



CITY OF LAKE WORTH

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

**AGENDA
CITY OF LAKE WORTH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, APRIL 21, 2015 - 6:00 PM**

1. **ROLL CALL:**
2. **INVOCATION:** Pastor Leonce Estimable, Church of God Christian Fellowship
3. **PLEDGE OF ALLEGIANCE:** Led by Commissioner Christopher McVoy
4. **AGENDA - Additions/Deletions/Reordering:**
5. **PRESENTATIONS:** (there is no public comment on Presentation items)
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**
 - A. City Commission Special Meeting - March 16, 2015
 - B. City Commission Meeting - March 24, 2015
 - C. City Commission Special Meeting - April 7, 2015
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
10. **PUBLIC HEARINGS:**
 - A. Resolution No. 13-2015 - abandon a portion of a 10 foot utility easement
11. **UNFINISHED BUSINESS:**
12. **NEW BUSINESS:**
 - A. Resolution No. 14-2015 - authorize a Memorandum of Understanding with the County to submit a grant application to the US Dept. of Commerce, Economic Development Administration for infrastructure improvements in the Park of Commerce

- B. Resolution No. 15-2015 - request County to place Boutwell Road and 10th Avenue North intersection on their Capital Improvement Program for 2016
- C. Interlocal Agreement with Palm Beach County for the transfer of floating dock from Snook Islands to the Bryant Park Boat Ramp
- D. Contract with Vance Construction to remove and transfer a portion of Snook Islands floating dock to the Bryant Park Boat Ramp
- E. Adopt the Lake Worth Urban Forest Management Plan for the inventory of all trees located within the City
- F. Notice to nominate five Cultural Plaza Ficus Trees as historic

13. LAKE WORTH ELECTRIC UTILITY:

- A. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
- B. **PUBLIC HEARING:**
- C. **NEW BUSINESS:**
 - 1) Notification letter to Orlando Utilities Commission to extend the term of the purchased power agreement

14. CITY ATTORNEY'S REPORT:

- A. May 5, 2015 draft Commission agenda

15. CITY MANAGER'S REPORT:

16. ADJOURNMENT:

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

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



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AGENDA DATE: April 21, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Resolution No. 13-2015 abandon a portion of a 10 foot utility easement

SUMMARY:

The Resolution abandons the 10-foot wide utility easement centrally located at 1100 Boutwell Road (north of 10th Avenue North) and located within the property known as Waterville.

BACKGROUND AND JUSTIFICATION:

The applicant, D.R. Horton, through Michelle Jessell of Broad and Cassell, is petitioning to abandon the utility easement. The applicant has received approval from City of Lake Worth Planning and Zoning Board for site plan approval to develop a 75-unit Townhome community on the 8.73 acre parcel, generally located at 1100 Boutwell Road, on January 7th, 2015 in the MF-20 – Low Density multiple-family zoning district.

The request for abandonment is being made to support the approved site plan for the 75-unit Townhome community to be constructed over the utility easement. Abandonment of the existing easement is required as it will be replaced, through the subdivision plat approval, by a new 15-foot easement that will run in front of each townhome unit. The subdivision plat will be reviewed at a later date. Currently, the easement is not used by any of the utility functions of the City, and its abandonment has been reviewed by all appropriate Departments.

Code Section 19.1.4 Streets and Sidewalks – Procedure for Abandonment, outlines the process by which public rights-of-way can be abandoned. On April 7th, the Commission approved the first of a two-part process, which was adoption of a resolution declaring the City's intent to abandon the utility easement and scheduled the public hearing date. This item is the second part of the process which is to hold a public hearing and take action on a resolution to officially abandon the easement.

MOTION:

I move to approve/disapprove Resolution No. 13-2015 to abandon a 10 foot utility easement.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Resolution

Location Map

Sketch and Legal description of utility easement to be abandoned.



