



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, APRIL 15, 2014 - 6:00 PM**

1. **ROLL CALL:**
2. **INVOCATION:** Offered by Pastor Petri Kosenen of All Nations Church
3. **PLEDGE OF ALLEGIANCE:** Led by Commissioner Christopher McVoy
4. **AGENDA - Additions/Deletions/Reordering:**
5. **PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. Proclamation recognizing April 2014 as National Autism Month
 - B. Update provided by the Royal Poinciana Neighborhood Association
 - C. Breaking the Cycle of Gang Recruitment video
 - D. Recommendation by the Tree Board to replace a tree in the Cultural Plaza
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**
 - A. City Commission Special Meeting - March 25, 2014
 - B. City Commission Meeting - April 1, 2014
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
 - A. Resolution No. 15-2014 - support the regulation of recovery residents or sober houses
 - B. Resolution No. 16-2014 - support the County Metropolitan Planning Organization's effort to secure Transportation Investments Generating Economic Recovery (TIGER) grant funds

Agenda Date: April 15, 2014, Regular Meeting

- C. Resolution No. 17-2014 - amendment number 1 to the Fiscal Year 2013-2014 State Aid to Libraries Grant agreement
- D. Resolution No. 18-2014 - submit grant application to the County Metropolitan Planning Organization for the 2014 Cycle Transportation Alternatives grant program
- E. Authorize use of \$1,375 in Law Enforcement Trust Fund for the County PAL to use for the Lake Worth Safety Patrol picnic

10. PUBLIC HEARINGS:

- A. Ordinance No. 2014-10 - Second Reading and Public Hearing - amend beach parking regulations
- B. Ordinance No. 2014-11 - Second Reading and Public Hearing - amend Bryant Park boat ramp parking

11. UNFINISHED BUSINESS:

12. NEW BUSINESS:

- A. Resolution No. 19-2014 - amend the Fiscal Year 2014 Comprehensive Fee Schedule to include several beach and boat ramp parking, pool, and ballroom fees
- B. Ordinance No. 2014-12 - First Reading - amend Chronic Nuisance Property Code related to exemptions from chronic nuisance activities and schedule the public hearing date for May 6, 2014
- C. Ordinance No. 2014-13 - First Reading - amend Chronic Nuisance Property Code related to special assessments and schedule the public hearing date for May 6, 2014
- D. Ordinance No. 2014-14 - First Reading - amend Buildings and Structural Regulations and schedule the public hearing date for May 6, 2014
- E. Ordinance No. 2014-15 - First Reading - amend definition of appraised value and clarify methods of sale and schedule the public hearing date for May 6, 2014
- F. Ordinance No. 2014-16 - First Reading - amend the foreclosure registry program and schedule the public hearing date for May 6, 2014
- G. Contract and agreement with two companies to construct Potable Well 16 located at 1900 2nd Avenue North
- H. Contract and agreement with two companies to construct the Raw Watermain for Potable Well 16
- I. Agreement with Alcalde & Fay, LTD for federal government relations and comprehensive grant services

Agenda Date: April 15, 2014, Regular Meeting

13. LAKE WORTH ELECTRIC UTILITY:

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

B. **PUBLIC HEARING:**

C. **NEW BUSINESS:**

14. CITY ATTORNEY'S REPORT:

15. CITY MANAGER'S REPORT:

A. May 6, 2014 draft City Commission agenda

16. 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: April 15, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Royal Poinciana Neighborhood Association update

SUMMARY:

Ms. AnnaMaria Windisch-Hunt, Royal Poinciana President, will update 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. This last update provided by the Royal Poinciana Neighborhood Association was on August 21, 2012.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

South Grade Elementary
716 South K Street
Lake Worth, Florida 33460
561-267-5756

March 27, 2014

Mr. Michael Bornstein
Lake Worth City Manager
7 North Dixie Highway
Lake Worth, FL 33460

Dear Mr. Bornstein:

The topic of the April 15 presentation at the city commission meeting that we discussed is as follows.

Breaking the Cycle of Gang Recruitment is a PBSO At-Risk program for a select group of South Grade Elementary fifth graders which was directed by PBSO Deputy Devin Zuchowski in 2013/2014. Funding was received from Aileen Josephs, P.A., the Florida Sheriff's Association, Palm Beach County Sheriff's Office, and Harry's Banana Farm.

Please let me know if you need any other documentation from me.

