



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, OCTOBER 07, 2014 - 6:00 PM**

1. **ROLL CALL:**
2. **INVOCATION:** Offered by Father Paul Rasmus, St. Andrew's Episcopal Church
3. **PLEDGE OF ALLEGIANCE:** Led by Vice Mayor Scott Maxwell
4. **AGENDA - Additions/Deletions/Reordering:**
5. **PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. Update provided by the Vernon Heights Neighborhood Association
 - B. Update provided by the Board of Trustees Firefighters' Pension Trust Fund
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**
 - A. Special City Commission Meeting - September 23, 2014
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
 - A. Resolution No. 56-2014 - restatement of Resolution Nos. 18-2008 and 70-2013 to provide a clearer method of stating these Utility (Water/Sewer/Electric) fees and deposit requirements
 - B. Resolution No. 57-2014 - restatement of Resolution No. 48-2014 to provide a clearer method of stating the Fiscal Year 2014/15 electric rate fees
 - C. Resolution No. 58-2014 - Amendment 001 to the CDBG Interlocal Agreement for the 9th Avenue South greenway improvements project

- D. Resolution No. 59-2014 - Amendment 001 to the CDBG Interlocal Agreement for the 10th Avenue South roadway improvements project
- E. Resolution No. 60-2014 - Amendment 002 to the CDBG Interlocal Agreement for the 7th Avenue South roadway improvements project
- F. Resolution No. 61-2014 - Amendment 002 to the CDBG Interlocal Agreement for the 5th Avenue North greenway improvements project
- G. Resolution No. 62-2014 - appoint City representatives to the Metropolitan Planning Organization's Technical Advisory Committee (TAC)
- H. Change Order No. 1 with All Webbs Enterprises, Inc for additional work on the Rehabilitation of Surficial Aquifer Well 9R project
- I. Agreement with Sulphuric Acid Trading Company Inc. to purchase water treatment chemicals
- J. Agreement with Harcros Chemicals to purchase caustic soda

10. PUBLIC HEARINGS:

- A. Ordinance No. 2014-25 - Second Reading and Public Hearing - exempt the City from the Uniform Municipal Election Act
- B. Ordinance No. 2014-26 - Second Reading and Public Hearing - amend the candidate qualifying filing period
- C. Ordinance No. 2014-27 - Second Reading and Public Hearing - amend the Oath of Candidate form

11. UNFINISHED BUSINESS:

- A. Appoint an elected official to the evaluation committee for the Beach Complex Invitation to Negotiate (ITN #14-211)

12. NEW BUSINESS:

- A. Settlement Agreement and General Release between Street Outdoor, LLC, et al and the City

13. LAKE WORTH ELECTRIC UTILITY:

- A. **PRESENTATION:** (there is no public comment on Presentation items)

- 1) Update on the electric utility system

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

C. PUBLIC HEARING:

D. NEW BUSINESS:

14. CITY ATTORNEY'S REPORT:

15. CITY MANAGER'S REPORT:

A. October 21, 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: October 7, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Update provided by the Vernon Heights Neighborhood Association

SUMMARY:

Ms. Theresa Leiser, Chairperson, will advise the Commission on activities in the Vernon Heights neighborhood.

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 Vernon Heights Neighborhood Association was on February 21, 2012.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: City Clerk

TITLE:

Firefighters' Pension Trust Fund update

SUMMARY:

Mr. Mark Lamb will provide an update to Commission on activities that have taken place over the past several months.

BACKGROUND AND JUSTIFICATION:

The board members shall administer the Relief and Pension Fund and decide all claims to relief. Members serve two-year terms. The last update provided by the Firefighter's Pension Trust Fund was on March 19, 2013.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Finance

EXECUTIVE BRIEF

TITLE:

Resolution No. 56-2014 - restatement of resolutions 18-2008 and 70-2013 to provide a clearer method of stating these Utility (Water/Sewer/Electric) fees and deposit requirements.

SUMMARY:

This Resolution moves Utility (water/sewer/electric) fees and deposit requirements into a central fee and charges document as has been implemented over for the past 2 fiscal years. The charges for various services should be reviewed and revised where necessary on an annual basis in order to provide resources to fund the each year's upcoming budget.

BACKGROUND AND JUSTIFICATION:

This is the next phase of implementing the central fee and charge Resolutions.

