



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, JUNE 16, 2015 - 6:00 PM**

1. **ROLL CALL:**
2. **INVOCATION:** Minister Hopelyn West, New Hope Missionary Baptist Church
3. **PLEDGE OF ALLEGIANCE:** Led by Commissioner Christopher McVoy
4. **AGENDA - Additions/Deletions/Reordering:**
5. **PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. PBSO community policing update
 - B. World Peace Pole Installation by the Rotary Club
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**
 - A. City Commission Work Session - May 19, 2015
 - B. City Commission Budget Work Session - May 30, 2015
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
 - A. Resolution No. 25-2015 - submit Fiscal Year 2015 Edward Byrne Memorial Justice Assistance Grant program application
 - B. Resolution No. 26-2015 - support legislation to establish regulations or ban of disposal plastic bags
 - C. Final Plat map application for the Waterville Townhomes project
 - D. Proposal with Mock Roos and Associates for Wellfield Modeling Services to Evaluate Future Sea Level Rise Effects

Agenda Date: June 16, 2015 Regular Meeting

- E. Task Order No. 4 with Mathews Consulting, Inc. for plan development, bid, and field phase services for the Mechanical Integrity Testing (MIT) for the Deep Injection Well

10. PUBLIC HEARINGS:

- A. Ordinance No. 2015-04 - First Reading and First Public Hearing - amend various sections and tables in the City's Land Development Regulations; and schedule the second public hearing date for July 14, 2015

11. UNFINISHED BUSINESS:

12. NEW BUSINESS:

- A. Resolution Nos. 27-2015 through 35-2015 - declare acquisition of land as necessary for the widening and construction of Boutwell Road improvements
- B. Agreement with Lanzo Lining Services, Inc. for Sanitary Sewer Rehabilitation Projects

13. LAKE WORTH ELECTRIC UTILITY:

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

B. PUBLIC HEARING:

C. NEW BUSINESS:

14. CITY ATTORNEY'S REPORT:

15. CITY MANAGER'S REPORT:

- A. July 14, 2015 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.

**MINUTES
CITY OF LAKE WORTH
CITY COMMISSION
WORK SESSION
MAY 19, 2015
IMMEDIATELY FOLLOWING
A REGULAR COMMISSION MEETING**

The meeting was called to order by Mayor Triolo on the above date at 7:34 PM in the City Commission Chamber, located at 7 North Dixie Highway, Lake Worth, Florida.

1. ROLL CALL:

Present were Mayor Pam Triolo; Vice Mayor Scott Maxwell; and Commissioners Christopher McVoy, Andy Amoroso, and Ryan Maier. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia, and City Clerk Pamela Lopez.

2. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Christopher McVoy.

3. UPDATES/FUTURE ACTION/DIRECTION:

Consensus: To waive the rules to extend the public comment time per speaker from two to three minutes.

A. Lake Worth Beach Complex, Casino Building Vacant Space and Municipal Pool Invitation to Negotiate (ITN)

Mayor Triolo thanked everyone for attending the Work Session because the Beach and Casino Building matter was important to everyone. She said Lake Worth had amazing assets and there was a need to figure out how best to use them for the benefit of the residents and taxpayers. There were issues with the beach budget as it related to the Casino Building operations, and a pool that was never factored into any equation. There was a Casino Building Complex in which the green features that were wanted and planned were then value-engineered right out of the Complex. The Complex had conflicts due to budgetary constraints and decisions. The pool was not deep enough to be used as a qualifier pool. She explained that this meant any meets, or if someone set a record, then that record could never be certified because the pool did not qualify. The pool and pool building facility were never addressed in the original Beach and Casino Building Complex. Everyone was here to create and finish the Casino Complex with a sustainable project that gave the community an amenity it needed and deserved. This was about the future of the City and not about

making a decision based on who spoke the loudest or on politics. It was about creating a plan that was fiscally obtainable and, more importantly, was sustainable. She said she wanted to clarify that the Invitation To Negotiate (ITN) was an invitation to investors and business people from within the City and beyond to share their ideas and possibly partner with the City to help the City do what it could not do on its own due to financial restraints. The ITN was a process, an end to a means, to negotiate. She commented that the City did not have to do anything it did not want to do. She asked everyone to keep focused on the facts. The facts were that no one was selling the beach, which meant that no one could buy the beach. She said that if it was up to her, no one would ever be able to buy or sell the beach. She asked everyone tonight to be respectful and listen to one another. If anyone could not obey the rules of decorum, which were clearly stated in detail on the blue comment cards in the back of the Chamber, then that individual would be warned first then asked to step outside if the decorum rules were not followed. She announced that the public would be allowed to speak an extra one minute. She reminded everyone that, at the end of the meeting, no decisions would be made and no vote on any information received or spoken would be made. This was the public's chance to be heard; to speak their minds; to be respectful to one another; and to speak on their hopes, passions, and dreams. She said she was very excited to have everyone present at this meeting because this issue was something that had to be done together.

City Manager Bornstein explained that there were staff vacancies, the Leisure Services Department was running the Casino Ballroom on a shoe string, and there were shortfalls in the Beach Fund. He said he wanted to make it clear that the Casino Ballroom operations was not a reflection on the staff. Administration did too good of a job making the Casino Ballroom operations look easy, but administration was obligated to balance the budget. The Beach Fund was balanced with inadequate staffing. He said the Casino Ballroom was operating with one person; there was no adequate storage or staff office; the maintenance crew was doing the best they could day to day; and staff had made it work, which gave the impression that it was running good. There were certain issues not being taken care of. He said he came up with the suggestion to use the Invitation to Negotiate (ITN) process; explained that the City received many proposals for the beach casino/pool/ballroom areas, and the ITN process was allowed by the State in order to receive creative ideas and provide for a negotiation process. He commented that the ITN Selection Committee members were tough and the process allowed for the comparison of apples to oranges. The ITN allowed for a flexible process and was intended to bring the best proposals forward. In 2007, the Beach and Casino (BAC) zoning district set the parameters on what could be done in that area. The charter stated, "city-owned property east of A1A roadway shall not be declared surplus property and shall not be sold, hypothecated, conveyed, or leased, except for a lease of less than 20 years, without the affirmative vote of a majority of the electors of the City at

a properly noticed and scheduled referendum.” He said the Commission could not sell the beach and that there were parameters and processes in place to find the best that could be done with the Casino Ballroom.

City Attorney Torcivia explained that the ITN process was commonly used by other cities, but not in Lake Worth. It was used when a city did not know what it wanted. The ITN process was asking for proposals. Hudson Holding, Anderson Carr on behalf of Oceanside Bar & Grill Restaurant, and Wave House Miami proposals were received. The process provided for quasi-public/quasi-private meetings so that the proposers were not in the same room and hearing about the other proposals. The Commission would ultimately make the decision.

He said the Selection Committee made the following three recommendations to the Commission:

1. The City Commission direct staff to develop a Request for Qualifications (RFQ) for a qualified firm to prepare a traffic/development impact study with related evaluations in order to discern viable levels of development and intensity of uses at the beach;
2. During the budget process, the Commission hold a separate workshop on the Beach Fund in order to address policy decisions that must be made for the Fiscal Year 2016 Beach Fund budget; and
3. The City Commission continue negotiations with Anderson Carr (on behalf of Oceanside Bar & Grill) for the lease of the upstairs vacant space at the Casino Building and management/lease of the ballroom.

Commissioner Amoroso announced that he was the Commission’s appointed member on the Selection Committee. Wave House was asked to downsize their proposal, but they did not come back. He said he was concerned because there was no traffic study done when the Casino Building was reconstructed. He said he was also concerned about constructing two floors of parking for the preexisting parking needs, which may not be enough without a traffic study being done.

Commissioner McVoy commented that he served on the Commission the longest and served when the Casino Building renovations were being considered. He said he recalled that when the Commission was trying to find community support, the comments he heard were for the 20 acres of land and building to be a community focal point, a place where the community had pride and meant something in their personal lives. The focus on that area was a park and a meeting place for the community. The commercial area was secondary to the meeting place and that was the bases for dipping into the City’s Utilities Department “pocket” to redo the building in order to do it “for us.” The building was a place the community

cared about, took pride in what it looked like, and the functionality. The Commission wanted to quantify the amount of commercial space. There was concern that the Casino Building needed to be a public focal point and at times the City got away from that, which undervalued what it meant to the community. He said it was fine that there was a place to eat, but the Casino Ballroom needed to be a place that promoted things that may not make money. The community's concern was not about selling or not selling the beach. He said the concern he heard was that the City had to be careful about the beach making money or going into a private/public partnership.

Vice Mayor Maxwell said that he was serving on the Commission in 2001 and 2002 when a decision was made to seek a \$19 or \$20 million bond to rebuild the beach. He said he was the only person who said it could not be done and objected because the vast majority of the users did not live in the City. Those individuals who used the beach were regional, which then made it a regional beach. At that time he asked why Lake Worth residents would "foot the bill" for the region at the residents' expense. Usership did not change, and the beach area continued to be used as a regional beach. The fact that there was 19 acres of beach was spun off by the previous Commission in order to break even and to no longer be funded by the public. When the Casino Building renovation was being considered, he said the proposed business model would not work and gave many reasons why it would not. He said that was why the Beach Fund was created in order to pay for itself. The Beach Fund was supposed to pay the Utilities Fund back. Afterwards, staff was cut, maintenance deferred, the City did not keep up with its capital plan, and corners cut to fund the Beach Fund. These changes created an unsafe situation, which was how the Casino Building was now in a situation because it was not maintained. The ITN was to cover commitments made by the City's predecessors. Lake Worth told the public that the building would "break even." The City took \$6 million from the Utility Department, continued to raise rates, but did not find money for infrastructures. The Casino Building was overbuilt. During the reconstruction discussion, he said he looked at the vendors and companies and asked them if the building would cost no more than \$6 million. He said he was told the Casino Building would be built for \$6 million, then items were removed from the project to keep the costs down. The building does not have a Certificate of Occupancy yet because it was not built right. The big question was that all City funds needed to balance, but the Beach Fund was not balanced. The deferred maintenance would catch up with the City. The building was not staffed enough. The project did not do what it was intended to do. Had it gone without a hitch, there would have been no discussion about the ITN. He said it bothered him that people did not understand how the City got here, and they needed to know. Once the public knew, it would be easier for them to understand how to get out of the mess. He asked why the City would invite people to respond to the ITN when the City did not know the capacity. Any development would create cars and, if the City did not know what its capacity was, then it did not know

what it could do. If the Commission moved forward and did something at the Casino Building, the City would not be financially liable. A private company would make sure its assets were protected.

Commissioner Maier said there were two different perspectives. A regional beach because people outside Lake Worth enjoyed the beach. If outside people used the golf course, he asked if that made it a regional golf course. Lake Worth owned its beach, it was the heart of the City, and it was personal to each one. He said that if the decision was to not keep it the City's, then he would be on the opposite side.

Commissioner Amoroso commented that people could not live in the past. There was a need to move forward. New memories would be made. He said he was a native, born and raised in Lake Worth. He owned three businesses and said the last thing he would want was for overdevelopment or to overdevelop the beach. The Casino Building was financially bleeding. It had nothing to do with the beach, but the beach complex. The Casino Building did not pay for itself. The pool area was not included in the original plan. The City was now trying to fix a problem. There was a need to move forward, a need to make sure it was done, and a need to take in all of the considerations. A portion of the beach area was a park; however, the lease rents and common area maintenance (CAM) rates were not up to par. There was a need to make sure the rents and CAMs paid for itself. There was a need to look at the business plan structure to make sure the City paid for its overhead.

Mayor Triolo announced that this was the time for public comment.

Peggy Fisher commented that she agreed with Commissioner Amoroso about having leases cover costs. She said she had no problem with subsidizing the park portion, but not businesses. Previous Commissioners agreed to accept \$5 million from the County for improvements; however, the County dictated the number of parking spaces that needed to remain for regional residents. She said she heard from Anderson Carr that rents were sufficient to cover the CAMs. She commented that she did not have a problem keeping the park, but not subsidizing the commercial businesses.

Retha Lowe commented that the City had been tossing the Casino Building "football" issue around for 40 years. Vice Mayor Maxwell, Commissioner Amoroso, City Manager Bornstein, and City Attorney Torcivia all explained everything. She said it would not matter how much was explained or known because the issue would still be discussed for another 40 years. A traffic study should have been done as part of the project, but did not want to spend any more taxpayer money for it. The Commission needed to listen to residents and take heed on what was being said. She suggested the Commission vote on one of the Selection Committee's recommendation and not continue to discuss the issue for another 40 years.

Dean Sherwin asked how much money the City was losing and the allowable space that could be built. He said he did not mind subsidizing for the residents. He asked who used the beach; said the beach was busy especially on weekends; and most of those who used the beach were from out of town, which did not benefit the residents. He said he wanted local businesses to benefit from the beach and provide employment. He said he also wanted to put Lake Worth "on the map" in a good way. He supported expanding the swimming pool, said the current pool was ugly and in the way, and the City could do something manageable with the pool space.

Robert Lepa said he wanted to hear presentations from Hudson Holding and Anderson Carr before he heard the chatter of the Commission. The City was still talking about the Casino Building. For years, the John G's Restaurant at the Casino Building was subsidized by the residents. There was a need to have the commercial aspect pay for itself.

John Szerdi said he was a part of the Kimley Horn team to engineer the Casino Building renovations. At that same time, William Waters, the City's current Community Sustainability Director, was part of the REG Architect team. The original Request For Proposals (RFP) included renovating 50% of the second floor. What was built was doomed. He said the de-engineering of the project took out all of the energy efficiencies. The building was also supposed to have been on pilings, which was taken out. He asked how the previous Commission could add 30% more to what was originally planned and still stay within a \$6 million budget. He cited items that were removed from the original design and problems with the structure. He commented that the City financed the Casino Building using Utility Fund money and asked to see the proposals.

Reverend Elie Louissaint asked to see the proposals.

Peter Timm said he was fed up with what was going on in Lake Worth. The Mayor did a good job selling how bad the Casino Building was. Parking fees were increased and he asked where the money was going. The Casino Building was not a losing proposition if it was done right. The only people making money were the contractors and tenants renting below the market rate. The City was collecting a lot of money at the beach and should be collecting more. The City wrote off a debt for the golf course and taxpayers paid for maintenance of ball fields.

Lee Lipton said he bought Benny's On The Beach Restaurant two years ago and was doing everything he could for Lake Worth. He had 76 employees. He said he looked into leasing the Casino Building's second floor space and said there were reasons why it was empty. If someone wanted to invest money into the area and the area reached a point where everyone was doing well, then a business on the second floor made sense. He asked how

many jobs would be created. He said this process was an evolution, the pool area was an embarrassment, and said he believed there should be a lot more things available for Lake Worth.

Barbara Aubel commented that Lake Worth was "Where The Tropics Begin" and "Where Discussion Never Ends." She said she had listened to the discussion on this subject for years. The beach could never be sold so she asked everyone to stop eluding to a sale. She said she was a wedding planner and the second floor space was unusable for weddings because it did not have reasonable space. She cited her reasons why the space was not usable and said there was no hot water in the kitchen. She said she hoped the commercial spaces were doing okay. She commented that someone needed to make a substantial change to the second floor to make it work. There was a need to move forward and not let "poking the beach" get in the way of doing other things.

Herman Robinson said he hoped Lake Worth was not oppose to ideas that would improve the beach. The Casino Building needed improvements and needed to be self-sustaining. The Commission was elected to set policies and provide amenities. The Commission should know the income and expense and not be affected by the hysteria of selling the beach. The City asked for ideas, then rejected them. The pool and second floor of the Casino Building needed improvements. The Commission needed to cut the "bull shit" and make a policy on the beach. The building was built, now deal with it, and do not spend another two years talking about it.

Jo-Ann Golden said she loved Lake Worth and worked to make it a great place to live. That commitment was why everyone was present at this meeting. She said it was not possible for everyone to love one another, but as good parents think about their children first, residents should think about this little planet and beach. Sustainability was not just to provide property or water, but to provide safety in a community that everyone loved. It was a shame that there was no Certificate of Occupancy issued on the building because that was a problem. Residents were promised a building. The building was leaking, was built improperly, and did not provide safety for the community. There was no need for anymore buildings at the beach. She suggested getting the space rented, having a usable kitchen, forget about taking any of the proposals, and fix what was needed.

Rosann Malakates said she was amazed at the projects that went on before, which proceeded without an impact study being done. Making a decision without the right information did not make sense. She said she could not see how the Commission could move forward without the proper input or studies. The pool was there to teach children how to swim. The pool was meant for people to swim and not for parties.

Mayor Triolo read the comment written by Fran Eberhardt. Ms. Eberhardt wrote [asking] this Commission to remember what happened with Greater Bay. Be very careful. There was no need for a convention center on the beach. It was fine the way it was.

Laurel Decker said a lot of time was spent talking about the past and very little talk about the solution. This was a financial problem without discussing a financial solution. No one was talking about selling the beach, but selling out. The City Manager said the Beach Fund was not paying back a loan from the Utility Fund; however, she said she did not believe that because \$250,000 was paid in the last fiscal year and \$200,000 was paid in this fiscal year. There had not yet been one full year of operations and the financial information had not yet been audited. Asking for plans to build on the beach was jumping the gun without knowing how much money was being lost. In 2012, \$1.8 million in debt was forgiven for the golf course. If one fund was forgiven, then the Beach Fund should be given a chance. She suggested working with the numbers until the terms of the leases came up again because ten years was not a long time for a City.

Ginny Powell said she was a resident for 28 years and for years she had been waiting to see something happen at the beach. The people of Lake Worth did a lot to make it a "people beach." Problems at the beach were raised by the same people who designed it. She asked for the second floor of the Casino Building to be viable and what the minimum cost to fix it up would be. She said it was a short period of time to be upset about the finances. The parking fees were increased by 25 cents per hour and said she heard that the City made a lot of money. People could not get to the beach because of the traffic.

Greg Rice commented that this issue had been kicked around for years. Everyone had fond memories of places in town, and the Casino Building had commercial tenants for years. Yes, everyone wanted public space and there was no parking spaces available on the weekends; however, there was a need to draw people to the beach during the weekday. The existing problems of the Casino Building needed to be addressed. He said he wanted to hear about the three proposals and that there was no place around to rent oceanfront space for \$20 per square foot.

Barbara Jean Weber said every word shed light on what was not known. It was time for the Commissioners to hold hands. Everyone was caught up about the numbers not adding up. She asked if it was possible to take the best of the ideas and combine them. There was talk about the mistakes made on the building, but the Commission was making the same mistakes. The Commission was smart, bright, and had the advantage of having each other and staff. She asked the Commission not to close their ears. It was not a matter of size. She asked the Commission to move forward. The Selection Committee members were vocal. She asked the Commission to

respect each other. This was an opportunity to take care of what was already there. She suggested getting volunteers to work at the Casino Building.

Janet Labanara commented that she was a new resident to Lake Worth and that it would be good for all to know that she chose Lake Worth over other cities because of many things. Lake Worth was a fabulous place. She said she did not care that there were problems, but this was an opportunity to get a stronger economic base. People were afraid of overdevelopment. She said she was concerned about crime and a stronger economy would affect crime. She suggested having a traffic study and bringing in experts to help the Commission make a decision.

Mayor Triolo read the comment written by Erika Bell. Ms. Bell wrote [asking the Commission] to spend \$50,000 to create a City staff position of curator [who would] book the Casino Building space and the pool. No one ever realized they could rent it. Lake Worth was full of potential fantastic events.

Mayor Triolo left the meeting at 9:06 PM and passed the gavel to Vice Mayor Maxwell.

Mary Watson said it was fiscally irresponsible and disingenuous to say the beach must be privatized because it was losing money from the pool. Close the pool if that was the real issue. The ITN was grossly misrepresented to Commissioner McVoy and the public. Many people live in Lake Worth because it was a beach community. She asked why the residents should pay for the Casino Building for Hudson Holding or have to pay the \$6 million back. A convention center could be constructed anywhere, but the beach. The public was overwhelmingly against this. This was the reason why John Szerdi was not re-elected. If buildings were constructed that lasted longer than 20 years, then the residents needed to vote on it.

Elise Crohn said she was amazed by all of the opinions and that there was value in each of them. A lot of people were upset because it took so long, and should have taken longer. She said she was concerned about the Hudson Holding proposal and that there was a need to do a lot more homework. She said she missed the discussion on how the ITN process was decided.

Tammy Pansa commented that she was still waiting for the formal presentations of the projects to be heard by the Commission. She asked if everyone was supposed to trust the ITN, said she wanted to hear straight from the proposers, and wanted to see the presentations. Two hours was just spent rehashing why the ITN did not work.

Cara Jennings said disturbing statements were made by one of the Selection Committee members during the February ITN meeting regarding

not meeting again until after the March election when Commissioner Szerdi would be re-elected. The public did not support any privatization at the beach. The public wanted 100% of the entire beach owned by the City and to remain public. Any Commissioner who supported a private/public partnership was not re-elected. There was a lot of commotion about losing money without an audit being done. It was a shame to go the ITN route. She said the public did not want a larger building. She asked what the City was doing about a developer who built an inferior building.

Marty Welfeld said the public was uninformed and trends could be looked at without a financial audit. Elected officials observed and acted. The City was bleeding and the loan was not repaid. If the City had taken out a loan from a bank instead of borrowing from the Utility Fund, it would be in default. There was a need to move forward. The past was not the path to the future.

Mayor Triolo returned to the meeting at 9:18 PM and resumed the gavel.

Jim McCandlish said he wanted to save the olympic-size pool. Before the City bulldozed it, he asked the Commission to look into marketing it to pay for itself. Children swam in the pool. It was time to make the pool work again. He said he had a plan, prepared by a former pool employee, to get people involved to generate revenue. An Olympic swimmer talked about bringing in clubs from England to work out. Since the renovations, the beach was never more crowded. He suggested marketing the second floor and pool.

Ramsay MacLeod commented that he had listened through the studies and Commission work sessions, and the bottom line was that the Commission made the decision on the proposals. He asked the Commission to defer a decision and go back to the citizens on the aggressive way to go. There was a need for information on what could be built. He supported getting traffic, impact, and/or sustainability studies. There was a need to support businesses and a need for the financial audits to be available to the public. If businesses were failing, then the business might be in the wrong location. There was a need for the studies and information within 90 days, then schedule a public showing of the proposals.

Richard Guercic said he attended the last ITN meeting and was pleasantly surprised at the Selection Committee's comments and the process. The comments given by Commissioner Amoroso and William Waters, during the Selection Committee discussion, needed to be disseminated. The process needed to move forward.

Maryann Polizzi commented that everyone voted in the Commission and there was a need to respect them. She said she lived in Lake Worth for 30 years and believed that there would be more taxes if everything stayed the same. It was a travesty, it was a simple solution, and many had different

opinions. She said her opinion was to move forward and get Lake Worth on the map instead of being called "Lake Worthlessness." Regardless of what was chosen, it was important to do something.

Commissioner Amoroso left the meeting at 9:38 PM.

Commission comments/requests summaries:

1. Commissioner Maier said the public comments he heard were that, without real, audited numbers, the City could not move forward with new development. The Casino Building needed to be fixed and the builder was responsible for fixing it up and solving the problems. The City needed to fix the building that was already at the beach. Getting studies done were for the future. Many individuals said there was not enough information to come up with a new development at the beach.

Commissioner Amoroso returned to the meeting at 9:40 PM.