Thank you.

Sincerely,

Rebecca Hinson
Art Teacher

Cc: Pam Lopez, Andy Amoroso, Mike Riley, Aileen Josephs P.A., Deputy Devin Zuchowski, Sgt. Oscar Cardenas, Captain Rolando Silva, Sheriff Ric Bradshaw, Pam Triolo, Scott Maxwell, Christopher McVoy, John Szerdi, Diana Borges



Lake Worth City Tree Board

7 North Dixie Hwy · Lake Worth, Florida 33460 · Phone: 561-586-1677·

13 February 2014

Dear Mayor Triolo and Members of the City Commission:

On behalf of the City Tree Board, I am writing to you about replacing the ficus tree, which was removed from the south side of the City Cultural Plaza on Thursday December 27, 2012.

At our regularly scheduled meeting on Thursday November 14, 2013, the City Tree Board listened to input from staff members, David McGrew, City Horticulturist; Jamie Brown, Public Services Director and Chris Kibben, Grounds and Cemetery Supervisor about why a decision was made to remove the ficus and replacement proposals. Board members shared their thoughts and then listened to public comment on tree replacement. There were a variety of proposals, but a consensus emerged from the public, many whom formerly served on the Tree Board, that a native tree should replace the ficus. More specifically, Green Buttonwood was mentioned a number of times as an excellent replacement that would serve the Cultural Plaza well.

The City Tree Board held a special meeting on Wednesday November 20, 2013. After extensive discussion on the matter of tree replacement, the Board voted unanimously to recommend to the City Commission planting a Green Buttonwood (with a 6-10 inch DBH and Florida #1 grade) in the planter formerly home to the Ficus.

The Green Buttonwood (*Conocarpus erectus*) has several advantages. It grows to be a relatively tall tree (40-66 feet.) With a normal spread of 35-40 feet, this Buttonwood provides abundant shade with its canopy. It has attractive healthy light green, feather-shaped leaves three to four inches long alternately arranged on the stem with an earthy smell and button-like reddish-brown fruit. It is easy to grow, tolerant of poor, dry, sandy soil and is extremely drought tolerant (irrigation not required.) Green Buttonwoods readily withstand salt and wind; they are more hurricane tolerant than most native trees. Green Buttonwoods are also more cold-tolerant and less susceptible to insects than its relative Silver Buttonwood. Green Buttonwood is an excellent specimen tree.

We hope the Commissioners concur with our opinion and the City plants a Green Buttonwood in the Cultural Plaza.

Sincerely,

Richard Stowe
Chair, City Tree Board



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: City Manager

EXECUTIVE BRIEF

TITLE:

Resolution No. 15-2014 - support the regulation of recovery residents or sober houses

SUMMARY:

The Resolution urges the Florida Legislature and Governor Scott to support regulations of recovery residents or “sober houses” in the form of statewide licensing and registration.

BACKGROUND AND JUSTIFICATION:

Currently, recovery residences, also known as sober houses, are not required to be licensed under state law. These houses can impact residential neighborhoods and when unlicensed and unregulated, can create safety and welfare hazards for both their residents and surrounding neighbors.

Currently the State Legislators are considering House Bill 479 requiring sober house transitional living homes to annually register with the Department of Children and Families. The House Bill also authorizes them to deny, suspend, or revoke the Certificate of Registration of a sober house transitional home.

As of April 4, 2014, House Bill 479 passed the House Health Care Appropriations Subcommittee and the House Health and Human Services Committee. It is currently awaiting action by the full House. A companion Senate Bill 582 is with the Senate Appropriations Committee.

It is the City’s desire to protect both neighborhoods and individuals in sober houses by supporting the statewide regulations on sober houses.

MOTION:

I move to approve/not approve Resolution No. 15-2014.

ATTACHMENT(S):

Fiscal Impact Analysis
Resolution



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: City Manager

EXECUTIVE BRIEF

TITLE:

Resolution No. 16-2014 - support the County Metropolitan Planning Organization's effort to secure Transportation Investments Generating Economic Recovery (TIGER) grant funds

SUMMARY:

The Resolution urges the support of federal dollars for quiet zone railroad crossing improvements to provide a safe area where train horns are not routinely sounded.

