



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, MAY 06, 2014 - 6:00 PM**

1. **ROLL CALL:**
2. **INVOCATION:** Offered by Reverend Elie Louissaint of Salem Haitian Evangelical Lutheran Church
3. **PLEDGE OF ALLEGIANCE:** Led by Commissioner John Szerdi
4. **AGENDA - Additions/Deletions/Reordering:**
5. **PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. Update provided by Representative Lori Berman
 - B. Update provided by ROLOH (Residents of Lake Osborne Heights) Neighborhood Association
 - C. Update provided by the Board of Trustees for Employees' Retirement System
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**
 - A. City Commission Meeting - April 1, 2014
 - B. City Commission Budget Work Session - April 8, 2014
 - C. City Commission Meeting - April 15, 2014
 - D. City Commission Special Meeting - April 22, 2014
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
 - A. Resolution No. 20-2014 - authorize the City to reimburse itself for costs incurred for the City's Road and Utilities Master Plan

- B. Resolution No. 21-2014 - amend the Fiscal Year 2014 Comprehensive Fee Schedule to revise parking fees at the Bryant Park Public Facility Boat Ramp
- C. Resolution No. 22-2014 - submit an application to the Fiscal Year 2016 Small Matching Historic Preservation Grants Program
- D. Resolution No. 23-2014 - support the County Metropolitan Planning Organization's effort to secure Transportation Investments Generating Economic Recovery (TIGER) grant funds
- E. Resolution No. 24-2014 - submit an application to the Florida Inland Navigation District for grant funds to improve the Old Bridge Park Natural Area
- F. Resolution No. 25-2014 - second amendment to the Fiscal Year 2014 budget
- G. Voluntary Termination of License Agreement issued to Dale R. and Kathleen A. Hulen on property located at 509 Sunrise Court
- H. Palm Beach County Easement Agreement to allow the installation of an irrigation pump for Lake Worth Road landscape improvements
- I. Variance Agreement with Leonidas Colarte to allow brick pavers on a driveway and City right-of-way at 145 Vassar Drive
- J. Reallocate Capital Improvement Plan funds for 10th Avenue South utility improvements project
- K. Purchase two bulk waste refuse trucks from Nextran Truck Center

10. PUBLIC HEARINGS:

- A. Ordinance No. 2014-12 - Second Reading and Public Hearing - amend Chronic Nuisance Property Code related to exemptions from chronic nuisance activities
- B. Ordinance No. 2014-13 - Second Reading and Public Hearing - amend Chronic Nuisance Property Code related to special assessments
- C. Ordinance No. 2014-14 - Second Reading and Public Hearing - amend Buildings and Structural Regulations
- D. Ordinance No. 2014-15 - Second Reading and Public Hearing - amend definition of appraised value and clarify methods of sale
- E. Ordinance No. 2014-16 - Second Reading and Public Hearing - amend the foreclosure registry program

11. UNFINISHED BUSINESS:

12. NEW BUSINESS:

- A. All Aboard Florida by the Treasure Coast Regional Planning Council
- B. Report from Internal Auditor and Proclamation recognizing May as Internal Audit Month
- C. Resolution No. 26-2014 - amend the Fiscal Year 2014 Comprehensive Fee Schedule to include Code Compliance, Building, and Planning, Zoning, and Historic Preservation Divisions
- D. Ordinance No. 2014-17 - First Reading - amend Use & Occupancy and revocation of business license requirements and schedule the public hearing date for May 20, 2014
- E. Ordinance No. 2014-18 - First Reading - amend City park and recreational facility regulations and schedule the public hearing date for May 20, 2014
- F. Construction Contract with Rosso Site Development, Inc. for 10th Avenue South Roadway Improvements Project
- G. Construction Contract with B & B Underground Contractor's Inc. for 10th Avenue South Utility Improvements project
- H. Construction Contract with B&B Underground Contractor's, Inc. for watermain improvements at 14 and 15 Avenues North and Crestwood Blvd.

13. LAKE WORTH ELECTRIC UTILITY:

- A. **PRESENTATION:** (There is no public comment on Presentation items)
 - 1) Electric utility system timeline
- B. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
- C. **PUBLIC HEARING:**
- D. **NEW BUSINESS:**
 - 1) Contract with Service Electric Company for repair and maintenance of 138kV transmission line

14. CITY ATTORNEY'S REPORT:

15. CITY MANAGER'S REPORT:

- A. May 20, 2014 draft 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: May 6, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Residents of Lake Osborne Heights (ROLOH) Neighborhood Association update

SUMMARY:

Mr. Robert Waples, Residents of Lake Osborne Heights Neighborhood Association 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 Residents of Lake Osborne Heights Neighborhood Association was on May 7, 2013.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Board of Trustees for Employees' Retirement System update

SUMMARY:

Ms. Karla White will update the Commission on activities that have taken place over the past several months.

BACKGROUND AND JUSTIFICATION:

The Board members shall administer, manage and be responsible for the proper operation of the Employees' Retirement System. The last update from the Employees' Retirement System was on August 20, 2013.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Finance

EXECUTIVE BRIEF

TITLE:

Resolution No. 20-2014 – authorize the City to reimburse itself for costs incurred the City's Road and Utilities Master Plan

SUMMARY:

The Resolution declares the City's intent to seek reimbursement for certain capital expenditures to be made for the design and construction of the City's Road and Utilities Master Plan

BACKGROUND AND JUSTIFICATION:

As the City moves forward with the proposed General Obligation Bond referendum to fund the Road and Utilities Master Plan, there is a need to approve a resolution that allows the City to reimburse itself for certain costs incurred prior to issuance of debt resulting from the voter approval of the referendum.

MOTION:

I move to approve/disapprove Resolution No. 20-2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 21-2014 –amend the Fiscal Year 2014 Comprehensive Fee Schedule to revise parking fees at the Bryant Park Boat Ramp Public Facility

SUMMARY:

The Resolution amends the Comprehensive Fee Schedule to provide for an annual boat trailer parking permit fee for Florida residents and an annual boat trailer parking permit fee for non-Florida residents.

BACKGROUND AND JUSTIFICATION:

On April 17, 2012, the City entered into an Interlocal Agreement with Palm Beach County for funding assistance in the amount of \$255,000 from the Florida Inland Navigation District (FIND) in support of the improvements made at the Bryant Park Boat Ramp Public Facility. These improvements included the replacement of the boat ramp and the construction of fixed and floating docks. One of the conditions set forth in the Interlocal Agreement for this funding assistance is that any fees charged by the City shall be reasonable and the same for the general public of all FIND member counties, which include the twelve counties bordering the Atlantic Intracoastal Waterway.

On September 12, 2013, the City Commission adopted Resolution No. 41-2013 establishing fees for City services and other charges for Fiscal Year 2014, effective as of October 1, 2013. Since that time, several amendments have been made to the Fee Schedule as staff continues to review and modify the fees as requested by the City Commission and members of the public in order to better serve the City.

At its meeting of April 15, 2014, the City Commission approved Resolution No. 19-2014 to amend the schedule of fees for parking at the Bryant Park public facility. Included in this schedule was a fee of \$150.00 for non-residents of Palm Beach County to purchase an annual parking decal for boat ramp trailer parking. This fee is not in compliance with FIND stipulations that require all fees related to Bryant Park must be the same for residents of the twelve FIND member counties.

This Resolution serves to establish an annual boat trailer parking fee of \$50.00 plus tax for all Florida residents and an annual boat trailer parking fee of \$150.00 plus tax for all non-Florida residents. This action will bring the City into compliance with stipulations set forth by the Florida Inland Navigation District for funding assistance the City received for improvements to the public facility.

MOTION:

I move to approve/not approve Resolution No. 21-2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Resolution No. 22-2014 - submit an application to the State of Florida for the Fiscal Year 2016 Small Matching Historic Preservation Grants Program

SUMMARY:

The Resolution authorizes the submission of a \$50,000 grant to procure the services of a cultural resources management consultant to assist in developing design guidelines to implement the City's historic preservation program.

BACKGROUND AND JUSTIFICATION:

On April 1, 2014, the application period for the FY 2015-2016 Small Matching Historic Preservation Grants Program was opened. The purpose of this program is to provide funding assistance up to \$50,000 for the rehabilitation and restoration of historic structures, and the performance of architectural and archeological surveys. Eligible projects include acquisition and development projects for the excavation of archeological sites and building rehabilitation and/or stabilization, protection and education activities, the preparation of ordinances and preservation plans, community education projects, historical markers, and National Register nominations.

Since the start of its historic preservation, the City has created six historic districts. Each of these districts was formed to preserve different aspects of the City's unique development history, and each historic district is distinct from the next. However, at this time only two of the City's historic districts, Old Town and College Park, have specific design guidelines to help preserve the character that defines features of their historic resources.

This project will further serve as a guide for residents and businesses interested in making acceptable alterations to their historic properties.