The City Charter, code of ordinances and Florida Statutes give the City Commission authority to set fees and charges for City Utility services. The City has been bringing all fees and charges into a central document as a way to provide clarity and transparency to City service users and to provide an easy mechanism to annually review City charges.

The existing schedule for Utility fees and deposit requirements has been reviewed and revised and the attached schedule represents a reasonable reimbursement to the City for cost in providing these services for the 2014-2015 fiscal year.

MOTION:

I move to approve/disapprove Resolution No. 56-2014 restatement of resolutions 18-2008 and 70-2013 to provide a central document housing Utility (Water/Sewer/Electric) fees and deposit requirements.

ATTACHMENT(S):

Fiscal Analysis Impact – not applicable
Resolution



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Finance

EXECUTIVE BRIEF

TITLE:

Resolution No. 57-2014 - restatement of Resolution No. 48-2014 to provide a clearer method of stating the Fiscal Year 2014-15 electric rate fees

SUMMARY:

This Resolution amends and restates Resolution No. 48-2014, the electric rates for Fiscal Year 2014-15, removes the deposit requirements, places them into the City's Comprehensive Fee Schedule, and corrects scrivener errors.

BACKGROUND AND JUSTIFICATION:

This is a housekeeping action to implement the next phase of the central fee and charge Resolutions. This resolution removes the deposit requirements from the Electric rate resolution and places them into the central document. See Resolution No. 56-2014 on this agenda.

The City Charter, code of ordinances and Florida Statutes give the City Commission authority to set fees and charges for City Utility services. The City has been bringing all fees and charges into a central document as a way to provide clarity and transparency to City service users and to provide an easy mechanism to annually review City charges.

This action does not change any Electric utility rates previously adopted except for the correction of scrivener errors.

MOTION:

I move to approve/disapprove Resolution No. 57-2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 58-2014 - Amendment 001 to the CDBG Interlocal Agreement for the 9th Avenue South greenway improvements project

SUMMARY:

The Resolution amends an agreement to decrease the funding allocation from \$212,396 to \$177,396 and extends the completion date from May 31, 2015, to July 31, 2015.

BACKGROUND AND JUSTIFICATION:

On February 4, 2014, Palm Beach County and the City entered into an Interlocal Agreement for the 9th Avenue South Right-of-Way Improvements Project (Project Interlocal Agreement) that sets forth the terms and conditions for the expenditure of \$212,396 in Community Development Block Grant funds for this purpose. The project entails construction of a new greenway for use by the public on the 9th Avenue South right-of-way between South B and South F Streets. These improvements will include clearing and grubbing, fine grading to provide positive surface drainage, sidewalk construction with driveway access aisles, sod and related landscaping, irrigation and applicable work.

At its meeting of October 7, 2014, the City Commission will consider approval of the construction contract between the City and West Construction, Inc. for the 9th Avenue South Right of Way Improvements project in the amount of \$166,708.00. West Construction, Inc. was determined to be the low responsive and responsible bidder for Invitation to Bid 14-125 for this project.

The \$50,000 in surplus CDBG funds will be reallocated to other CDBG funded right-of-way projects the City is undertaking. The extension is necessary as a result of the need to rebid the project. Bids received as a result of the original Invitation for Bid #14-117 came in well over the budget available for the project. As a result, the scope of work was scaled back and rebid as Invitation to Bid #14-125. The revised performance period will provide sufficient time for completion of construction and close-out of the project.

MOTION:

I move to approve/not approve Resolution No. 58-2014.

ATTACHMENT(S):

Fiscal Impact Analysis

Resolution

Amendment 001 to CDBG 9th Avenue South Project Interlocal Agreement

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Re-Alloc Capital Exp	35,000	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	35,000	0	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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

Public Services	Reducing allocation from 9th Ave South					
Account Number (s)	Account Description	FY 2014 Budget	Available Balance	Proj # FG1404	Agenda Expenses	Remaining Balance
180-9710-539-63-15	Building/Infrastructure	212,396	212,396	-	\$ (35,000)	177,396

C. Department Fiscal Review: _____



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 59-2014 - Amendment 001 to the CDBG Interlocal Agreement for the 10th Avenue South roadway improvements project

SUMMARY:

The Resolution amends an agreement to decrease the funding allocation from \$325,000 to \$255,000 and extends the completion date from December 30, 2014, to August 31, 2015.