2. Commissioner McVoy commented that everyone agreed there was a level of problems with the Casino Building. There were other issues with the upper floor design and some of those things could be solved and pushed back onto the builder or designer. He said he did not know if some of the corrections were done. Before entering into a private/public partnership, he suggested the building get fixed in order to receive a better lease price. He asked what the rush was to go into a partnership when there were other City assets that were losing money. The golf course lost money for years, and the City forgave that debt. He asked why it was okay for the golf course to lose money, but the City not support an amenity at the beach. He supported doing things to fix the problems with the building in order to open up an opportunity for a better restaurant. The building was designed after many public charettes.
3. Commissioner Amoroso suggested Commissioner McVoy meet with the City Manager or City Attorney to discuss the issues the City had with the developer or contractor. The parking fee revenues were currently paying for the Casino Building's overhead and maintenance. He said the parking fees should not be paying for the overhead. There was a \$1.8 million deficit at the golf course, which was taken off the budget's line item. The deficit was not forgiven. Former Commissioners were talking on blogs and emails, which resulted in the City having to pay a \$1.6 million lawsuit settlement.
4. Vice Mayor Maxwell commented that fixing the Casino Building would not change the financial picture because of the rents received. An audit was done every year; however, an audit did not address how money was spent. He said he was still waiting for information from staff about the building's bleeding finances, the amount of staffing needed to operate

the Casino Building, and the maintenance costs. He said businesses needed to pay for what was needed, including property taxes. He asked to see the proposals and suggested 30 minute presentations by each of the proposers be made before the Commission. He said he did not want to hear from blogs.

5. Mayor Triolo said the City could not afford to lose money every year. Pension and public safety costs were increasing every year. The City was trying to operate on a \$28 million budget, which decreased every year. She asked everyone to think about how things had changed. Everything did not have to make a profit, but facilities with commercial buildings had hard costs and needed to support themselves. If a profit was made then that money could be reinvested into the Casino Building. Residents should not have to pay a dime to fix a piece of the Casino Building because it was already paid for. She asked what amenities did the community want and deserve. The decision should be made by the community. There were 27 public meetings to discuss the Lake Worth 2020 infrastructure improvements, so this decision would not happen fast. There was a need to see the proposals. Not having the proposals here was a misrepresentation because everyone was talking about something without knowing what they were talking about. The City could never build, do, or plan anything unless there was a business model to sustain itself. If not, then the City would be setting itself up for failure.

6. Commissioner Amoroso said the Selection Committee made recommendations and there was a need for clarification on the Commission's direction. The reason why there were no proposals presented at this meeting was because one of the proposals was not pushed forward and was not included as one of the Committee's recommendation. The Committee's recommendation was to look forward, possibly negotiate with the upstairs renter, and to possibly look at doing studies. If the Commission was not going to take the Committee's recommendations, then the Selection Committee members needed Commission direction that at the next Commission meeting, the Commissioners wanted to look at all three proposals and to bring all three forward at a public meeting. If that was the Commission's direction then it would be that the Commission did not take the Selection Committee's recommendation.

Mayor Triolo responded that no decision would be made at this meeting.

Vice Mayor Maxwell suggested Commissioner Amoroso bring back his comments at the next Commission meeting.

Mayor Triolo responded that the Commission could then give direction to set up a meeting in which to discuss and vote on the issue.

4. **ADJOURNMENT:**

Consensus: To adjourn the meeting at 9:42 PM.

PAM TRIOLO, MAYOR

ATTEST:

PAMELA J. LOPEZ, CITY CLERK

Minutes Approved: June 16, 2015

A digital audio recording of this meeting will be available in the Office of the City Clerk.

**MINUTES
CITY OF LAKE WORTH
CITY COMMISSION
BUDGET WORK SESSION NO. 1
MAY 30, 2015 – 1:00 PM**

The meeting was called to order by Mayor Triolo on the above date at 1:00 PM in the City Commission Chamber, located at 7 North Dixie Highway, Lake Worth, Florida.

1. ROLL CALL:

Present were Mayor Pam Triolo; Vice Mayor Scott Maxwell; and Commissioners Christopher McVoy (arrived 1:38 PM), Andy Amoroso, and Ryan Maier. Also present were City Manager Michael Bornstein and City Clerk Pamela Lopez.

2. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Andy Amoroso.

3. UPDATES/FUTURE ACTION/DIRECTION:

A. Discuss the Fiscal Year 2016 proposed budget

City Manager Bornstein said budget transparency was a buzz word batted around. It was something that he had been gravelling with since his involvement in local government and particularly while in Lake Worth for the past three years. Lake Worth met the legal requirements of the State; however, numbers did not mean anything unless people understood them. He explained that the City needed a process and Burton & Associates was already providing financial modules for the Water Fund for several years. There was discussion about rethinking the budget process and having Burton & Associates look at all of the City's funds and how they interacted with each other. This year's budget process provided for the Commission to have discussions and make policy decisions from which the Fiscal Year 2016 budget would be crafted. The former finance director was able to balance the current budget by using one time revenue windfalls, which would not occur again.

He advised that the Palm Beach County Property Appraiser projected a 9.5% increase in property values; however, the budget still did not make a major commitment to funding replacement or maintenance of infrastructure needs. There were currently 58 vacant positions out of 352 employees. He asked the Commission to focus on each fund's balance during the process and to find solutions for the long term. He said staff was looking for direction or questions from the Commission.

1) Water Fund

Michael Burton, Burton & Associates, explained that they looked at eight funds and that cash flow models would be shown for each of those funds. He said each fund was interrelated, which would affect the General Fund. He explained in detail the Water Fund's operating fund and revenue versus expense's cash in and cash out. He commented that the Water Fund was healthy.

Larry Johnson, Water Utility Director, explained that staff was recommending a 4.5% water increase for Fiscal Year 2016, instead of the prior projected 5.0% rate increase.

No changes were made to the budget.

Sewer Fund

Michael Burton, Burton & Associates, explained in detail the Sewer Fund's operating fund and revenue versus expense's cash in and cash out. He commented that the Sewer Fund was healthy.

No changes were made to the budget.

2) Electric Fund

Michael Burton, Burton & Associates, explained that the Commission had entered into a rate parity ordinance and that, for the past two years, electric rates were reduced. He commented that to reach rate parity with Florida Power & Light (FPL) in two years, the Commission would have to decrease the electric rates 12% in Fiscal Year 2016 and another 12% in Fiscal Year 2017. If the rates were reduced, then in early 2018 the Electric Fund would run out of money. If the rates were not increased, then the Electric Fund would run out of money in 2020. If there was a rate increase each year, then there would be sufficient revenue in the Electric Fund.

Lengthy discussion ensued regarding parity including FPL's rate increase; investing in the City's own power plant; new construction being more energy efficient thereby using less electricity; the public's perception that the City still had higher electric rates; exploring all options before increasing the rates; the public not being aware that for the past four years the electric rates decreased; everyone would immediately learn about the rate increase, while the City did a poor job marketing the rate decreases; and having the General Fund not being dependent on utility funds.

Commissioner McVoy arrived at the meeting, the time being 1:38 PM.

Lengthy discussion continued regarding changing the amount of funds transferred into the General Fund and the results of those various change scenarios to both the Electric and General Funds.

Lengthy discussion continued regarding a financing mechanism to fund a new power plant, whether or not a fire assessment could be used to pay former Fire/Rescue Department personnel pensions, looking into the types of assessments imposed by other cities, the General Fund running out of money in Fiscal Year 2017 if contributions from the Electric Fund stopped, calling franchisee fees or payment in lieu of taxes the same name throughout all of the City's funds, putting efforts into conservation to help people reduce their electric usage, aged housing stock not having energy efficient appliances or insulation, a need for meaningful discussion on ways to increase revenue to the General Fund and encourage investment into the City, seeing the results of not funding infrastructure maintenance, being unacceptable to continue to transfer funds from the utility funds to support the General Fund, what the City could do to raise neighborhood prosperity, and providing a comparison of other cities' franchise fee amounts.

Mayor Triolo recessed the meeting at 2:32 PM and reconvened at 2:38 PM.

No changes to the budget were made.

3) General Fund

Note: Comments regarding the General Fund were had during the Electric Fund discussions.

4) Beach Fund

Michael Burton, Burton & Associates, explained in detail the Beach Fund's operating fund and revenue versus expense's cash in and cash out.

Juan Ruiz, Leisure Services Director, advised that additional staffing was requested in Fiscal Year 2016; however, any additional staffing would be based on the Commission's policy. He said an increase in parking meter fees could pay for the additional staff. He explained the proposed new pool amenities and improvements.

Lengthy discussion ensued regarding staffing the Casino Building and the results of various proposed scenarios to pay the debt and staffing, pool hours, and maintenance.

Vice Mayor Maxwell left the meeting at 3:13 PM and returned at 3:15 PM.

Lengthy discussion continued regarding generating enough revenue to support a US swimming competition pool and improvements to the pool to meet users' needs.

Commissioner Amoroso left the meeting at 3:35 PM and returned at 3:37 PM.

Lengthy discussion continued regarding including maintenance costs in future years modeling, the Casino Building needing to pay for itself and not subsidizing payment of the cost through parking meter fees, and consider renting the Casino Building's second floor for office space instead of a restaurant.

Vice Mayor Maxwell left the meeting at 3:50 PM and returned at 3:53 PM.

Lengthy discussion continued regarding paying for lifeguards with parking meter revenue, not using parking meter revenue to subsidize the Casino Building businesses, and residents subsidizing the Casino Building when the debt service costs were added into the Beach Fund financial modules.

The following changes to the Fiscal Year 2016 budget were made: keep the pool open 29 hours, fund office space for staff, fund additional staff, and increase the parking fees to \$2.50 per hour.

4. ADJOURNMENT:

Consensus: To adjourn the meeting at 4:02 PM.

PAM TRIOLO, MAYOR

ATTEST:

PAMELA J. LOPEZ, CITY CLERK

Minutes Approved: June 16, 2015

A digital audio recording of this meeting will be available in the Office of the City Clerk.



CITY OF LAKE WORTH

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

AGENDA DATE: June 16, 2015, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 25-2015 - submit Fiscal Year 2015 Edward Byrne Memorial Justice Assistance Grant program application

SUMMARY:

The Resolution authorizes the submission of an application to the Bureau of Justice Assistance for the City's Fiscal Year 2015 Justice Assistance Grant formula award of \$30,167.

BACKGROUND AND JUSTIFICATION:

The Department of Justice, Bureau of Justice Assistance has recently notified the City of its eligibility for Fiscal Year 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) funding under the Local JAG solicitation in the amount of \$30,167. These funds are made available to the City for eligible local initiatives and activities that include law enforcement programs, prosecution and court programs, prevention and education programs, corrections and community corrections programs, drug treatment and enforcement programs, planning, evaluation and technology programs, and crime victim and witness programs. The term of the award is from October 1, 2014 through September 30, 2018.

As expressed at a public meeting that was held on May 26, 2015, the City proposes to utilize this allocation of Fiscal Year 2015 JAG Program funding to retain the Recreation Leader position to continue the provision of individual case management for at-risk youth participating in after-school education and crime prevention programs at the City's two Youth Empowerment Centers. The Recreation Leader is responsible for the coordination of participating youth and City staff, parents, school, juvenile justice system personnel and other service providers involved in ongoing programs and activities at the City's two Youth Empowerment Centers. This is an eligible prevention and education program under the JAG Program. No match is required of the City for this funding.

The City's application is available for public review and comment in the City Manager's Office, City Hall, 7 North Dixie Highway, Lake Worth, FL 33460 during normal business hours through June 28, 2015. Public notice to this effect was published in the Lake Worth Herald on May 28, 2015. Any public comment received will be submitted to the Bureau of Justice Assistance.

MOTION:

I move to approve/ not approve Resolution No. 25-2015.

ATTACHMENT(S):

Fiscal Impact Analysis
Resolution

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	0	0	0	0	0
External Revenues (Grant)	0	8,000	22,167	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	8,000	22,167	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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

Grant funds in the amount of \$30,167 will be utilized to maintain the City's Recreation Leader position to provide individual case management for "at-risk" youth participating in afterschool education and crime prevention programs at the City's Youth Empowerment Centers. No local cost share is required of the City for these grant funds.

C. Department Fiscal Review: _____

1
2
3 RESOLUTION NO. 25-2015 OF THE CITY OF LAKE WORTH, FLORIDA,
4 AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U.S.
5 DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU
6 OF JUSTICE ASSISTANCE FOR GRANT FUNDS PROVIDED THROUGH
7 THE FISCAL YEAR 2015 EDWARD BYRNE MEMORIAL JUSTICE
8 ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$30,167;
9 PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
10
11

12 WHEREAS, the City has received notification from the U.S. Department
13 of Justice, Office of Justice Programs, Bureau of Justice Assistance of its
14 eligibility to apply for assistance under the Fiscal Year 2015 Edward Byrne
15 Memorial Justice Assistance Grant (JAG) Program via its Local JAG Program
16 solicitation; and
17

18 WHEREAS, the Fiscal Year 2015 JAG Program allocation for the City
19 has been established by formula in the amount of \$30,167 for eligible local
20 initiatives and activities; and
21

22 WHEREAS, the provision of afterschool and crime prevention programs
23 at the Youth Empowerment Centers is an eligible prevention and education
24 activity under JAG Program guidelines; and
25

26 WHEREAS, the City desires to apply for Fiscal Year 2015 JAG Program
27 funds to support the continued staffing of the Recreation Leader position at the
28 City's Youth Empowerment Centers to provide individual case management for
29 at-risk youth participating in the afterschool and crime prevention programs.
30

31 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
32 LAKE WORTH, FLORIDA, that:
33

34 SECTION 1: The City Commission of the City of Lake Worth, Florida, hereby
35 authorizes the submission of an application to the U.S. Department of Justice,
36 Office of Justice Programs, Bureau of Justice Assistance for grant funds made
37 available through the Fiscal Year 2015 Edward Byrne Memorial Justice
38 Assistance Grant Program in the amount of \$30,167 for the continued staffing
39 of the Recreation Leader position to provide individual case management for
40 at-risk youth participating in the afterschool and crime prevention programs at the
41 City's Youth Empowerment Centers.
42

43 SECTION 2: The City Commission of the City of Lake Worth, Florida, hereby
44 authorizes the acceptance of these funds, if awarded, for this purpose.
45

46 SECTION 2: Upon execution of the Resolution, one copy shall be forwarded to
47 the Leisure Services Director. The fully executed original shall be maintained
48 by the City Clerk as a public record of the City.
49

50 SECTION 3: This Resolution shall become effective upon adoption.

51

52

53 The passage of this Resolution was moved by Commissioner _____,
54 seconded by Commissioner _____, and upon being put to a
55 vote, the vote was as follows:

56

Mayor Pam Triolo

57

Vice Mayor Scott Maxwell

58

Commissioner Christopher McVoy

59

Commissioner Andy Amoroso

60

Commissioner Ryan Maier

61

62

Mayor Pam Triolo thereupon declared this Resolution duly passed and
63 adopted on the 16th day of June, 2015.

64

65

LAKE WORTH CITY COMMISSION

66

67

68

By: _____

69

Pam Triolo, Mayor

70

71

ATTEST:

72

73

74

Pamela J. Lopez, City Clerk



CITY OF LAKE WORTH

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

AGENDA DATE: June 16, 2015, Regular Meeting

DEPARTMENT: Commissioner Amoroso

EXECUTIVE BRIEF

TITLE:

Resolution No. 26-2015 - support legislation to establish regulations or ban of disposal plastic bags

SUMMARY:

The Resolution support the environmental initiative of House Bill 661 and Senate Bill 966 to establish a pilot program for the regulation or ban of disposable plastic bags by coastal municipalities.

BACKGROUND AND JUSTIFICATION:

Currently, municipalities cannot regulate or ban the use of disposable plastic bags. State Representative David Richardson introduced House Bill 661 and State Senator Dwight Bullard filed Senate Bill 966 for consideration during the 2015 Regular Session of the Florida State Legislature. House Bill 661 and Senate Bill 966 proposed a pilot program for coastal municipalities to establish regulations or ban the use of disposable plastic bags. Both bills failed during the Regular Session. However, the City, as a coastal municipality which would have qualified for the pilot program, has received a request to show its support for the underlying environmental initiative of House Bill 661 and Senate Bill 966 in hopes of having similar bills passed in the future.

MOTION:

I move to approve/disapprove Resolution No. 26-2015.

ATTACHMENT(S):

Fiscal Analysis Impact – not applicable

House Bill 661

Senate Bill 966

Resolution

1 A bill to be entitled
 2 An act relating to disposable plastic bags; creating
 3 s. 403.70325, F.S.; authorizing certain municipalities
 4 to establish pilot programs for the regulation or ban
 5 of disposable plastic bags; providing program
 6 criteria; providing for expiration of the program;
 7 directing participating municipalities to collect data
 8 and submit reports to the municipal governing body and
 9 the Department of Environmental Protection;
 10 authorizing municipalities to continue such regulation
 11 or ban after the program expires under certain
 12 conditions; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 407.70325, Florida Statutes, is created
 17 to read:

18 403.70325 Municipal pilot program for regulation or ban of
 19 disposable plastic bags.—

20 (1) Notwithstanding s. 403.7033, a municipality with a
 21 population of fewer than 100,000 may establish a pilot program
 22 to regulate or ban disposable plastic bags. A municipality
 23 establishing a pilot program shall, by December 31, 2015, enact
 24 an ordinance for the regulation or ban of disposable plastic
 25 bags that begins January 1, 2016, and expires June 30, 2018.
 26 Such ordinance may not include any new taxes or fees on the use

27 or distribution of disposable plastic bags.

28 (2) A municipality that establishes a pilot program shall:

29 (a) Collect data pertaining to the impact of such
30 regulation or ban.

31 (b) By April 1, 2018, submit a report on the impact of
32 such regulation or ban to the governing body of the municipality
33 at a public hearing that is open to comments from the public.

34 (c) Provide a copy of the report to the department.

35 (3) A municipality may continue to regulate or ban
36 disposable plastic bags after June 30, 2018, if the municipality
37 enacts an ordinance after April 1, 2018, indicating that the
38 municipality will continue the regulation or ban of plastic
39 bags, notwithstanding s. 403.7033.

40 Section 2. Section 403.7033, Florida Statutes, reads:

41 403.7033 Departmental analysis of particular recyclable
42 materials.—The Legislature finds that prudent regulation of
43 recyclable materials is crucial to the ongoing welfare of
44 Florida's ecology and economy. As such, the Department of
45 Environmental Protection shall undertake an analysis of the need
46 for new or different regulation of auxiliary containers,
47 wrappings, or disposable plastic bags used by consumers to carry
48 products from retail establishments. The analysis shall include
49 input from state and local government agencies, stakeholders,
50 private businesses, and citizens, and shall evaluate the
51 efficacy and necessity of both statewide and local regulation of
52 these materials. To ensure consistent and effective

HB 661

2015

53 | implementation, the department shall submit a report with
54 | conclusions and recommendations to the Legislature no later than
55 | February 1, 2010. Until such time that the Legislature adopts
56 | the recommendations of the department, no local government,
57 | local governmental agency, or state government agency may enact
58 | any rule, regulation, or ordinance regarding use, disposition,
59 | sale, prohibition, restriction, or tax of such auxiliary
60 | containers, wrappings, or disposable plastic bags.

61 | Section 3. This act shall take effect July 1, 2015.

By the Committee on Environmental Preservation and Conservation;
and Senators Bullard, Soto, and Sobel

592-03760-15

2015966c1

1 A bill to be entitled
2 An act relating to disposable plastic bags; creating
3 s. 403.70325, F.S.; authorizing certain municipalities
4 to establish pilot programs for the regulation or ban
5 of disposable plastic bags; providing program
6 criteria; providing for expiration of the program;
7 directing participating municipalities to collect data
8 and submit reports to the municipal governing body and
9 the Department of Environmental Protection;
10 republishing s. 403.7033, F.S.; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Section 403.70325, Florida Statutes, is created
16 to read:

17 403.70325 Municipal pilot program for regulation or ban of
18 disposable plastic bags.—

19 (1) Notwithstanding s. 403.7033, a municipality with a
20 population of fewer than 100,000 which is a coastal community
21 may establish a pilot program to regulate or ban disposable
22 plastic bags. A municipality establishing a pilot program shall,
23 by December 31, 2015, enact an ordinance for the regulation or
24 ban of disposable plastic bags that begins January 1, 2016, and
25 expires June 30, 2018. Such ordinance may not include any new
26 taxes or fees on the use or distribution of disposable plastic
27 bags.

28 (2) A municipality that establishes a pilot program shall:

29 (a) Collect data pertaining to the impact of such

592-03760-15

2015966c1

30 regulation or ban.

31 (b) By April 1, 2018, submit a report on the impact of such
32 regulation or ban to the governing body of the municipality at a
33 public hearing that is open to comments from the public.

34 (c) Provide a copy of the report to the department.

35 Section 2. Section 403.7033, Florida Statutes, is
36 republished to read:

37 403.7033 Departmental analysis of particular recyclable
38 materials.—The Legislature finds that prudent regulation of
39 recyclable materials is crucial to the ongoing welfare of
40 Florida's ecology and economy. As such, the Department of
41 Environmental Protection shall undertake an analysis of the need
42 for new or different regulation of auxiliary containers,
43 wrappings, or disposable plastic bags used by consumers to carry
44 products from retail establishments. The analysis shall include
45 input from state and local government agencies, stakeholders,
46 private businesses, and citizens, and shall evaluate the
47 efficacy and necessity of both statewide and local regulation of
48 these materials. To ensure consistent and effective
49 implementation, the department shall submit a report with
50 conclusions and recommendations to the Legislature no later than
51 February 1, 2010. Until such time that the Legislature adopts
52 the recommendations of the department, no local government,
53 local governmental agency, or state government agency may enact
54 any rule, regulation, or ordinance regarding use, disposition,
55 sale, prohibition, restriction, or tax of such auxiliary
56 containers, wrappings, or disposable plastic bags.

57 Section 3. This act shall take effect upon becoming a law.

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RESOLUTION NO. 26-2015 OF THE CITY OF LAKE WORTH, FLORIDA, SUPPORTING HOUSE BILL 661, AND COMPANION SENATE BILL 966, AUTHORIZING A PILOT PROGRAM FOR COASTAL MUNICIPALITIES TO REGULATE OR BAN THE USE OF DISPOSABLE PLASTIC BAGS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, plastic bags have been determined to be detrimental to the environment because they do not fully degrade in our oceans or landfills and they introduce unsafe chemicals into our environment; and

WHEREAS, plastic bags have been known to cause death by choking, entanglement and ingestion to both land and marine animals; and

WHEREAS, the expansive usage of disposable plastic bags and their typical disposal rates creates an impediment to the City’s waste reduction and recycling goals while creating unsightly litter; and

WHEREAS, single-use plastic bags are difficult to recycle and frequently contaminate material that is processed through the City’s curbside recycling program; and

WHEREAS, Section 403.7033 currently prohibits local governments from enacting any ordinances, rules or regulations regarding the use, disposition, sale, prohibition, restriction, or tax of disposable plastic bags; and

WHEREAS, State Representative David Richardson has introduced House Bill 661 and State Senator Dwight Bullard has filed Senate Bill 966 for consideration during the 2015 Regular Session of the Florida State Legislature; and

WHEREAS, House Bill 661 and Senate Bill 966 would authorize coastal municipalities with a population of fewer than one hundred thousand (100,000) to establish a pilot program to regulate or ban disposable plastic bags; and

WHEREAS, both House Bill 661 and Senate Bill 966 died during the 2015 Regular Session of the Florida State Legislature; and

WHEREAS, the Mayor and City Commission have determined that the enactment of House Bill 661 and Senate Bill 966 (or a similar bill) would benefit the residents and visitors of the City of Lake Worth; would protect the City’s beaches and marine life; and, would serve a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WORTH, FLORIDA, that:

SECTION 1: The Mayor and City Commission of the City of Lake Worth support the enactment of House Bill 661 and Senate Bill 966 (or a similar bill) for the

50 establishment of a pilot program for the coastal municipalities to regulate or ban
51 the use of disposable plastic bags.

52

53 SECTION 2: The Mayor and City Commission direct the City Manager to cause
54 a copy of this resolution to be forwarded to all appropriate parties.