Applications must be submitted by no later than May 31, 2014. The City is a Certified Local Government and is not required to provide a local cost share match for this eligible project.

MOTION:

I move to approve/not approve Resolution No. 22-2014.

ATTACHMENT(S):

Fiscal Impact Analysis
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	0	0	50,000	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	0	50,000	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: JK



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Commissioner Szerdi

EXECUTIVE BRIEF

TITLE:

Resolution No. 23-2014 - support the County Metropolitan Planning Organization's effort to secure Transportation Investments Generating Economic Recovery (TIGER) grant funds

SUMMARY:

The Resolution supports the County's MPO's efforts to secure grant funds while adding language which expresses the Commission's support of improved east-west linkages of all intermodal transportation with the railroad systems serving communities.

BACKGROUND AND JUSTIFICATION:

On April 15, 2014, the City Commission adopted Resolution No. 16-2014 supporting the County's MPO's TIGER grant application. During that discussion, my main comments were to amend the resolution to include the City's support for the improvement of east-west linkages of all intermodal transportation with the railroad systems serving the communities. Though the resolution was amended to add language supporting east-west connectivity, it did not fully express my intention to urge real discussions about this topic as a analytical requirement to determine the benefits and impacts of the All Aboard Florida (AAF) development of a high speed route from Miami to Orlando. We have a dire need to leverage any requests from AAF for public private loans and municipal funding of crossing upgrades against connecting our western communities with eastern communities via the rail passenger system and mass transit.

MOTION:

I move to approve/not approve Resolution No. 23-2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 24-2014 - submit an application to the Florida Inland Navigation District for grant funds to improve the Old Bridge Park Natural Area

SUMMARY:

The Resolution authorizes the submission of an application for \$251,875.

BACKGROUND AND JUSTIFICATION:

The proposed project involves improvements to the Old Bridge Park Natural Area along the eastern shoreline of the Lake Worth Lagoon within the City of Lake Worth. The project area is divided north/south by the Lake Worth Bridge. The two parcels are comprised of 12.92 acres of land owned by the City of Lake Worth north of the bridge and 11.44 acres south of the bridge that is currently leased by Palm Beach County from the City.

Proposed improvements to be made on the north side of the project area consist of replacement of the seawall, installation of riprap, construction of a floating day use dock and gangway, parking lot improvements and a connecting pathway to the south side of the project area. Improvements planned for the south side of the project area consist of the installation of approximately 700' of eroded shoreline and the restoration of wetland and upland habitats by clearing exotic vegetation and replanting with native vegetation. Along the newly constructed pathway, two informational kiosks, benches and signage will be installed. Upon its completion, the project will provide public boating access and amenities to an active and newly restored area of the City that includes the public beach, the Lake Worth Casino and the annual Green Market.

The estimated cost of these improvements is \$503,750. Palm Beach County and the City of Lake Worth are requesting funding from FIND under its 2014 Waterways Assistance Program in the amount of \$251,875, or fifty percent (50%) of the project costs. The proposed match source of the local cost share of \$251,875 will be revenue from County vessel registration fees; hence, the City of Lake Worth is not obligated for matching costs.

MOTION:

I move to approve/not approve Resolution No. 24-2014.

ATTACHMENT(S):

Fiscal Impact Analysis
Grant Application
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	0	251,875	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	251,875	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: May 6, 2014, Regular Meeting

DEPARTMENT: Finance

EXECUTIVE BRIEF

TITLE:

Resolution No. 25-2014 – second amendment to the Fiscal Year 2014 budget

SUMMARY:

The Resolution appropriates existing balances from several Funds. See attachment for more detail.

BACKGROUND AND JUSTIFICATION:

This amendment contains corrections to the amounts originally adopted based on a further review of the original budget and 1st budget amendment and adjust other accounts for current trends/costs.

The funds for all these adjustments are available within each of funds either through the transfer of appropriations among funds and departments or through the use of available fund balance.

MOTION:

I move to approve/disapprove Resolution No. 25-2014 to amend the Fiscal Year 2014 budget.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Detail of Proposed Changes

Resolution



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: City Attorney

EXECUTIVE BRIEF

TITLE:

Request for Voluntary Termination of License Agreement

SUMMARY:

Property owners have requested a termination of a 2005 License Agreement to use City property.

BACKGROUND AND JUSTIFICATION:

In 2005, the City entered a license agreement with Dale R. Hulen and Kathleen A. Hulen, who own property at 509 Sunrise Court in the City of Lake Worth. A copy of the recorded license agreement is attached. The Hulens sought to use a portion of the adjacent City right-of-way to store their recreational vehicle (behind an installed wood fence). At this time, the Hulens are requesting to voluntarily terminate the license agreement as they no longer have the recreational vehicle. Terminating the license agreement will also relieve the Hulens of having to provide property insurance for the City's right-of-way. The Hulens have removed the wooden fence and have signed the voluntary termination of license agreement (attached) prepared by the City Attorney. Upon the City's execution, the City will record the voluntary termination in the public records.

MOTION:

I move to approve/deny the Hulen's request to voluntarily terminate the license agreement and direct the Mayor and Clerk to execute the same and have the termination agreement recorded.

FISCAL IMPACT:

Fiscal Impact Analysis – not applicable

ATTACHMENT(S):

Recorded License Agreement

Voluntary Termination of License Agreement



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Palm Beach County Easement Agreement to allow the installation of an irrigation pump for Lake Worth Road landscape improvements for an amount not to exceed \$250:

SUMMARY:

The Easement Agreement will complete the Lake Worth Road Roadway and Landscape Beautification project by allowing the installation of a canal irrigation pump.

BACKGROUND AND JUSTIFICATION:

As a result of the roadway and landscape improvements on Lake Worth Road from the Keller Canal east (a thoroughfare owned by FDOT and maintained through Inter-local Agreement by the City), an irrigation pump was installed that irrigates the landscaped medians and shoulders. The irrigation pump utilizes water from the Keller Canal to irrigate and eliminates the need to use costly potable water from the City's water supply. The County overlooked the easement agreement with the City at the time of construction and this agreement is now being granted to complete the process.

The granting of the easement is necessary to complete the original agreement terms to install the canal irrigation pump as part of the Lake Worth Road Roadway and Landscape Beautification project. The City will be responsible for the maintenance of the easement, pump and associated irrigation piping. The canal pump has saved the City direct costs associated with the irrigation of the medians and shoulders by eliminating the need to use potable water.

MOTION:

I move to approve/disapprove the Palm Beach County Easement Agreement for an amount not to exceed \$250.

ATTACHMENT(S):

Fiscal Impact Analysis
Easement Agreement

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	250	250	250	250	250
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	250	250	250	250	250

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	Palm Beach County Easement Agreement					
Account Number (s)	Account Description	FY 2014 Budget	Budget Amendment	Available Balance	Agenda Expenses	Remaining Balance
001-5040-519-46-90	Repairs /Maintenance	1,607	N/A	1,248	\$ (250)	998

C. Department Fiscal Review: _____



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Public Service

EXECUTIVE BRIEF

TITLE:

Variance agreement with Leonidas Colarte for brick paver driveway at 145 Vassar Drive

SUMMARY:

The Agreement will allow for the encroachment of brick pavers into the City right-of-way and protect the City from any future liability.

BACKGROUND AND JUSTIFICATION:

Per the City Code, Section 19-26(d), all driveway approaches and walkways are to be constructed of six inch concrete unless a variance stating otherwise is allowed by the Building Official. Based on the requirements, Public Services Staff does not recommend approval of pavers because it is not financially beneficial to the City due to the required maintenance over the life of the paver section.

On April 25, 2014, the Building Official authorized the variance; however, in order to protect the City from any liability (or if the City needs to remove the pavers for future work or any other reason), a variance agreement will hold the City harmless and not require replacement of the pavers in the right-of-way. Upon completion of any improvements in the right-of-way, the City would then perform a repair with concrete or the pavers could be reinstalled at the owner's expense.

MOTION:

I move to approve/disapprove a Variance Agreement with Leonidas Colarte on property located at 145 Vassar Drive.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Agreement
Durable Power of Attorney



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Reallocate Capital Improvement Plan funds for 10th Avenue South utility improvements project

SUMMARY:

This item would authorize \$294,332 from various Capital Improvement Plan projects to be reallocated and used for Street and Stormwater improvements along 10th Avenue South.

BACKGROUND AND JUSTIFICATION:

As a result of further discussions and review by attorneys at the Law Office of Glen Torcivia, it was determined that there are no legal obligations with TD Bank nor Publix to convert 2nd Avenue North *west of Dixie Highway* to a two way road. Public Services staff will need to make permanent improvements to keep 2nd Avenue North one-way such as thermoplastic striping, signalization, and signage from Dixie Hwy west to North A Street. This public at-grade crossing also needs Federal regulated upgrades that will need to be completed by Florida East Coast (FEC) Railway (Attachment #2). Total cost of railway maintenance work and striping/signage is estimated at \$150,000, leaving \$195,000 available in funds.