BACKGROUND AND JUSTIFICATION:

On July 16, 2013, Palm Beach County and the City entered into an Interlocal Agreement for the 10th Avenue South Right-of-Way Improvements Project (Project Interlocal Agreement) that sets forth the terms and conditions for the expenditure of \$325,000 in Community Development Block Grant funds for this purpose. The project entails construction of a new roadway for use by the public on the 10th Avenue South right-of-way between South A and South E Streets. These improvements will include the removal of the existing base material, construction of a new compacted sub-grade, new road base, installation of curbs and gutters, asphalt roadway, concrete sidewalks, sod, and restoration of areas affected by construction activity.

As a result of master planning efforts by the City and combining water, sewer, drainage and roadway projects, the 10th Avenue South roadway project expanded to include drainage, water and sewer utilities work. The engineering of this project necessitated additional design time to incorporate the additional utility infrastructure work.

At its meeting of May 6, 2014, the City Commission approved the construction contract between the City and Rosso Site Development, Inc. for the 10th Avenue South Right of Way Improvements project in the amount of \$243,616.33. The project was scheduled to start on July 7th but has been delayed by the aforementioned utility work that must be completed prior to undertaking the reconstruction of the roadway.

The \$70,000 in surplus CDBG funds will be reallocated to other CDBG funded right-of-way projects the City is undertaking. The extension is necessary as a result of the above-described actions to be undertaken at the project site.

MOTION:

I move to approve/not approve Resolution No. 59-2014.

ATTACHMENT(S):

Fiscal Impact Analysis

Resolution

Amendment 001 to CDBG 10th Avenue South Project Interlocal Agreement

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	70,000	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	70,000	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:

Public Services	Re-allocated to 5th Ave N, 7th Ave S, 11th Ave S					
Account Number (s)	Account Description	FY 2014 Budget	Available Balance	Proj # FG1302	Agenda Expenses	Remaining Balance
180-9710-539-63-15	Building/Infrastructure	325,000	81,383	-	\$ (70,000)	11,383

C. Department Fiscal Review: _____



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 60-2014 - Amendment 002 to the CDBG Interlocal Agreement for the 7th Avenue South roadway improvements project

SUMMARY:

The Resolution amends an agreement to increase the funding allocation from \$450,750 to \$480,750.

BACKGROUND AND JUSTIFICATION:

On October 22, 2013, Palm Beach County and the City entered into an Interlocal Agreement for the 7th Avenue South Right-of-Way Improvements Project (Project Interlocal Agreement) that sets forth the terms and conditions for the expenditure of \$450,750 in Community Development Block Grant funds for this purpose. The project entails the design and reconstruction of 7th Avenue South between South A and South F Streets. These improvements will include the removal of the existing base material, construction of a new compacted sub-grade, new road base, installation of curbs and gutters, asphalt roadway, concrete sidewalks, sod and restoration of areas affected by construction activity.

Amendment 001 to the Project Agreement was fully executed on December 17, 2013. It modified the project scope to include the installation of water mains and appurtenances as part of the design and scope of work for the project.

Amendment 002 to the Interlocal Agreement will provide the additional \$30,000 in CDBG funding necessary for additions that have been incorporated into the design of the scope of work for the project.

MOTION:

I move to approve/not approve Resolution No. 60-2014.

ATTACHMENT(S):

Fiscal Impact Analysis

Resolution

Amendment 002 to CDBG 7th Avenue South Project Interlocal Agreement

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	30,000	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	30,000	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:

Public Services	7th Ave South (Re-allocated from 10th Ave S)					
Account Number (s)	Account Description	FY 2014 Budget	Available Balance	Proj # FG1405	Agenda Expenses	Remaining Balance
180-9710-539-63-15	Building/Infrastructure	450,750	397,037	-	\$ 30,000	427,037

C. Department Fiscal Review: ____sc____



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 61-2014 - Amendment 002 to the CDBG Interlocal Agreement for the 5th Avenue North greenway improvements project

SUMMARY:

The Resolution amends an agreement to increase the funding allocation from \$80,000 to \$100,000 and extends the completion date from October 30, 2014, to September 30, 2015.

BACKGROUND AND JUSTIFICATION:

On October 22, 2013, Palm Beach County and the City entered into an Interlocal Agreement for the 5th Avenue North Right-of-Way Improvements Project (Project Interlocal Agreement) that sets forth the terms and conditions for the expenditure of \$80,000 in Community Development Block Grant funds for this purpose. The project entails construction of greenway/bicycle trail for use by the public on the 5th Avenue North right-of-way between North A and North C Streets. These improvements will include the clearing and grubbing of the current site limits; fine grading the area to provide positive surface drainage; construction of a 6' wide concrete sidewalk; installation of canopy creating trees; sod; an irrigation system; trash/recycling receptacle; benches and signage and crosswalk striping.