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AGENDA DATE: April 21, 2015, Regular Meeting **DEPARTMENT:** Community Sustainability

EXECUTIVE BRIEF

TITLE:

Resolution No. 14- 2015 - authorize a Memorandum of Understanding (MOU) with the County to submit a grant application to the US Dept. of Commerce, Economic Development Administration for infrastructure improvements in the Park of Commerce

SUMMARY:

The Resolution authorizes the submission of a \$1,400,000 grant application for infrastructure improvements in the Lake Worth Park of Commerce under the Public Works and Economic Development Facilities Program for planned roadway and infrastructure improvements.

BACKGROUND AND JUSTIFICATION:

In accordance with the terms of a MOU, the grant application will be made jointly with the County as the intersection of Boutwell Road and 10th Avenue is under the auspices of the County. The County will further provide technical assistance and will be responsible for reporting and accounting of the \$1,400,000 grant funding to the U.S. Department of Commerce.

The U.S. Department of Commerce, Economic Development Administration (EDA) awards financial support for development in economically distressed areas. The goal is to foster job creation and attract private investment. Under the Public Works and Economic Adjustment Assistance Programs, EDA considers construction, non-construction and revolving loan fund investments for buildings and infrastructure improvements. EDA funding may not exceed fifty percent (50%) of the total cost of the project. The Submission Deadline for the grant is June 12, 2015 at 11:59pm.

The Park of Commerce infrastructure improvement project is critical to provide shovel ready sites for economic development within the 393 acre industrial park. This project has been identified as a regional priority on the Comprehensive Economic Development Strategy by the Treasure Coast Regional Planning Council.

Phase 1 includes infrastructure improvements to Boutwell Road between 2nd Ave. N and 10th Ave. N, which is a regional connector road from I-95 to the city. This includes road reconstruction to a two lane cross-section with median islands and turn lanes, sidewalks/bikeways, drainage, landscaping, lighting, underground electric, water main and sewer force main. The county is responsible for the 10th Ave. N intersection project adjoining this project.

This EDA grant in the amount of \$1.4 million, if awarded, will offset a portion of the \$3.2 million city funds for phase 1, in addition to the request from the state legislature for \$4.5 million of grant funding.

MOTION:

I move to approve/not approve Resolution No. 14-2015 to authorize the Mayor to execute the Memorandum of Understanding and submit an application to the U.S. Department of Commerce, Economic Development Administration for \$1,400,000 of grant funds.

ATTACHMENT(S):

Fiscal Impact Analysis
Partnership Memorandum of Understanding
Resolution
Attachment 1 – EDA Grant Application Overview
EDA Grant Presentation

Public Services						
Account Number	Account Description	Grant Request	Project #	External Revenues Pending Approval	Project Activity	Account Balance
180-9710-572-63-15	Infrastructure	EDA Grant 1,400,000	N/A now	1,400,000	0	Not Available

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	0	7,700,000	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	4,500,000	0	0	0
External Revenues - EDA	0	1,400,000	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	1,800,000	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:

Phase 1 of the Park of Commerce is included in the FY 2016 CIP Budget. The additional grant funding, if awarded, will be shown in the FY 2016 CIP Budget in the following account.

External Funding

State Allocation Request	\$4,500,000
EDA Grant Request	<u>\$1,400,000</u>
Total External Funding	\$5,900,000

City Funding

401-9010-581,91-80	Electric Utility Capital Revenue Bonds (BOA loan)	\$2,000,000
402-7034-533.63-60	Water Distribution Mains	\$1,230,875



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AGENDA DATE: April 21, 2015, Regular Meeting **DEPARTMENT:** Community Sustainability

EXECUTIVE BRIEF

TITLE:

Resolution No. 15-2015 - request County to place Boutwell Road and 10th Avenue North intersection on their Capital Improvement Program for 2016

SUMMARY:

The Resolution requests Palm Beach County to place upgraded improvements for the intersection of Boutwell Road and 10th Avenue North on the County's CIP for 2016.