The 10th Avenue South Utility Improvements Project has precedence over these projects and funds are being requested to be reallocated as follows:

Project# GV1306, FEC -2nd Avenue North 2 Way Conversion: Amount: \$195,000

Project # ST1401, Other Conveyances: Amount \$49,332

Project # ST1402, GIS: Amount \$50,000

Upon approval by City Commission, project funds of \$294,332 will be transferred to new project # GV1424.

MOTION:

I move to approve/disapprove the reallocation of \$195,000 from the 2nd Avenue North FEC Two-Way Conversion project; \$49,332 from the Stormwater "Other Conveyance" account; and \$50,000 from the Stormwater "GIS" account to the 10th Avenue South Utility Improvements Project.

ATTACHMENT(S):

Fiscal Impact Analysis

FEC Upgrades

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	\$294,332	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	294,332	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:

Public Services						
Account Number	Account Description	Project #	FY2014 Budget	Pre Exp; Balance	Expenditure for this item	Post Exp; Balance
301-5020-541.63-00	Road & Street/Improve other than Build	GV1306 2nd Ave North	345,025	345,025.00	195,000.00	150,025.00
408-5090-538.63-15	Improve other than Build/Infrastructure	ST1401 Other Conveyances	115,000	115,000.00	49,332.00	65,668.00
408-5090-538.63-15	Improve other than Build/Infrastructure	ST1402 GIS	50,000	50,000.00	50,000.00	-

C. Department Fiscal Review: JB



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Purchase two bulk waste refuse trucks from Nextran Truck Center

SUMMARY:

In the FY2014 Capital Improvement Program, Public Services budgeted \$500,000 for the purchase of two Bulk Waste Refuse Trucks.

BACKGROUND AND JUSTIFICATION:

The total cost for these two trucks is \$449,664.70, which falls within the budgeted amount of \$500,000. The specifications of these trucks were defined by staff in order to maximize efficiency. They will consist of a 2015 Mack chassis and McNeilus body. Public Services is purchasing off of the Florida's Sheriff's Association Bid which historically saves municipalities 10% - 15%. Under this contract the trucks would cost \$230,201 each, but staff has negotiated an additional discount lowering the cost to \$224,832.35 per truck. City vehicle number 79, a Refuse rear loader, has reached the end of its life span and will be removed from the fleet due to age and ongoing maintenance requirements.

MOTION:

I move to approve/not approve the purchase of two refuse rear loader trucks from Nextran Truck Center.

ATTACHMENT(S):

Fiscal Impact Analysis
Truck Purchase Information

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	449,665	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	449,665	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:

Public Services					
Account Number	Account Description	FY2014 Budget	Pre Exp; Balance	Expenditure for this item	Post Exp; Balance
530-9010-549-6430	City Fleet/Machinery/ Equip	250,000	250,000	224,832.35	25,167.65
530-9010-549-6430	City Fleet/Machinery/ Equip	250,000	250,000	224,832.35	25,167.65

C. Department Fiscal Review: __JB__



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AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-12 - Second Reading and Public Hearing - amend Chronic Nuisance Property Code related to exemptions from chronic nuisance activities

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.

At its regular meeting of April 15, 2014, the City Commission voted 5-0 to schedule the second reading and public hearing for the proposed ordinance.

MOTION:

I move to approve/not approve Ordinance No. 2014-12 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: May 6, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-13 - Second Reading and Public Hearing - amend Chronic Nuisance Property Code related to special assessments

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.

At its regular meeting of April 15, 2014, the City Commission voted 5-0 to schedule the second reading and public hearing for the proposed ordinance.

MOTION:

I move to approve/not approve Ordinance No. 2014-13 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: May 6, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-14 - Second Reading and Public Hearing - amend Buildings and Structural Regulations

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.

At its regular meeting of April 15, 2014, the City Commission voted 5-0 to schedule the second reading and public hearing for the proposed ordinance.

MOTION:

I move to approve/not approve Ordinance No. 2014-14 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: May 6, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-15 - Second Reading and Public Hearing - amend definition of appraised value and clarify methods of sale

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.

At its regular meeting of April 15, 2014, the City Commission voted 5-0 to schedule the second reading and public hearing for the proposed ordinance.

MOTION:

I move to approve/not approve Ordinance No. 2014-15 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis
Ordinance



CITY OF LAKE WORTH

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

AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-16 - Second Reading and Public Hearing - amend the foreclosure registry program

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.

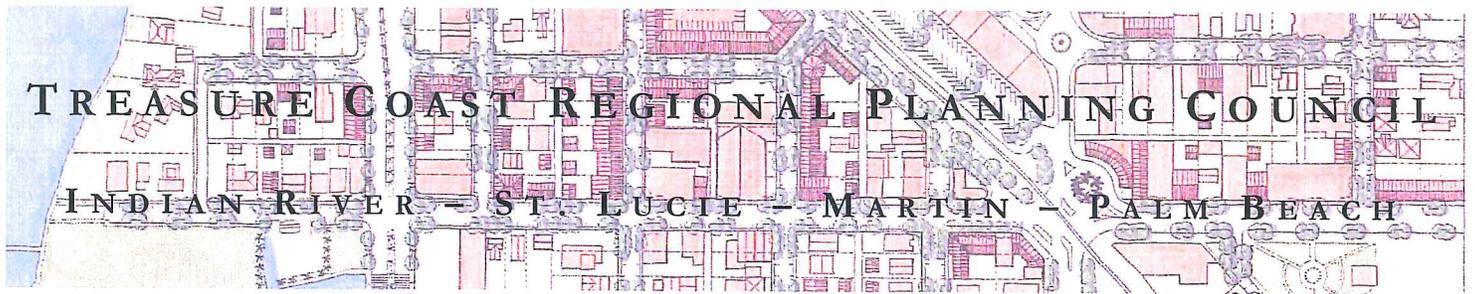
At its regular meeting of April 15, 2014, the City Commission voted 5-0 to schedule the second reading and public hearing for the proposed ordinance.

MOTION:

I move to approve/not approve Ordinance No. 2014-16 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



April 10, 2014

U.S. Department of Transportation
Federal Railroad Administration
1200 New Jersey Ave SE
Attn: John Winkle
RM W38-311
Washington, DC 20590

Subject: All Aboard Florida Environmental Impact Statement

Dear Mr. Winkle:

As you are aware, the Treasure Coast Regional Planning Council has been in active discussions regarding the proposed “All Aboard Florida” project since it was introduced by Florida East Coast Industries in March 2012. The project is proposed along the Florida East Coast (FEC) rail corridor, which traverses the four counties which make up the Treasure Coast Region. These include Palm Beach, Martin, St. Lucie, and Indian River counties. Council’s responsibilities include assisting local governments in cooperating and coordinating on issues of greater than local impact and on a broad array of other planning and economic development initiatives. Accordingly, Council has worked extensively with the region’s local governments, agencies, and the public over the past two years to help inform these constituents of this significant project, its implications for the region, and further understand local concerns and desires.

Council is aware the Federal Railroad Administration (FRA) is anticipating publication of a draft Environmental Impact Statement in the next several months. Given the extensive feedback received through Council’s public outreach and education activities, Council recently adopted a summary of key issues and concerns at its March 21, 2014 meeting which is provided for FRA’s consideration as it completes the draft EIS. As you will note in the attached report, the general issues and areas of concern are categorized as follows:

- Additional Passenger Rail Stations
- Grade Crossing Improvements and Quiet Zones
- Mitigation of Railroad Bridge and Marine Navigation Conflicts
- Access to Broadband Capacity:
- Freight Rationalization
- Land Use Impacts
- Tri-Rail Coastal Link Access Negotiations

“Bringing Communities Together” • Est.1976

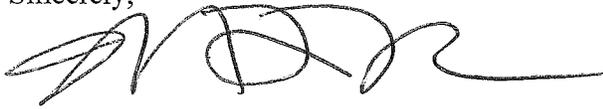
421 SW Camden Avenue - Stuart, Florida 34994
Phone (772) 221-4060 - Fax (772) 221-4067 - www.tcrpc.org

Mr. John Winkle
April 10, 2014
Page Two

In addition, Council identified several other points for the FRA's consideration which are noted in the attached report (see page 9). Finally, given the magnitude of the project and its potential impacts in the Region, Council requests the public comment period for the draft EIS be extended to 90 days.

Thank you for your consideration of these issues as the All Aboard Florida draft EIS is finalized for publication. Council looks forward to reviewing the draft EIS when it is available and will provide formal comments through that process. If there are questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Busha". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael J. Busha, AICP
Executive Director

MJB/KD:kd

Attachment

cc: Treasure Coast Congressional Delegation
Treasure Coast Legislative Delegation
Treasure Coast Local Governments
Council Members
Treasure Coast MPO/TPOs

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 10
From: Staff
Date: March 21, 2014 Council Meeting
Subject: All Aboard Florida Update

Introduction

The purpose of this item is to provide an opportunity for Council to receive an update regarding various activities related to the Florida East Coast Industries' (FECI) proposed All Aboard Florida (AAF) project. The project is intended to provide new high-speed intercity express service between Miami and Orlando on the Florida East Coast (FEC) rail corridor. This item includes an overview of the permit process and summary of potential measures to mitigate local and regional impacts.