BACKGROUND AND JUSTIFICATION:

Design of the All-Aboard Florida (AAF) project to transport pedestrians from Miami to Orlando is developing rapidly. The improvements, funded by AAF, will include railroad crossing improvements and safety devices such as gates and flashing lights. However, AAF will not fund improvements required to garner a quiet zone through southeast Florida. A quiet zone will provide for the elimination of train horns by substituting various supplemental safety measures (SSM). These measures can include four quadrant gates, one way streets, barrier medians on the intersecting roadway or complete crossing closure. Traditionally, the SSM costs are borne by the affected municipalities because a quiet zone is deemed to be a quality of life issue for local residents.

Because the AAF project is proceeding at a rapid pace, local agencies have not been able to plan or budget funds for quiet zone implementation. Both Palm Beach and Broward Counties Metropolitan Planning Organizations (MPO) have assumed a valuable leadership role related to project development for quiet zones. The Palm Beach County MPO finds that the preliminary quiet zone cost estimate for the work in the County is around \$17.9M. The County MPO has dedicated \$6.6M in funding; however, there is an \$11.3M deficit that must be borne by local municipalities or another agenda. The MPO is hoping that the other agency can be the US Department of Transportation via its Transportation Investment Generating Economic Recovery (TIGER) program.

The Palm Beach County and Broward County MPO's are preparing a joint application for TIGER funding to supplement local funds designated by the MPO's for quiet zone implementation. The application window is very short and requires accelerated work. The MPO has asked affected municipalities to approve a resolution of support for the TIGER funding and sending a letter to the US Department of Transportation supporting the installation of additional safety equipment for quiet zones .

MOTION:

I move to approve/not approve Resolution No. 16-2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
US DOT letter of Support
Resolution



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 17-2014 - amendment number 1 to the Fiscal Year 2013-2014 State Aid to Libraries Grant agreement

SUMMARY:

The Resolution authorizes an amendment to implement new State Statute requirements and stipulates distribution of the funds in one payment.

BACKGROUND AND JUSTIFICATION:

On February 4, 2013, 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 to supplement the operating budget of the Lake Worth Public Library. At its meeting of March 15, 2014, the City Commission approved Resolution No. 11-2014 authorizing the acceptance of this award.

On March 31, 2014, the Florida Department of State, Division of Library and Information Services (“Division”) notified the City that an amendment was needed to add Florida Statutes language for grants and contracts. This amendment further stipulates that upon execution of the amendment, the Division will fully distribute the grant funds in one payment to the City rather than the two installments previously proposed. No cash match is required of the City for receipt of these grant funds.

MOTION:

I move to approve/not approve Resolution No. 16-2014.

ATTACHMENT(S):

Fiscal Impact Analysis
Amendment Number 1
Resolution

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: April 15, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 18-2014 - submit grant application to the County Metropolitan Planning Organization for the 2014 Cycle Transportation Alternatives grant program

SUMMARY:

The Resolution authorizes a grant application up to \$750,000 for improvements to the traffic circle at A Street and Lake/Lucerne Avenues.

BACKGROUND AND JUSTIFICATION:

The Palm Beach Metropolitan Planning Organization is accepting applications from eligible applicants for funding under the 2014 Cycle of the Transportation Grant Program for eligible projects, including the construction of infrastructure projects that will provide safe routes for non-motorized travelers, including children, older adults and individuals with disabilities, to access daily needs. As an eligible applicant, the City, in partnership with the Lake Worth Community Redevelopment Agency, intends to submit a proposal for funds that will become available in July of fiscal year 2017 for improvements that include lighting, wider bicycle lanes, additional signage, sight lines for vehicular traffic, and strategic placement of crosswalks and signals. The actual amount of funding to be requested has not yet been determined.

The Administration Highway Trust Fund is for programs and projects defined as transportation alternatives within the State of Florida under the Transportation Alternatives Grant Program. Accordingly, the Florida Department of Transportation has made available an allocation of Transportation Alternatives Grant Program funds for Palm Beach County and has authorized the Palm Beach Metropolitan Planning Organization to solicit eligible projects in Palm Beach County under the 2014 Cycle of the Transportation Alternatives Grant Program.

Funding under the Transportation Alternatives Grant Program must be utilized for any of the following eligible projects:

- Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990.
- Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.
- Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
- Construction of turnouts, overlooks, and viewing areas.

- Community improvement activities, including inventory, control, or removal of outdoor advertising; historic preservation and rehabilitation of historic transportation facilities; vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and archaeological activities relating to impacts from implementation of an eligible transportation project.
- Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to: address storm water management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff; or reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.
- The Recreational Trails Program.
- The Safe Routes to School Program.