55

56 SECTION 3: This Resolution shall become effective upon adoption.

57

58 The passage of this Resolution was moved by Commissioner
59 _____, seconded by Commissioner _____, and
60 upon being put to a vote, the vote was as follows:

61

- 62 Mayor Pam Triolo
- 63 Vice Mayor Scott Maxwell
- 64 Commissioner Christopher McVoy
- 65 Commissioner Andy Amoroso
- 66 Commissioner Ryan Maier

67

68 Mayor Pam Triolo thereupon declared this Resolution duly passed and
69 adopted on the 16th day of June, 2015.

70

71

LAKE WORTH CITY COMMISSION

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73

74

By: _____
Pam Triolo, Mayor

75

76

ATTEST:

77

78 _____
Pamela J. Lopez, City Clerk



CITY OF LAKE WORTH

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

AGENDA DATE: June 16, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Final Plat map application for the Waterville Townhomes project.

SUMMARY:

The applicant is requesting a final plat map approval for the Waterville Townhomes project generally located +/- 650 feet north of the Intersection of 10th Avenue North and Boutwell Road, in the City of Lake Worth.

BACKGROUND AND JUSTIFICATION:

The applicant is requesting a final plat map approval for the Waterville Townhomes project. The project site is a vacant +/- 8.75 acre parcel generally located +/- 650 feet north of the Intersection at 10th Avenue North and Boutwell Road, in the City of Lake Worth. The project site is inclusive of the following described parcel:

<u>P.C.N.</u>	<u>Address</u>
38-43-44-20-01-003-0010	1100 Boutwell Road
38-43-44-20-01-003-0011	
38-43-44-20-01-002-0020	
38-43-44-20-01-002-0021	

The Planning & Zoning Board approved the seventy-five (75) unit townhome project at their meeting on December 17, 2014. The final plat map was reviewed by the Department of Community Sustainability and other appropriate City Departments, which all recommend approval of the final plat. The Planning and Zoning Board recommended approval of the final plat map at their meeting on June 3, 2015, without conditions of approval.

MOTION:

I move to approve/disapprove the final plat map for the Waterville Townhomes project.

ATTACHMENT(S):

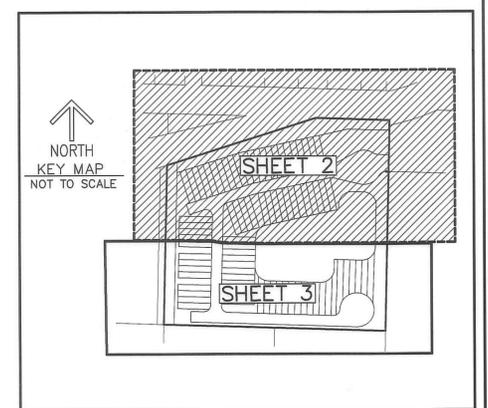
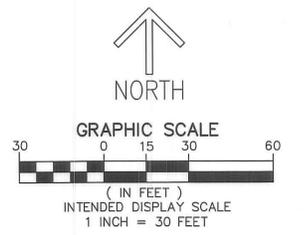
Fiscal Impact Analysis – not applicable
Waterville Partially Executed Plat
Site Plan, Landscape Plan
Rendering

THIS INSTRUMENT PREPARED BY
 DAVID P. LINDLEY
 OF
CAULFIELD and WHEELER, INC.
 SURVEYORS - ENGINEERS - PLANNERS
 7900 GLADES ROAD, SUITE 100
 BOCA RATON, FLORIDA 33434
 OFFICE (561)392-1991 FAX (561)750-1452
 CERTIFICATE OF AUTHORIZATION NO. LB 3591
 FEBRUARY - 2015

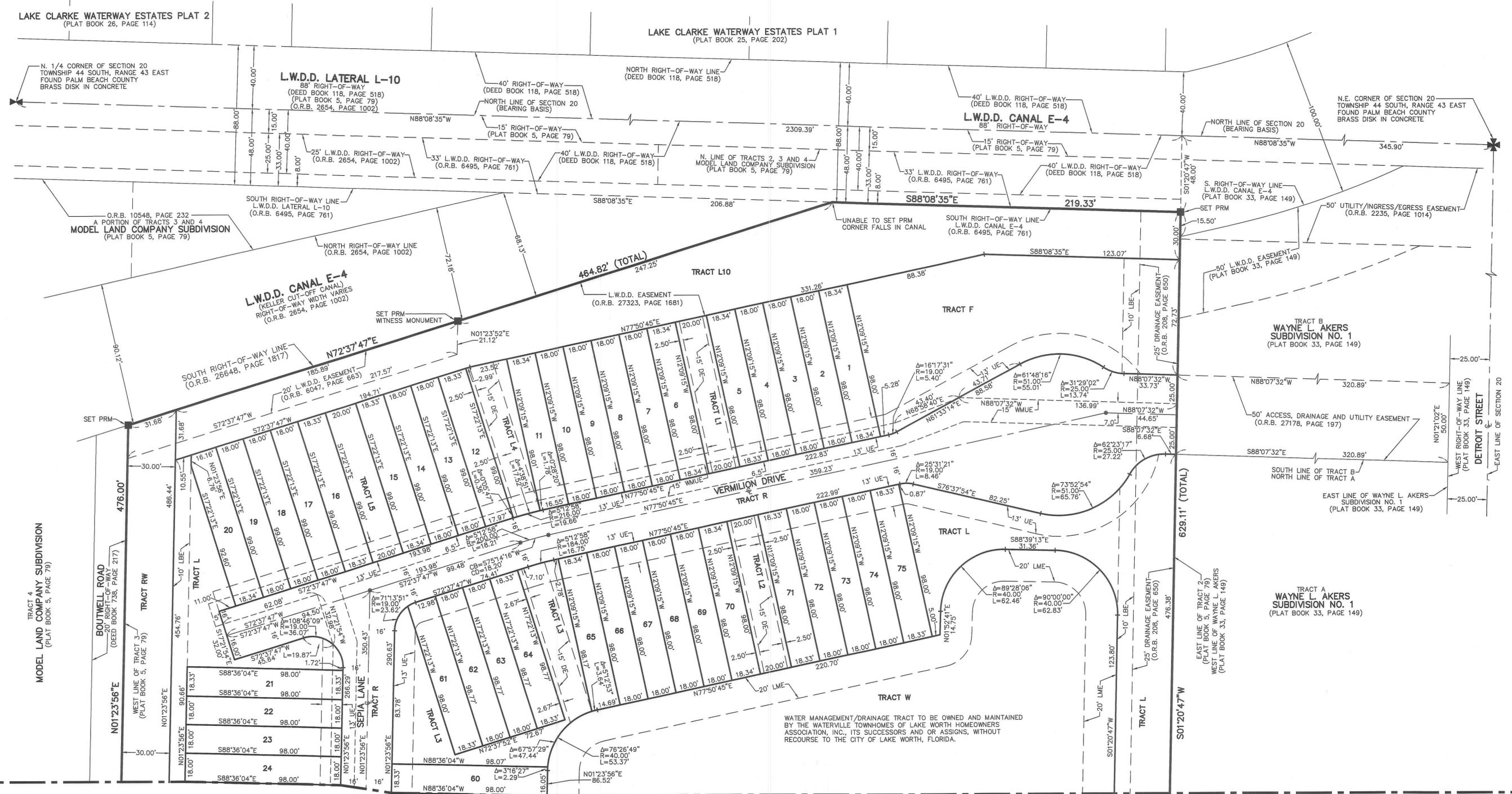
WATERVILLE

BEING A REPLAT OF A PORTION OF TRACTS 2 AND 3,
 MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST,
 AS RECORDED ON PLAT BOOK 5, PAGE 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
 LYING IN THE CITY OF LAKE WORTH, PALM BEACH COUNTY, FLORIDA.

- LEGEND/ABBREVIATIONS**
- SET PRM - INDICATES PERMANENT REFERENCE MONUMENT
 - 4"x4"x24" CONCRETE MONUMENT WITH ALUMINUM DISK
 - STAMPED "C&W PRM LB#3591" UNLESS OTHERWISE NOTED
 - - INDICATES PERMANENT CONTROL POINT
 - - CENTERLINE
 - Δ - CENTRAL ANGLE
 - R - RADIUS
 - L - ARC LENGTH
 - CB - CHORD BEARING
 - CD - CHORD DISTANCE
 - DE - DRAINAGE EASEMENT
 - UE - UTILITY EASEMENT
 - LB - LICENSED BUSINESS
 - LBE - LANDSCAPE BUFFER EASEMENT
 - LME - LAKE MAINTENANCE EASEMENT
 - L.W.D.D. - LAKE WORTH DRAINAGE DISTRICT
 - NO. - NUMBER
 - O.R.B. - OFFICIAL RECORD BOOK
 - SF - SQUARE FEET
 - WMUE - WATER MAIN UTILITY EASEMENT



STATE OF FLORIDA
 COUNTY OF PALM BEACH
 THIS PLAT WAS FILED FOR
 RECORD AT _____ M.
 THIS _____ DAY OF
 A.D. 201____ AND DULY RECORDED
 IN PLAT BOOK _____ ON
 PAGES _____ THRU _____
 SHARON R. BOCK
 CLERK AND COMPTROLLER
 BY: _____
 DEPUTY CLERK



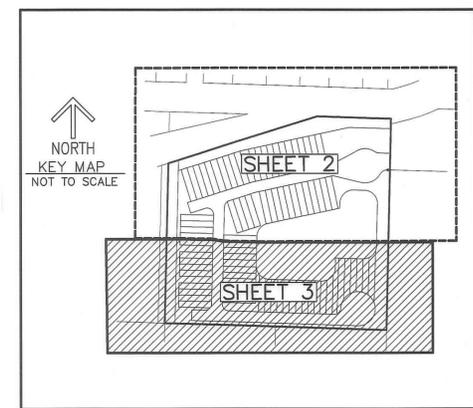
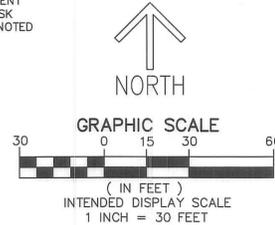
WATER MANAGEMENT/DRAINAGE TRACT TO BE OWNED AND MAINTAINED
 BY THE WATERVILLE TOWNHOMES OF LAKE WORTH HOMEOWNERS
 ASSOCIATION, INC., ITS SUCCESSORS AND OR ASSIGNS, WITHOUT
 RECOURSE TO THE CITY OF LAKE WORTH, FLORIDA.

THIS INSTRUMENT PREPARED BY
 DAVID P. LINDLEY
 OF
CAULFIELD and WHEELER, INC.
 SURVEYORS - ENGINEERS - PLANNERS
 7900 GLADES ROAD, SUITE 100
 BOCA RATON, FLORIDA 33434
 OFFICE (561)392-1991 FAX (561)750-1452
 CERTIFICATE OF AUTHORIZATION NO. LB 3591
 FEBRUARY - 2015

WATERVILLE

BEING A REPLAT OF A PORTION OF TRACTS 2 AND 3,
 MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST,
 AS RECORDED ON PLAT BOOK 5, PAGE 79 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
 LYING IN THE CITY OF LAKE WORTH, PALM BEACH COUNTY, FLORIDA.

- LEGEND/ABBREVIATIONS**
- SET PRM - INDICATES PERMANENT REFERENCE MONUMENT
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 - INDICATES PERMANENT CONTROL POINT
 - ⊙ CENTERLINE
 - ∠ CENTRAL ANGLE
 - R RADIUS
 - L ARC LENGTH
 - CB CHORD BEARING
 - CD CHORD DISTANCE
 - DE DRAINAGE EASEMENT
 - UE UTILITY EASEMENT
 - LB LICENSED BUSINESS
 - LBE LANDSCAPE BUFFER EASEMENT
 - LME LAKE MAINTENANCE EASEMENT
 - L.W.D.D. LAKE WORTH DRAINAGE DISTRICT
 - NO. NUMBER
 - O.R.B. OFFICIAL RECORD BOOK
 - S.F. SQUARE FEET
 - WMUE WATER MAIN UTILITY EASEMENT

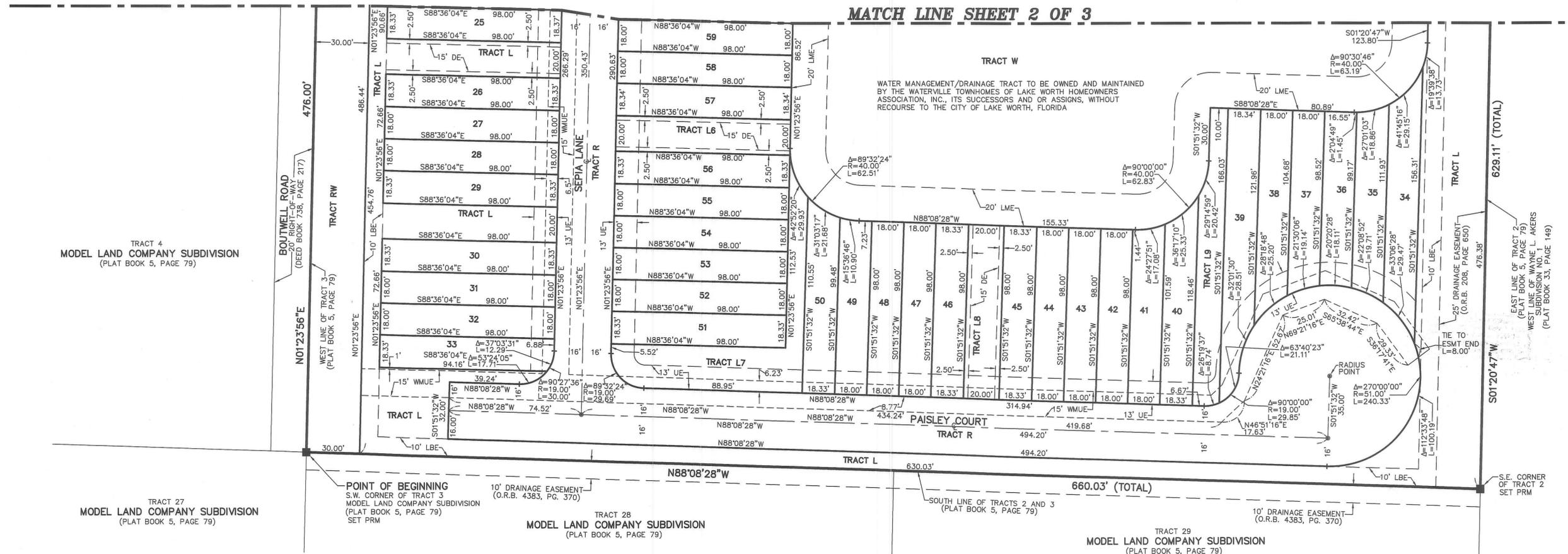


STATE OF FLORIDA
 COUNTY OF PALM BEACH
 THIS PLAT WAS FILED FOR
 RECORD AT _____ M.
 THIS _____ DAY OF _____
 A.D. 201____ AND DULY RECORDED
 IN PLAT BOOK _____ ON
 PAGES _____ THRU _____

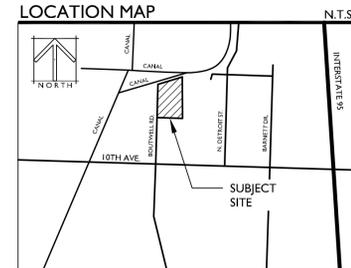
SHARON R. BOCK
 CLERK AND COMPTROLLER

SHEET 3 OF 3

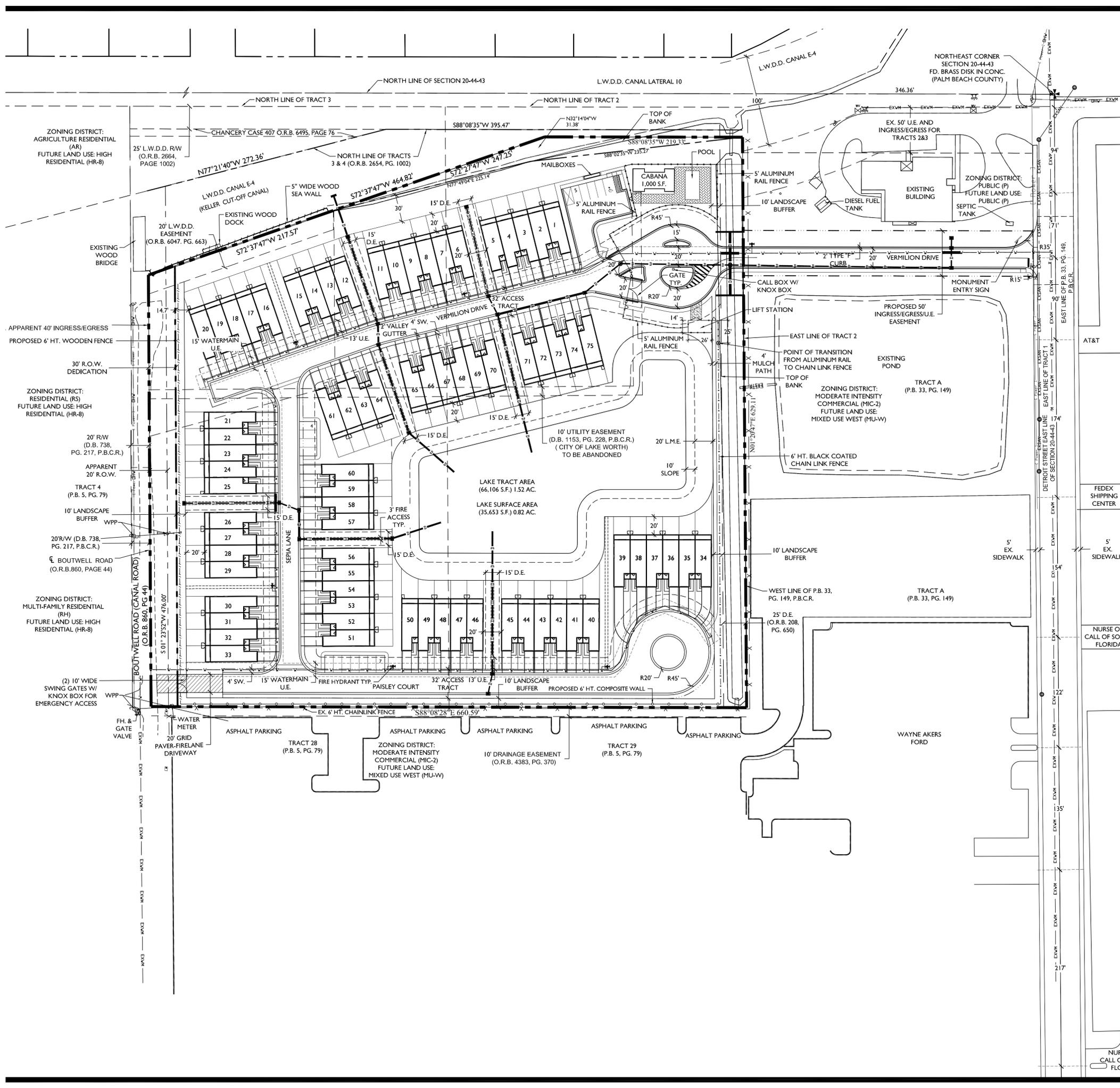
BY: _____
 DEPUTY CLERK



TRACT A
 WAYNE L. AKERS
 SUBDIVISION NO. 1
 (PLAT BOOK 33, PAGE 149)



**WATERVILLE
 SITE PLAN**
 CITY OF LAKE WORTH, FLORIDA



SITE DATA

PROPERTY CONTROL NUMBERS	38-43-44-20-01-003-0010, 38-43-44-20-01-003-0011, 38-43-44-20-01-002-0020 & 38-43-44-20-01-002-0021
FUTURE LAND USE	MEDIUM DENSITY RESIDENTIAL (MDR)
ZONING DISTRICT	LOW DENSITY MULTI-FAMILY RESIDENTIAL (MF-20)
CURRENT USE	VACANT
PROPOSED USE	FEE-SIMPLE TOWNHOMES
GROSS TOTAL SITE AREA	(381,336 S.F.) 8.75 AC.
NET TOTAL AREA	(350,910 S.F.) 8.06 AC.
TOTAL DWELLING UNITS	75 D.U.
GROSS DENSITY (20 D.U./AC. MAX.)	8.56 D.U./AC.
TOTAL LAKE TRACT AREA	(66,106 S.F.) 1.52 AC.
TOTAL WATER SURFACE AREA	(35,653 S.F.) 0.82 AC.
TOTAL PARKING REQUIRED (2 SP/D.U.)	150 SP.
TOTAL PARKING PROPOSED	166 SP.
4 UNIT TOWNHOME BUILDING (7,022 S.F.)	5 BUILDINGS (35,110 S.F.)
5 UNIT TOWNHOME BUILDING (8,805 S.F.)	5 BUILDINGS (44,025 S.F.)
6 UNIT TOWNHOME BUILDING (10,588 S.F.)	5 BUILDINGS (52,940 S.F.)

DEVELOPMENT STANDARDS:

DEVELOPMENT STANDARDS	REQUIRED	PROVIDED
LOT SIZE (ACREAGE AND S.F.)	9,750 S.F. FOR MULTI-FAMILY	350,910 S.F. (8.06 AC.)
LOT WIDTH (FRONTAGE)	50' MIN.	629.11 LF.
BUILDING HEIGHT	PRINCIPAL	30' (NOT TO EXCEED 2 STORIES)
	ACCESSORY	24' (TWO STORIES)
SETBACKS (TOWNHOME REGULATIONS)	FRONT	20'
	REAR	15' OR 10% OF LOT DEPTH
	SIDE	10% OF LOT WIDTH, MIN. 3'
LIVING AREA	MULTI-FAMILY	900 S.F. 3 BR. & 1,728 S.F.
ACCESSORY STRUCTURE LIMITATION	40% OF PRINCIPAL STRUCTURE	N/A
IMPERMEABLE SURFACE TOTAL	C. LARGE LOT - 55%	46%
MAX. LOT COVERAGE FOR ALL BLDGS.	C. LOTS OVER 7,500 S.F. (LARGE LOTS) - 35%	28%
MAX. WALL HEIGHT SETBACK	23'	19'-10"
FLOOR AREA RATIO LIMITATION	0.50 FOR LOTS 7,500 S.F. AND GREATER	0.35

NOTES

Best Management Practices for Erosion Control will be provided with the construction plans.

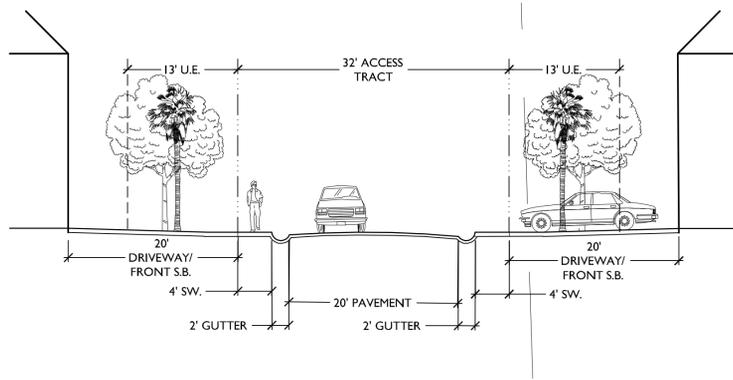
REVISION DATES		
DATE	APPROVAL	NOTES
6/2/2014		INITIAL SUBMITTAL
6/2/2014		RESUBMITTAL

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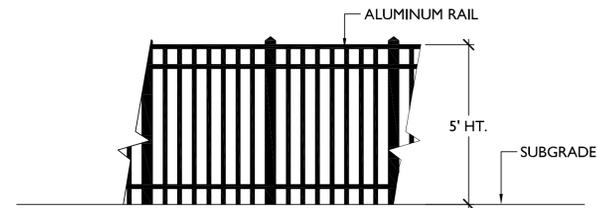
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 FILE #: 691.23 & 1829.3

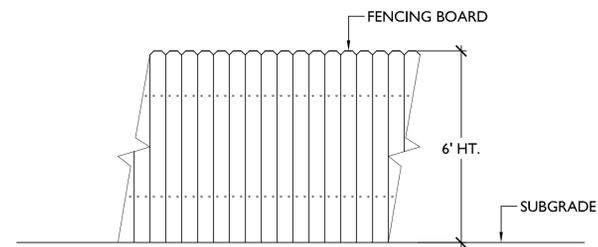
A TYPICAL 32' ACCESS TRACT SECTION DETAIL
SCALE: 1" = 10'-0"



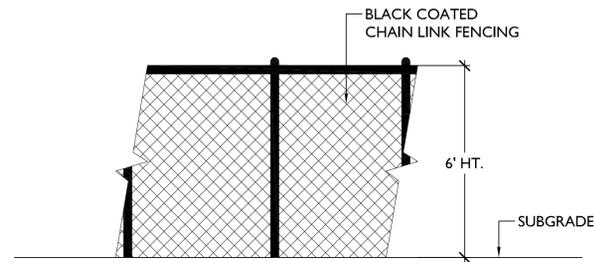
B TYPICAL 5' HT. ALUMINUM RAIL FENCE DETAIL
N.T.S.