Background

In 2012, FECI introduced a proposal for a privately-funded service known as All Aboard Florida, which proposes new intercity express rail service between downtown Miami and Orlando, with additional stations in downtown Fort Lauderdale and downtown West Palm Beach. The project has been the subject of extensive Council and local government discussion since its announcement. As currently envisioned, the project would provide sixteen daily round-trip trains, totaling 32 additional trains on the corridor with maximum speeds of 79 MPH south of West Palm Beach, 110 MPH between West Palm Beach and Cocoa, and 125 MPH from Cocoa to Orlando. The FEC rail corridor is proposed to also continue carrying freight service, which is projected to increase over time. Although the rail corridor is privately owned, it is included in the Florida Department of Transportation (FDOT) Strategic Intermodal System, which prioritizes it for statewide transportation funding to advance economic competitiveness and quality of life.

Permit Review Process

FECI has applied for a "Railroad Rehabilitation Improvement Financing" loan from the Federal Railroad Administration (FRA), which requires an Environmental Impact Statement (EIS) be prepared by the FRA. Although the details of the loan application are not published, FECI representatives have previously estimated project costs at approximately \$1.5 billion. The EIS will be prepared in accordance with the National Environmental Policy Act (NEPA) and other Federal regulations, and it will incorporate documentation provided by FECI. When private railroads own the right-of-way upon which tracks will be constructed, environmental compliance

is required with applicable Federal and State laws. However, no additional permitting from FRA is typically required. The FRA anticipates publishing a draft EIS this Spring, which will initiate a public comment period of 45 days or longer at the discretion of the FRA. The FRA will schedule up to six workshops along the corridor. Public comment can be provided at the workshops or via U.S mail or email. After receipt of comments, FRA will publish a final EIS, followed by publication of a “Record of Decision,” which will recommend a preferred alternative.

Evaluation

The reintroduction of passenger rail service on the Florida East Coast rail corridor has been a long-standing regional priority that can provide improved mobility and varied economic and environmental benefits. However, the service as currently proposed concentrates public benefits in communities where stations are planned (West Palm Beach, Fort Lauderdale, Miami, and Orlando), bypassing the three northern counties entirely. All local governments along the corridor will have costs and impacts of different forms. There are modifications to the project and ancillary activities that could more fairly distribute benefits throughout the corridor and lessen impacts to local governments. Each of these is described below.

(1) Additional Passenger Rail Stations

Access to passenger rail service is the key benefit the AAF project can provide to the Treasure Coast Region. FECI has indicated it intends to initiate the AAF service with only four new stations – in West Palm Beach, Fort Lauderdale, Miami, and Orlando. No stations are currently proposed for Martin, St. Lucie, or Indian River counties. To expand the benefits of passenger rail service, the following mitigating measures are suggested:

- Advance the Amtrak/FEC Corridor Project: Currently funded in the FDOT Five-Year Work Program, the Amtrak/FEC project has previously identified station locations in Stuart, Fort Pierce, and Vero Beach which could also accommodate AAF trains. FECI, FDOT, Amtrak, and local governments should work together to enable the Amtrak/FEC project to be constructed concurrent with the AAF project.
- Add Additional AAF Stops in Stuart, Fort Pierce, and Vero Beach: The most meaningful benefit the AAF project can offer to the Treasure Coast is its ability to provide connections within the communities it passes through. To more fairly distribute the project’s benefits, FECI, FDOT and local governments should work together to evaluate ways in which additional stops can be added in Stuart, Fort Pierce, and Vero Beach as part of AAF’s initial service pattern. The introduction of regularly scheduled AAF service three or four times daily in these smaller communities, in addition to the Amtrak intercity service, would provide significant connectivity and expanded market potential.

(2) Grade Crossing Improvements and Quiet Zones

To accommodate both passenger and freight service in the corridor, FECI is proposing to install a second track from Miami to Cocoa within FEC’s current right-of-way, which

will require reconstruction of the 352 existing grade crossings. FECI has completed diagnostic field reviews from Miami-Dade to Martin County to determine anticipated safety improvements, with field reviews for the remaining counties anticipated later this spring. Although not necessarily required by current grade crossing agreements, FECI has indicated it will fund the cost of all safety improvements necessary for the operation of the proposed AAF service. The added safety improvements and equipment to be installed by FECI will help in achieving quiet zone designations at locally selected grade crossings. Many communities along the corridor have prioritized quiet zones, where no train horns must be sounded due to more extensive safety equipment. At the request of the Palm Beach and Broward Metropolitan Planning Organizations (MPOs), FECI and FDOT are working collaboratively in support of a TIGER grant to fund quiet zone safety infrastructure in these two counties. A similar effort has not been initiated by the northern MPOs/TPOs thus far. To reduce costs to local governments and improve conditions along the FEC corridor, the following mitigating measures are suggested:

- Provide FDOT Funding for Quiet Zone Construction Costs: It is expected that additional infrastructure will be required at many grade crossings to increase the safety rating sufficient for quiet zone designation. FDOT and local governments should work together to identify appropriate sources of transportation funding (e.g., Strategic Intermodal System, Transportation Regional Incentive Program (TRIP) funds) to fill the quiet zone funding gap, thereby relieving local governments of this financial obligation.
- Provide FECI and FDOT Support for Quiet Zone TIGER Grant for Martin, St. Lucie and Indian River Counties: To help fund quiet zones, the Palm Beach and Broward MPOs are working with local governments, in collaboration with FECI and FDOT, to submit a TIGER grant application in April 2014. Each of these MPOs has allocated local funding towards this effort, totaling \$8.6 million. The northern MPO/TPOs have more limited funding but will receive larger project impacts. FDOT and FECI should work together with local governments and the MPO/TPOs in Martin, St. Lucie, and Indian River counties to provide sufficient funding to enable a TIGER grant for all five counties for quiet zone infrastructure costs. Brevard County's Space Coast TPO should also be considered a partner in the TIGER grant application.
- Provide FECI Support for Installation of Safe Pedestrian Pathways at All Grade Crossings: The higher speed and more frequent train service proposed by FECI creates a heightened demand for safe pedestrian pathways at legal grade crossings to discourage illegal pedestrian trespassing across the rail corridor. In addition to the installation of pedestrian barriers as necessary, FECI, FDOT, and local governments should work together to identify measures by which sidewalks can be incorporated into the project as part of the corridor safety improvements. This would reduce the capital cost burden to local governments.
- Establish Consistent, Predicable, and Reasonable FECI Grade Crossing Fee Schedule for Local Governments: Each of the 352 grade crossings between Cocoa and Miami is governed by an independent grade crossing agreement. Reviews of agreements

have indicated the terms between FEC and local governments are inconsistent. Further, FEC rate increases are unpredictable, causing financial burden for local governments. FECI should work with local governments to establish a consistent, predictable, and reasonable schedule of costs for all grade crossings, with long-term cost projections, to reduce costs to local governments and enable more informed budgeting.

- Request Clarification on “Sealed Corridor” Requirements: FECI proposes to operate the AAF service from West Palm Beach north to Cocoa at speeds up to 110 MPH, which requires additional safety requirements that have been referred to by FRA as a sealed corridor. FRA has implied a sealed corridor would require most of the safety infrastructure necessary to establish a quiet zone; however, there is no FRA documentation clearly defining these requirements. Concerns have been raised in the region regarding fencing or other pedestrian barriers to prevent trespassing in the rail corridor. The FRA should provide a clear definition of what is required within a sealed corridor and how it relates to the establishment of quiet zones.

(3) Mitigation of Railroad Bridge and Marine Navigation Conflicts

The FEC rail corridor crosses several significant waterways between Cocoa and Miami, and there are three movable bridges on the rail corridor. Unlike vehicular bridges which can accommodate many boats while closed, a great deal of boating traffic cannot traverse railroad bridges when closed to accommodate a train crossing. This limitation spreads the project’s navigational impact across a larger segment of the boating public. Although the Code of Federal Regulations (CFR) permits a longer bridge closing, FECI indicates AAF project improvements will reduce bridge closure time for passenger trains to twelve minutes in ideal conditions. Bridge closure time would be several minutes longer for freight trains. The CFR places no limit on the number of times the bridges may be closed to accommodate the passage of trains.

In Fort Lauderdale, FECI representatives have indicated the New River Bridge will remain double-tracked, and a bridge tender will be stationed there. FECI has indicated it will arrange the AAF service schedule such that the northbound and southbound trains will cross the bridge simultaneously, reducing bridge closings to only once per hour.