Applications must be submitted to the Palm Beach Metropolitan Organization by April 23, 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. 17-2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: PBSO

EXECUTIVE BRIEF

TITLE:

Authorize use of \$1,375 in Law Enforcement Trust Fund for the County PAL to use for the Lake Worth Safety Patrol picnic

SUMMARY:

PBSO is requesting approval to use Law Enforcement Trust Funds for the Lake Worth Safety Patrol Picnic.

BACKGROUND AND JUSTIFICATION:

Law Enforcement Trust Fund donations are intended to assist agencies and organizations for various purposes including Drug Treatment Programs, Drug Abuse Education, Drug Prevention, Crime Prevention, Safe Neighborhoods and School Resource Officer Programs. PBSO has determined that the purpose of the Lake Worth Safety Patrol Picnic will provide crime prevention and safe neighborhoods.

MOTION:

I move to approve/disapprove the above use of contraband funds in the amount of \$1,375.00.

ATTACHMENT(S):

Fiscal Impact Analysis

State Law Enforcement Trust Fund Donation Application

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	1,375	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	1,375	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:

State Confiscated / Forfeiture Fund						
Account Number (s)	Account Description	FY 2014 Budget	Budget Amendment	Available Balance	Agenda Expenses	Remaining Balance
647-3010-521-52-90	Operating Supplies	47,172	N/A	47,172	(1,375)	45,797

C. Department Fiscal Review: _____



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-10 – Second Reading and Public Hearing – amend beach parking regulations

SUMMARY:

The Ordinance will allow seasonal residents to purchase beach parking decals.

BACKGROUND AND JUSTIFICATION:

On March 18, 2014, the City Commission directed staff to amend the City's beach parking regulations to allow seasonal residents to purchase beach parking decals with the appropriate documentation.

On January 8, 2013, the City Commission adopted Ordinance No. 2013-12 which amended the designation and use of resident and employee parking areas. Additionally, this ordinance deleted a provision, which allowed seasonal residents to purchase a parking decal. This provision had been in the City Code since 1984.

On April 1, 2014, the City Commission approved Ordinance No. 2014-10 on first reading. The accompanying resolution amending the City's Comprehensive Fee Schedule to establish a seasonal resident fee, pool fees, and casino ballroom fees, as directed by the City Commission on March 18, 2014, is on the April 15, 2014, agenda. The effective date of the resolution will be 10 days after approval of Ordinance No. 2014-10.

MOTION:

I move to approve/not approve Ordinance No. 2014-10 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-11 - Second Reading and Public Hearing - amend Bryant Park boat ramp parking

SUMMARY:

The Ordinance will allow Palm Beach County residents to purchase an annual Bryant Park Boat ramp parking decal.

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 resolution was October 1, 2013.

Since then, several changes have been made to the fee schedule as staff continues to address issues or resident concerns. This inclusion, supported by staff, was requested by Bryant Park Boat Ramp users. The annual trailer parking permits are valid January 1 through December 31 of the calendar year they are purchased for.

On April 1st, the City Commission approved on first reading the amendment to Bryant Park boat ramp parking decals that establishes a Palm Beach County resident yearly fee. The effective date of the resolution will be 10 days after approval of Ordinance No. 2014-11.

MOTION:

I move to approve/not approve Ordinance No. 2014-11 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis
Rules and Regulations
Application
Ordinance

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	0	0	0	0	
Operating Expenditures	0	0	0	0	0
External Revenues	\$13,500	\$27,000	\$27,000	\$27,000	\$27,000
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	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:

Five hundred permits will be printed for 68 boat trailer parking spaces. This includes the 18 spaces at the extended parking lot located at Snook Island.

Leisure Services - Parking

*Note: 500 permit stickers available for sale	Estimated # of Permits to be sold	Estimated Revenue 2014 (5 Months)	Estimated # of Permits to be sold	Estimated Revenue 2015 (12 months)
Residential	240 X \$50 =	\$12,000.00	480 X \$50 =	\$24,000.00
Commercial-or Non PBC residents	10X \$150 =	\$1,500.00	20X \$150 =	\$ 3,000.00

C. Department Fiscal Review: _____



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 19-2014 - amend the Fiscal Year 2014 Comprehensive Fee Schedule to include several beach and boat ramp parking, pool, and ballroom fees

SUMMARY:

The Resolution provides for the establishment of the below fees:

- Provides for an annual boat trailer parking permit for all Palm Beach County residents and commercial parking at Bryant Park Boat Ramp;
- Updates the Lake Worth Pool fee schedule due to new programs and safety services;
- Provides for year round and seasonal resident beach parking decals; and
- Updates the Casino Ballroom fees.

