15	Road & Street Facility	\$5,330,669	\$5,319,084	-\$100,479	\$5,218,605
305-5090-538-63-15	Storm Water Fund	\$2,106,960	\$2,106,960	-\$21,166	\$2,085,794
305-7231-535-63-15	Sewer Fund	\$4,225,014	\$4,225,014	-\$276,494	\$3,948,520
				-\$ 681,807	

C. Department Fiscal Review:

Larry Johnson
 Finance Department
 City Attorney



CITY OF LAKE WORTH

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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Professional services agreement with Craven Thompson & Associates, Inc. for engineering, design and construction services for the Roadway and Utilities Master Plan Capital Projects

SUMMARY:

The Agreement provides for engineering, design and construction phase services for the Roadway and Utilities Master Plan Capital Projects for a twenty-four month term with provisions for three two year renewals. The initial work authorization is for engineering and permitting services for Year 1 Projects # 1,3,5,6 and 8, in a lump sum amount of \$467,185.

BACKGROUND AND JUSTIFICATION:

In order to move forward on the infrastructure improvements for the City's Roadway and Utilities Master Plan Capital Projects, the City prepared a formal Request for Proposals and initiated a competitive solicitation process to select one or more Engineering and Design Firm(s) for the initial phase of the Project. Following a review of the submitted proposals by the evaluation panel, Craven Thompson & Associates, Inc. was selected as the second candidate to serve in this capacity. Two engineering firms are recommended due to the large scope associated with the Master Plan Projects.

The anticipated overall engineering and construction budget for Year 1 Projects # 1,3,5,6 & 8 is \$5,520,936. The engineering and permitting services proposal is 8.5% of the project budget. The services to be provided under the agreement include ten (10) tasks outlined as follows:

1. Feasibility Study and Implementation
2. Project Coordination
3. Public Involvement
4. Transportation and Street Improvements (including surveying)
5. Stormwater Collection System Improvements
6. Potable Water Distribution System Improvements
7. Bid Phase Services
8. Permitting Phase Services
9. Services During Construction and Delivery
10. Contract Administration

The initial work authorization includes the first eight tasks. This array of services will ensure a professional level of engineering and design services initially and timely delivery of the shovel ready designs to undertake construction of the Project. Services during construction will be authorized separately following funding of project construction. A list of deliverables and project schedule are included in the proposal; excluding the construction phase of \$274,930.

The funding for this project is housed in multiple funds as shown in the attached schedule.

MOTION:

I move to approve/not approve a Professional Services Agreement with Craven Thompson & Associates, Inc. for Engineering and Construction services for Roadway and Utility Master Plan Capital Projects and an initial Work Authorization for engineering and permitting services for Year 1 Projects # 1,3,5,6 & 8 in a lump sum amount of \$ 467,185.

ATTACHMENT(S):

Fiscal Impact Analysis

CTA proposal and scope of work

Professional Services Agreement including exhibits

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2017
Capital Expenditures	\$467,185	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	\$467,185	0	0	0	0

No. of Addn'l Full-Time Employee Positions	0	0	0	0	0
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B. Recommended Sources of Funds/Summary of Fiscal Impact:

Roadway and Utilities Master Plan Capital Projects		Craven Thompson Engineering, Design & Construction Contract				
Account Number (s)	Account Description (s)	FY 2014 Budget	Current Balance	Agenda Expenses	Remaining Balance	
402-9010-581-91-80	Water Fund	\$ 6,151,297	\$5,787,629	-\$150,435	\$5,637,194	
305-5020-541-63-15	Road & Street Facility	\$ 5,330,669	\$ 5,218,605	-\$316,750	\$4,901,855	
305-5090-538-63-15	Storm Water Fund	\$ 0		\$ 0		
305-7231-535-63-15	Sewer Fund	\$ 0		\$ 0		
				\$467,185		

C. Department Fiscal Review:

Larry Johnson
 Finance Director
 City Attorney



CITY OF LAKE WORTH

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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Water/Sewer Utilities

EXECUTIVE BRIEF

TITLE:

Contract with All Webbs Enterprises, Inc. for Rehabilitation of Surficial Aquifer Well 9R located on Alpine Avenue

SUMMARY:

The Contract provides for removal of Well 9R's screen and riser casing, re-drilling the screened interval, and reinstallation of the well screen, riser casing and gravel pack at a cost not to exceed \$165,899.

BACKGROUND AND JUSTIFICATION:

Surficial Aquifer Well 9R was constructed in 2005, began producing sand in 2011 and was taken out of service in 2012. In April of that year, Mock Roos & Associates and JLA Geosciences, Inc. were retained to provide engineering and hydrogeologic services and recommend a rehabilitation procedure. The procedure included installation of a gravel pack to a depth of 80 ft, along with airlift and jetting well development. This work involved removal of the well screen, riser casing and gravel pack.

Under a continuing services contract, Aquifer Maintenance & Performance Systems, Inc. (AMPS Inc.) was retained in January 2013 to perform the recommended well rehabilitation. In August of 2013, after 8 months of unsuccessful attempts to remove the well casing and screen, AMPS, Inc. was directed to cease working on the Well 9R repairs.

The City of Lake Worth Utilities Department solicited bids from other contractors for the Well 9R repair work, under Bid IFB-UT-WT-13-14-100. Due to the complexity of this project, only two bids were received. The lowest bid for the sum of \$165,899 was from All Webbs Enterprises, Inc. Mock Roos & Associates are recommending award of the Bid to All Webbs, Inc, whose previous work include the drilling of the three Floridian Aquifer wells for the Reverse Osmosis Water Treatment Plant.

MOTION:

I move to approve/not approve a contract with All Webbs Enterprises, Inc.

Attachments

- 1) Fiscal Analysis
- 2) Contract
- 3) Bid Tabulation

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	165,899	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income	0	0	0	0	0
In-Kind Match	0	0	0	0	0
Net Fiscal Impact	165,899	0	\$0	\$0	\$0

No. of Additional Full-Time Employees	0	0	0	0	0
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B. Recommended Source of Funds/Summary of Fiscal Impact

The funds have been identified in the FY2014 Water Treatment Operating budget from account 402-7021-533.46-46.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2014 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7021-533.46-46	Wells	N/A	\$356,860	N/A	\$326,860	-\$165,899	\$160,961

C. Fiscal Review:

Larry Johnson – Director
 Monica Morandi –Engineer
 Clyde Johnson - Finance



CITY OF LAKE WORTH

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AGENDA DATE: March 18, 2014, Regular Meeting

DEPARTMENT: Commissioner Szerdi

EXECUTIVE BRIEF

TITLE:

Discuss beach parking decal

SUMMARY:

Discussion of amending the beach parking decal designation to include seasonal residents.

BACKGROUND AND JUSTIFICATION:

On January 8, 2013, the City Commission adopted Ordinance No. 2013-12 amending the designation and use of resident parking areas to delete seasonal residents' use. Since then, many seasonal residents have voiced their desire to be allowed to purchase a beach parking decal. This item is to discuss whether or not to amend the beach parking decal ordinance to allow for seasonal residents to purchase a parking decal.

MOTION:

I move to direct/not direct the City Attorney to prepare an ordinance amending Section 7-21 to allow seasonal residents to purchase parking decals.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Current Section 7-21 of the Code of Ordinances