At its meeting of January 28, 2014, the City Commission approved and authorized the Mayor to execute Amendment 001 to the Project Agreement. Amendment 001 corrected a scrivener's error in the original Interlocal Agreement that incorrectly identified the project site as 10th Avenue South.

The extension is necessary as a result of delays the City has experienced in receiving the final design of the improvements and the need to rebid the project. Bids received as a result of the original Invitation for Bid #14-106 came in well over the budget available for the project. As a result, the scope of work was scaled back and rebid as Invitation to Bid #14-124. The low responsive and responsible bid received was that submitted by West Construction, Inc. in the amount of \$90,672.00.

MOTION:

I move to approve/not approve Resolution No. 61-2014 to increase funding allocation by additional \$20,000.

ATTACHMENT(S):

Fiscal Impact Analysis

Resolution

Amendment 002 to CDBG 5th Avenue North Project Interlocal Agreement

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	20,000	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	20,000	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:

Public Services	5th Ave North (Re-allocated from 10th Ave S)					
Account Number (s)	Account Description	FY 2014 Budget	Available Balance	Proj # FG1407	Agenda Expenses	Remaining Balance
180-9710-539-63-15	Building/Infrastructure	80,000	80,000	-	\$ 20,000	100,000

C. Department Fiscal Review: ___sc_____



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Resolution No. 62-2014 - appoint City representatives to the Metropolitan Planning Organization's Technical Advisory Committee (TAC)

SUMMARY:

This Resolution will appoint a representative and alternate representative to serve on the Metropolitan Planning Organization's (MPO's) Technical Advisory Committee.

BACKGROUND AND JUSTIFICATION:

As a representative on the Technical Advisory Committee, City staff will be responsible for reviewing the Metropolitan Planning Organization's long range plan. Additionally, they will provide valuable input on various other transportation related issues under the purview of the MPO.

MOTION:

I move to approve/not approve Resolution No. 62-2014.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Water/Sewer Utilities

EXECUTIVE BRIEF

TITLE:

Change Order No. 1 with All Webbs Enterprises, Inc. for additional work on the Rehabilitation of Surficial Aquifer Well 9R project

SUMMARY:

The Change Order will provide for additional work necessary to reconstruct the wellhead on Well 9R extending the useful life of the well and reducing future maintenance costs.

BACKGROUND AND JUSTIFICATION:

All Webbs Enterprises, Inc was awarded the construction of Rehabilitation of Surficial Aquifer Well 9R in March, 2014. After the wellhead was disassembled it was discovered that the underside of the wellhead was substantially corroded. The scope of work for this Change Order will include the rehabilitation of the wellhead by sandblasting and painting the wellhead, as well as installing all necessary monitoring tubes for monitoring the water and gravel pack levels.

The Change Order will increase the contract price by \$3,405, and extend the contract time by 30 days. The engineer of record is recommending City approval of Change Order #1 per attached recommendation letter.

The original project budget of \$165,899 did not include this rehabilitation in the scope of work. There is sufficient budget remaining in the Water Treatment operating account and no transfers from other City projects or budgets are necessary.

MOTION:

I move to approve/disapprove the City Manager to sign off on Change Order No. 1 with All Webbs Enterprises, Inc on behalf of the City for the wellhead reconstruction of Surficial Aquifer Well 9R at a cost not to exceed \$3,405 during the FY2014.

Attachments

- 1) Fiscal Analysis
- 2) Contractor Change Order request
- 3) Engineer of Record's Recommendation Letter

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	3,405	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	3,405	0	\$0	\$0	\$0

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

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

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2014 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7021-533.46-46	Wells	N/A	\$116,860	236,860	\$17,831	-\$3,405	\$14,426

C. Fiscal Review:

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



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Water/Sewer Utility

EXECUTIVE BRIEF

TITLE:

Agreement with Sulphuric Acid Trading Company Inc. to purchase water treatment chemicals

SUMMARY:

This Agreement authorizes the purchase of bulk sulfuric acid for the Reverse Osmosis Water Treatment Plant for potable water treatment process at a cost not to exceed \$23,200.00 for Fiscal Year 2015, with options to renew upon mutual agreement of both parties for \$25,520.00 for Fiscal Year 2016 and \$28,072.00 for Fiscal Year 2017.