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. Since then amendments to the Fee Schedule have been made as staff continues to review and modify the fees as requested by both the City Commission and public or to better serve the City.

Additionally, on April 15, 2014, the City Commission will take action on Ordinance Nos. 2014-10 and 2014-11 to regulate the beach decal parking and Bryant Park Boat Ramp parking. The proposed Boat Ramp fee is comparable with the County's annual trailer parking permit, will be valid from January 1 through December 31 of the calendar year, sold for the remainder of the 2014 calendar year at the requested \$50, and will not be prorated. If the ordinances are approved, this resolution will establish those fees. The effective date of this resolution will be the same as Ordinance Nos. 2014-10 and 2014-11.

MOTION:

I move to approve/not approve Resolution No. 19-2014.

ATTACHMENT(S):

- A. Fiscal Impact Analysis – not applicable
- B. Resolution



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-12 - First Reading - amend Chronic Nuisance Property Code related to exemptions from chronic nuisance activities and schedule the public hearing date for May 6, 2014

SUMMARY:

The Ordinance includes changes identified by staff, City Attorney's Office, and Palm Beach Sheriff Office to improve the effectiveness of the chronic nuisance program regarding exemptions from chronic nuisance activities.

BACKGROUND AND JUSTIFICATION:

Chronic Nuisance Services Ordinance: In May of 2013 the City's Code Compliance Division, a representative of the City Attorney's Office, and the Palm Beach County Sheriff's Office (PBSO), District 14, began monthly meetings to more effectively troubleshoot and coordinate solutions to the most pressing code enforcement and crime issues within the City. Several updates to the City's Chronic Nuisance Services Ordinance were later adopted in September 2013. Now, several months later, additional changes are needed to clarify what constitutes a nuisance activity triggering the ordinance.

Chronic Nuisance Services are a relatively new tool in the State of Florida. It allows the City to declare a property a "chronic nuisance property" based upon a mandatory minimum number of law enforcement calls for service made to the property. The types of calls for service that trigger the ordinance include such offenses as discharging a firearm in public, criminal mischief, trespass in a structure, loitering and prowling, disorderly intoxication, breach of the peace, etc. Once the minimum number of calls for service has been made at the property, the City issues the owner a "Declaration of Chronic Nuisance Property" and the owner is required to submit an action plan to the City that outlines how the owner plans to abate these unlawful activities at the property. If the owner fails to provide or carry out the action plan, the City will prosecute the case before the special magistrate and seek a "Chronic Nuisance Service Order" which allows the City to abate the nuisance and charge the owner for any abatement costs. The costs may be assessed as special assessments against the property and may be collected pursuant to the uniform method.

The amendments to the ordinance include the following: provide for additional "triggering" calls for service; provide for shared responsibilities between the City Attorney's Office and the Code Compliance Division; clarification of the 12 month jurisdiction of the special magistrate over a property; changes to the types of abatement activity to be considered in the action plan; providing for the automatic scheduling of a hearing as part of a notice of violation; clarification of how costs are determined and assessed; and removal of the delinquent payment process.

MOTION:

I move to approve/not approve Ordinance No. 2014-12 on first reading and schedule the public hearing date for May 6, 2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-13 - First Reading - amend Chronic Nuisance Property Code related to special assessments and schedule the public hearing date for May 6, 2014

SUMMARY:

The Ordinance expands the definition of chronic nuisance services costs to include the Unsafe Building Abatement Code and board, secure, and lot clearing ordinances.

BACKGROUND AND JUSTIFICATION:

As Code Compliance and the City Attorney's Office work in tandem with the Palm Beach Sheriff's Office (PBSO) to address blight conditions in the City, several additional required changes to the Chronic Nuisance Services Ordinance have been identified. The City adopted a Chronic Nuisance Services Ordinance in September of 2011 and over the course of its implementation several changes have been needed to ensure that the ordinance is not in conflict with Florida Statutes with regard to special assessments. In addition, changes, amendments and additions have had to be made to ensure that the ordinance can be implemented effectively and efficiently.