The two bridges in the Treasure Coast Region will be impacted more severely by the AAF project, as each bridge would be required to close twice per hour (once each for hourly northbound and southbound trains), plus additional closures for freight trains moving independent of passenger trains. The Loxahatchee River Bridge in Jupiter/Tequesta is proposed to be double-tracked as it was historically. Properties west of the bridge include varied residential, recreational, and cultural uses. The Loxahatchee River Bridge also provides exclusive public safety access inland for the Village of Tequesta’s advanced life support vessel, which is docked east of the bridge.

The St. Lucie River Bridge in Stuart is proposed to remain a single-track bridge as it was originally constructed, and the track immediately north of the bridge includes two nearly

90-degree bends in its alignment. The St. Lucie River is also a component of the Okeechobee Waterway, which provides a cross-Florida connection through Lake Okeechobee to Fort Myers. Waterfront lands are more extensive and diverse west of the St. Lucie River Bridge, including residential, commercial, industrial, recreational, and cultural uses in Martin and St. Lucie counties. The bridge also provides access to designated community redevelopment areas in “Old Palm City” and Indiantown, where a recent state Enterprise Zone designation was secured to support marine commercial activity.

Roadway networks adjacent to the bridges are well-defined, with numerous grade crossings in close proximity, intensifying the need to ensure smooth bridge operations as well as appropriate staging areas for trains awaiting bridge closings. Significant public concerns have been raised regarding impacts to marine navigation, boating and public safety, property values, emergency response and quality of life impacts. To reduce these impacts, the following mitigating measures are suggested:

- Synchronize Passenger and Freight Schedules to Reduce Bridge Closures: The addition of thirty-two passenger trains daily to existing freight traffic on the FEC rail corridor will present a significant conflict for marine navigation. With the introduction of “Positive Train Control,” FECCI has indicated rail service can be operated more efficiently and with greater synchronization. The project’s potential impacts on these two bridges extend well beyond the communities in which the bridges are located, as they provide access both for recreational and commercial users on both sides of the bridges. FECCI, FDOT, local governments, and marine interests should work together to explore ways in which passenger and freight service schedules can be synchronized such that the railroad bridges are only required to close once to accommodate crossings by passenger and freight trains simultaneously or in sequence. FECCI should work closely with local governments to locate sidings such that approaching trains may be staged without interference to vehicular traffic to enable two trains to cross with one closure.
- Establish Limits on Maximum Bridge Closure Time: The Federal Code of Regulations regarding the Loxahatchee River and St. Lucie River bridges presume the draw spans are “normally in the fully open position” (CFR § 117.299 and CFR §117.317). The proposed operation of nearly fifty daily trains will not allow the bridges to remain “normally” open. To maximize passage for the boating public through the railroad bridges, FECCI, U.S. Coast Guard, local governments, and marine interests should work together to evaluate and develop revisions to the CFR for Loxahatchee and St. Lucie River bridge regulations that more fairly balance the navigational needs of the public with the needs of the railroad.
- Establish On-Site Bridge Tenders: Given the proposed AAF schedule and anticipated number of bridge closings, a high degree of human surveillance should be provided at the railroad bridges, especially during peak boating times (e.g., weekends, holidays). FECCI, U.S. Coast Guard, and local governments should work together to identify

appropriate staffing hours, communications, and locations for bridge tenders to be provided at the Loxahatchee and St. Lucie River bridges.

- Modernize Bridge Mechanisms and Structures: The additional demand proposed by the AAF project on the antiquated Loxahatchee River and St. Lucie River bridges could cause rapid deterioration of the bridge machinery and substructure. A detailed analysis of both bridges should be conducted to identify long-term needs, and FECI, U.S. Coast Guard, and local governments should work together to determine key mechanical and structural components needing modernization to ensure continued safe and reliable operation.
- Provide Funding for Second Police/Fire Response Vessel and Dockage: Because the Loxahatchee River bridge provides exclusive access for the Village of Tequesta advanced life safety vessel, FECI and FDOT should work with the Village of Tequesta to assist in securing a new dock location and support the purchase of a second life safety vessel to be located west of the Loxahatchee River bridge.
- Provide FDOT Funding for Long-Term Bridge Reconstruction: As part of the FDOT SIS, the FEC railroad bridges are eligible FDOT funding. Marine navigation, especially for larger cargo vessels, is compromised at the St. Lucie River bridge due to misalignment between its draw span and that of the A1A vehicular bridge to the west. The opening at the Loxahatchee River bridge is too narrow to allow two boats to pass through simultaneously, and boating traffic will be constrained with additional bridge closures. A bridge working group should be established, with participation by FDOT, FECI, local governments, and marine interests, to identify long-term structural rehabilitation of both bridges over time. As SIS facilities, the bridge evaluations should consider the key SIS criteria: economic competitiveness and quality of life. Consideration should be given to improve the alignment between the rail and vehicular bridge draw spans at the St. Lucie River crossing and widening of the Loxahatchee River bridge draw span.

(4) Access to Broadband Capacity:

As an ancillary corridor improvement, FECI's telecommunications division (Parallel Infrastructure) has indicated it will install a high-capacity fiber optic network within the FEC corridor from Jacksonville to Miami and from Orlando to Cocoa along State Road 528. This private infrastructure improvement will provide state-of-the-art broadband capacity that could revolutionize communications and research capabilities for the region and state. Broadband access can improve the delivery of public services such as emergency response, improve educational and research opportunities, and provide a significant economic development enhancement for the region. To help offset costs and impacts to local governments, the following mitigating measure is suggested:

- Establish Discounted Broadband Access Rate for Public and Select Not-for-Profit Institutions: FECI, FDOT, and local governments should work together to identify an appropriate discounted rate for broadband access by local governments and agencies,

educational systems including colleges and universities, hospitals, and not-for-profit biomedical institutions.

(5) Freight Rationalization

The FEC rail corridor plays a critical role in the movement of freight through the region and state. The widening of the Panama Canal will enable cargo ships with three times the capacity of today's vessels to transport freight to Florida, and Port Miami and Port Everglades are currently being improved to accommodate these "PostPanamax" ships. Land uses along the FEC rail corridor have developed intensely over time, resulting in increased freight/land use conflicts. While freight trains produce significant noise and vibration impacts, passenger trains are lighter, faster, and shorter, making them easier to accommodate within an urban corridor. Freight trains also cause the greatest impact to marine navigation and bridge closures due to their slow speed and longer length. FDOT is currently evaluating the state's freight distribution network, which includes the inland CSX rail corridor and rail connections from the southern ports. To help reduce project impacts, the following mitigating measures are suggested:

- Reallocate Freight to the CSX Rail Corridor: The impacts of freight rail traffic through the urban coastal corridor creates significant impacts today. The corridor cannot reasonably accommodate projected freight traffic along with AAF's proposed 32 additional daily trains. A long-term, holistic solution is needed to enable the FEC corridor to be utilized for higher-volume passenger rail service while reducing the number and intensity of long-distance freight trains. A multi-party agreement should be developed among FECI, CSX, and FDOT to address the rationalization of freight in southeast Florida.

(6) Land Use Impacts

The FEC rail corridor is the historic corridor connecting Florida's coastal communities. Beginning in the early 1900s, as train stations were established, these communities developed around them as the center of what are today's historic coastal downtowns. Working with FEC, local governments have invested substantial capital investment in parking and landscaping improvements in these downtowns, located in easements granted by FEC. The double-tracking proposed by the AAF project would significantly impact the economic and visual conditions of these communities and their ability to function. To help reduce project impacts, the following mitigating measures are suggested:

- Reduce Impacts in Historic Downtowns: Although located on private lands leased from FEC, public parking and landscaping in historic downtowns is critical to their continued viability. FECI and local governments should work together to minimize impacts in historic downtowns to enable them to accommodate the proposed AAF improvements while balancing the long-term public/private agreements with FEC that have enabled them to become productive centers of commerce and residential activity. As the AAF project is designed, all efforts should be made to identify means in which the location of double tracking and sidings, and treatment of the edges of the

rail corridor can be softened appropriately to better complement downtown redevelopment efforts.

(7) Tri-Rail Coastal Link Access Negotiations

Since 2004, local governments in Miami-Dade, Broward, and Palm Beach counties have been working with FDOT and other agencies towards the extension of Tri-Rail commuter service on the FEC rail corridor. Access negotiations between FDOT, FECI, and the South Florida Regional Transportation Authority (SFRTA) began last year. AAF stations in West Palm Beach, Fort Lauderdale, and Miami have been designed to accommodate future Tri-Rail service as well. This multi-modal connectivity can extend the benefits of the AAF service to other local governments where additional Tri-Rail stations would be located. To help reduce project impacts and costs to local governments, the following mitigating measure is suggested:

- Finalize Reasonable Access Fees and Terms for Tri-Rail Coastal Link Service: FECI, FDOT, and SFRTA should work together to determine reasonable access fees and terms to enable commuter service to be established on the corridor from Jupiter to Miami in conjunction with the development of the AAF project.