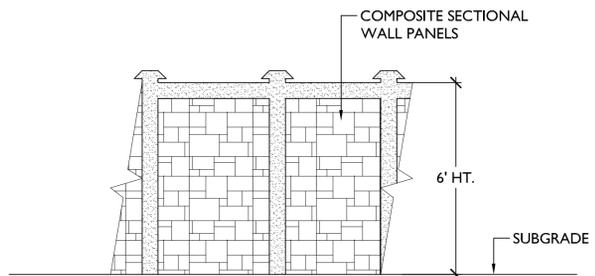
C TYPICAL 6' HT. WOOD FENCE DETAIL
N.T.S.



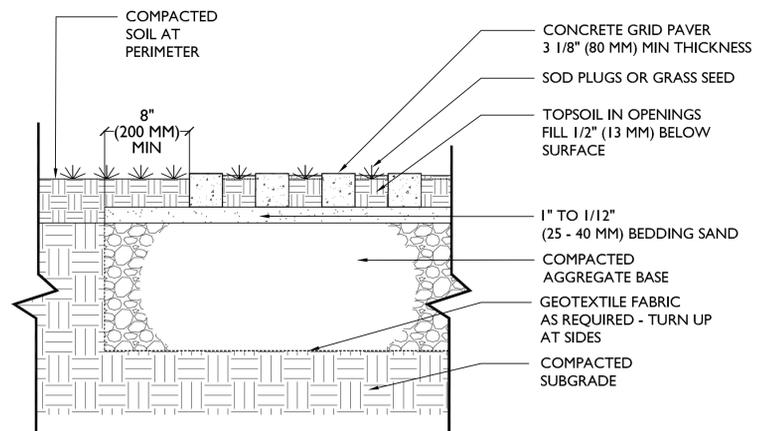
D TYPICAL 6' HT. BLACK CHAIN LINK FENCE DETAIL
N.T.S.



E TYPICAL 6' HT. COMPOSITE WALL DETAIL
N.T.S.

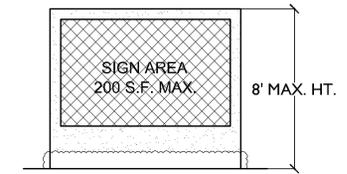


F TYPICAL GRID PAVER-FIRELANE DRIVEWAY
N.T.S.



G MONUMENT SIGN DETAIL
N.T.S.

- MAXIMUM NUMBER OF SIGNS PER PROJECT FRONTAGE: 1
- MAXIMUM SIGN AREA (PER LINEAR FT. OF FRONTAGE): 200 S.F.
- MINIMUM SETBACK: 3' FT.
- MAXIMUM HEIGHT: 8' FT.
- 12" MAX HEIGHT OF LETTERS.



REVISION DATES		
DATE	APPROVAL	NOTES
6/2/2014	INITIAL	SUBMITTAL
9/9/2014	RE-SUBMITTAL	

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PLANT SCHEDULE TYPICAL 4 UNIT

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
IA	3	East Palatka Holly	Ilex x attenuata 'East Palatka'	B & B	Yes	3" Cal., 12' Ht. x 4'-6' Sprd., Full Canopy
ACCENTS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CRO	11	Mammy Croton	Codiaeum variegatum 'Mammy'	7 gal		3" O.A. Ht., Full, 30" O.C.
ZAP	11	Coontie	Zamia pumila	7 gal	Yes	24" Ht. x 24" Sprd., Full, 30" O.C.
SHRUB AREAS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
ALM	9	Bush Allamanda	Allamanda schottii	3 gal		24" Ht. x 24" Sprd., Full, 24" O.C.
CHR	20	Red Tip Cocoplum	Chrysobalanus icaco 'Red Tip'	3 gal	Yes	24" Ht. x 24" Sprd., Full, Hedge, 24" O.C.
CGN	52	Dwarf Clusia	Clusia guttiferana nana	3 gal	Yes	18" Ht. x 12" Sprd., Full, 24" O.C.
THY	9	Thyralis	Galphimia gracilis	3 gal		24" Ht. x 24" Sprd., Full, 24" O.C.
IXO	13	Red Ixora	Ixora coccinea 'Petite Red'	3 gal		15" Ht. x 15" Sprd., Full, 18" O.C.
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
DIA	42	Blueberry Flax Lily	Dianella tasmanica 'Blueberry'	1 gal		10" Ht. x 10" Sprd., Full, 18" O.C.
ILV	28	Dwarf Yaupon Holly	Ilex vomitoria 'Stokes Dwarf'	3 gal	Yes	15" Ht. x 15" Sprd., Full, 18" O.C.
LIA	54	Giant Lily Turf	Liriope muscari 'Evergreen Giant'	1 gal		12" Ht. x 12" Sprd., Full, 18" O.C.
PMP	28	Dwarf Podocarpus	Podocarpus macrophyllus 'Dwarf Pringles'	1 gal		12" Ht. x 12" Sprd., Full, 18" O.C.
SOD		St. Augustine Turf	Stenotaphrum secundatum	3 gal		T.B.D. by Contractor

PLANT SCHEDULE TYPICAL 5 UNIT

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CS	2	Silver Button Wood	Conocarpus erectus sericeus	B & B	Yes	3" Cal., 12' Ht. x 6'-8' Sprd., Standard, Full Canopy
PALM TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
SP-2	6	Cabbage Palmetto	Sabal palmetto	B & B	Yes	8' C.T., 12' O.A.Ht., Slick, Full Intact Fronds
ACCENTS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CRO	11	Mammy Croton	Codiaeum variegatum 'Mammy'	7 gal		3" O.A. Ht., Full, 30" O.C.
CP2	3	Bravo Croton	Codiaeum variegatum 'Petra'	7 gal		30" O.A.Ht., Full, 30" O.C.
STR	9	Orange Bird Of Paradise	Strelitzia reginae	7 gal		36" Ht. x 24" Spr., 3 plants/pot, 30" O.C.
SHRUB AREAS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CHR	52	Red Tip Cocoplum	Chrysobalanus icaco 'Red Tip'	3 gal	Yes	24" Ht. x 24" Sprd., Full, Hedge, 24" O.C.
CEB	4	Silver Buttonwood	Conocarpus erectus sericeus	3 gal		24" Ht. x 24" Sprd., Full, Hedge, 24" O.C.
THY	9	Thyralis	Galphimia gracilis	3 gal		24" Ht. x 24" Sprd., Full, 24" O.C.
MYF	33	Simpson's Stopper	Myrcianthes fragrans	3 gal	Yes	24" Ht. x 24" Sprd., Full, 24" O.C.
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CAM	13	Natal Plum	Carissa macrocarpa	3 gal		12" Ht. x 12" Sprd., Full, 24" O.C.
DIA	14	Blueberry Flax Lily	Dianella tasmanica 'Blueberry'	1 gal		10" Ht. x 10" Sprd., Full, 18" O.C.
DUA	15	Gold Mound Duranta	Duranta erecta 'Gold Mound'	3 gal		15" Ht. x 15" Sprd., Full, 12" O.C.
HES	14	Dune Sunflower	Helianthus debilis	1 gal	Yes	8" Ht. x 8" Sprd., Full, 24" O.C.
ILV	41	Dwarf Yaupon Holly	Ilex vomitoria 'Stokes Dwarf'	3 gal	Yes	15" Ht. x 15" Sprd., Full, 18" O.C.
LIA	16	Giant Lily Turf	Liriope muscari 'Evergreen Giant'	1 gal		12" Ht. x 12" Sprd., Full, 18" O.C.
PMP	28	Dwarf Podocarpus	Podocarpus macrophyllus 'Dwarf Pringles'	3 gal		12" Ht. x 12" Sprd., Full, 18" O.C.
RHP	16	Indian Hawthorn	Rhaphiolepis indica	3 gal		18" Ht. x 18" Sprd., Full, 18" O.C.
SOD		St. Augustine Turf	Stenotaphrum secundatum			T.B.D. by Contractor

PLANT SCHEDULE TYPICAL 6 UNIT

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
IA	2	East Palatka Holly	Ilex x attenuata 'East Palatka'	B & B	Yes	3" Cal., 12' Ht. x 4'-6' Sprd., Full Canopy
PALM TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
SP-2	6	Cabbage Palmetto	Sabal palmetto	B & B	Yes	8' C.T., 12' O.A.Ht., Slick, Full Intact Fronds
ACCENTS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CP2	11	Bravo Croton	Codiaeum variegatum 'Petra'	7 gal		30" O.A.Ht., Full, 30" O.C.
STR	5	Orange Bird Of Paradise	Strelitzia reginae	7 gal		36" Ht. x 24" Spr., 3 plants/pot, 30" O.C.
ZAP	11	Coontie	Zamia pumila	7 gal	Yes	24" Ht. x 24" Sprd., Full, 30" O.C.
SHRUB AREAS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
ALM	9	Bush Allamanda	Allamanda schottii	3 gal		24" Ht. x 24" Sprd., Full, 24" O.C.
CEB	39	Silver Buttonwood	Conocarpus erectus sericeus	3 gal		24" Ht. x 24" Sprd., Full, Hedge, 24" O.C.
HPC	34	Dwarf Scarlet Bush	Hamelia patens 'Compacta'	3 gal	Yes	24" Ht. x 24" Sprd., Full, 30" O.C.
IXO	13	Red Ixora	Ixora coccinea 'Petite Red'	3 gal		15" Ht. x 15" Sprd., Full, 18" O.C.
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
DIA	32	Blueberry Flax Lily	Dianella tasmanica 'Blueberry'	1 gal		10" Ht. x 10" Sprd., Full, 18" O.C.
DUA	15	Gold Mound Duranta	Duranta erecta 'Gold Mound'	3 gal		15" Ht. x 15" Sprd., Full, 12" O.C.
GIF	13	Green Island Ficus	Ficus microcarpa	3 gal		10" Ht. x 10" Spr., Full, 18" O.C.
ILV	58	Dwarf Yaupon Holly	Ilex vomitoria 'Stokes Dwarf'	3 gal	Yes	15" Ht. x 15" Sprd., Full, 18" O.C.
LIA	62	Giant Lily Turf	Liriope muscari 'Evergreen Giant'	1 gal		12" Ht. x 12" Sprd., Full, 18" O.C.
PMP	28	Dwarf Podocarpus	Podocarpus macrophyllus 'Dwarf Pringles'	3 gal		12" Ht. x 12" Sprd., Full, 18" O.C.
RHP	28	Indian Hawthorn	Rhaphiolepis indica	3 gal		18" Ht. x 18" Sprd., Full, 18" O.C.
SOD		St. Augustine Turf	Stenotaphrum secundatum			T.B.D. by Contractor

TREE REQUIREMENT CHART FOR PERIMETER BUFFERS

REQUIRED/PROPOSED SITE LANDSCAPE MATERIAL	REQUIRED	PROVIDED
10' LANDSCAPE BUFFER (660 L.F.) SOUTH PROPERTY LINE	1 CANOPY TREE 20' O.C. LARGE SHRUBS - 2 PER 5 L.F., 24" HT. ALONG FENCE LINE	33 378
10' LANDSCAPE BUFFER (476 L.F.) WEST PROPERTY LINE	1 CANOPY TREE 20' O.C. LARGE SHRUBS - 2 PER 5 L.F., 24" HT. ALONG FENCE LINE	24 293
10' LANDSCAPE BUFFER (629 L.F.) EAST PROPERTY LINE	1 CANOPY TREE 20' O.C. LARGE SHRUBS - 2 PER 5 L.F., 24" HT. ALONG FENCE LINE	32 293
TOTAL CANOPY TREES		89
TOTAL LARGE SHRUBS		964

NOTES:

1) ALL PLANT MATERIAL TO BE INSTALLED SHALL CONFORM TO FLORIDA POWER AND LIGHTS' (FPLS) RIGHT TREE RIGHT PLACE GUIDELINES.

2) MINIMUM TREE QUALIFICATIONS 12" HT. x 6" SPR. x 2.5" CAL. PALMS OR SLASH PINES PLANTED IN GROUPS OF THREE OR MORE MAY BE COUNTED AS ONE REQUIRED CANOPY TREE. PALMS MAY BE COUNTED UP TO A MAXIMUM OF 25 PERCENT OF ALL TREES REQUIRED IN THE BUFFER.

3) 50% OF ALL SHADE TREES NEED TO NATIVE.

PLANT SCHEDULE STREET TREE

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CD	14	Pigeon Plum	Coccoloba diversifolia	B & B	Yes	3" Cal., 12' Ht. x 6'-8' Sprd., Full Canopy
CE	17	Green Buttonwood	Conocarpus erectus	B & B	Yes	3" Cal., 12' Ht. x 6'-8' Sprd., Standard, Full Canopy
IA	13	East Palatka Holly	Ilex x attenuata 'East Palatka'	B & B	Yes	3" Cal., 12' Ht. x 4'-6' Sprd., Full Canopy
JA	3	Jacaranda	Jacaranda mimosifolia	B & B		3" Cal., 12' Ht. x 6'-8' Sprd., Full Canopy
PALM TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
PE2	2	Alexander Palm	Ptychosperma elegans	B & B		8' C.T., 12' O.A.Ht., Triple Trunk, Full Intact Fronds
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
GIF	71	Green Island Ficus	Ficus microcarpa	3 gal		10" Ht. x 10" Spr., Full, 18" O.C.

PLANT SCHEDULE PERIMETER BUFFER

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
BS	17	Gumbo Limbo	Bursera simaruba	B & B	Yes	3" Cal., 12' Ht. x 6'-8' Sprd., Full Canopy
CD	6	Pigeon Plum	Coccoloba diversifolia	B & B	Yes	3" Cal., 12' Ht. x 6'-8' Sprd., Full Canopy
CE	10	Green Buttonwood	Conocarpus erectus	B & B	Yes	3" Cal., 12' Ht. x 6'-8' Sprd., Standard, Full Canopy
IA	32	East Palatka Holly	Ilex x attenuata 'East Palatka'	B & B	Yes	3" Cal., 12' Ht. x 4'-6' Sprd., Full Canopy
JA	2	Jacaranda	Jacaranda mimosifolia	B & B		3" Cal., 12' Ht. x 6'-8' Sprd., Full Canopy
QV.R	8	Live Oak	Quercus virginiana	EXISTING		Existing to remain
SP-R	13	Cabbage Palmetto	Sabal palmetto	B & B	Yes	RELOCATED
PALM TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
SP	29	Cabbage Palmetto	Sabal palmetto	B & B	Yes	8' C.T., 12' O.A.Ht., Booted, Full Intact Fronds
SHRUB AREAS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CHR	499	Red Tip Cocoplum	Chrysobalanus icaco 'Red Tip'	3 gal	Yes	24" Ht. x 24" Sprd., Full, Hedge, 24" O.C.
CEB	305	Silver Buttonwood	Conocarpus erectus sericeus	3 gal		24" Ht. x 24" Sprd., Full, Hedge, 24" O.C.
HPC	165	Dwarf Scarlet Bush	Hamelia patens 'Compacta'	3 gal	Yes	24" Ht. x 24" Sprd., Full, 30" O.C.
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
HES	102	Dune Sunflower	Helianthus debilis	1 gal	Yes	8" Ht. x 8" Sprd., Full, 24" O.C.
DFG	136	Dwarf Fakahatchee Grass	Tripsacum floridanum	3 gal	Yes	15" Ht. x 15" Sprd., Full, 24" O.C.
SOD		St. Augustine Turf	Stenotaphrum secundatum			T.B.D. by Contractor

PLANT SCHEDULE GATE ENTRANCE

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CD	3	Pigeon Plum	Coccoloba diversifolia	B & B	Yes	3" Cal., 12' Ht. x 6'-8' Sprd., Full Canopy
CE	6	Green Buttonwood	Conocarpus erectus	B & B	Yes	3" Cal., 12' Ht. x 6'-8' Sprd., Standard, Full Canopy
ML	3	Dwarf Southern Magnolia	Magnolia grandiflora 'Little Gem'	B & B		3" Cal., 12' Ht. x 6' Sprd., Full Canopy
NO	5	Oleander	Nerium oleander	25 gal		6' Ht., 2'-3' Sprd., Standard, Full Canopy
PALM TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
PE2	6	Alexander Palm	Ptychosperma elegans	B & B		8' C.T., 12' O.A.Ht., Triple Trunk, Full Intact Fronds
ACCENTS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CRO	48	Mammy Croton	Codiaeum variegatum 'Mammy'	7 gal		3" O.A. Ht., Full, 30" O.C.
CP2	18	Bravo Croton	Codiaeum variegatum 'Petra'	7 gal		30" O.A.Ht., Full, 30" O.C.
STR	10	Orange Bird Of Paradise	Strelitzia reginae	7 gal		36" Ht. x 24" Spr., 3 plants/pot, 30" O.C.
SHRUB AREAS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
AIW	61	Copper-Leaf	Acalypha wilkesiana 'Firestorm'	3 gal		24" Ht. x 24" Sprd., Full, 24" O.C.
ALM	29	Bush Allamanda	Allamanda schottii	3 gal		24" Ht. x 24" Sprd., Full, 24" O.C.
CHR	39	Red Tip Cocoplum	Chrysobalanus icaco 'Red Tip'	3 gal	Yes	24" Ht. x 24" Sprd., Full, Hedge, 24" O.C.
CGN	84	Dwarf Clusia	Clusia guttiferana nana	3 gal	Yes	18" Ht. x 12" Sprd., Full, 24" O.C.
PLU	24	Plumbago	Plumbago auriculata	3 gal		24" Ht. x 24" Sprd., Full, 24" O.C.
VOA	18	Walters Viburnum	Viburnum ovobatum	3 gal	Yes	24" Ht. x 24" Sprd., Full, Hedge, 30" O.C.
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
ANN	32	Seasonal Color	Annuals	4'pot		Winter: Impatiens (Nov.-Apr.), Summer: Caladium (Apr.-Nov)
DIA	25	Blueberry Flax Lily	Dianella tasmanica 'Blueberry'	1 gal		10" Ht. x 10" Sprd., Full, 18" O.C.
DUA	72	Gold Mound Duranta	Duranta erecta 'Gold Mound'	3 gal		15" Ht. x 15" Sprd., Full, 12" O.C.
GIF	147	Green Island Ficus	Ficus microcarpa	3 gal		10" Ht. x 10" Spr., Full, 18" O.C.
HES	152	Dune Sunflower	Helianthus debilis	1 gal	Yes	8" Ht. x 8" Sprd., Full, 24" O.C.
ILV	54	Dwarf Yaupon Holly	Ilex vomitoria 'Stokes Dwarf'	3 gal	Yes	15" Ht. x 15" Sprd., Full, 18" O.C.
LIA	68	Giant Lily Turf	Liriope muscari 'Evergreen Giant'	1 gal		12" Ht. x 12" Sprd., Full, 18" O.C.
SOD		St. Augustine Turf	Stenotaphrum secundatum			T.B.D. by Contractor

PLANT SCHEDULE ROUNDABOUT

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
JA-2	1	Jacaranda	Jacaranda mimosifolia	B & B		4" Cal., 18'-20' Ht. x 8'-10' Sprd., Specimen, Full Canopy
ACCENTS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CRO	12	Mammy Croton	Codiaeum variegatum 'Mammy'	7 gal		3" O.A. Ht., Full, 30" O.C.
CP2	10	Bravo Croton	Codiaeum variegatum 'Petra'	7 gal		30" O.A.Ht., Full, 30" O.C.
SHRUB AREAS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
CR2	28	Red Tip Cocoplum	Chrysobalanus icaco 'Red Tip'	7 gal		30" HT. x 30" SPRD., Full, 30" O.C.
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CONT	NAT	REMARKS
DUA	66	Gold Mound Duranta	Duranta erecta 'Gold Mound'	3 gal		15" Ht. x 15" Sprd., Full, 12" O.C.
GIF	66	Green Island Ficus	Ficus microcarpa	3 gal		10" Ht. x 10" Spr., Full, 18" O.C.
JCC	16	Blue Pacific Juniper	Juniperus conferta 'Blue Pacific'	3 gal		12" Ht. x 18" Sprd.,



WATERVILLE
LANDSCAPE SPECIFICATIONS
CITY OF LAKE WORTH, FLORIDA

Planning & Landscape Architecture
Environmental Services | Transportation
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Landscape Planting - Part I, General

- I. Description of Work
A. Provide all exterior planting as shown on the drawings or inferable therefrom and/or as specified in accordance with the requirements of the Contract Documents.
B. The specifications include standards necessary for and incidental to the execution and completion of planting as indicated on the prepared drawings and specified herein.
C. All applicable federal, state and local permits shall be obtained prior to the removal, relocation, or installation of plant materials indicated within the plan documents.
D. Protection of existing features. During construction, protect all existing trees, shrubs, and other specified vegetation, site features and improvements, structures, and utilities specified herein and/or on submitted drawings.

- II. Applicable Standards
A. American National Standards for Tree Care Operations, ANSI A300.
B. American Standard for Nursery Stock, ANSI Z60.1.
C. Hortus Thrid, The Staff of the L.H. Bailey Hortorum, 1978. MacKenzie Publishing Co., New York.
D. Florida Department of Agriculture "Grades and Standards for Nursery Plants", most recent addition.
E. National Arborist Association- Pruning Standards for Shade Trees
F. All standards shall include the latest additions and amendments as of the date of advertisement for bids

- III. Qualifications
A. Landscape planting and related work shall be performed by a firm with a minimum of five years experience specializing in this type of work.
B. Landscape Contractor shall be licensed and shall carry any necessary insurance and shall protect the Landscape Architect and Owner against all liabilities, claims or demands for injuries or damage to any person or property growing out of the performance of the work under this contract.
IV. Requirements of Regulatory Agencies
A. Certificates of inspection shall accompany the invoice for each shipment of plants as may be required by law for transportation.
V. Submittals
A. Manufacturer's Data: Submit copies of the manufacturer's and/or source data for all materials specified, including soils, soil amendments and fertilizer materials.
B. Samples: Submit samples of all topsoil, soil mixes, mulches, and organic materials.
C. Nursery Sources: Submit a list of all nurseries that will supply plants, along with a list of the plants they will provide and the location of the nursery.
D. Soil Test: Submit soil test analysis report for each sample of topsoil and planting mix from a soil testing laboratory approved by the landscape architect.

1. Provide a particle size analysis, including the following gradient of mineral content:
USDA Designation Size in mm
Gravel +2 mm
Very Coarse Sand 1-2 mm
Coarse Sand 0.5-1 mm
Medium Sand 0.25-0.5 mm
Fine Sand 0.1-0.25 mm
Very fine sand 0.05-0.1 mm
Silt 0.002-0.05 mm
Clay smaller than 0.002

- 2. Provide a chemical analysis, including the following:
a. pH and buffer pH
b. Percentage of organic content by oven-dried weight.
c. Nutrient levels by parts per million, including phosphorus, potassium magnesium, manganese, iron, zinc, and calcium.
E. Material Testing: Submit the manufacturers particle size analysis, and the pH analysis and provide a description and source location for the content material of all organic materials.
F. Maintenance Instructions: Prior to the end of the maintenance period, Landscape Contractor shall furnish three copies of written maintenance instructions to the Landscape Architect for transmittal to the Owner for maintenance and care of installed plants through their full growing season.