This Ordinance changes the City's assurance that its special assessment process for demolitions, board and securing properties and lot clearings as well as activities under the Chronic Nuisance Property Code and other related abatement services provided by the city are all addressed. The basis for the assessments and the legal provisions for them are all updated and comply with Florida Statutes.

MOTION:

I move to approve/not approve Ordinance No. 2014-13 on first reading and schedule the public hearing date for May 6, 2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-14 - First Reading - amend Buildings and Structural Regulations and schedule the public hearing date for May 6, 2014

SUMMARY:

The Ordinance clarifies notice and hearing request requirements including limiting the time required for return receipt mail, mailing invoices, and special assessment language.

BACKGROUND AND JUSTIFICATION:

As Code Compliance and the City Attorney's Office work in tandem with the Palm Beach Sheriff's Office (PBSO) to address blight conditions in the City, several additional required changes to the Chronic Nuisance Services Ordinance have been identified. The City adopted a Chronic Nuisance Services Ordinance in September of 2011 and over the course of its implementation several changes have been needed to ensure that the ordinance is not in conflict with Florida Statutes. In addition, changes, amendments and additions have had to be made to ensure that the ordinance can be implemented effectively and efficiently.

Changes requested in this Ordinance involve proper noticing requirements, requests for hearings, mailings, invoices and the special assessment provisions. The changes also should speed up the process for demolition and boarding activities, ensure that due process requirements are met and reduce expenditures for these components.

MOTION:

I move to approve/not approve Ordinance No. 2014-14 on first reading and schedule the public hearing date for May 6, 2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



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AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-15 - First Reading - amend definition of appraised value and clarify methods of sale and schedule the public hearing date for May 6, 2014

SUMMARY:

The Ordinance amends the definition of appraised value and provides clarification regarding the methods of sale of City surplus real property.

BACKGROUND AND JUSTIFICATION:

The City Commission has deemed twenty-five (25) parcels as property worthy of being deemed surplus. As staff has been preparing the documentation for the proposed disposition of the properties, the required minimum sales bid for sealed bid offers as stipulated by City Code was defined as one hundred and fifty percent (150%) of the appraised value of the property as determined by the Palm Beach County Property Appraiser's office. In staff's opinion, the minimum sales bid should be more realistic to attract offers and be set at a value commensurate with its actual market value.

Successful disposition of the parcels will accomplish returning the properties to productive use and back onto the City's tax roll, eliminate potential blight, reduce on-going maintenance costs, reduce exposure to liability and help offset the City's current fiscal situation. Accordingly, Staff recommends amending the definition of the appraised value to mean one hundred percent (100%) of the total market value of the real property as reported by the County's Property Appraiser.

MOTION:

I move to approve/not approve Ordinance No. 2014-15 on first reading and schedule the public hearing date for May 6, 2014.

ATTACHMENT(S):

Fiscal Impact Analysis
Ordinance

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2017
Capital Expenditures	0	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	\$524,557*	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	\$524,557	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:

*Based on 2013 preliminary market value of all twenty-five (25) parcels recommended for disposition. Actual sales prices for properties are expected to be higher but may be lower with some properties.

C. Department Fiscal Review: _____



CITY OF LAKE WORTH

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

AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-16 – First Reading – amend the foreclosure registry program and schedule the public hearing date for May 6, 2014

SUMMARY:

The Ordinance will require vacant and unimproved properties, not in foreclosure, to be registered; amends and adds definitions; and allows for the boarding up of properties as a means of security.

BACKGROUND AND JUSTIFICATION:

As the Code Compliance Division continues its endeavor to address blighted conditions in the City, additional changes to the Foreclosure Registry Program Ordinance have been identified as beneficial. Originally, the City adopted a Foreclosure Registry Ordinance to deal with the many vacant properties in the City that were in some stage of the foreclosure process. Since its inception, it has become evident that there are many neglected properties not in foreclosure requiring maintenance as well. One category of properties, especially in need of attention, is the ones that are both vacant and unimproved. It has been determined that properties in this condition create an equal number of calls for service and need to be addressed. The proposed changes should assist the Code Compliance Division with identifying responsible parties, enforcing code compliance and improving the established community standards.

MOTION:

I move to approve/not approve Ordinance No. 2014-16 on first reading and schedule the second reading and public hearing date for May 6, 2014.