Conclusion

The proposed AAF service represents a unique opportunity to expand the utilization of a private freight corridor for economic benefit and mobility. The FEC rail corridor provides a connection to dozens of historic downtowns, both large and small, that were all once “railroad towns.” However, the service as currently proposed does not consider the corridor’s development pattern, locating only three stations in southeast Florida, where economic benefit is focused. The balance of the Region is bypassed, which imposes project costs without meaningful benefit. The project’s navigational impacts at the Loxahatchee River and St. Lucie River are considerable, and measures to reduce these impacts, including the potential for freight reallocation and regulatory adjustment, remain outstanding. Other potential project benefits, such as broadband access, quiet zones, grade crossing improvements, and commuter rail access, also warrant further evaluation. These significant issues should be raised for consideration in the EIS well in advance of its publication to ensure their thorough evaluation by the FRA and collaborating agencies. Further, given the magnitude of potential impacts from the proposed project, efforts should be taken to arrange a FRA workshop in the Region for local governments and others to fully understand the process and methods by which public comments will be received and evaluated.

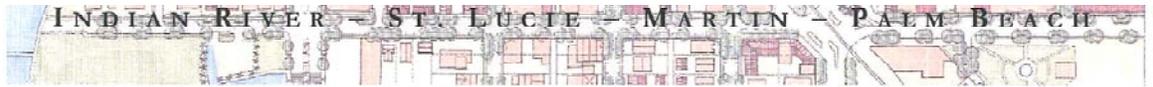
These issues have also been communicated in correspondence to Governor Scott, the Treasure Coast Legislative Delegation, and the Treasure Coast Congressional Delegation. This correspondence is attached.

Recommendation

Council should direct staff to:

- 1) transmit these comments to the Federal Railroad Administration in advance of the publication of the draft Environmental Impact Statement with consideration of the following issues as well as those detailed in report:
 - Development of broad impact analysis, including both positive and negative potential impacts from the project, including impacts upon property values, with an overview of immediate and local impacts as well as longer-term, broader impacts;
 - Potential impacts on wildlife in areas such as state parks and preserves among others;
 - Location of railroad sidings so as to not create conflicts with vehicular circulation;
 - Evaluation of the project's potential costs to local governments, both immediate and long-term, for both capital and operations aspects of the project;
 - Provide a model scenario plan for the rail network in Southeast Florida (including both FEC and SFRC/CSX rail corridors) comparing all existing passenger and freight services with all proposed future passenger and freight services (e.g., AAF, Amtrak, Tri-Rail Coastal Link, "through" and "local" freight) to determine impacts on the roadway network and bridges; and
 - Time extension for an additional 45 days for public comment following publication of the draft EIS (totaling 90 days for public comment); and
- 2) request the Federal Railroad Administration conduct workshops in the Region for local governments prior to the issuance of the Environmental Impact Statement.

Attachments



MEMORANDUM

To: The Honorable Rick Scott, Governor
Treasure Coast Legislative Delegation

From: Michael J. Busha, AICP
Executive Director

MJB

Date: March 10, 2014

Subject: All Aboard Florida

The All Aboard Florida (AAF) project, proposed by Florida East Coast Industries (FECI), has been the subject of extensive Council and local government discussion since its announcement in May 2012. The reintroduction of passenger rail service on the Florida East Coast rail corridor has been a long-standing regional priority and has the potential for improved mobility and varied economic and environmental benefits. However, the service as currently proposed concentrates public benefits in communities where stations are planned (West Palm Beach, Fort Lauderdale, Miami, and Orlando), but imposes costs and impacts to all local governments along the corridor. There are virtually no public benefits provided to communities north of Palm Beach County. In addition, cargo-related train traffic is expected to increase with proposed rail corridor and seaport capacity improvements, creating further local and regional impacts. A better balance of shared benefits and reduced costs is necessary to protect all local governments and citizens throughout the Treasure Coast Region.

There are several opportunities available to help mitigate project impacts and more fairly distribute public benefits throughout the Region. These include:

- **State Funding for Quiet Zone Improvements**

- Direct the Florida Rail Enterprise to make quiet zone improvements in the corridor a top priority and allocate sufficient funding from the Transportation Regional Incentive Program (TRIP), from the Strategic Intermodal System (SIS), and other sources for local governments to establish quiet zones, with safe pedestrian pathways, at all grade crossings along the AAF route.
- FDOT should be compelled to require FECI install the highest degree of safety infrastructure at all grade crossings to enable the establishment of quiet zones at the lowest possible cost to state and local government.

Memorandum to Governor Rick Scott and Treasure Coast Legislative Delegation
March 10, 2014
Page Two

- Adopt appropriate amendments to Florida Statutes to alleviate any additional insurance obligations for local governments due to the establishment of quiet zones.

- **Stations and Stops in Martin, St. Lucie and Indian River Counties**

Direct FDOT to immediately advance the Amtrak/FEC Corridor Project, which is already funded in the FDOT Five-Year Work Program. This would provide stations in Stuart, Fort Pierce, and Vero Beach, which should be designed to also accommodate AAF trains. FECI should also be directed to add limited AAF service stops in these communities in the first phase of service.

- **Mitigating Railroad Bridge and Navigation Conflicts**

Advance amendments, in conjunction with the Congressional Delegation, to the Code of Federal Regulations (CFR § 117.299 and CFR §117.317) to limit, for example, railroad bridge closures at the Loxahatchee and St. Lucie rivers to not more than fifteen minutes per half-hour. FECI should be required to modernize both bridges with upgraded bridge machinery and provide bridge-tenders during weekends and holidays to increase safety and public access, and reduce navigation delays.

- **Reallocation of Freight to the CSX Rail Corridor**

Direct FDOT to execute a freight rationalization program in conjunction with the AAF project to shift long-distance freight trains away from the FEC's coastal route and onto the CSX's inland route to reduce impacts on local communities and railroad bridge closures.

- **Broadband Access to Public and Select Not-for-Profit Institutions at a Discounted Rate**

Negotiate a discounted rate with FECI's telecommunications division (Parallel Infrastructure) for broadband access by local governments and agencies, educational systems including colleges and universities, hospitals, and not-for-profit biomedical institutions.

- **Establish a Reasonable, Consistent, and Predictable Rate Structure for Municipal Grade Crossings**

Compel FECI to establish standardized agreements with a consistent and reasonable long-term rate structure to provide greater certainty about the annual and periodic costs to local governments and public authorities for maintaining FEC rail corridor grade crossings.

Memorandum to Governor Rick Scott and Treasure Coast Legislative Delegation
March 10, 2014
Page Three

- **Funding for Rail Engineering Specialist Position**

Provide funding for one dedicated and independent rail engineering specialist stationed within the Region to assist local governments with the evaluation, design, construction, and implementation of rail improvements related to AAF and other rail services.

These actions will help bring balance to what has become an increasingly imbalanced All Aboard Florida proposal. Council will continue to communicate with FECI and state and local government regarding the project. These issues should be given full consideration during preparation of the forthcoming Environmental Impact Statement. Council stands ready to review this document in cooperation with local governments in the Region.

Thank you for taking a leadership role to champion these actions on behalf of the 54 local governments and 1.9 million citizens of the Treasure Coast Region.

cc: Peter O'Bryan, Chairman, Treasure Coast Regional Planning Council
Treasure Coast Local Governments
Treasure Coast MPO/TPOs
Treasure Coast Regional League of Cities
Palm Beach League of Cities
Treasure Coast Council of Local Governments



MEMORANDUM

To: The Honorable Bill Nelson, U.S. Senate
The Honorable Marco Rubio, U.S. Senate
The Honorable Ted Deutch, U.S. House of Representatives
The Honorable Lois Frankel, U.S. House of Representatives
The Honorable Alcee Hastings, U.S. House of Representatives
The Honorable Patrick Murphy, U.S. House of Representatives
The Honorable Bill Posey, U.S. House of Representatives

From: Michael J. Busha, AICP
Executive Director *MJB*

Date: March 10, 2014

Subject: All Aboard Florida

The All Aboard Florida (AAF) project, proposed by Florida East Coast Industries (FECI), has been the subject of extensive Council and local government discussion since its announcement in May 2012. The reintroduction of passenger rail service on the Florida East Coast rail corridor has been a long-standing Council priority and has the potential for improved mobility and varied economic and environmental benefits. However, the service as currently proposed concentrates public benefits in communities where stations are planned (West Palm Beach, Fort Lauderdale, Miami, and Orlando), but it imposes costs and impacts to all local governments along the corridor. In addition, cargo-related train traffic is expected to increase with proposed rail corridor and seaport capacity improvements, creating further local and regional impacts. A better balance of shared benefits and reduced costs is necessary to protect all local governments and citizens in the Treasure Coast Region.