BACKGROUND AND JUSTIFICATION:

Sulfuric Acid is a necessary chemical used in the reverse osmosis treatment process for pH adjustment and odor control. On September 9, 2014 bids were received for the process chemicals needed for treatment of potable water at the City's reverse osmosis plant. These bids were evaluated by staff, taking into account unit costs, minimum quantities, and penalties for deliveries below minimum. Sulfuric Acid Trading Company, Inc. is the lowest responsive and responsible bidder.

MOTION:

I move to approve/disapprove an agreement with Sulphuric Acid Trading Company Inc. for an amount not to exceed \$23,200.00 for Fiscal Year 2015; and upon mutual agreement of both parties, renew for an amount not to exceed \$25,520.00 for Fiscal Year 2016 and \$28,072.00 for Fiscal Year 2017.

Attachments

1. Fiscal Analysis
2. Bid tabulation for Bid IFB# 14-133
3. Sulfuric Acid Trading Company Agreement

FISCAL IMPACT ANALYSIS

A. Three Year Summary of Fiscal Impact

Fiscal Years	2015	2016	2017
Capital Expenditures	0	0	0
Operating Expenditures	\$23,200.00	\$25,520.00	\$28,072.00
External Revenues	0	0	0
Program Income	0	0	0
In-Kind Match	0	0	0
Net Fiscal Impact	\$23,200.00	\$25,520.00	\$28,072.00

Our estimated annual usage is 20,000 gallons per year, with an expected increase of ten percent for fiscal year 2016 and each year after. Sulfuric Acid Trading Company is the low bid at a price of \$1.16 per gallon. Staff is therefore requesting a Contractor Agreement, 1) for an amount not to exceed \$23,200.00 for Fiscal Year 2015 and 2) upon mutual agreement of both parties, optional renewal for an amount not to exceed \$25,520.00 for FY 2016 and \$28,072.00 for FY 2017.

B. Recommended Source of Funds/Summary of Fiscal Impact

The funds have been identified in the 2015 Operations and Maintenance budget from account 402-7022-533.52-30.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2015 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7022-533.52-30	Chemicals	N/A	\$35,200.00	N/A	\$35,200	-\$23,200	\$12,000

Line item budgeted for purchase of this product in acct # 402-7022-533-52-30 is \$35,200:

C. Fiscal Review:

Larry Johnson - Director
Clyde Johnson - Finance



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Water/Sewer Utility

EXECUTIVE BRIEF

TITLE:

Agreement with Harcros Chemicals to purchase caustic soda

SUMMARY:

This Agreement authorizes the purchase of bulk caustic soda for the Reverse Osmosis Water Treatment Plant for potable water treatment process at a cost not to exceed \$79,950.00 for Fiscal Year 2015, with options to renew upon mutual agreement of both parties for \$84,645.00 for Fiscal Year 2016 and \$93,109.50 for Fiscal Year 2017.

BACKGROUND AND JUSTIFICATION:

Caustic Soda is a necessary chemical used in the reverse osmosis treatment process for pH adjustment and odor control. On September 9, 2014 bids were received for the process chemicals needed for treatment of potable water at the City's reverse osmosis plant. These bids were evaluated by staff, taking into account unit costs, minimum quantities, and penalties for deliveries below minimum. Harcros Chemicals is the lowest responsive and responsible bidder.

MOTION:

I move to approve/disapprove an agreement with Harcros Chemicals for an amount not to exceed \$79,950.00 for Fiscal Year 2015, and upon mutual agreement of both parties, renew for an amount not to exceed \$84,645.00 for Fiscal Year 2016 and \$93,109.50 for Fiscal Year 2017.

Attachments

- 1) Fiscal Analysis
- 2) Bid tabulation for Bid IFB# 14-130
- 3) Harcros Chemicals Agreement

FISCAL IMPACT ANALYSIS

A. Three Year Summary of Fiscal Impact

Fiscal Years	2015	2016	2017
Capital Expenditures	0	0	0
Operating Expenditures	\$79,950.00	\$84,645.00	\$93,106.50
External Revenues	0	0	0
Program Income	0	0	0
In-Kind Match	0	0	0
Net Fiscal Impact	\$79,950.00	\$84,645.00	\$93,106.50

Our estimated annual usage is 45,000 gallons per year, with an expected increase of ten percent for fiscal year 2016 and each year after. Harcros Chemical is the low bid at a price of \$1.71 per gallon. Staff is therefore requesting a Contractor Agreement Not-to-Exceed \$79,950.00 for Fiscal Year 2015, with optional renewal of \$84,645.00 for Fiscal Year 2016 and \$93,109.50 for Fiscal Year 2017.