- VI. Utility Verification
A. The contractor shall contact the local utility companies for verification of the location of all underground utility lines in the area of the work.
Part 2. Materials

- I. Plants
A. Plants shall be true to species and variety specified and nursery-grown in accordance with good horticultural practices under climatic conditions similar to those in the locality of the project for at least two years.
1. All plant names and descriptions shall be as defined in Hortus Thrid.
2. All plants shall be grown and harvested in accordance with the American Standard for Nursery Stock and Florida Department of Agriculture Grades and Standards for Nursery Plants.
3. Unless approved by the landscape architect, plants shall have been grown at a latitude not more than 325 km (200 miles) north or south of the latitude of the project unless the provenance of the plant can be documented to be compatible with the latitude and cold hardness zone of the planting location.
B. Unless specifically noted, all plants shall be exceptionally heavy, symmetrical, and so trained or favored in development and appearance as to be unquestionably and outstandingly superior in form, compactness, and symmetry. They shall be sound, healthy, vigorous, well branched, and densely foliated when in leaf, free of disease and insects, eggs, or larvae; and shall have healthy, well-developed root systems. They shall be free from physical damage or other conditions that would prevent vigorous growth.
1. Trees with multiple leaders, unless specified, will be rejected. Trees with a damaged or crooked leader, bark abrasions, sunscald, disfiguring knots, insect damage, or cuts of limbs over 20 mm (3/4 in.) in diameter that are not completely closed will be rejected.
C. Plants shall conform to the measurements specified, except that plants larger than those specified may be used if approved by the landscape architect.
D. Substitutions of plant materials will not be permitted unless authorized in writing by the landscape architect.
E. The plant schedule provided at the end of this section, or on the drawing, is for the contractor's information only, and no guarantee is expressed or implied that quantities therein are correct or that the list is complete.
F. All plants shall be labeled by plant name. Labels shall be attached securely to all plants, bundles, and containers of plant materials when delivered.

- G. Selection and Tagging
1. Plants shall be subject to inspection for conformity to specification requirements and approval by the landscape architect at their place of growth and upon delivery.
2. A written request for the inspection of plant material at their place of growth shall be submitted to the landscape architect at least ten calendar days prior to her digging.
3. All field grown deciduous trees shall be marked to indicate the trees north orientation in the nursery. Place a 1-in. diameter spot of white paint onto the north side of the tree trunk within the bottom 12 inches of the trunk.
H. Anti-Desiccants
1. Anti-desiccants, if specified, are to be applied to plants in full leaf immediately before digging or as required by the landscape architect.
I. Balled and Burlapped (B&B) Plant Materials
1. Trees designated B&B shall be properly dug with firm, natural balls of soil retaining as many fibrous roots as possible, in sizes and shapes as specified in the Florida Department of Agriculture Grades and Standards for Nursery Plants.
J. Container Plants
1. Plants grown in containers shall be of appropriate size for the container as specified in the most recent edition of the Florida Department of Agriculture Grades and Standards for Nursery Plants and be free of circling roots on the exterior and interior of the root ball.

- K. Bareroot and Collected Plants
1. Plants designated as bareroot or collected plants shall conform to the American Standard for Nursery Stock.
2. Bareroot material shall not be dug or installed after bud break or before dormancy.
3. Collected plant material that has not been taken from active nursery operations shall be dug with a root ball spread at least 1/3 greater than nursery grown plants.
L. Specimen Material: Plant material specified as specimens are to be approved by the Landscape Architect before being brought to the site.
M. Palms
1. Coconut Palms shall be grown from a certified seed.
2. All palm species except Sabal palmetto shall have roots adequately wrapped before transporting.
3. Sabal palms shall have a hurricane cut. Sabal palms shall be installed on site at the earliest opportunity in the construction process.
4. For booted trunk palms, trunks shall have clean intact boots firmly attached to the palm trunk.
5. The Contractor shall treat all palms as required to prevent infestation by the palmetto weevil.

- N. Sod
1. Sod shall be graded #1 or better. Sod shall be loam or muck grown with a firm, full texture and good root development. Sod shall be thick, healthy and free from defects and debris including but not limited to dead thatch, insects, fungus, diseases and contamination by weeds, other grass varieties or objectionable plant material.
2. Sod shall be sufficiently thick to insure a dense stand of live grass. Sod shall be live, fresh, and uninjured at the time of planting.
3. Immediately after harvesting plants, protect from drying and damage until shipped and delivered to the planting site.
O. Transportation and Storage of Plant Material
1. Branches shall be tied with rope or wire only, and in such a manner that no damage will occur to the bark or branches.
2. During transportation of plant material, the contractor shall exercise care to prevent injury and drying of the trees.
3. All bareroot stock sent from the storage facility shall be adequately covered with wet soil, sawdust, woodchips, moss, peat, straw, hay, or other acceptable moisture-holding medium, and shall be covered with a tarpaulin or canvas.
4. Plants must be protected at all times from sun or drying winds. Those that cannot be planted immediately on delivery shall be kept in the shade, well protected with soil, wet mulch, or other acceptable material, and kept well watered.

- Q. Mechanized Tree Spade Requirements
Trees may be moved and planted with an approved mechanical tree spade.
R. Materials for Planting
A. Mulch: Except as otherwise specified, mulch shall be shredded Malaleuca mulch - grade "AA".
B. Peat: Shall be horticultural peat composed of not less than 60% decomposed organic matter by weight, on an oven dried basis.
C. Gravel Mulch: Use only where specifically indicated on the plans of the size and type shown.
D. Root Barrier: Where specified, root barriers shall be installed on all tree and palm material in accordance with the root barrier detail provided within the plan drawings.
E. Planter Edging: Use only where specifically indicated on plans.
F. Anti-desiccant: shall be an emulsion specifically manufactured for agricultural use, which provides a protective film over plant surfaces.

- III. Materials for Soil Amendment
A. Pine Bark: Horticultural-grade milled pine bark, with 80 percent of the material by volume sized between 0.1 and 15.0 mm.
1. Pine bark shall be aged sufficiently to break down all woody material.
2. pH shall range between 4 and 7.0.
3. Submit manufacturer literature for approval.
B. Organic Matter: Leaf matter and yard waste composted sufficiently to break down all woody fibers, seeds, and leaf structures, and free of toxic and nonorganic matter.
C. Course Sand: Course concrete sand, ASTM C-33 Fine Aggregate, with a Fines Modulus Index of 2.75 or greater.
1. Sands shall be clean, sharp, natural sands free of limestone, shale and slate particles.
2. Provide the following particle size distribution:
Sieve Percentage Passing
3/8 in (9.5 mm) 100
No. 4 (4.75 mm) 95-100
No. 8 (2.36 mm) 80-100
No. 16 (1.18 mm) 50-85
No. 30 (0.60 mm) 25-60
No. 50 (0.30 mm) 10-30
No. 100 (0.15 mm) 2-10
D. Lime: shall be ground, palletized, or pulverized lime manufactured to meet agricultural standards and contain a maximum of 60 percent oxide (i.e. calcium oxide plus magnesium oxide).
E. Sulfur: shall be flowers of sulfur, pelletized or granular sulfur, or iron sulfate.
F. Fertilizer: Agricultural fertilizer of a formula indicated by the soil test.

- IV. Planting Mix
A. Planting Mix
1. Planting Mix for Trees, Shrubs, Groundcovers and vines: Check with landscape architect for appropriate mixture.
2. Planting Mix for Palms: Mixture of course sand and peat mixed to the following proportion:
Component Percent by Volume
Coarse Sand 75%
Peat 25%
B. Planting mix shall be thoroughly mixed, screened, and shredded.
C. Prior to beginning the mixing process, submit a 1-kg (2-lb) sample of the proposed mix with soil test results that indicate the mix ratio and the results achieved.
D. During the mixing process but prior to installing the mix, submit a 1-kg (2-lb) sample for each 200 cubic meters (250 cubic yards) of planting mix, taken randomly from the finished soil mix, with soil test results for approval.
E. Make all amendments of lime/sulfur and fertilizer indicated by the soil test results at the time of mixing.
F. All mixing shall take place in the contractors yard, using commercial mixing equipment sufficient to thoroughly mix all components uniformly
G. Protect the planting mix from erosion prior to installation.

Part 3. Execution

- I. Excavation of Planted Areas
A. Locations for plants and/or outlines of areas to be planted are to be staked out at the site.
B. Tree, shrub, and groundcover beds are to be excavated to the depth and widths indicated on the landscape plan detail drawings.
1. The sides of the excavation of all planting areas shall be sloped at a 45 degrees.
2. Save the existing soil to be used as backfill around the tree.
3. On steep slopes, the depth of the excavation shall be measured at the center of the hole and the excavation dug as shown on the drawings.
D. Detrimental soil conditions: The landscape architect is to be notified, in writing, of soil conditions encountered, including poor drainage, that the contractor considers detrimental to the growth of plant material.
E. Obstructions: If rock, underground construction work, utilities, tree roots, or other obstructions are encountered in the excavation of planting areas, alternate locations for any planting shall be determined by the landscape architect.

- II. Installation of Planting Mix
A. Prior to the installation of the planting mix, install subsurface drains, irrigation main lines, lateral lines, and irrigation risers shown on the drawings.
B. The landscape architect shall review the preparation of subgrades prior to the installation of planting mix.
C. Do not proceed with the installation of planting mix until all utility work in the area has been installed.
D. Protect adjacent walks, walks, and utilities from damage or staining by the soil.
E. Till the subsoil into the bottom layer of topsoil or planting mix.
1. Loosen the soil of the subgrade to a depth of 50 to 75 mm (2 to 3 in.) with a rototiller or other suitable device.
2. Spread a layer of the specified topsoil or planting mix 50 mm (2 in.) deep over the subgrade.
3. Immediately install the remaining topsoil or planting mix in accordance with the following specifications.
4. In the event that the tilled area becomes compacted, till the area again prior to installing the planting mix.
F. Install the remaining topsoil or planting mix in 200- to 250-mm (8- to 10-in.) lifts to the depths and shown on the drawing details.
1. Phase the installation of the soil such that equipment does not have to travel over already-installed topsoil or planting mixes.
2. Compact each lift sufficiently to reduce settling but not enough to prevent the movement of water and feeder roots through the soil.
a. Dig a hole 250 mm (10 in.) in diameter and 250 mm (10 in.) deep.
b. Fill the hole with water and let it drain completely. Immediately refill the hole with water, and measure the hole of 50 mm (2 in.) deep.
c. In the event that the water drains at a rate less than 25 mm (1 in.) per hour, till the soil to a depth required to break the overcompaction.
d. The landscape architect shall determine the need for, and the number and location of percolation tests based on observed field conditions of the soil.
3. Maintain moisture conditions within the soils during installation to allow for satisfactory compaction.
4. Provide adequate equipment to achieve consistent and uniform compaction of the soils.
5. Add lime, sulfur, fertilizer, and other amendments during soil installation.
6. Protect soil from overcompaction after placement. An area that becomes overcompacted shall be tilled to a depth of 125 mm (6 in.).

- III. Fine Grading
A. It shall be the responsibility of the Contractor to finish grade (min. 6" below adjacent F.F.E.).
B. Fill all dips and remove any bumps in the overall plane of the slope.
1. The tolerance for dips and bumps in lawn areas shall be a 12-mm (1/2 in.) deviation from the plane in 3,000 mm (10 ft).
2. The tolerance for dips and bumps in shrub planting areas shall be a 25-mm (1 in.) deviation from the plane in 3,000 mm (10 ft).
3. Fine grading shall be inspected and approved by the landscape architect prior to planting, mulching, sodding, or seeding.
C. Berming shall not be placed within 10' of any existing tree nor will it be allowed to encroach upon any utility, drainage, or maintenance easement.

- IV. Planting Operations
A. Plants shall be set on flat-topped or unexcavated pads at the same relationship to finished grade as they were to the ground from which they were dug.
1. Determine the elevation of the root flare and ensure that it is planted at grade.
2. If the root flare is less than 50 mm (2 in.) at the center of the root ball, plant the tree the appropriate level above the grade to set the flare even with the grade.
B. Lift plants only from the bottom of the root balls or with belts or lifting harnesses of sufficient width not to damage the root balls.
C. Remove plastic, paper, or fiber pots from containerized plant material.
D. The roots of bare-root trees shall be pruned at the time of planting to remove damaged or undesirable roots.
E. Cut ropes or strings from the top of shrub root balls and trees smaller than 3 in. caliper after plant has been set.
F. Set balled and burlapped trees in the hole with the north marker facing north unless otherwise approved by the landscape architect.
G. Place native soil, topsoil, or planting mix into the area around the tree, tamping lightly to reduce settlement.
1. For plants planted in individual holes in existing soil, add any required soil amendments to the soils, as the material is being backfilled around the plant.
2. For plants planted in large beds of prepared soil, add soil amendments during the soil installation process.
3. Ensure that the backfill immediately around the base of the root ball is tamped with foot pressure sufficient to prevent the root ball from shifting or leaning.
H. Solid sod shall be laid with closely abutting joints with a tamped or rolled, even surface.
I. Thoroughly water all plants immediately after planting.
J. Remove all tags, labels, strings, etc. from all plants.
K. Remove any excess soil, debris, and planting material from the job site at the end of each workday.
L. Water watering saucers 100 mm (4 in.) high immediately outside the area of the root ball of each tree as indicated on the drawings.

- V. Relocation of Existing Material
A. Landscape Contractor shall root prune trees which are to be relocated in accordance with approved horticultural practices and the following procedures.
1. Select a healthy tree
2. Selectively trim the canopy removing dead limbs, cross branching over crowned areas, and lower undesirable limbs.
3. Root prune 50% of the root system approximately 18"-2" deep (depending upon species and size).
4. Back fill the existing soil with peat moss to stimulate new root growth of the pruned roots.
5. Water in thoroughly and treat with a mycorrhizae and a low nitrogen fertilizer (so not to burn the pruned roots).
6. The root pruned tree should be watered every day (especially during warm months of the season), the equivalent of 5 gallons for every DBH of tree per day.
7. Root pruned trees should be let to stand for a minimum of 6 weeks for trees less than 8" DBH and as long as 3 months for larger specimens prior to transplanting.
8. For best results and survivorship, new root growth should be evident on root pruned trees prior to transplanting.
9. Upon transplanting, water should be applied every day as outlined in step 6 for at least one year.

- VI. Staking and Guying
A. The Contractor shall stake all trees and palms in accordance with the tree and palm staking details provided within the plan drawings.
B. The Contractor shall be responsible for the replacement or adjustment of all trees, palms or shrubs that fall or lean during the guarantee period.
C. Stakes and guys shall be installed immediately upon approval or planting, and shall be removed in accordance with the staking details provided within the plan drawings.
Any tree that is not stable at the end of the warranty period shall be rejected.

- VII. Pruning
A. Plants shall not be heavily pruned at the time of planting. Pruning is required at planting time to correct defects in the tree structure, including removal of injured branches, waterspouts, suckers, and interfering branches.
B. All pruning shall be completed using clean, sharp tools.
C. Pruning of large trees shall be done from a hydraulic man-lift such that it is not necessary to climb the tree.

- VIII. Mulching
A. All trees, palms, shrubs, and other plantings will be mulched with mulch previously approved by the landscape architect.
B. Place mulch at least 3" in depth in a circle around all trees located in lawn areas.
C. Mulch must not be placed within 3 inches of the trunks of trees, palms or shrubs.

- IX. Maintenance of Trees, Shrubs, and Vines
A. Maintenance shall begin immediately after each plant is planted and continue until its acceptance has been confirmed by the landscape architect.
B. Maintenance shall consist of pruning, watering, cultivating, weeding, mulching, fertilizing, tightening and repairing guys and stakes, resetting plants to proper grades or upright position, restoring of the planting saucer, and furnishing and applying such sprays or other materials as necessary to keep plantings free of insects and diseases and in vigorous condition.
C. Planting areas and plants shall be protected at all times against trespassing and damage of all kinds for the duration of the maintenance period.
D. Watering: Contractor shall irrigate as required to maintain vigorous and healthy tree growth.
E. During periods of restricted water usage, all governmental regulations (permanent and temporary) shall be followed.
F. Remove soil ridges from around watering basins prior to end of maintenance period, as directed by Landscape Architect

- X. Acceptance
A. The landscape architect shall inspect all work for acceptance upon written request of the contractor.
B. Acceptance of plant material shall be for general conformance to specified size, character, and quality and shall not relieve the contractor of responsibility for full conformance to the contract documents, including correct species.
C. Upon completion and re-inspection of all repairs or renewals necessary in the judgment of the landscape architect, the landscape architect shall certify in writing that the work has been accepted.

- XI. Acceptance in Part
A. Work may be accepted in parts when the landscape architect and contractor deem that practice to be in their mutual interest.
XII. Guarantee Period and Replacements
A. The guarantee period for trees and shrubs shall begin at the date of acceptance.

- B. The contractor shall guarantee all plant material to be in healthy and flourishing condition for a period of one year from the date of acceptance.
C. When work is accepted in parts, the guarantee periods extend from each of the partial acceptances to the terminal date of the guarantee of the last acceptance.
D. The contractor shall replace, without cost, as soon as weather conditions permit, and within a specified planting period, all plants determined by the landscape architect to be dead or in an unacceptable condition during and at the end of the guarantee period.
E. The guarantee of all replacement plants shall extend for an additional period of one year from the date of their acceptance after replacement.
F. At the end of the guarantee, the contractor shall reset grades that have settled below the proposed grades on the drawings.
G. The contractor shall make periodic inspections, at no extra cost, during the guarantee period to determine what changes, if any, should be made in the maintenance program.
XIII. Final Inspection and Final Acceptance
A. At the end of the guarantee period and upon written request of the contractor, the landscape architect will inspect all guaranteed work for final acceptance.

REVISION DATES table with columns: DATE, APPROVAL, NOTES. Includes entries for INITIAL SET PLAN SUBMITTAL, RE SUBMITTAL, etc.

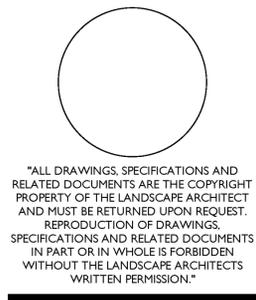
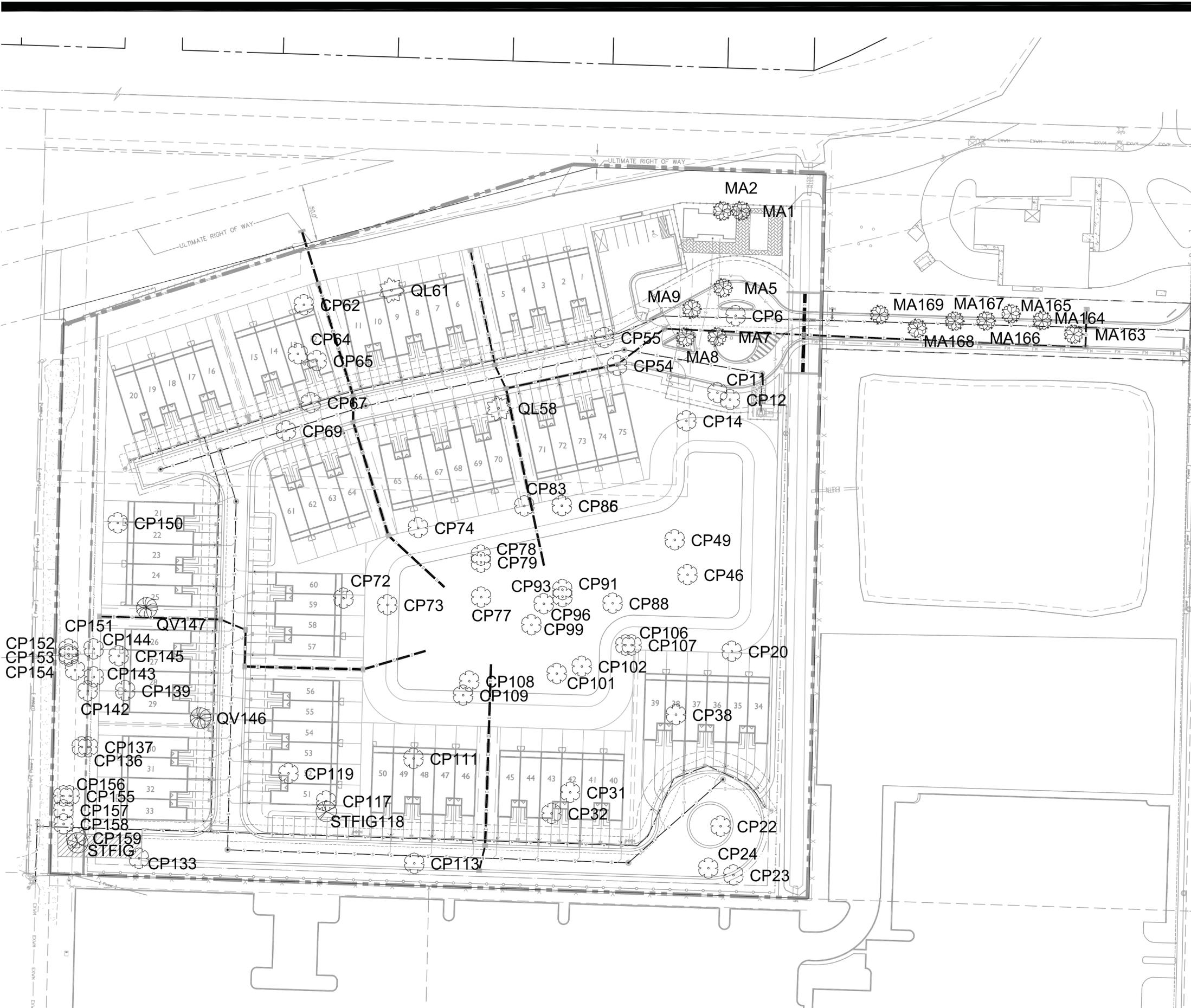