BACKGROUND AND JUSTIFICATION:

Boutwell Road is the main thoroughfare through the Lake Worth Park of Commerce with access to I-95 via the intersection of Boutwell Road and 10th Avenue North. The City is designing improvements to and around Boutwell Road in order to stimulate and support development within the Park of Commerce. The City and Palm Beach County have jointly worked on the development of the Park of Commerce for many years in order to attract regional business projects and create job opportunities for area residents. The partnership between the City and the County has included efforts to secure infrastructure grant funds to complete the necessary improvements for the Park of Commerce. The City and the County are currently working on the submission of a Public Works grant application to the U.S. Economic Development Administration (EDA) for the purposes of funding certain infrastructure improvements that will support the development of the Park of Commerce. As the City's design for Boutwell Road progresses into construction, the need for improving the intersection of Boutwell Road and 10th Avenue North increases. An improved intersection at Boutwell Road and 10th Avenue North will enhance and support the improvements to Boutwell Road and further spur development within the Park of Commerce. While the County has discussed making upgraded improvements to the intersection, such improvements are currently not included in the County's Capital Improvement Program (CIP). The proposed resolution seeks to have the County place the upgraded improvements of the intersection in the County's CIP for 2016.

MOTION:

I move to approve/not approve Resolution No. 15-2015.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



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AGENDA DATE: April 21, 2015, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Interlocal Agreement with Palm Beach County for the transfer of floating dock

SUMMARY:

The Agreement provides for the County to donate a portion of their dock system at Snook Islands and transfer it to the Bryant Park Boat Ramp. The new location will provide staging docks for the boats using the Boat Ramp.

BACKGROUND AND JUSTIFICATION:

Palm Beach County constructed a day-use dock as part of the Snook Islands project. With the dock slips being highly underutilized at this location, the County and City wish to enter into an agreement where the County will donate a portion of the dock system and transfer it from the current location to the Bryant Park Boat Ramp just south of the bridge.

Attached to this agenda item is an excerpt from the 2012 Boat Ramp Replacement bid set. As depicted in this layout, a 100 foot staging dock with five additional 18" concrete pilings was originally proposed as Bid Alternate 3. Due to difficulties during construction (driving two particular pilings and helical anchor issues), there were not enough funds to move forward with this alternate. The City also did not have enough funds to proceed with Bid Alternate 1, overlay and restriping of the existing Boat Ramp Parking Lot. Fortunately, the City was able to complete the parking lot earlier this year and now has an opportunity to move forward with a modified version of the original proposed staging dock.

Vance Construction, under contract with the County for another marine project located in the Lake Worth Lagoon, utilized the area that had already been designated for Snook Island staging at the north end of Bryant Park. In exchange for the City allowing this access, Vance Construction will perform this dock transfer and all associated engineering and design at *no cost* to the City.

Moving forward with this Interlocal Agreement with Palm Beach County is the first step in transferring the floating dock to the Boat Ramp. The companion item to this Agreement is an item on the April 21, 2015, agenda to award a contract with Vance Construction to perform the dock transfer work at no cost to the City.

MOTION:

I move to approve / not approve an Interlocal Agreement with Palm Beach County for the donation and transfer of a section of the Snook Islands' dock system to the Bryant Park Boat Ramp.

ATTACHMENT(S):

Fiscal Impact Analysis – Not applicable
Interlocal Agreement – Floating Dock Transfer
Bryant Park – Boat Ramp Modification
Original Boat Ramp Layout from 2-03-12 Bid Set



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AGENDA DATE: April 21, 2015, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Contract with Vance Construction to remove and transfer a portion of Snook Islands floating dock to the Bryant Park Boat Ramp

SUMMARY:

The Contract will provide for the removal of a portion of the dock system and transfer to the Bryant Park Boat Ramp just south of the bridge at no cost to the City.