There are several opportunities for the Congressional Delegation to help mitigate project impacts and more fairly distribute public benefits throughout the Region. These include:

- **Federal Funding for Quiet Zone Improvements**

The Congressional Delegation should assist in securing a TIGER grant and other Federal appropriations for local governments to establish quiet zones, with safe pedestrian pathways, at all grade crossings along the AAF route. The Federal Railroad Administration (FRA) should be compelled to require FECI to install the highest degree of safety infrastructure at all grade crossings to enable the establishment of

quiet zones at the lowest possible cost to state and local governments. The FRA should also provide a clear definition of what constitutes a “sealed corridor” along the “Class Six” segment of the railway from approximately Palm Beach Lakes Boulevard in Palm Beach County north to State Road 528 in Brevard County.

- **Stations and Stops in Martin, St. Lucie and Indian River Counties**

The Congressional Delegation should direct Amtrak to immediately advance the Amtrak/FEC Corridor Project, which is already funded in the Florida Department of Transportation Five-Year Work Program. This would provide stations in Stuart, Fort Pierce, and Vero Beach, which should be designed to also accommodate AAF trains. FECCI should be compelled to add limited AAF service stops in these communities in the first phase of service.

- **Mitigating Railroad Bridge and Navigation Conflicts**

The Congressional Delegation should direct the U.S. Coast Guard to initiate amendments to the Code of Federal Regulations (CFR § 117.299 and CFR §117.317) to limit, for example, railroad bridge closures at the Loxahatchee and St. Lucie rivers to not more than fifteen minutes per half-hour. FECCI should further be required to modernize both bridges with upgraded bridge machinery and provide bridge-tenders during weekends and holidays to increase safety and public access, and reduce navigation delays.

- **Reallocation of Freight to the CSX Rail Corridor**

The Congressional Delegation should compel FECCI to execute a freight rationalization program in conjunction with the AAF project to shift long-distance freight trains away from the FEC’s coastal route and onto the CSX’s inland route to reduce impacts on local communities and bridge closures.

- **Broadband Access to Public and Select Not-for-Profit Institutions at a Discounted Rate**

The Congressional Delegation should compel FECCI’s telecommunications division (Parallel Infrastructure) to establish a discounted rate for broadband access by local governments and agencies, educational systems including colleges and universities, hospitals, and not-for-profit biomedical institutions.

- **Establish a Reasonable, Consistent, and Predictable Rate Structure for Municipal Grade Crossings**

The Congressional Delegation should compel FECCI to establish standardized agreements with a reasonable and consistent long-term rate structure to provide greater certainty about the annual and periodic costs to local governments and public authorities for maintaining FEC rail corridor grade crossings.

Memorandum to Treasure Coast Congressional Delegation
March 10, 2014
Page Three

- **Resolving Commuter Railroad Access Fees and Terms**

The Congressional Delegation should compel FECI to establish reasonable railroad access fees and terms for future commuter rail service in Southeast Florida, as part of FECI's pending request for a Railroad Rehabilitation and Improvement Fund loan.

These actions will help bring balance to what has become an increasingly imbalanced All Aboard Florida proposal. Council will continue to communicate with FECI and state, federal and local agencies regarding the project. These issues should be given full consideration during preparation of the forthcoming Environmental Impact Statement. Council stands ready to review this document in cooperation with local governments in the Region.

Thank you for taking a leadership role to champion these actions on behalf of the 54 local governments and 1.9 million citizens of the Treasure Coast Region.

cc: Peter O'Bryan, Chairman, Treasure Coast Regional Planning Council
Treasure Coast Local Governments
Treasure Coast MPO/TPOs
Treasure Coast Regional League of Cities
Palm Beach League of Cities
Treasure Coast Council of Local Governments



CITY OF LAKE WORTH

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

AGENDA DATE: May 6, 2014

DEPARTMENT: Internal Audit

EXECUTIVE BRIEF

TITLE: Report from Internal Auditor and Proclamation recognizing May as Internal Audit Month

SUMMARY:

All final reports and memos issued to the Commission on the activities of the City's Internal Audit Department for the period August 6, 2013 through May 6, 2014 will be presented. These documents are presented to the public, and highlights from these projects will be discussed. In-process audits and projects for fiscal 2015 will be noted.

BACKGROUND AND JUSTIFICATION:

This is the second presentation by Internal Audit at a full Commission meeting, and is being done in conjunction with the City's recognition of May, 2014 as Internal Audit Awareness Month.

MOTION:

Not Applicable

ATTACHMENT(S):

Fiscal Impact Analysis: Not Applicable

Follow-up Report: Customer Service and Cash Handling

Follow-up Report: Common Area Maintenance and Ballroom Operations

Follow-up Report: Purchase Card Process Audit

Follow-up Report: Fleet Maintenance

Cell Phone Review

Human Resources Audit

Barter Memo

Employee Promotion Memo

Cash Received by the Leisure Department Memo

Casino Security Memo

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	0	0	0	0
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

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

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: May 6, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Resolution No. 26-2014 - amend the Fiscal Year 2014 Comprehensive Fee Schedule to include Code Compliance, Building, and Planning, Zoning, and Historic Preservation Divisions

SUMMARY:

The Resolution provides for a two tier fee schedule on property under the Foreclosure Registry Program and recovery costs associated with the Building and Planning, Zoning and Historic Preservation Divisions.

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.

On May 6, 2014, the City Commission will take action on Ordinance No. 2014-16 amending the City's Foreclosure Registry Program. The amendment requires fees associated with the program to be established by resolution. Staff proposes a \$200 annual fee for registering foreclosed, vacant and abandoned improved properties and a \$150 annual fee for registering all unimproved properties. In addition, the Building Division requires establishment of a servicing/processing fee to recoup its cost of service, which is proposed to be \$25, and the Planning, Zoning and Historic Preservation Division requires a cost recovery fee for recouping the costs for outside professional expertise or consultants required to review development applications.

MOTION:

I move to approve/not approve Resolution No. 26-2014.

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: May 6, 2014, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-17 - First Reading - amend Use & Occupancy and revocation of business license requirements and schedule the public hearing date for May 20, 2014

SUMMARY:

The Ordinance provides for Use & Occupancy inspections every three years, at a minimum, and provides for the revocation of a business license if the inspection did not take place.

BACKGROUND AND JUSTIFICATION:

In September of 2011, the City drastically overhauled its Use & Occupancy Program affording an annual inspection process for commercial properties and a biennial inspection for residential rentals. Subsequently, the program was modified again in January 2014 to combine it with the City's Business Tax Receipt Program to establish a Lake Worth Business License.

With the changes that were made to the program in January, there is no longer a need for the required inspections to take place as often as was originally established. As the program becomes more effective and efficient, inspections of on-going business and residential rental operations every three (3) years is more than sufficient to ensure public safety and general welfare. Should a property or business operation become a code compliance issue or a nuisance in the intervening years between inspections, a notice of violation can be issued and an inspection can be required through a stipulation from the Special Magistrate. The reduction in the number and frequency of required inspections also will allow Code Compliance more time and resources to focus on the worst first properties, businesses and residential rentals.

MOTION:

I move to approve/not approve Ordinance No. 2014-17- on first reading and schedule the public hearing date for May 20, 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: May 6, 2014, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-18 – First Reading – amend City park and recreational facility regulations and schedule the public hearing date for May 20, 2014

SUMMARY:

The Ordinance amends language, requirements, and restrictions to conform with federal and state laws and provide for more efficient and effective operations.

BACKGROUND AND JUSTIFICATION:

After the completion of the Lake Worth Beach Complex re-development project there is a necessity to update park regulations to better match the property to ensure the proper use and enjoyment of all visitors. Additionally, staff found that it is in the interest of the public health, safety and welfare that certain controls and regulations be placed on persons using public park and recreational area and municipal beach area resources to ensure maximum enjoyment of such resources by the general public, protect and preserve natural and man-made park resources, and reduce the risk of injury to those using such areas.

MOTION:

I move to approve/not approve Ordinance No. 2014-18 on first reading and schedule the public hearing date for May 20, 2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Ordinance

Ordinance highlights



CITY OF LAKE WORTH

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

AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Construction Construction Contract with Rosso Site Development, Inc. for 10th Avenue South Roadway Improvements Project

SUMMARY:

The Contract authorizes construction of a new roadway, sidewalks containing ADA ramps, curb and gutters, pavement, sodding, and striping/signage along 10th Avenue South east of South E Street and one block north to 9th Avenue South.

BACKGROUND AND JUSTIFICATION:

The limits of roadway construction on 10th Avenue South had originally ranged from South A Street to South E Street with only underground utility work being performed east of South E Street. Due to insufficient base, however, the new roadway will now extend further east to South F Street and then one block north to 9th Avenue South where the water will tie in.

The project has been delayed for various reasons including reallocation of funding from previous CDBG projects, incorporation of the water, sewer, and stormwater drainage utility work design, multiple reviews by the County's CDBG reviewers, and City revisions and changes to the comments addressed by the County. All engineering, design, and site work performed will be funded through CDBG funds, with the exception of the electric, water, and sewer line items which will be funded from their respective accounts.