B. Recommended Source of Funds/Summary of Fiscal Impact

The funds have been identified in the 2015 Operations and Maintenance budget from account 402-7022-533.52-30.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2015 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7022-533.52-30	Chemicals	N/A	\$79,950.00	N/A	\$541,990	-\$79,950.00	\$462,040

C. Fiscal Review:

Larry Johnson - Director



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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-25 – Second Reading and Public Hearing – exempt the City from the Uniform Municipal Election Act

SUMMARY:

The Ordinance will provide the City with an option to amend its candidate qualifying filing period.

BACKGROUND AND JUSTIFICATION:

On January 2, 1984, House Bill 742 became effective providing for the uniform filing dates and uniform election dates for municipal elections held in Palm Beach County. A provision in the House Bill states that the Bill shall supersede any municipal Charter provision; however, any municipality may exempt itself from the provisions by adopting an ordinance declaring its exemption.

MOTION:

I move to approve/not approve Ordinance No. 2014-25 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

House Bill 742

Ordinance



CITY OF LAKE WORTH

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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: Commissioner Szerdi

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-26 – Second Reading and Public Hearing – amend the candidate qualifying filing period

SUMMARY:

The Ordinance will change the candidate qualifying period to begin at noon on the last Tuesday in November and end at noon on the second Tuesday in December.

BACKGROUND AND JUSTIFICATION:

Beginning with the 2008 November municipal election through the 2012 November municipal election, the qualifying period ended 90 days before the election to allow time needed to comply with the complexities of coordinating an election. At this time, it is being requested that the period of time be changed back to the way it was in 2008.

Currently, the qualifying period begins on the last Tuesday in January and ends on the second Tuesday in February. This period only allows 30 days to design and approve the ballot, advertise and post election notices, provide candidate orientation, secure 17 polling locations, and hire and arrange for mandatory training of upwards of 60 pollworkers.

Because of the 1984 Uniform Municipal Election Act, which established a 30-day uniform qualifying filing period and election date for municipal elections only in Palm Beach County, many other municipalities have either expanded or are considering expanding their ending qualifying period for the same reason as Lake Worth is proposing, which is to comply with State Laws that have been enacted since 1984.

MOTION:

I move to approve/not approve Ordinance No. 2014-26 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



CITY OF LAKE WORTH

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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2014-27 - Second Reading and Public Hearing - amend the Oath of Candidate form

SUMMARY:

The Ordinance will amend the City's Oath of Candidate form, required by individuals to qualify as candidates, to include language that closely resembles the State's Division of Election's Form 25 – *Candidate Oath-Nonpartisan Office*.

BACKGROUND AND JUSTIFICATION:

For years the City has used its own Oath of Candidate form, which contains verbiage unique to the City such as candidates qualifying under the City's Charter. For this reason, the City has not adopted the State's Division of Election's form, but has chosen to amend its Oath from time to time.

The purpose of this ordinance is to amend Section 2.15 of the Code of Ordinance to add a provision for the candidate's Florida voter registration number and the phonetic spelling of the candidate's name as they wish it to be pronounced on the audio ballot.

MOTION:

I move to approve/not approve Ordinance No. 2014-27 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Division of Election's Form 25
Ordinance



CITY OF LAKE WORTH

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

AGENDA DATE: October 7, 2014, Special Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Discuss the Beach Complex Invitation to Negotiate (ITN #14-211) process and appoint a Commission member to the evaluation committee

SUMMARY:

The ITN is a process that allows flexibility in the types of concepts that can be considered for the Casino/Ballroom and Pool. Proposals will be reviewed, vetted and negotiated to insure the best possible outcomes for the City. The Evaluation Committee will include a member from the City Commission, a member of the City's Financial Advisory Board and staff.