BACKGROUND AND JUSTIFICATION:

Attached to this agenda item is an excerpt from the 2012 Boat Ramp Replacement bid set. As depicted in this layout, a 100 foot staging dock with five additional 18” concrete pilings was originally proposed as Bid Alternate 3. Due to difficulties during construction (driving two particular pilings and helical anchor issues), there were not enough funds to move forward with this alternate. The City also did not have enough funds to proceed with Bid Alternate 1, overlay and restriping of the existing Boat Ramp Parking Lot. Fortunately, we were able to complete the parking lot earlier this year and now have an opportunity to move forward with a modified version of the original proposed staging dock.

Vance Construction, under contract with the County for another marine project located in the Lake Worth Lagoon, utilized the area that had already been designated for Snook Island staging at the north end of Bryant Park. In exchange for the City allowing this access, Vance Construction will perform this dock transfer and all associated engineering and design at *no cost* to the City.

The companion to this contract with Vance Construction is an interlocal agreement with the County for the donation of a portion of their dock system at Snook Islands and transfer to the Bryant Park Boat Ramp. The interlocal agreement is also on the April 21, 2015, Commission’s agenda for consideration.

MOTION:

I move to approve / disapprove a contract with Vance Construction for the transfer of a section of the Snook Island dock system to the Bryant Park Boat Ramp.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Floating Dock Construction Contract – Vance Construction
Bryant Park – Boat Ramp Modification
Original Boat Ramp Layout from 2-03-12 Bid Set



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AGENDA DATE: April 21, 2015, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Adoption of the Lake Worth Urban Forest Management Plan

SUMMARY:

The Plan provides for an inventory of all trees located within the City's limit.

BACKGROUND AND JUSTIFICATION:

On May 22, 2014, the City entered into an agreement with ESciences, Inc., to perform a City-wide Tree Assessment, Inventory Survey and Management Plan as part of the City's responsibility to develop and adopt an Urban Forest Management Plan ("Plan"). The City received grant funds from the Florida Department of Agriculture and Consumer Services for the development of the Plan. The total project cost was \$27,317 and the City provided in kind services in the amount of \$9,383. The developed and recommended Plan from ESciences, Inc., is attached to this item.

The City Tree Board reviewed the Plan at its March 12, 2015 and April 9, 2015 meetings. The Board made minor revisions to the Plan and officially adopted the Plan with its revisions. City staff has reviewed the Plan and recommends adoption by the City. The following is a summary of the recommendations that shall be implemented by staff:

1. Add resilience to the existing canopy by increasing the diversity and favoring trees that are suitable for the changes occurring in the environment (flood tolerant, salt tolerant, shoreline stabilizing).
2. Set a goal of increasing the canopy coverage by 5% over a 10 year period. The Tree Inventory shall be performed every 10 years.
3. Continue to plant and maintain trees in the streets right of way.
4. Identify suitable locations and initiate tree planting programs within publicly owned properties.
5. Initiate City funded tree giveaways and continue to utilize the Tree Board to conduct outreach to citizens.
6. Strict adherence to the code to ensure new developments and existing properties meet landscape requirements.
7. Revisions to existing Municipal Code per ESciences recommendations and Tree Board recommendations.
8. Encourage the use of trees that are known for wind resistance.
9. Build diversity into the canopy by encouraging the use of underutilized native trees.
10. Development of a "Recommended Tree List" for the City based on building diversity and resilience.
11. Prioritize Maintenance Plans:
 - a. Remove dead trees, invasive trees, and exotic trees

- b. Inspect trees listed as “Critical” or “Poor” and apply corrective measures to failing trees to improve condition.
 - c. Inspect all trees listed as “Fair” and apply corrective measures to “fair” rated trees to improve health
 - d. Inspect all trees listed as “Good-Fair” and apply corrective measures to “Good-fair” trees to maintain health
 - e. Re-inspect all trees listed as “Good-Fair”, “Fair”, and “Critical” and apply corrective measures to improve and maintain tree health
12. Develop a Landscape Technical Manual that can be used as guidance to its residents and developers.
 13. Maintain centralized management of every aspect of the City’s urban forest management under the Public Services Department and Grounds Division.
 14. Public Services Department to work closely with the Tree Board to ensure community engagement for its policies and procedures.