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: April 15, 2014, Regular Meeting

DEPARTMENT: Water/Sewer Utilities

EXECUTIVE BRIEF

TITLE:

Contract with two companies to construct Potable Well 16 located at 1900 2nd Avenue North

SUMMARY:

The Contract with Florida Design Drilling Corp. provides for construction of Potable Well 16 at a cost not to exceed \$494,949.

The Contract with Mock Roos and Associates (MRA) provides for construction phase services associated with the construction of Potable Well 16 at a price not to exceed \$57,550.

This is a companion to item H, which is the contract award to construct the Raw Watermain that will service Potable Well 16.

BACKGROUND AND JUSTIFICATION:

The City of Lake Worth has observed increasing levels of chlorides in the Surficial Aquifer monitoring well network since 2000. As part of the requirements of a new South Florida Water Management District (SFWMD) Water Use permit, the City must construct three new surficial wells to the west and north of the existing wellfield and abandon six existing facilities in the eastern portion of the Surficial Wellfield in a phased program extending through 2015. This will shift the footprint of the Surficial Aquifer withdrawals further west to lessen the potential for saline water intrusion.

The first proposed well is to be constructed in phase 1, with an expected completion date by the end of 2014. All three wells are to be constructed onsite at the City's 1900 2nd Avenue North complex.

The City of Lake Worth Utilities Department has solicited bids from contractors for the construction of Potable Well 16, under Bid IFB-UT-WT-12-13-128. The lowest bid for the sum of \$494,949 was from Florida Design Drilling Corp. Mock Roos & Associates are recommending award of the bid to Florida Design Drilling Corp.

Mock Roos & Associates was the Engineering Consulting firm selected by the City of Lake Worth as the number one ranked firm for a continuing services contract, **WS-08-09**, through the Consultant's Competitive Negotiation Act (Florida State Statutes 287.055) procurement process.

Under this agreement, MRA have been selected to perform construction phase services for the construction of the proposed Surficial Well #16 by the Lake Worth Utilities Department. They have also been selected to perform construction phase services for the construction of a new Raw Watermain to transfer the water from the proposed Well #16 to the Lake Worth Water Treatment Plant. These two projects must be constructed this fiscal year in order to satisfy the conditions of the recently issued

SFWMD Consumptive Water Use Permit. Mock Roos & Associates acted as the City's consultant in obtaining the permit, and therefore have the base information needed to complete the project and satisfy the agency's requirements. They have also designed the majority of the surficial wells in the City and have conducted multiple groundwater model updates with the City's raw water production system. It is recommended that Mock Roos & Associates be retained to perform these services, as they have the data used to obtain the SFWMD permit, and the institutional knowledge of our wellfields, groundwater conditions, and similar designs throughout the City of Lake Worth.

MOTION:

I move to approve/not approve a contract with Florida Design Drilling Corp. at a cost not to exceed \$494,949; and, the construction services/ engineering contract with Mock Roos and Associates at a price not to exceed \$57,550.

Attachments

- 1) Fiscal Analysis
- 2) Mock Roos and Associates Proposal
- 3) Bid Tabulation
- 4) Florida Design Drilling Corp Contract
- 5) Bid Recommendation

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	554,499	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	554,499	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 Capital budget from account 402-7022-533.63-00.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2014 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7022-533.63-00	WTP Capital	WT1405	\$662,000	N/A	\$621,000	-\$554,499	\$66,501

C. Fiscal Review:

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



CITY OF LAKE WORTH

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

AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Contracts with two companies to construct the Raw Watermain for Potable Well 16.

SUMMARY:

The contract with B&B Underground, Inc. provides for construction of the Raw Watermain for Potable Well 16 at a cost not to exceed \$569,445.

The contract with Mock Roos and Associates (MRA) provides for construction phase services associated with the construction of the Raw Watermain for Potable Well 16 at a price not to exceed \$54,900.

This is a companion to item G, which is the contract award to construct Potable Well #16.

BACKGROUND AND JUSTIFICATION:

The City of Lake Worth has observed increasing levels of chlorides in the Surficial Aquifer monitoring well network since 2000. As part of the requirements of our new SFWMD Water Use permit the City must construct three new surficial wells to the west and north of the existing wellfield and abandon 6 existing facilities in the eastern portion of the Surficial Wellfield in a phased program extending through 2015. This will shift the footprint of the Surficial Aquifer withdrawals further west to lessen the potential for saline water intrusion.