BACKGROUND AND JUSTIFICATION:

City staff recently issued Invitation to Negotiate (ITN #14-211) seeking replies proposing public/private ventures at the Beach Complex. Specifically, the ITN requests competitive, sealed replies from responsible proposers to commence negotiations regarding offers to manage, maintain, operate, redesign, renovate, expand, equip and/or implement creative ventures at the newly renovated Lake Worth Beach Complex and Casino. The City identified the following as available options:

Available option #1: Restaurant/lounge/bar and/or other commercial-type ventures to be located within approximately 5,000 sq. ft. of available, vacant commercial space (at the Casino Building on the northern end of the second floor);

Available option #2: Special events/meetings/conference room(s) and/or other commercial-type ventures to be located within approximately 3,500 sq. ft. operational, commercial space with a 450 sq. ft. fully furnished catering kitchen (at the Casino Building on the southern end of the second floor); **and/or,**

Available option #3: Modernization of the municipal pool operation that would attract adult-aged visitors during the afternoon and evening hours (e.g., restaurant, tiki bar, cabana rentals, beverage service and/or other commercial-type ventures). With this option, the City prefers to maintain public pool access in the morning hours; however, creative alternatives will be considered. The municipal pool and supporting facilities cover approximately 34,000 sq. ft.

The City will consider replies which offer ventures for one, all or any combination of the options outlined above. Replies may also include surrounding and adjacent areas of each option to support the proposed venture(s), including but not limited to, adjacent grass and landscaped areas, driveways, and undeveloped areas of the Beach Complex.

The ITN provides the following procedure for the evaluation committee:

1. Review the initial replies received.

2. Depending on the number of initial replies received, the evaluation committee shall conduct a public meeting to discuss negotiations with all offerors or create a short-list of one or more offerors for negotiations.
 - a. If a short-list is to be created, the evaluation committee will review the initial replies consistent with the evaluation criteria stated in the ITN; and,
 - b. The evaluation committee shall conduct private negotiation sessions with all offerors or the short-list of offerors.
3. After negotiations, the City will request final replies from each offeror who participated in negotiations.
4. The evaluation committee shall conduct a public meeting to review the final replies consistent with the evaluation criteria stated in the ITN.
5. The evaluation committee shall make a recommendation to the City Commission as to which offeror or offerors should be awarded a contract by the City.

The evaluation committee will meet in the public to conduct and discuss its evaluations; however, the committee's negotiation strategy sessions and negotiations with the offeror(s) will be privately conducted pursuant to section 286.0113, Florida Statutes. The service of an elected official on the evaluation committee should assist in identifying concerns the Commission may have with certain aspects of the proposed venture(s) and in proposing creative solutions for the benefit of the public.

MOTION:

I move to appoint _____ to serve on the evaluation committee for ITN #14-211.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



CITY OF LAKE WORTH

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AGENDA DATE: October 7, 2014, Regular Meeting

DEPARTMENT: City Attorney

EXECUTIVE BRIEF

TITLE:

Settlement Agreement and General Release between Street Outdoor and the City of Lake Worth.

SUMMARY:

The Settlement Agreement and General Release resolves the lawsuit between Street Outdoor, LLC, et al., and the City of Lake Worth.

BACKGROUND AND JUSTIFICATION:

In 2011, Street Outdoor, LLC, f/k/a City Solutions, Inc., filed a lawsuit against the City regarding a City contract entered on May 18, 2004 and terminated by the City on May 18, 2014. The proposed settlement agreement provides that Street Outdoor will dismiss its lawsuit within five days of the City paying \$20,000 to the Peter M. Feaman, P.A., Trust Account (Street Outdoor's attorney). Street Outdoor is also providing the City with a general release of all claims it may have or may have had against the City.

Street Outdoor's lawsuit related to Street Outdoor's newsracks placed in and around the City. Street Outdoor has already removed its newsracks from the City and will timely retrieve three other newsracks in the City's possession (otherwise the City may dispose of them).

MOTION:

I move to approve/disapprove the Settlement Agreement and General Release between Street Outdoor, et al., and the City of Lake Worth

ATTACHMENT(S):

Fiscal Impact Analysis

Settlement Agreement

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	0	0	0	0	0
Operating Expenditures	\$20,000	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	\$20,000	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:

City Attorney	Street Outdoor, LLC					
Account Number (s)	Account Description	FY 2015 Budget	Available Balance	Budget Transfer	Agenda Expenses	Remaining Balance
001-1110-514-31-10	Contractual Services-Legal	25,000	25,000	-	\$ (20,000)	5,000

C. Department Fiscal Review: _PL