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TREE INVENTORY CHART

TREE ID #	COMMON NAME	BOTANICAL NAME	(DBH)	DISPOSITION
6	Cabbage Palm	Sabal palmetto	6	Remove
11	Cabbage Palm	Sabal palmetto	6	Remove
12	Cabbage Palm	Sabal palmetto	4	Remove
14	Cabbage Palm	Sabal palmetto	4	Remove
20	Cabbage Palm	Sabal palmetto	4	Remove
22	Cabbage Palm	Sabal palmetto	5	Remove
23	Cabbage Palm	Sabal palmetto	8	Relocate
24	Cabbage Palm	Sabal palmetto	4	Remove
31	Cabbage Palm	Sabal palmetto	6	Remove
32	Cabbage Palm	Sabal palmetto	5	Remove
38	Cabbage Palm	Sabal palmetto	5	Remove
46	Cabbage Palm	Sabal palmetto	4	Remove
49	Cabbage Palm	Sabal palmetto	5	Remove
54	Cabbage Palm	Sabal palmetto	6	Remove
55	Cabbage Palm	Sabal palmetto	5	Remove
62	Cabbage Palm	Sabal palmetto	10	Relocate
64	Cabbage Palm	Sabal palmetto	9	Relocate
65	Cabbage Palm	Sabal palmetto	6	Remove
67	Cabbage Palm	Sabal palmetto	4	Remove
69	Cabbage Palm	Sabal palmetto	5	Remove
72	Cabbage Palm	Sabal palmetto	5	Remove
73	Cabbage Palm	Sabal palmetto	4	Remove
74	Cabbage Palm	Sabal palmetto	4	Remove
77	Cabbage Palm	Sabal palmetto	5	Remove
78	Cabbage Palm	Sabal palmetto	6	Remove
79	Cabbage Palm	Sabal palmetto	5	Remove
83	Cabbage Palm	Sabal palmetto	6	Remove
85	Cabbage Palm	Sabal palmetto	7	Remove
86	Cabbage Palm	Sabal palmetto	4	Remove
88	Cabbage Palm	Sabal palmetto	5	Remove
89	Cabbage Palm	Sabal palmetto	4	Remove
91	Cabbage Palm	Sabal palmetto	4	Remove
93	Cabbage Palm	Sabal palmetto	4	Remove
96	Cabbage Palm	Sabal palmetto	5	Remove
99	Cabbage Palm	Sabal palmetto	5	Remove
101	Cabbage Palm	Sabal palmetto	4	Remove
102	Cabbage Palm	Sabal palmetto	5	Remove
106	Cabbage Palm	Sabal palmetto	4	Remove
107	Cabbage Palm	Sabal palmetto	4	Remove
108	Cabbage Palm	Sabal palmetto	5	Remove
109	Cabbage Palm	Sabal palmetto	5	Remove
111	Cabbage Palm	Sabal palmetto	5	Remove
113	Cabbage Palm	Sabal palmetto	5	Remove
117	Cabbage Palm	Sabal palmetto	4	Remove
119	Cabbage Palm	Sabal palmetto	5	Remove
133	Cabbage Palm	Sabal palmetto	11	Relocate
136	Cabbage Palm	Sabal palmetto	5	Remove
137	Cabbage Palm	Sabal palmetto	4	Remove
139	Cabbage Palm	Sabal palmetto	5	Remove
142	Cabbage Palm	Sabal palmetto	11	Relocate
143	Cabbage Palm	Sabal palmetto	4	Remove
144	Cabbage Palm	Sabal palmetto	6	Remove
145	Cabbage Palm	Sabal palmetto	4	Remove
150	Cabbage Palm	Sabal palmetto	20	Relocate
151	Cabbage Palm	Sabal palmetto	10	Relocate
152	Cabbage Palm	Sabal palmetto	24	Relocate
153	Cabbage Palm	Sabal palmetto	6	Remove
154	Cabbage Palm	Sabal palmetto	18	Relocate
155	Cabbage Palm	Sabal palmetto	17	Relocate
156	Cabbage Palm	Sabal palmetto	13	Relocate
157	Cabbage Palm	Sabal palmetto	14	Relocate
158	Cabbage Palm	Sabal palmetto	6	Remove
159	Cabbage Palm	Sabal palmetto	12	Relocate

TREE ID #	COMMON NAME	BOTANICAL NAME	(DBH)	DISPOSITION
118	Strangler Fig	Ficus aurea	14	Remove
159	Cabbage Palm & Strangler Fig	Ficus aurea	13	Remove

TREE ID #	COMMON NAME	BOTANICAL NAME	(DBH)	DISPOSITION
1	Mahogany	Swietenia mahagoni	3	Remove
2	Mahogany	Swietenia mahagoni	2	Remove
5	Mahogany	Swietenia mahagoni	12	Remove
7	Mahogany	Swietenia mahagoni	2.5	Remove
8	Mahogany	Swietenia mahagoni	4	Remove
9	Mahogany	Swietenia mahagoni	4.5	Remove

TREE ID #	COMMON NAME	BOTANICAL NAME	(DBH)	DISPOSITION
58	Laurel Oak	Quercus laurifolia	8	Remove
61	Laurel Oak	Quercus laurifolia	5	Remove

TREE ID #	COMMON NAME	BOTANICAL NAME	(DBH)	DISPOSITION
146	Live Oak	Quercus virginiana	3.5	Remove
147	Live Oak	Quercus virginiana	4	Remove

TREE ID #	COMMON NAME	BOTANICAL NAME	(DBH)	DISPOSITION
163	Mahogany	Swietenia mahagoni	24	Remove
164	Mahogany	Swietenia mahagoni	29	Remove
165	Mahogany	Swietenia mahagoni	48	Preserve
166	Mahogany	Swietenia mahagoni	28	Remove
167	Mahogany	Swietenia mahagoni	26	Remove
168	Mahogany	Swietenia mahagoni	28	Remove
169	Mahogany	Swietenia mahagoni	27	Remove

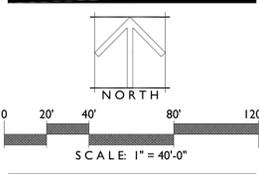
Notes: All palm trees are measured in feet of clear trunk. Replacing palms over 8' Clear Trunk is a 1:1 ratio. All palms on the subject site with 8' or more feet of Clear Trunk have been relocated on site. The "Street Trees" will go towards replacing the 23 required trees.



**WATERVILLE
TREE INVENTORY PLAN
CITY OF LAKE WORTH, FLORIDA**

REVISION DATES		
DATE	APPROVAL	NOTES
06/05/14		INITIAL SITE PLAN SUBMITTAL
09/09/14		RE-SUBMITTAL

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DRAWN BY: TRM
DRAWING #: 2014-09-05_LP_691.23.dwg
FILE #: 691.23



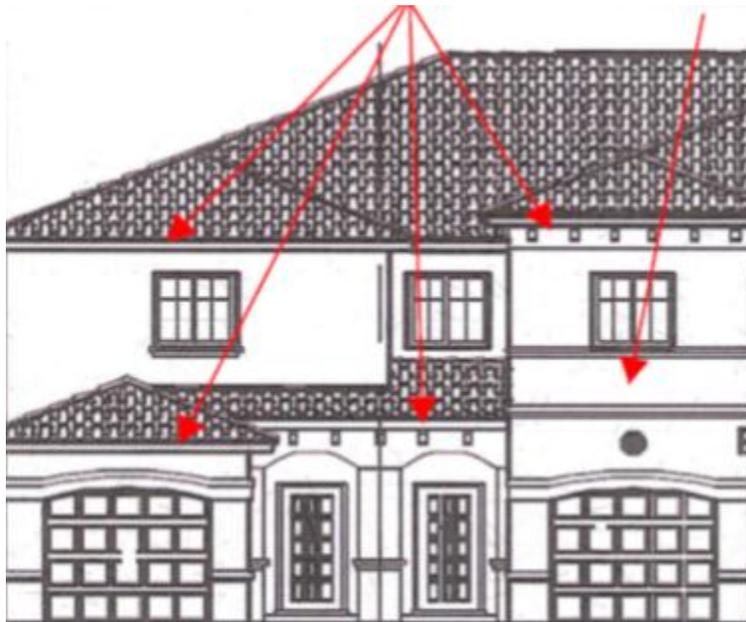
Artist's Rendering

Waterville Townhouse Community

Lake Worth, Florida

WATERVILLE PUD

Body Color	Trim Color	Front Door	Fascia & Garage Door	Below Band
Chopstick CL2832W	Johnston CL2833M	Rudiment CLV1183N	White	Chopstick CL2832W



Coach Light

Color Black



Roof Estate S

Cobblestone Blend



CL 2833M | Johnston CLV 1183N | Rudiment



CL 2832W | Chopstick



CITY OF LAKE WORTH
301 College Street · Lake Worth, Florida 33460 · Phone: 561-586-1710

AGENDA DATE: June 16, 2015, Regular Meeting

DEPARTMENT: Water/Sewer Utilities

EXECUTIVE BRIEF

TITLE:

Proposal with Mock Roos and Associates for Wellfield Modeling Services to Evaluate Future Sea Level Rise Effects

SUMMARY:

The Proposal authorizes Mock Roos and Associates to complete Wellfield Modeling Services to Evaluate Future Sea Level Rise Effects for a price not to exceed \$29,590.

BACKGROUND AND JUSTIFICATION:

These modeling services will evaluate the long term effects of potential future sea level rise on the Surficial aquifer and city water resources. The Water Utilities Department is committed to assuring a sustainable water supply for the city, including the potential effects of sea level rise on the coastal saline intrusion in the aquifer. The model simulation will use the existing variable density SEAWAT model that was developed in support of the 2012 South Florida Water Management District Consumptive Use Permit. The previous model demonstrated that the reduced surficial withdrawals included in the SFWMD permit stabilize the projected salt water intrusion with the existing sea level. The proposed simulation will address the effects of estimated sea level rise. The simulation will be run for a 50 year time period.

Mock Roos & Associates was the Engineering Consulting firm selected by the City of Lake Worth as for a continuing services contract, Contract No. RFQ 12-13-302, through the Consultant's Competitive Negotiation Act (Florida State Statutes 287.055) procurement process.

Under this Task Order, they have been selected to perform complete Wellfield Modeling Services to Evaluate Future Sea Level Rise Effects by the Lake Worth Water Utilities Department.

MOTION:

I move to approve/disapprove the Proposal with Mock Roos and Associates for Wellfield Modeling Services to Evaluate Future Sea Level Rise Effects for a price not to exceed \$29,590.

Attachments

- 1) Fiscal Analysis
- 2) Proposal Mock Roos and Associates / JLA Sciences

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	\$29,590	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	\$29,590	0	\$0	\$0	\$0

No. of Additional Full-Time Employees	0	0	0	0	0
---------------------------------------	---	---	---	---	---

B. Recommended Source of Funds/Summary of Fiscal Impact

The funds have been identified in the FY2015 Water Distribution Contractual Services budget from account 402-7022-533.34-50.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2015 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7010-533-31-90	Water Distribution Contractual Services	NA	\$0	\$288,000	\$40,762	-\$29,590	\$11,172

C. Fiscal Review:

Larry Johnson – Director
 Monica Shaner –Assistant Utilities Director
 Clyde Johnson - Finance

MOCK • ROOS
ENGINEERS • SURVEYORS • PLANNERS

May 11, 2015

Monica Shaner, P.E.
Lake Worth Utilities
301 College Street
Lake Worth, FL 33460

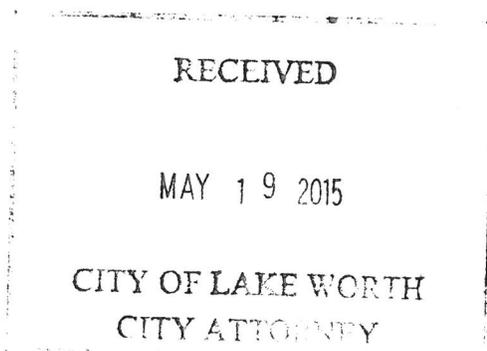
Ref. No.: B2067.05
Subject: Lake Worth – Wellfield Modeling Services to Evaluate Future Sea Level Rise Effects

Dear Monica:

We are submitting the attached *Proposal To Provide Wellfield Modeling Services to Evaluate Future Sea Level Rise Effects*. Please review the attached proposal and return one signed copy to our office as our authorization to proceed with the Scope of Services outlined in the proposal.

We will provide the Scope of Services on an hourly basis, plus reimbursable expenses. We anticipate the fee to provide the Scope of Services will be \$29,590.

If you have any questions please contact me at 683-3113, extension 258. Thank you for using Mock•Roos on this project. We look forward to working with you.



Sincerely,

MOCK, ROOS & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "John R. Leemon".

John R. Leemon, P.E.
Senior Project Manager

JRL:cbm
Enclosure
Copies: Bookkeeping

I:\mk\b2067.05\hr01jljh.doc

Mock, Roos & Associates, Inc.

5720 Corporate Way, West Palm Beach, Florida 33407-2066, (561) 683-3113, fax 478-7248

Proposal To Provide Engineering and Hydro-Geologic Services For Wellfield Modeling to Evaluate Future Sea Level Rise Effects

Services to be provided by: Mock•Roos

Services provided to (City): City of Lake Worth

Proposal Date: May 11, 2015

Proposal Terms

A. Project Description:

The City is interested in evaluating the long term effects of potential future sea level rise on its surficial aquifer wellfield and water resources. Mock•Roos proposes to retain JLA Geosciences, Inc. to provide the modeling services. Mock•Roos will provide the services as more specifically described under **B. Scope of Services** below.

B. Scope of Services:

1. Provide Engineering and Hydro-geologic services to evaluate the potential future sea level rise effects on the Surficial Aquifer in Lake Worth.
2. Retain the services of JLA Geosciences, Inc. as hydro-geological subconsultant to perform modeling services and to provide additional input as needed. Modeling will be based on the City's previously developed, variable density, SEAWAT Model.
3. Coordinate with hydro-geological subconsultant to outline proposed modeling scenarios.
4. Develop SEAWAT Model Simulation using the variable density SEAWAT Model (Model) developed to support the City's application for their current Consumptive Use Permit (CUP) issued by South Florida Water Management District (SFWMD) in October 2012. Scenarios will include groundwater withdrawals from the City and other existing legal users (ELUs) consistent with simulations performed to support issuance of the CUP. Initial conditions will be similar to those used previously, and apply historical City withdrawals up to the present, and future withdrawals consistent with City operating plans. Simulations will be run for a 50-year period with monthly stress periods.

Critical input for simulating potential future SLR influence will involve assumed climatic conditions and the actual rate of SLR. Rate of SLR will be based on those estimated for South Florida from other technical literature, as will future predictions of rainfall/evapotranspiration

conditions, if available.

It is anticipated scenarios will include the following SLR rates: 1) base case = future rise consistent with historical observed SLR; 2) medium = approximate middle rate of range of SLR rates for South Florida; and 3) high = SLR rates near upper end of range of SLR rates for South Florida.

Regarding climatic conditions, it is assumed the base case will include rainfall conditions similar to those applied for simulations performed to support issuance of the CUP. Based upon review of the technical literature, and assuming such estimates exist for South Florida, it is anticipated that one scenario will involve potential wetter than “normal”, and one scenario for potential drier than “normal” conditions typical for South Florida.

5. Mock•Roos and JLA personnel will attend meetings with the City to present modeling results and to discuss potential implications for future City operations and long-term planning efforts. The Consultant will prepare a report summarizing Model development, application, results and potential implications. The report will provide assessment of predicted changes in hydrologic conditions. A draft version of the report will be submitted for review by City representatives. A final version will incorporate review comments.
6. Provide follow-up coordination with City staff and Commission.

C. Additional Services:

1. Any services not included in the Scope of Services will be considered Additional Services.
2. Any design changes, schedule changes, drawing changes, or other project changes requested by City will be considered Additional Services.
3. Additional Services can be provided upon Mock•Roos receiving signed authorization from City.

D. Fees and Rates:

1. Mock•Roos will complete these services on an hourly basis at Mock•Roos' hourly rates, plus reimbursable expenses.
2. The anticipated fee to provide the Scope of Services is \$29,590.
3. Mock•Roos will not provide services in excess of the anticipated fee without signed authorization from City.
4. Mock•Roos can provide Additional Services at the Mock•Roos rates in effect at that time, plus reimbursable expenses or for an agreed upon lump sum fee.

E. Conditions:

1. This proposal serves as a supplement to the general agreement between Mock•Roos and Client, Contract RFQ 12-13-302.
2. In case of discrepancies, the terms of this proposal supersede those of previous agreements.

IN WITNESS WHEREOF the parties hereto have made and executed this Agreement on the _____ day of _____, 2015.

CITY OF LAKE WORTH, FLORIDA

By: _____
Pam Triolo, Mayor

ATTEST:

Approved as to form and legal sufficiency:

Pamela J. Lopez, City Clerk

By: Christy Goddeau
Christy Goddeau
City Attorney

Date

MOCK, ROOS & ASSOCIATES, INC.

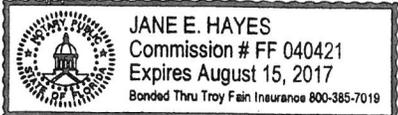
By: Thomas A. Biggs, P.E.
Thomas A. Biggs, P.E.
Executive Vice President

5/19/15
Date

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 19th day of May, 2015, by Garry G. Gruber, Vice President of Mock, Roos & Associates, Inc., a Florida corporation, on behalf of the corporation, and who is personally known to me or who as produced the following _____ as identification.

Notary Public:
Jane E. Hayes
Print Name: Jane E. Hayes
My commission expires: 8/15/17



**Modeling Services to Evaluate Future Sea Level Rise Effects
for
City of Lake Worth
Estimate of Engineering Fees**

<i>TASK</i>	<i>Project Manager</i>	<i>Project Engr.</i>	<i>CADD Draft</i>	<i>Admin. Assist.</i>	<i>TOTAL</i>
<i>I. Modeling Services</i>					
Preliminary Coordination	2			1	360
Subconsultant Coord. For Modeling Scenarios	4			1	660
Review & Discuss Modeling Results	8				1,200
Review Draft Report & Comment	8			1	1,260
Incorporate Comments and Furnish Final Report	4			2	720
Provide Follow-up Coord.	4			2	720
<i>Subtotal</i>	30	0	0	7	4,920
Hourly Rate	150	110	85	60	
Total By Staff Category	4,500	0	0	420	
Total Hourly Cost					4,920
Hydro-geological Subconsultant					24,570
Reimbursable Expenses					100
TOTAL BUDGET					\$29,590

JLA Geosciences, Inc.

HYDROGEOLOGIC CONSULTANTS

1931 Commerce Lane, Suite 3

Jupiter, Florida 33458

(561) 746-0228

fax (561) 746-0119

May 5, 2015

Electronic Submission

John R. Leemon, P.E.
Senior Project Manager
Mock Roos & Associates, Inc.
5270 Corporate Way
West Palm Beach, Florida 33407

**RE: *Proposal for Hydrogeologic Consulting Services for the City of Lake Worth,
SEAWAT Modeling to Evaluate Potential Future Sea Level Rise***

Dear John:

JLA Geosciences, Inc. (JLA) is pleased to have the opportunity to provide Hydrogeologic Services to Mock Roos & Associates, Inc. (Mock Roos) and its client, the City of Lake Worth (City) for the above-referenced project. Our proposed scope of work will involve performing variable density groundwater modeling to evaluate the influence of future sea level rise (SLR) on groundwater conditions in the vicinity of the City's Surficial Aquifer System (SAS) wellfield. Our understanding of the proposed work is based on a 23 April 2015 meeting at the City's water treatment plant. Attending the meeting in addition to you were Larry Johnson and Monica Shaner from the City, and Jim Andersen and me from JLA.

The following identifies our proposed scope of work. The estimate of labor hours and associated costs is presented on the attached spreadsheet page.

- 1.0 **SEAWAT Model Simulations** - JLA will apply its variable density SEAWAT Model (Model) developed to support the City's application for their current Consumptive Use Permit (CUP) issued by South Florida Water Management District (SFWMD) in October 2012. Scenarios will include groundwater withdrawals from the City and existing legal users (ELUs) consistent with simulations performed to support issuance of the CUP. Initial conditions will be similar to those used previously, and apply historical City withdrawals up to the present, and future withdrawals consistent with City operating plans. Simulations will be run for a 50-year period with monthly stress periods.

Critical input for simulating potential future SLR influence will involve assumed climatic conditions and the actual rate of SLR. Rates of SLR will be based on those estimated for South Florida from the technical literature, as will future predictions of rainfall/evapotranspiration conditions, if available.

It is anticipated scenarios will include the following SLR rates: 1) base case = future rise consistent with historical observed SLR; 2) medium = approximate middle rate of range of SLR rates for South Florida; and 3) high = SLR rates near upper end of range of SLR rates for South Florida.

Regarding climatic conditions, it is assumed the base case will include rainfall conditions similar to those applied for simulations performed to support issuance of the CUP. Based upon review of the technical literature, and assuming such estimates exist for South Florida, it is anticipated that one scenario will involve potential wetter than "normal", and one scenario for potential drier than "normal" conditions typical for South Florida.

- 2.0 **Meetings and Reporting** - It is anticipated that JLA personnel will attend meetings with the City and Mock Roos to present modeling results and to discuss potential implications for future City operations and long-term planning efforts. JLA will prepare a report summarizing Model development, application, results and potential implications. The report will provide assessment of predicted changes in hydrologic conditions. A draft version of the report will be submitted for review by Mock Roos and City representatives. A final version will incorporate review comments.

This proposal was prepared based on the information provided to date and our understanding of the project. We will perform the work on a time and materials basis in accordance with our existing subconsultant agreement with Mock Roos. Work that may need to be performed over and above the tasks and associated costs described herein will not be performed without additional authorization by Mock Roos. It is anticipated that JLA will be prepared to discuss initial results of the model simulations within four to six weeks of authorization to proceed. A draft report will be prepared for submittal to review within two to three weeks upon completion of the Model simulations.

Proposal for City of Lake Worth, SEAWAT Modeling of Future Sea Level Rise

May 5, 2015

Page 3 of 3

We look forward to working with Mock Roos and the City of Lake Worth on this important project. Thanks for this opportunity and if you have any questions please don't hesitate to call Jim or me.

Sincerely,

JLA Geosciences, Inc.

A handwritten signature in black ink, appearing to read "Paul M Stout". The signature is written in a cursive style with a large initial "P" and "S".

Paul M Stout, Ph.D., P.G.

Principal Hydrogeologist

Attachment



CITY OF LAKE WORTH

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

AGENDA DATE: June 16, 2015, Regular Meeting

DEPARTMENT: Water Utility

EXECUTIVE BRIEF

TITLE:

Task Order No. 4 with Mathews Consulting, Inc. for plan development, bid, and field phase services for the Mechanical Integrity Testing (MIT) for the Deep Injection Well

SUMMARY:

The Task Order authorizes Mathews Consulting, Inc. to complete the development, bid, and field phase services for the Mechanical Integrity Testing (MIT) for the Deep Injection Well for a price not to exceed \$26,441.

BACKGROUND AND JUSTIFICATION:

The City of Lake Worth owns and operates a Class 1 Deep Injection Well at the Reverse Osmosis (RO) Water Treatment Plant for the disposal of concentrate water from the RO process and backwash supernatant from the lime softening water treatment process.

Mechanical Integrity Testing is performed to demonstrate that there are no leaks in the casing, tubing or packer, and that there is no fluid movement into an underground drinking water source adjacent to the well. The MIT must be performed on the Deep Injection Well once every five years per the operating permit (no. 0297969-002-UO) issued by The Florida Department of Environmental Protection. The permit requires this MIT to be completed prior to January 19, 2016.

Mathews Consulting, Inc. was the Civil Engineering Consulting firm selected by the City of Lake Worth as the number two ranked firm for a continuing services contract, **RFQ 12-13-302**, through the Consultant's Competitive Negotiation Act (Florida State Statutes 287.055) procurement process.

Under this Task Order, they have been selected to complete the development, bid, and field phase services for the Mechanical Integrity Testing (MIT) for the Deep Injection Well by the Lake Worth Water Utilities Department. Cost for this project in the amount of \$150,000 is being requested to be transferred from remaining funds from project # WT1403 which is the Raw Water Main for well # 16, already completed.

MOTION:

I move to approve/disapprove Task Order No. 4 with Mathews Consulting, Inc. for development, bid, and field phase services for the Mechanical Integrity Testing (MIT) for the Deep Injection Well for a price not to exceed \$26,441.

Attachments

- 1) Fiscal Analysis
- 2) Mathews Consulting, Inc. Task Order No. 4

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	\$26,441	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	\$26,441	0	\$0	\$0	\$0

No. of Additional Full-Time Employees	0	0	0	0	0
---------------------------------------	---	---	---	---	---

B. Recommended Source of Funds/Summary of Fiscal Impact

The funds have been identified in the FY2015 Water Production Capital budget from account 402-7021-533.63-00.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2015 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7021-533.63-00	Water Production Capital	WT-1508	\$0	\$150,000	\$150,000	-\$26,441	\$123,559

C. Fiscal Review:

Larry Johnson – Director
 Monica Shaner –Assistant Director

Task Order No. 4

City of Lake Worth – Engineering Services for 2016 Mechanical Integrity Testing of Class I Deep Injection Well IW-1

A. BACKGROUND

The City of Lake Worth has entered into an engineering consulting services agreement entitled “Standard Professional Consulting Services Agreement, Awarded per RFQ 12-13-302” with Mathews Consulting, Inc. (“MC”) on the 1st day of July, 2014 (the “Agreement”). This Consultant Services Authorization (“CSA”) shall be performed under the terms and conditions described in that Agreement.

B. PROJECT DESCRIPTION

The City of Lake Worth owns and operates a Class I Deep Injection Well (IW-1) at the City of Lake Worth Reverse Osmosis Water Treatment Plant for disposal of non-hazardous concentrate reject water from the membrane softening drinking water facility and settled backwash supernatant from the lime-softening drinking water facility.