MOTION:

I move to approve / not approve the adoption of the City-wide Lake Worth Urban Forest Management Plan.

ATTACHMENT(S):

Fiscal Impact Analysis – Not applicable
City-wide Urban Forest Management Plan
Presentation by ESciences, Inc.



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AGENDA DATE: April 21, 2015, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Notice to nominate five Cultural Plaza Ficus Trees as historic

SUMMARY:

This item is the first of a two part process to nominate and designate five 100+ year old trees as historic in the City's Cultural Plaza.

BACKGROUND AND JUSTIFICATION:

At the March 12, 2015, City Tree Board meeting, the Board discussed nominating five of Cultural Plaza trees as historic. Starting at Federal Highway and moving west along Lucerne Avenue, these five trees are described as:

Ø #1 Ficus altissima - Council Tree/ Lofty Fig, 45' tall	120" Diameter Breast Height	107' X 74" Spread
Ø #2 Ficus altissima - Council Tree/ Lofty Fig, 45' tall	130" Diameter Breast Height	75' X 80" Spread
Ø #3 Ficus altissima - Council Tree/ Lofty Fig, 45' tall	134" Diameter Breast Height	75' X 90" Spread
Ø #4 Ficus altissima - Council Tree/ Lofty Fig, 55' tall	118" Diameter Breast Height	92' X 87" Spread
Ø #5 Ficus aurea - Strangler Fig (Native), 45' tall	120" Diameter Breast Height	107' X 79" Spread

The historic designation for these trees will be "Ficus SPP" due to a debate as to whether these are Banyan trees (Ficus Benghalensis). The "Ficus SPP" designation is used when the genus is known, but the species is unknown. At the suggestion of the City's Horticultural Technician, staff will submit leaf samples to the University of Florida Herbarium to gain a positive identification. This is a free service.

Per the City's Environmental Regulations, Article 6, Section 23.6-1 (attached to this agenda item and highlighted on pages 18 & 19 in yellow), these trees fall within the description as "irreplaceable by the City due to size, age, and historic, aesthetic, or cultural significance". Also attached is the City Tree Board's letter of designation. It is the intention of City staff to move through this tree designation process as outlined in the Regulations. If this Commission is in support of this historic designation, a public hearing will be scheduled on May 5, 2015, to render a decision on the recommended designations. No motion is requested for this item at this time.

MOTION:

No required

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

City Tree Board Letter of Designation – Cultural Plaza Trees as Historic

Landscape Regulations

Helen Greene Letter



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AGENDA DATE: April 21, 2015, Regular Meeting

DEPARTMENT: Electric Utility

EXECUTIVE BRIEF

TITLE:

Notification letter to Orlando Utilities Commission (OUC) to extend the term of the purchased power agreement

SUMMARY:

This Notification Letter exercises the City's option to extend the term of an agreement with OUC for one additional year (through December 31, 2017) at the same terms and conditions. The notice to extend the term of an agreement with OUC must be given no later than December 31, 2015.

BACKGROUND AND JUSTIFICATION:

Pursuant to Section 4.2 (a) of the Agreement, the City of Lake Worth has the option to extend the Term of the Agreement for two additional one-year terms.

On March 4, 2015, the Electric Utility Advisory Board recommended this agenda item for the City Commission's approval.

MOTION:

I move to authorize/not authorize the City Manager to execute a Notification Letter to Orlando Utilities Commission to extend the term of the OUC-Lake Worth PPA for 2017.

ATTACHMENT(S):

- 1) Fiscal Impact – not applicable
- 2) Draft notification letter