10th Avenue South was identified as an improvement to an existing unimproved right of way. Its scope has also been discussed with residents during numerous District 1 meetings and the intent to construct a new roadway creating a safe and navigable path through the area is in concurrence with City staff and previously discussed Commission objectives. Rosso Site Development, a local contractor, was the lowest, responsive, and responsible bidder for an amount of \$243,616.33

MOTION:

I move to approve/disapprove Construction Contract with Rosso Site Development, Inc.

ATTACHMENT(S):

- A. Fiscal Impact Analysis
- B. Bid Tabulation
- C. Contract Agreement between the City of Lake Worth and Palm Beach County for reimbursement of construction costs up to a maximum of \$325,000.
- D. Construction Contract with Rosso Site Development, Inc.

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	243,616.33	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	243,616.33	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:

Public Services						
Account Number	Account Description	Contract Amount	Project #	Pre Exp; Balance	Expenditure for this item	Post Exp; Balance
180-9710-539.63-15	Grant Funds /Improve Other than Build Infrastructure	\$325,000	FG1401 CDBG 10 th Ave S.	336,894	-\$243,616.33	\$93,277.67

C. Department Fiscal Review: JB



CITY OF LAKE WORTH

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

AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Public Services/Utilities

EXECUTIVE BRIEF

TITLE:

Construction Contract with Construction Contract with B & B Underground Contractor's Inc. for 10th Avenue South Utility Improvements project

SUMMARY:

The Contract authorizes the installation of a watermain, sanitary sewer main with manholes, stormwater structures and exfiltration trench, roadway reconstruction, and minor restoration work along 10th Avenue South

BACKGROUND AND JUSTIFICATION:

The project was identified to be deficient in fire flow coverage, insufficient sanitary sewer gravity main piping size, insufficient stormwater runoff capability, and poorly rated roadway. Due to the necessity of these utility improvements, the project at 10th Avenue South has taken precedence over other projects and funds are being requested to be reallocated as follows under separate agenda item # 9G of May 6th, 2014 Commission meeting.

Project # GV1306, FEC – 2 nd Ave North 2 Way Conversion	Reallocation amount: \$195,000
Project# ST1401, Other Conveyances	Reallocation amount: \$ 49,332
Project# ST1402, GIS	Reallocation amount: \$ 50,000

Funding sources for the additional amounts of \$370,000, are identified in the fiscal impact schedule below. B&B Underground Contractors, Inc. was the lowest, responsive, and responsible bidder at an amount of \$664,332.

MOTION:

I move to approve/disapprove Construction Contract with B&B Underground Contractor's, Inc.

ATTACHMENT(S):

- A. Fiscal Impact Analysis
- B. Bid Tabulation
- C. Construction Contract with B&B Underground, Contractor's, Inc.

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	664,332	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	664,332	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:

Public Services

Account Number	Account Description	Project #	FY2014 Budget	Pre Exp; Balance	Expenditure for this item	Post Exp; Balance
301-5020-541.63-00	Road & Street/Improve other than Build	GV1306 2nd Ave North	345,025	345,025.00	195,000.00	150,025.00
408-5090-538.63-15	Improve other than Build/Infrastructure	ST1401 Other Conveyances	115,000	115,000.00	49,332.00	65,668.00
408-5090-538.63-15	Improve other than Build/Infrastructure	ST1402 GIS	50,000	50,000.00	50,000.00	-

**Utilities
Water/Sewer**

Account Number	Account Description	FY2014 Budget	Project #	Pre Exp; Balance	Expenditure for this item	Post Exp; Balance
402-7022-533.63-00	Water Utility/ Improve Other than Build	\$360,000	WT1407	\$360,000	\$170,000	\$190,000
403-7231-535.63-15	Improve other than / Infrastructure	\$200,000	LS1401	\$200,000	\$200,000	\$ 0

C. Department Fiscal Review: _____



CITY OF LAKE WORTH

301 College Street · Lake Worth, Florida 33460 · Phone: 561-586-1720

AGENDA DATE: May 6, 2014, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Construction Contract with B&B Underground, Inc. for the construction of watermain improvements for 14 and 15 Avenue North and Crestwood Blvd.

SUMMARY:

The Contract provides for the construction of a new watermain with fire hydrants, roadway reconstruction, and minor restoration work.

BACKGROUND AND JUSTIFICATION:

The project was included in the approved five year CIP Plan and was designed in FY 2012. The streets included in the project were identified to be deficient in fire flow coverage and the roadways are poorly rated. The project consists of the installation of a new 8" water main with fire hydrants, roadway reconstruction, and minor restoration work.

The City of Lake Worth Utilities department has solicited bids from contractors for the construction of the Watermain Improvements for 14th & 15th Avenue North, and Crestwood Blvd., under Bid IFB-UT-WM-13-14-107. The lowest bid for the sum of \$1,023,626 was from B&B Underground, Contractor's, Inc. The project engineer, Michael B. Schorah & Associates, Inc., is recommending award of the Bid to B&B Underground, Inc.

MOTION:

I move to approve/not approve a Construction Contract with B&B Underground Contractor's, Inc.

Attachments

- 1) Fiscal Analysis
- 2) Bid Recommendation of Award Letter
- 3) Bid Tabulation
- 4) Contract

A. Five Year Summary of Fiscal Impact

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	1,023,626	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	\$1,023,626	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

Utilities/Water Distribution							
Account Number	Account Description	Project #	FY 2014 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7022-533.63-00	WD Capital	WT1409	\$975,164	N/A	\$975,164	-\$472,220	\$502,944

Public Services							
Account Number	Account Description	Project #	FY 2014 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
170-5020-519.63-15	Streets Improve Other than Build/Infrastructure	GV1408	\$250,900	N/A	\$250,900	-\$168,846	\$82,054
		GV1409	\$141,815	N/A	\$141,815	-\$138,193	\$ 3,622
		GV1410	\$109,090	N/A	\$109,090	-\$ 67,952	\$41,138
		GV1411	\$ 43,635	N/A	\$ 43,635	-\$ 43,635	\$ -0-
408-5090-538.63-15	Stormwater Improve Other than Build/Infrastructure	ST1403	\$ 25,000	N/A	\$25,000	-\$25,000	\$ -0-
		ST1404	\$ 25,000	N/A	\$25,000	-\$25,000	\$ -0-
		ST1405	\$ 29,895	N/A	\$29,895	-\$29,895	\$ -0-
		ST1406	\$ 52,885	N/A	\$52,885	-\$52,885	\$ -0-

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: May 6, 2014, Regular Meeting

DEPARTMENT: Electric Utility

EXECUTIVE BRIEF

TITLE:

Contract with Service Electric Company for Repair and Maintenance of 138kV Transmission Line

SUMMARY:

The Contract provides for the repair and maintenance of a 138kV transmission line from the Hypoluxo Station (I-95 and Hypoluxo Rd) to the Main Yard Substation (107 College Street) and Canal Substation (South Davis Road).

BACKGROUND AND JUSTIFICATION:

The 138kV transmission line from Hypoluxo Station (I-95 and Hypoluxo Rd.) to Main Yard Substation (107 College St.) and Canal Substation (South Davis Road) is the sole source of electric power into Lake Worth. The transmission line is 30 years old. A field inspection of the line has indicated possible insulator and conductor degradation. Invitations for Bid were advertised February 16, 2014 for the Repair and Maintenance of 138kV Transmission Line IFB #UT-TD-13-14-110. Service Electric Company of Leesburg, FL was the only bidder

Hypoluxo Station was upgraded with new circuit breakers and switches in 2011. Main Yard substation was upgraded with new circuit breakers and switches in 2012. The transmission line between these stations providing power into Lake Worth electric system is due for routine maintenance. This contract calls for an inspection of each tower and replacement of insulators, hardware, and repair of any conductor damage as necessary. This project will ensure continued reliability of the sole transmission line serving the City of Lake Worth.

The Project EL 1209 -138kV Tie Line Repair was budgeted for \$700,000. The lump sum bid is \$662,950. Unit pricing has been provided for any unforeseen repairs identified during the inspection.

This project was recommended by the Electric Utility Advisory Board on April 30, 2014.

MOTION:

I move to approve/ not approve a contract with Service Electric Company for the Repair and Maintenance of 138kV Transmission Line in an amount of \$662,950 and approve/not approve the authorization of a contingency of \$37,050 if needed as identified.

ATTACHMENT(S):

Fiscal Impact Analysis

Invitation for Bid

Bid Proposal- Service Electric Company

Contract

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	700,000	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	700,000	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:

Utilities/Electric T&D							
Account Number	Project #	FY 2014 Budget	Current Balance	Agenda Item Expenditures	Remaining Balance	Transfer from Project# EL1003 to EL1209	Project # EL1209 Balance
401-6034-531.64-00	EL1209	\$631,907	\$631,907	\$700,000	\$-68,093	\$68,093	\$700,000

C. Department Fiscal Review: Clay Lindstrom