The deep injection well was first put into operation in August 2011. The deep injection well operating permit No. 0297969-002-UO issued through the Florida Department of Environmental Protection (FDEP) requires the operator of the facility to demonstrate mechanical integrity of the well in accordance with the requirements contained in Rule 62-528, F.A.C., at least once every 5 years during the life of the injection well. The purpose of the MIT is to ensure that there are no leaks in the casing, tubing or packer, and there is no fluid movement into an underground source of drinking water through channels adjacent to the injection well bore. The last MIT for the well was conducted on July 16, 2013 and consisted of interim mechanical integrity pressure testing as required by the permit. The permit requires the next MIT (specifically the pressure test portion of the testing) to be completed prior to January 19, 2016.

Mechanical integrity of the wells is demonstrated by completing four (4) test procedures: a video television survey, a pressure test, a temperature log, and a radioactive tracer survey (RTS) at the injection well. The Scope of Services presented below is designed to assist the City of Lake Worth with meeting the regulatory MIT requirements for its deep injection well system.

C. SCOPE OF SERVICES

Mathews Consulting (MC) shall provide the following services:

Task 1 – MIT Plan Development and Regulatory Approval

1. MC shall attend a pre-application meeting with FDEP UIC section to determine MIT plan requirements in accordance with Rule 62-528, F.A.C.
2. MC shall prepare the MIT plan that will incorporate details of the required testing of the deep injection well. It is assumed that one Contractor will perform all of the required testing the well. The MIT plan will be submitted to FDEP for approval prior to project bidding and initiation of testing.
3. MC shall respond to any requests for information (RFI) from FDEP related to the MIT plan. A final MIT plan will be issued to incorporate any requested revisions from FDEP.

Task 2 – MIT Contract Documents Preparation and Bidding Services

1. MC shall assist CITY in advertising for and obtaining bids or negotiating proposals for construction (including materials, equipment and labor). It is anticipated that work shall be awarded under a single construction contract. MC shall provide one (1) CD in pdf format of the bid documents to CITY. The CITY will be responsible for providing Contract Documents to the prospective bidders. The CITY shall receive and process deposits for bidding documents and shall maintain a record of prospective bidders to whom bidding documents have been issued.
2. MC shall conduct pre-bid conference in conjunction with CITY staff and provide a written summary of items discussed.
3. MC shall prepare addenda and shall provide supplemental information or clarification, as appropriate, to interpret, clarify, or expand the bidding documents to all prospective bidders during the bid period. The CITY shall submit any addenda's to the prospective bidders.
4. MC shall attend the bid opening, prepare bid tabulation sheets (if required) and assist CITY in evaluating bids and proposals (for the low bidder), and assist the CITY in assembling and awarding the contract for construction. MC shall submit to the CITY a written recommendation concerning contract award.
5. MC shall prepare conformed Contract Documents for use by the Contractor and CITY during construction.

Task 3 – MIT Field Services

1. MC shall organize and attend a pre-MIT meeting with City Staff and the selected well testing Contractor.
2. MC shall provide construction administration services during the MIT activities. Services will also include review and processing of shop drawings through final acceptance, review of Contractor's payment applications with recommendations to the City for payment, and recommendation for final acceptance of the project by the City.
3. MC shall provide on-site representation during the MIT activities. MC shall witness and observe Contractor's activities during the testing program, including the video television survey of casing, the temperature log, the pressure test, and the radioactive tracer survey (RTS).

Task 4 – Data Evaluation and Preparation of Final MIT Report

1. Following completion of the MIT program, MC shall prepare a final report of testing results for the injection well for submittal to FDEP and the City. The report will summarize the MIT results based on field observations and testing documentation provided by the Contractor. The report(s) will also include a graphical evaluation of monitor well data for the past 5 years.
2. MC shall provide responses for up to two (2) FDEP RFIs regarding the final MIT report.

D. Assumptions

1. It is assumed that the City will provide the following:
 - a. Responsible personnel to operate injection well pumps and route concentrate / supernatant to disposal facilities other than the deep injection well(s) being testing. City will provide documentation that all required valves have been tested and are operational prior to Contractor's mobilization to the site.
 - b. Front end contract documents in electronic format (MSWord) to be incorporated with the bidding documents.
 - c. Copies of MOR's for the injection well for the past 5 years, including flow, pressure, and water quality of effluent.
 - d. Copies of all monitoring well data for the past 5 years, including pressure and water quality.
 - e. Copies of quarterly injectivity test results (flowrate and pressure) for the injection well for the past 5 years.

- f. Copies of as-built drawings for the injection well, dual-zone monitoring well and associated yard piping.
 - g. Copies of most recent FDEP UIC injection well permit.
2. It is assumed that water quality at the monitor wells is consistent with background water quality for the intervals monitored. Response to RFI questions related to FDEP concerns with monitor well water quality due to operation of the injection wells is not included in this Scope of Services.

E. Project Schedule

Task	Task Completion from NTP	Cumulative Completion from NTP
1. MIT Plan Development and Regulatory Submittal	30 days (required by 7-23-15)	30 days
2. MIT Contract Documents Preparation	30 days	60 days
3. Bidding Services	60 days	120 days
4. Contract Award / NTP	30 days	150 days
5. MIT Field Services	60 days	210 days
Injection Well No. 1 Pressure Test Due		January 18, 2016
6. Data Evaluation and Preparation of Final MIT Report	60 days	270 days
MIT Report Due to FDEP (90 days after Pressure Tests)		April 17, 2016

F. Fee Proposal

Fee proposal for the task listed above is as follows and is detailed in Attachment 1:

Task	Engineering Fee (Lump Sum)
1. MIT Plan Development and Regulatory Submittal	\$3,669.00
2. MIT Contract Documents Preparation and Bidding Services	\$6,664.00
3. MIT Field Services	\$9,378.00
4. Data Evaluation and Preparation of Final MIT Reports	\$6,230.00
Reimbursable Expenses	\$500.00
Total:	\$26,441.00

IN WITNESS WHEREOF the parties hereto have made and executed this Agreement on the _____ day of _____, 2015.

CITY OF LAKE WORTH, FLORIDA

By: _____
Pam Triolo, Mayor

ATTEST:
sufficiency:

Pamela J. Lopez, City Clerk

Approved as to form and legal

By: _____
Christy Goddeau
City Attorney

Date

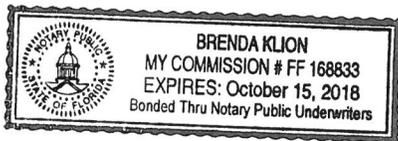
MATHEWS CONSULTING, INC.

By: _____
Rene L. Mathews, P.E.
President

Date

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 15 day of May, 2015, by Rene Mathews, President, of Mathews Consulting, a Florida Corporation, on behalf of the corporation, and who is personally known to me or who has produced the following _____ as identification.



Notary Public:

Brenda Klion
Print Name: Brenda Klion
My commission expires: 10/15/18

ATTACHMENT 1

City of Lake Worth

Task Order No. 5 - 2016 Mechanical Integrity Testing of Deep Injection Well IW-1

Mathews Consulting Fee Table

Task No.	Task Description	Labor Classification and Hourly Rates								
		Principal Engineer \$160	Sr Engineer II \$150	Engineer I \$117	Construction Inspector \$90	Sr. Eng. Tech. \$108	Cadd \$97	Clerical \$70	Total Labor	Sub-Consultant Services
1	MIT Plan Development									
	Pre-application meeting		2	1					\$417	
	Preparation of MIT Plan	1	2	12		6		2	\$2,652	
	Respond to RFIs		4						\$600	
	Subtotal Task 1	1	8	13	0	6	0	2	\$3,669	
2	MIT Contract Documents and Bidding									
	Prepare contract documents	2	8	16		4		4	\$4,104	
	Bidding assistance services	1	10						\$1,660	
	Prepare final documents for execution	1	4					2	\$900	\$0
	Subtotal Task 2	4	22	16	0	4	0	6	\$6,664	
3	MIT Field Services									
	Pre-MIT Meeting		4	2					\$834	
	Construction Administration Services	4	24					8	\$4,800	\$0
	On-Site representation			32					\$3,744	
	Subtotal Task 3	4	28	34	0	0	0	8	\$9,378	
4	Final Report									
	Prepare Final Report	4	8	30				4	\$5,630	\$0
	Respond to RFIs		4						\$600	
	Subtotal Task 4	4	12	30	0	0	0	4	\$6,230	
	Labor Subtotal Hours	13	70	93	0	10	0	20		
	Labor Subtotal Costs	\$2,080	\$10,500	\$10,881	\$0	\$1,080	\$0	\$1,400	\$25,941	\$0
	Labor Total Costs	\$25,941								
	Subconsultant Costs Total	\$0								
	Subconsultant Multiplier	1.1								
	Subconsultant Total	\$0								
	Reimbursable Expenses	\$500								
	Project Total	\$26,441								



CITY OF LAKE WORTH

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

AGENDA DATE: June 16, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2015-04 - First Reading and First Public Hearing - amend various sections and tables in the City's Land Development Regulations; and schedule the second public hearing date for July 14, 2015

SUMMARY:

The Ordinance amends Chapter 23, Land Development Regulations, of the City's Code of Ordinances including six (6) articles of the Land Development Regulations: General Provisions, Administration, Zoning Districts, Development Standards, and Supplemental Regulations. The ordinance also revises the Land Development Regulation's permitted use table, historic preservation and environmental regulations.

BACKGROUND AND JUSTIFICATION:

On August 6, 2013, the City of Lake Worth adopted Chapter 23, Land Development Regulations (LDRs), of the Code of Ordinances. The LDRs include six (6) articles governing all development within the City. As use of the adopted LDRs progress, some provisions require clarification and edits/additions to provide consistency, improve understanding and facilitate implementation as well as address issues that have arisen since adoption.

The proposed amendments provide clarification, edits and additions to the LDRs' definitions; zoning districts; permitted use tables; development standards; off-street parking; medium and high intensity conditional uses; portable storage units; sign code; historic preservation; and, environmental regulations.

On June 3, 2015, the Planning & Zoning Board, at its regularly scheduled meeting, discussed the proposed amendments to the LDRs and voted 5-0 to recommend approval to the City Commission.

On June 10, 2015, the Historic Resources Preservation Board, at its regularly scheduled meeting, discussed the proposed amendments to the LDRs and voted 4-2 to recommend approval to the City Commission.

MOTION:

I move to approve/disapprove Ordinance No. 2015-04 on first reading and first public hearing and schedule the second reading and second public hearing date for July 14, 2015.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
P&Z Board and HRPB Staff Reports
Ordinance



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33461 · Phone: 561-586-1687

MEMORANDUM DATE: May 27, 2015

AGENDA DATE: June 3, 2015

TO: Members of the Planning & Zoning Board

RE: Land Development Regulations (LDRs)

FROM: William Waters, Director
Maxime Ducoste, Planning and Preservation Manager
Department for Community Sustainability

TITLE: PZB/HRPB Project Number 15-02900001, 15-02900002, 15-02900003: Consideration of recommendation to the City Commission concerning a proposed amendment to Chapter 23 (Land Development Regulations) of the Lake Worth Code of Ordinances.

BACKGROUND AND JUSTIFICATION:

On August 6, 2013 the City of Lake Worth adopted Chapter 23 – Land Development Regulations of the Code of Ordinances. The LDRs include six (6) articles governing all development within the city. They are Article I – General Provisions, Article II – Administration, Article III – Zoning Districts, Article IV – Development Standards, Article V – Supplemental Regulations, and Article VI – Environmental Regulations. Article II contains an approval authority table as well as a noticing table. Article III provides a permitted use table. Article V includes a revamped Historic Preservation Ordinance and Article VI contains the Landscape Code.

As the code progresses, staff acknowledges that some aspects including definitions, permitted uses and the sign code require clarification and edits/additions to provide consistency, improve understanding and facilitate implementation as well as address issues that have arisen over the past year. Attachment 1 of this report includes the proposed ordinance(s) and a highlight/strike-thru version of those sections of the code and permitted use table which are proposed to be amended.

In this round of amendments, we are proposing to amend the following sections: Article 1 – General Provisions, Section 23.2-12 – Definitions; Article 3 – Zoning districts, Section 23.3-6 – Permitted use table, Article 4 – Development standards, Section 23.3-25(e) – Mixed Use Urban Planned Development, Section 23.3-30, Section 23.4-10 – Off-street parking, Section 23.4-13 – Medium and high intensity conditional uses; Section 23.4-18 – Portable Storage Units; and Article 5 – Supplemental regulations, Section 23.5-1 – Signs, Nonconformities, Section 23.5-4 – Historic Preservation, Section 23.5-4 – Penalties, Section 23.6-1 – Environmental regulations.

As such, Staff is proposing these amendments as a solution to some of the aspects confronted since the last series of LDR amendments of July 2014. The proposed amendments also will go before the Historic Resources Preservation Board (HRPB) next week at its regularly scheduled meeting of June 10, 2015. The first hearing of the ordinance before the City Commission is tentatively scheduled for the regularly scheduled meeting on June 16, 2015.



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North- Lake Worth, Florida 33461 · Phone: 561-586-1687

POTENTIAL MOTION:

I MOVE TO RECOMMEND/NOT RECOMMEND DENY PZB/HRPB 15-02900001, PZB/HRPB 15-02900002, PZB/HRPB 15-02900003: Proposed amendments to Chapter 23 (Land Development Regulations) of the Lake Worth Code of Ordinances.

ATTACHMENTS:

Proposed Ordinance No. 2015-XX Amendments to Chapter 23 (Land Development Regulations) – Inclusive of Attachments A through k.

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ORDINANCE NO. 2015-04 OF THE CITY COMMISSION OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 23 OF THE CODE OF ORDINANCES BY AMENDING ARTICLE 1 DIVISION 2, SECTION 23.1-12, DEFINITIONS; ARTICLE 2, DIVISION 1, SECTION 23.2-36, PROVIDING FOR REZONINGS OF LAND AND FUTURE LAND USE MAP (FLUM); ARTICLE 3, DIVISION 1, SECTION 23.3-6, USE TABLE; ARTICLE 3, DIVISION 6, SECTION 23.3-25, MIXED USE PLANNED DEVELOPMENT; ARTICLE 4, SECTION 23.4-10, PROVIDING FOR OFF-STREET PARKING; ARTICLE 4, SECTION 23.4-4, FENCES WALLS AND GATES; ARTICLE 4, SECTION 23.4-13, TOWNHOUSES; ARTICLE 4, SECTION 23.4-18, "PORTABLE STORAGE UNITS", PROVIDING FOR REGULATIONS REGARDING PORTABLE STORAGE UNITS; ARTICLE 5, "SUPPLEMENTAL REGULATIONS", SECTION 23.5.1(i) "NONCONFORMING SIGNS"; AMENDING SECTION 23.5-4 "HISTORIC PRESERVATION" SECTION 23.5-4(s) "PENALTIES"; ARTICLE 6, SECTION 23.6-8, PROVIDING FOR SEA TURTLE PROTECTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth, Florida (the "City") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes;

WHEREAS, On August 6, 2013, the City of Lake Worth adopted Chapter 23, Land Development Regulations (LDRs), of the Code of Ordinances;

WHEREAS, the LDRs include six (6) articles governing all development within the City;

WHEREAS, as use of the adopted LDRs progress, some provisions require clarification and edits/additions to provide consistency, improve understanding and facilitate implementation as well as address issues that have arisen since adoption;

WHEREAS, the proposed amendments to the LDRs provide clarification, edits and additions to the LDRs' definitions; zoning districts; permitted use tables; development standards; off-street parking; medium and high intensity conditional uses; portable storage units; sign code; historic preservation; and, environmental regulations;

WHEREAS, on June 3, 2015, the Planning and Zoning Board reviewed the amendments and found the amendments to be consistent with the Comprehensive Plan and made a recommendation to the City Commission to adopt the amendments;

49 WHEREAS, on June 10, 2015, the Historic Resources Preservation
50 Board reviewed the amendments and recommended that the City Commission
51 adopt the amendments; and,

52
53 WHEREAS, the City Commission has reviewed the recommended
54 amendments and has determined that it is in the best interest of the public
55 health, safety and general welfare of the City, its residents and visitors to adopt
56 the amendments.

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58 NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
59 OF THE CITY OF LAKE WORTH, FLORIDA, that:

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61 Section 1. The foregoing "WHEREAS" clauses are true and correct and are
62 hereby ratified and confirmed by the City Commission and made a part of this
63 Ordinance.

64
65 Section 2. Chapter 23, Article 1, Division 2, Section 23.1-12, Definitions, is
66 amended by adding the words shown in underline in Exhibit "A" attached hereto
67 and incorporated herein.

68
69 Section 3. Chapter 23, Article 2, Division 3, is amended by adding Section
70 23.2-36, Rezoning of Land and Future Land Use Map (FLUM), is added as
71 indicated in Exhibit "B" attached hereto and incorporated herein.

72
73 Section 4. Chapter 23, Article 3, Division 1, Section 23.3-6, Use Table, is
74 amended by adding the words and letters shown in underline and deleting the
75 words and letters struck through as indicated in Exhibit "C" attached hereto and
76 incorporated herein.

77
78 Section 5. Chapter 23, Article 3, Division 6, Section 23.3-25, Planned
79 Development District, is amended by adding the words shown in underline and
80 deleting the words struck through as indicated in Exhibit "D" attached hereto
81 and incorporated herein.

82
83 Section 6. Chapter 23, Article 4, Section 23.4-10, Off-Street Parking, is
84 amended as indicated in Exhibit "E" attached hereto and incorporated herein.

85
86 Section 7. Chapter 23, Article 4, Section 23.4-4, Fences, Walls and Gates, is
87 amended as indicated in Exhibit "F" attached hereto and incorporated herein.

88
89 Section 8. Chapter 23, Article 4, Section 23.4-13, Medium and High Intensity
90 Conditional Uses, is amended by adding the words shown in underline as
91 indicated in Exhibit "G" attached hereto and incorporated herein.

92
93 Section 9. Chapter 23, Article 4, Section 23.4-18, Portable Storage Units, is
94 added as indicated in Exhibit "H" attached hereto and incorporated herein.

96 Section 10. Chapter 23, Article 5, Section 23.5.1(i), Non-Conforming Signs, is
97 amended by adding the words shown in underline and deleting the words struck
98 through as indicated in Exhibit "I" attached hereto and incorporated herein.
99

100 Section 11. Chapter 23, Article 5, Section 23.5-4(s) Penalties, is amended by
101 adding the words shown in underline as indicated in Exhibit "J" attached hereto
102 and incorporated herein.
103

104 Section 12. Chapter 23, Article 6, Section 23.6-8, Sea Turtle Protection, is
105 added as indicated in Exhibit "K" attached hereto and incorporated herein.
106

107 Section 13. Severability. If any section, subsection, sentence, clause, phrase
108 or portion of this Ordinance is for any reason held invalid or unconstitutional by
109 any court of competent jurisdiction, such portion shall be deemed a separate,
110 distinct, and independent provision, and such holding shall not affect the validity
111 of the remaining portions thereof.
112

113 Section 14 Repeal of Laws in Conflict. All ordinances or parts of ordinances in
114 conflict herewith are repealed to the extent of such conflict.
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116 Section 15. Codification. All exhibits of this Ordinance shall be made a part of
117 the City code of ordinances and may be re-numbered or re-lettered to
118 accomplish such, and the word "ordinance" may be changed to "section",
119 "division", or any other appropriate word.
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121 Section 16. Effective Date. This Ordinance shall take effect ten days after its
122 adoption.
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124 The passage of this Ordinance on first reading was moved by
125 Commissioner _____, seconded by Commissioner
126 _____, and upon being put to a vote, the vote was as follows:
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128 Mayor Pam Triolo
129 Vice Mayor Scott Maxwell
130 Commissioner Christopher McVoy
131 Commissioner Andy Amoroso
132 Commissioner Ryan Maier
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134 The Mayor thereupon declared this Ordinance duly passed on first
135 reading on the 16th day of June, 2015.
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137 The passage of this Ordinance on second reading was moved by
138 Commissioner _____, seconded by Commissioner _____, and upon
139 being put to a vote, the vote was as follows:
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141 Mayor Pam Triolo
142 Vice Mayor Scott Maxwell
143 Commissioner Christopher McVoy
144 Commissioner Andy Amoroso

145 Commissioner Ryan Maier

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147 The Mayor thereupon declared this Ordinance duly passed and enacted
148 on the 14th day of July, 2015.

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LAKE WORTH CITY COMMISSION

151

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By: _____

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Pam Triolo, Mayor

154 ATTEST:

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156 _____
Pamela J. Lopez, City Clerk

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EXHIBIT A

Chapter 23

ZONING

ARTICLE 1, GENERAL PROVISIONS, DIVISION 2, SECTION 23.2-12, DEFINITIONS

Amended by adding the words and figures shown in underline type and deleting the words and figures crossed through.

Arborist means an ISA certified professional or equivalent ~~A professional~~ who possesses the technical competence through experience and related training to provide for or supervise the management of trees and other woody plants in the residential, commercial, industrial and public landscape.

Barrier means a protective, temporary barricade, at least three (3) feet in height, which is formed with a minimum radius of six (6) feet from the base of the tree up to a maximum distance that is consistent with the drip line of the tree.

Champion tree means a tree so designated by the city horticulturist or a tree so designated by the Florida Division of Forestry Tree Program. A champion tree is intended to be the most exemplary specimen of its species, by measurement of the following three (3) dimensions: circumference, height, and crown spread. A champion tree is deemed irreplaceable by the city due to the size, age and the historic, aesthetic or cultural significance of the tree.

Circumference is a measurement of the circular distance around a tree trunk measured at a point four and one-half (4½) feet above the ground level from the base of a tree.

Diameter breast height (DBH) means the diameter of a tree trunk measured at a level of four and one-half (4½) feet above ground level from the base of the tree.

Historic tree means a tree that has been determined in the judgment of the city horticulturist designated by the Tree Board to be of notable public interest because of its historic association.

Measurements:

A. The diameter of a tree shall be determined by dividing the circumference of the trunk measured four and one-half (4½) feet above the ground by three and one hundred forty-two thousandths (3.412).

B. The diameter of a tree having multiple trunks four and one-half (4½) feet above the ground shall be the sum of:

1. One hundred (100) percent of the diameter of the largest trunk; and
2. Sixty (60) percent of the diameter of each additional trunk.

205 C. The location of a tree on a lot shall be measured at the point at which the trunk of the
206 tree meets the ground.

207

208 *Protected tree* means a tree three (3) inches DBH or greater but does not include
209 prohibited or invasive trees.

210 Place of assembly means a building or portion of a building in which facilities are provided
211 for civic, fraternal, educational, political, religious, or social purposes.

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Exhibit B

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216

Chapter 23

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ZONING

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ARTICLE 2, ADMINISTRATION, DIVISION 3, PERMITS

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Amended by adding a new section 23.2-36 as follows:

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Section 23.2-36. Rezoning of land and Future Land Use Map (FLUM) requested by petitioner other than the city.

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A request for rezoning and Future Land Use Map (FLUM) that changes the actual zoning map designation of a parcel or parcels of land and is initiated by an entity or an individual other than the city shall be considered pursuant to the following procedure:

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(1) Application.

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a. Petitioner must complete an application for rezoning and Future Land Use Map (FLUM) using a form provided by the Department for Community Sustainability.

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b. The completed application shall be submitted to the Development Review Official together with the application fee established by resolution of the City Commission. The application fee is intended to cover any administrative costs associated with review and processing of the application as set forth in fee schedule adopted by resolution of the City Commission.

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c. If the application is determined to be complete and technically sufficient by the Development Review Official, the Department for Community Sustainability shall schedule the rezoning request for hearing before the Planning and Zoning Board or Historic Resources Preservation Board or both.