The City of Lake Worth Utilities department has solicited bids from contractors for the construction of the Raw Watermain to serve Potable Well 16, under Bid IFB-UT-WT-12-13-129. The lowest bid for the sum of \$569,445 was from B&B Underground, Inc. Mock Roos and Associates are recommending award of the Bid to B&B Underground, Inc.

Mock Roos and Associates was the Engineering Consulting firm selected by the City of Lake Worth as the number one ranked firm for a continuing services contract, **WS-08-09**, through the Consultant's Competitive Negotiation Act (Florida State Statutes 287.055) procurement process.

Under this agreement, they have been selected to perform construction phase services for the construction of the proposed Raw Watermain to transfer the water from the proposed Well #16 to the Lake Worth Water Treatment Plant by the Lake Worth Utilities Department. The new well #16 and raw watermain projects must be constructed this fiscal year in order to satisfy the conditions of the recently issued South Florida Water Management District Consumptive Water Use Permit. Mock Roos and Associates acted as the City of Lake Worth's consultant in obtaining the permit, and therefore have the base information needed to complete the project and satisfy the agency's requirements. They have also designed the majority of the surficial wells in the City, and have conducted multiple groundwater model updates with the City's raw water production system. It is recommended that Mock Roos & Associates be retained to perform these services, as they have the data used to

obtain the SFWMD permit, and the institutional knowledge of our wellfields, groundwater conditions, and similar designs throughout the City of Lake Worth.

MOTION:

I move to approve/not approve a contract with B&B Underground, Inc. at a cost not to exceed \$569,445; and, the construction services/engineering agreement with Mock Roos and Associates at a price not to exceed \$54,900.

Attachments

- 1) Fiscal Analysis
- 2) B&B Underground, Inc Contract
- 3) Mock Roos Proposal
- 4) Bid Tabulation
- 5) Bid Recommendation

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	629,345	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	\$629,345	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 Capital budget from account 402-7022-533.63-00.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2014 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7022-533.63-00	WTP Capital	WT1403	\$860,000	N/A	\$860,000	-\$629,345	\$230,655

C. Fiscal Review:

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



CITY OF LAKE WORTH

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

AGENDA DATE: April 15, 2014, Regular Meeting

DEPARTMENT: City Manager

EXECUTIVE BRIEF

TITLE:

Agreement with Alcalde & Fay, LTD for federal government relations and comprehensive grant services

SUMMARY:

The Agreement provides for professional services in the field of government relations and advocacy, including legislative procedure, regulatory processes, public policy, and appropriations and grant programs administered by the Federal government.

BACKGROUND AND JUSTIFICATION:

In order to maximize participation in Federal programs and funding opportunities the services of a well connected and established lobbying firm is required. Alcalde & Fay, LTD is a bipartisan firm that represents Palm Beach County, West Palm Beach and Riviera Beach as well as other local governments ranging in population size from 2,676 to 2.6 million. They have successfully assisted in obtaining essential support and direct Federal assistance for transportation, economic development, criminal justice and law enforcement programs/projects, health services, a range of education and community programs, and water/wastewater infrastructure project. It is the city's intent to become more effective in applying for and obtaining Federal money for projects and programs including road infrastructure and utilities. Compensation for services include a monthly retainer of \$5,000 plus out-of-pocket expenses incurred in connection with their work for items such as copying, postage, telephone, delivery, and telecopy charges.

Staff recommends approval of this agreement as Administration moves forward to find funding sources for roadway, utilities, and Park of Commerce infrastructure improvements. If approved, a budget amendment would be required.

MOTION:

I move to approve/not approve an agreement with Alcalde & Fay, LTD for federal government relations and comprehensive grant services.

ATTACHMENT(S):

Fiscal Impact Analysis
Proposal
Agreement

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	35,000	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	35,000	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:

Upon approval by City Commission, a budget amendment will be required and submitted on May 6, 2014, to add sufficient funds to the Contractual Services Account.

Alcade & Fay, LTD						
Account Number (s)	Account Description	FY 2014 Budget	Budget Amendment Pending	Available Balance Pending	Agenda Expenses	Remaining Balance
001-XXXX-XXX-34-50	Contractual Services	-	35,000	35,000	(35,000)	-

C. Department Fiscal Review: __CJ__