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d. At the hearing on the application, the Planning and Zoning Board or Historic Resources Preservation Board shall consider the rezoning/FLUM Amendment application and request, the staff report including recommendations of staff, and shall receive testimony and information from the petitioner, the owner, city staff, and public comment. At the conclusion of the hearing, the Planning and Zoning Board shall make a recommendation on the rezoning/FLUM Amendment request to the City Commission. The City shall provide notice of the Planning and Zoning Board or Historic Resources Preservation Board meeting or both..

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e. The Planning and Zoning Board or Historic Resources Preservation Board meeting, and in accordance with the notice requirements of this section and F.S. § 166.041, the City Commission shall conduct a public hearing following the procedures set forth in section 2-2 of this Code. The City Commission shall consider the petitioner's requests, the recommendations of the Planning and Zoning Board or Historic Resources Preservation Board, the staff report and the recommendations of City staff, as well as public comment and other documentary evidence and testimony deemed relevant by the town commission.

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(2) Reading requirements. The proposed ordinance shall be read by title at two separate City Commission meetings. The ordinance may be adopted at the meeting where the second reading takes place.

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- 261 (3) Public Notice. Notice of the proposed ordinance must be published in a newspaper of
262 general circulation in the town at least ten days prior to adoption of the ordinance.
263 Public notice shall be provided as required by these LDRs for zoning or Future Land
264 Use Map application and as provided for in Florida Statutes Chapter 171.
- 265 (4) Review Criteria. An amendment to the official zoning map processed with or without
266 the FLUM amendment shall be reviewed based on the following factors:
- 267 a. Demonstration of Need. A demonstration of need for the proposed zoning district
268 and the land use classification. Appropriate data must be provided within the
269 application.
- 270 b. Consistency. Whether the proposed rezoning/FLUM amendment would be
271 consistent with the purpose and intent of the applicable Comprehensive Plan policies,
272 Redevelopment Plans, and Land Development Regulations. Approvals of a request to
273 rezone to a planned zoning district may include limitations or requirements imposed
274 on the master plan in order to maintain such consistency.
- 275 c. Land Use Pattern. Whether the proposed rezoning/FLUM amendment would be
276 contrary to the established land use pattern, or would create an isolated zoning district
277 or land use classification unrelated to adjacent and nearby classifications, or would
278 constitute a grant of special privilege to an individual property owner as contrasted
279 with the protection of the public welfare. This factor is not intended to exclude
280 rezoning and FLUM amendments that would result in more desirable and sustainable
281 growth for the community.
- 282 d. Sustainability. Whether the proposed rezoning/FLUM amendment would support
283 the integration of a mix of land uses consistent with smart growth or sustainability
284 initiatives, with an emphasis on 1) complementary land uses; 2) access to alternative
285 modes of transportation; and 3) interconnectivity within the project and between
286 adjacent properties.
- 287 e. Availability of Public Services/Infrastructure. Requests for rezoning to planned
288 zoning districts shall be subject to review pursuant to Section 23.5-2.
- 289 f. Compatibility. The application shall consider the following compatibility factors:
- 290 (1) Whether the proposed rezoning and FLUM amendment, if submitted concurrently,
291 would be compatible with the current and future use of adjacent and nearby
292 properties, or would negatively affect the property values of adjacent and nearby
293 properties.
- 294 (2) Whether the proposed rezoning is of a scale which is reasonably related to the
295 needs of the neighborhood and the city as a whole.
- 296 g. Direct Community Sustainability and Economic Development Benefits. For
297 rezoning/FLUM amendments involving rezoning to a planned zoning district, the
298 review shall consider the economic benefits of the proposed amendment, specifically,
299 whether the proposal would:
- 300 (1) Further implementation of the Economic Development (ED) Program;
- 301 (2) Contribute to the enhancement and diversification of the city's tax base;
- 302 (3) Respond to the current market demand or community needs or provide services or
303 retail choices not locally available;
- 304 (4) Create new employment opportunities for the residents, with pay at or above the
305 county average hourly wage;

306 (5) Represent innovative methods/technologies, especially those promoting
307 sustainability;

308 (6) Support more efficient and sustainable use of land resources in furtherance of
309 overall community health, safety and general welfare;

310 (6) Be complementary to existing uses, thus fostering synergy effects; and

311 (7) Alleviate blight/economic obsolescence of the subject area.

312 h. Economic Development Impact Determination for Conventional Zoning Districts.
313 For rezoning/FLUM amendments involving rezoning to a conventional zoning district,
314 the review shall consider whether the proposal would further Economic Development
315 Program, but also determine whether the proposal would:

316 (1) Represent a potential decrease in the possible intensity of development, given the
317 uses permitted in the proposed land use category and/or zoning district; and

318 (2) Represent a potential decrease in the number of uses with high probable
319 economic development benefits.

320 i. Commercial and Industrial Land Supply. The review shall consider whether the
321 proposed rezoning/FLUM amendment would reduce the amount of land available for
322 commercial/industrial development. If such determination is made, the approval can
323 be recommended under the following conditions:

324 (1) The size, shape, and/or location of the property makes it unsuitable for
325 commercial/industrial development; or

326 (2) The proposed rezoning/FLUM amendment provides substantiated evidence of
327 satisfying at least four (4) of the Direct Economic Development Benefits listed in
328 subparagraph "g" above; and

329 (3) The proposed rezoning/FLUM amendment would result in comparable or higher
330 employment numbers, building size and valuation than the potential of existing land
331 use designation and/or zoning.

332 j. Alternative Sites. Whether there are sites available elsewhere in the city in zoning
333 districts which already allow the desired use.

334 k. Master Plan and Site Plan Compliance with Land Development Regulations. When
335 master plan and site plan review are required pursuant to Section 2.D.1.e. above,
336 both shall comply with the requirements of the respective zoning district regulations of
337 Article III and the site development standards of Section 23.2-32

338 4. Denial. Within one (1) year from the date of denial by the City Commission, no
339 application for substantially the same zoning may be submitted, with the exception of
340 applications which are initiated by the city.

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Exhibit C
Chapter 23
ZONING

ARTICLE 3, ZONING DISTRICTS, DIVISION 1, SECTION 23.3-6, USE TABLE

Amended by adding the words shown in underlined type and deleting the words crossed through.

ZONING DISTRICT	SINGLE-FAMILY RESIDENTIAL		TWO-FAMILY RESIDENTIAL		MULTIFAMILY RESIDENTIAL		MEDIUM-DENSITY RESIDENTIAL		LOW-DENSITY RESIDENTIAL		COMMUNITY RESIDENTIAL		SPECIAL USE RESIDENTIAL		OTHER RESIDENTIAL	
	SM	SM-2	DF	DF-2	MF	MF-2	MD	MD-2	LD	LD-2	CR	CR-2	SR	SR-2	SR-3	SR-4
Dwelling, Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling, Mobile Home			P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling, Two-Family			P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling, Multifamily					P	P	P	P	P	P	P	P	P	P	P	P
Mobile Home Park			P	P	P	P	P	P	P	P	P	P	P	P	P	P
Townhouses			C	C	C	C	C	C	C	C	C	C	C	C	C	C
Accessory Dwelling Unit			P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Residential Equipment			P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Structure			P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Landmark/Center/Welcome			C	C	C	C	C	C	C	C	C	C	C	C	C	C
<u>Amplifier Center/Welcome to Residence use Amplifier Station</u>			P	P	P	P	P	P	P	P	P	P	P	P	P	P
Backed In House			C	C	C	C	C	C	C	C	C	C	C	C	C	C
Accessory Home/Outdoors			C	C	C	C	C	C	C	C	C	C	C	C	C	C
Recreation Home/Outdoors			C	C	C	C	C	C	C	C	C	C	C	C	C	C
Community Residence, Type I (6 or less residents) - Former Group Home			P	P	P	P	P	P	P	P	P	P	P	P	P	P
Community Residence, Type II (7-14) - Former Group Home			C	C	C	C	C	C	C	C	C	C	C	C	C	C
Community Residence, Type III			C	C	C	C	C	C	C	C	C	C	C	C	C	C
Community Residence, Type IV			C	C	C	C	C	C	C	C	C	C	C	C	C	C

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Exhibit D
Chapter 23
ZONING

396 ARTICLE 3, ZONING DISTRICTS, DIVISION 6, SECTION 23.3-25, Planned development
397 district.

398 Amended by adding a new section 23.3-25(e) and renumbering the existing section 23.3-
399 25(e) to 23.3-25(f):

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e) Mixed use urban planned development district.

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1. Location. Urban planned developments may be located in any mixed use district east of Interstate 95 with the exception of the neighborhood commercial district. Industrial planned developments are not allowed as a mixed use urban planned development.

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2. Minimum area required. The minimum area required for an urban planned development district shall be one-half (.5) acres; however, an area of lesser size may be approved for an urban planned development zoning upon findings by the planning and zoning board or historic resources preservation board, as applicable, and the city commission that particular circumstances justify such a reduction, and requirements for planned development district zoning and the benefit to be derived from planned development district zoning can be derived in such lesser area.

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3. Permitted uses. Permitted uses within a mixed use urban development are shown in Article 3 of these LDRs. An urban planned development may be residential alone or may be any mixture of residential, retail, commercial, office, personal services, institutional, and cultural & artisanal arts or other uses specifically listed with the Use tables of section 23.3-6 for the districts where the planned development is to be located.

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4. Required setbacks. Required setbacks shall be as provided in these LDRs for the zoning district in which the planned development is to be located.

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5. Parking and loading space requirements. Parking and loading spaces shall be provided pursuant to Article 4 of these LDRs.

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6. Landscaping/buffering. Landscaping and buffering shall be provided as required by section 23.6-1

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7. Illumination. Any source of illumination located within a commercial or industrial planned development district shall not exceed one (1) foot candle at or beyond the boundaries of such development.

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8. Outdoor storage. All outdoor storage facilities are prohibited in any mixed use urban planned development district.

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9. Sustainability. All mixed use urban planned development districts must include provisions for sustainability features such as those listed in section 23.2-33 City of Lake Worth Sustainable Bonus Incentive Program.

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Exhibit E

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Chapter 23

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446

ZONING

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ARTICLE 4, DEVELOPMENT STANDARDS, SECTION 23.4-10, OFF-STREET

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PARKING

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Amended by adding the words and figures shown in underlined type and deleting the words and figures crossed through.

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Section 23.4-10, OFF-STREET PARKING

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456

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p) On-Street Parking.

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1. Applicability. The minimum number of required off-street parking spaces for a use or project may be satisfied, in part, by the use of on-street parking spaces located within the public right-of-way abutting that same lot or parcel.

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2. Conditions. The provision for on-street parking spaces to be used to meet the minimum number of required off-street parking spaces shall be subject to the following conditions:

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a. The on-street parking provision is applicable to all existing or proposed development located within all commercial and mixed use zoning districts;

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b. Only the on-street parking spaces located within the public right-of-way that abut the frontage of a use or project may be used to count toward meeting the minimum number of required off-street parking spaces. The on-street parking spaces must be located on the same side of the street as the subject use or project;

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c. The design of the on-street parking spaces must be approved by the City Public Services Department in order to satisfy parking demand according to Section B.1. herein; and

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d. On-street parking spaces utilized under this provision shall not be reserved, temporarily or permanently, for any given use.

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474 Exhibit F
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476 Chapter 23
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478 ZONING
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480 ARTICLE 4, DEVELOPMENT STANDARDS, SECTION 23.4-4, Fences, walls and gates.
481 Amended by adding the words and figures shown in underlined type and deleting the words
482 struck through as a new section 23.4-4(c)(5) and renumbering the current section 23.4-
483 4(c)(5) to section 23.4-4(c)(6).

484
485 Sec. 23.4-4 Fences, walls and gates.

486 ***

487 (c)(5). Entrance arbor, trellis, pergola, or arch.

488 A. One (1) entrance arbor, trellis, pergola or arch shall be allowed at the front of
489 a property or two (2) shall be allowed for dual frontage properties.

490 B. Overall height of any entrance feature shall not exceed eight (8) feet in
491 height.

492 C. Overall width of entrance feature shall not exceed ten (10) percent of the
493 overall width of the property frontage or ten (10) feet, whichever is less.

494

495

496

Exhibit G

497

498

Chapter 23

499

500

ZONING

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503

ARTICLE 4, DEVELOPMENT STANDARDS, SECTION 23.4-13, Medium and high
intensity conditional uses

504

505

Amended by adding the words and figures shown in underlined type and deleting the words
struck through.

506

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508

Sec. 23.4-13. Medium and high intensity conditional uses

509

510

(c)(11). *Townhouses*.

511

A. Townhouses shall comply with the following:

512

(1)Front setback shall be ten (10) feet, with an open porch permitted in a
minimum of five (5) feet of setback;

513

514

(2)Distance between townhouse structures shall be twenty (20) feet;
however, distance between double-stacked townhouse structures shall be
thirty (30) feet;

515

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518

(3)Rear setback shall be twenty (20) feet with ten (10) feet for accessory
structures;

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521

(4)Townhouse structures shall not exceed one hundred twenty (120) feet in
overall length or six (6) units;

522

523

524

(5)The maximum number of attached townhouse units within a townhouse
building fronting on Federal Highway shall be four (4) units, unless a
planned development district is approved; and

525

526

527

528

(6)No front door access from alleys when abutting single family residential
use or district.

529

530

Exhibit H

Chapter 23

ZONING

ARTICLE 4, SUPPLEMENTAL REGULATIONS

Amended by adding a new Sec. 23.4-18, Portable Storage Units.

Sec. 23.4-18. – Portable storage units.

a) Definitions. For the purpose of this section the following definitions shall apply:

(1) *Portable Storage Unit.* Any container designed for the storage of personal property and/or overflow merchandise which is typically rented to owners or occupants of property for their temporary use and which may be delivered and removed by vehicle.

(2) *Site.* A piece, parcel, tract, or plot of land occupied, or that may be occupied, by one or more buildings or uses and their accessory buildings and uses which is generally considered to be one unified parcel.

b). Number, Duration and Removal.

(1) *On-Site Storage.* There shall be no more than one (1) portable storage unit per site, at one (1) time, and no larger than one hundred thirty (130) square feet in total area. A site permit, as required in this section, below, for a portable storage unit to remain at a site in a residential or non-residential zoning district shall be valid for a maximum of seven (7) consecutive days.

(2) *Cumulative Time Restriction.* No portable storage unit shall be placed at any one (1) site in a residential or non-residential zoning district in excess of twenty-one (21) days within any 12-month period. All sites are limited to the maximum number of three (3) site permits within any 12-month period. If more than one unit in succession is to be used at a site, the time regulations detailed herein shall begin to accrue from the date of which the first unit was placed at the location.

(3) *Notwithstanding the time limitations as stated above.* All portable storage units shall be removed from the City immediately upon the issuance of a hurricane warning by a recognized governmental agency. The removal of a portable storage unit during a hurricane warning is the responsibility of the owner/operator of the portable storage unit.

(4) *On-Site Storage Prohibited.* No on-site storage units shall be allowed on vacant, unimproved properties unless associated with a commensurate building permit for that site.

c) Site permit required prior to placing a portable storage unit on any site.

(1) The site owner/occupier or the owner /operator of the portable storage unit must apply for site permit. Application for the site permit shall be made to the Director of Community Sustainability, or his/her designee, on a form provided by the City. A review shall be conducted by the Community Sustainability Department.

586 (2) The application shall include the signature of the site property owner or renter in
587 order to ensure that the site owner or the renter has full knowledge of and consents to
588 placement of the portable storage unit on his or her site and the provisions of this section. If
589 the applicant is a renter of the property, then the applicant must also provide written
590 consent from the property owner to make such application. A site permit fee, established by
591 Resolution of the City Commission, shall accompany the application. The issuance of a site
592 permit shall allow the applicant to place a portable storage unit on the site in conformance
593 with the requirements of this section. The exterior of the portable storage unit shall have a
594 weatherproof clear pouch, which must display the site permit at all times. However, no site
595 permit shall be issued if it is determined that the storage unit provider or site owner is in
596 violation of any provision of this section.

597
598 d) Maintenance and Prohibition of Hazardous Materials. The owner/operator of a
599 portable storage unit and/or the site owner/occupier of the property on which a portable
600 storage unit is placed shall be responsible to ensure that the portable storage unit is in
601 good condition, free from evidence of deterioration, weathering, discoloration, rust, ripping,
602 tearing or other holes or breaks. When not in use, the portable storage unit shall be kept
603 locked. The site owner/occupier of the property on which a portable storage unit is placed
604 shall also be responsible that no hazardous substances are stored or kept within the
605 portable storage unit.

606
607 e) Residential Zoning Districts. In residential areas or zoning districts, a portable
608 storage unit shall only be placed in a driveway or other paved surface, unless the rear of
609 the site is readily available, and must be set back a minimum of five (5) feet from side
610 property lines, and three (3) feet from the front property lines. In the event that the Director
611 of Community Sustainability, or his/her designee, determines that there is no driveway, or
612 other paved surface, and the rear of the site is not accessible for placement of a portable
613 storage unit, the Director of Community Sustainability, or his/her designee, may approve
614 placement of a portable storage unit in the front yard providing that the placement of such
615 portable storage unit does not obstruct the free, convenient, and normal use of the public
616 right-of-way or access to any dwellings thereon.

617
618 f) Non-residential Zoning Districts. In non-residential areas or zoning districts, a
619 portable storage unit shall only be placed in the rear or side portion of a site. Under no
620 circumstances shall a portable storage unit be placed in an area fronting a street or road, or
621 in the front parking lot of a non-residential site. All portable storage units shall comply with
622 all applicable zoning requirements as it relates to setback and use requirements. The
623 placement of a portable storage unit in fire lanes, passenger loading zones, commercial
624 loading zones or public rights-of-way shall be strictly prohibited.

625
626 g) Portable storage units shall be for storage purposes only. No other activity such as
627 utilizing the unit for work or living space shall be allowed.

628
629 h) Violations.

630
631 (1) It shall be unlawful for any person to place or permit the placement of a portable
632 storage unit on a site which he or she owns, rents, occupies, or controls without first
633 obtaining a site permit from the Director of Community Sustainability, or his/her designee.

634
635 (2) It shall be unlawful for a portable storage unit to remain at a site in excess of the
636 time periods permitted under this section. Each day that any such portable storage unit
637 remains at the site in violation of the permitted time periods shall constitute a violation
638 against any person who owns, rents, occupies, or otherwise controls the site.

639
640 (3) Any violation of this chapter shall be subject to Section 1-6 or may be deemed a

641 public nuisance and as such, would be subject to the provisions for removal and abatement
642 of said nuisance as prescribed herein.
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Exhibit I
Chapter 23
ZONING

ARTICLE 5, SUPPLEMENTAL REGULATIONS, SECTION 23.5-1(i), Nonconforming Signs.

Amended by adding the words and figures shown in underlined type and deleting the words struck through.

(i) Nonconforming Signs.

Nonconforming signs. All signs in existence upon August 16, 2013 which violate any provision shall constitute a nonconforming sign. Any nonconforming sign in existence prior to August 16, 2013 or which is destroyed or damaged to the extent of fifty (50) percent or more as determined by the building official, or is altered or replaced, shall not be repaired, reinstalled, altered or replaced unless and until said sign has been made to conform to all applicable regulations of this section. All nonconforming signs shall be removed or made to conform within five (5) years from the date such sign(s) shall become nonconforming or December 31, 2019, except that nonconforming billboards shall be removed or made to conform within ten (10) years from the date such sign(s) shall become nonconforming. Notwithstanding the above, billboards which are the subject of a settlement of litigation, between the city and the billboard owner, which was filed before the adoption of these LDR's (August 6, 2013) at the time of the adoption of these LDRs may be altered or replaced as set forth in the approved settlement agreement and shall be removed or made to conform on the earliest date as set forth in the approved settlement or twenty (20) years, whichever is later. Any nonconforming sign previously approved by variance may continue in existence as permitted.

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Exhibit J
Chapter 23
ZONING

ARTICLE 5, SUPPLEMENTAL REGULATIONS, SECTION 23.5-4, HISTORIC PRESERVATION, SECTION 23.5-4(s), Penalties.

Amended by adding the words and figures shown in underlined type and deleting the words struck through.

(s) Penalties and Enforcement

1. *Criminal penalties.* Any person violating any of the provisions of this article shall be guilty of a misdemeanor in the second degree and fined not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00) for each offense. Each day's continued violation up until the restoration of the site to its appearance and setting prior to the violation shall constitute a separate offense.

2. *Civil penalties.* In addition to the criminal penalties provided above, any person who violates any provision of this article shall forfeit and pay to the city civil penalties equal to the fair market value of any property or portion thereof demolished, destroyed, disturbed (in case of an archaeological site) or relocated in violation of this article or the cost to repair or rehabilitate any property that is altered in violation of this section. Fair market value shall be construed to mean value of the property or portion thereof prior to its demolition, destruction or relocation. In lieu of any monetary penalty, any person altering property in violation of the provisions of this article may be required to repair or restore any such property or return it to its former location or condition. The civil penalty shall be in addition to and or in lieu of any criminal prosecution or penalty.

A. A civil penalty may be assessed by the Historic Resources Preservation Board after notice to the owner and a hearing in accordance with Section q.2 of this article.

3. *Equitable remedies.* In addition to any other remedies provided in this section, the city may seek injunctive or other equitable relief in an appropriate court to enforce the provisions of this section.

4. *Suspension of permit issuance.* In addition to or in lieu of the civil penalty provided in this section, the applicant or owner shall not be entitled to issuance of any building or any other permit for the property, with the exception of a permit to fully restore the site, and upon payment of any civil penalties assessed, for a period of three (3) years from and after the date of such unpermitted activity. In addition, the applicant or owner shall not be issued by the city any permit allowing curb cuts on the property for a period of three (3) years from and after the date of such unpermitted activity. This provision may be waived if the applicant or owner is able to demonstrate that it will cause an unreasonable economic hardship, as provided in subsection l) of this subsection.

5. A violation of this article may be referred to the code enforcement division for appropriate action, including a finding of irreparable harm.

6. *Enforcement by affected party.* If the city should neglect or decline to enforce the provisions of this article, any affected party may undertake to do so at its sole cost. Such

730 action shall not be used to circumvent the permit or certificate procedures, and procedures
731 for appeals thereafter, as set forth in these LDRs. The circuit court shall determine whether
732 such affected party has standing to pursue this action based on the facts in each case.
733

Exhibit K

Chapter 23

ZONING

ARTICLE 6, ENVIRONMENTAL REGULATIONS,

Adding a new Section 23.6-8, Sea Turtle Protection.

Sec. 23.6-8 . – Sea Turtle Protection

a) Purpose. This section is intended to protect the threatened and endangered sea turtles that nest along the beach of the City by safeguarding the sea turtles and hatchlings from the impact of artificial light.

b) Definitions.
The following words, terms and phrases, when used in this section, shall have the meaning ascribed to them in this section.

Beach means the sand beach and adjacent water area consisting of the property located west of Atlantic Ocean and east of the crest of the dunes located within the boundaries of the city.

c) Shielding of light

(1) Beach front property owners shall ensure that no artificial light illuminates any area of the beach or water that may be used by nesting sea turtles and hatchlings.

(2) All lighting shall be positioned and shielded so that light is not visible from the beach or water during the period from March 1 through October 31 of each year.

(3) All outdoor lighting and exterior lighting shall be directed downwards and shielded if they are visible from the beach.

d) City owned and maintained lighting. Streetlights and beach lighting owned and maintained by the City on City owned property shall be subject to the following:

(1) Lights shall be located so that the bulk of their illumination will travel away from the beach and water. Lights shall be equipped with shades or shields that will prevent backlighting and prevent lights from being visible from the beach or water.

(2) Lights at parks or other public beach access point shall be properly positioned or shielded.

e) Review and approval

No lighting shall be installed without the prior approval of a lighting plan submitted to the Department of Community Sustainability.



CITY OF LAKE WORTH

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

AGENDA DATE: June 16, 2015, Regular Meeting

DEPARTMENT: Water & Sewer Department

EXECUTIVE BRIEF

TITLE:

Resolution Nos. 27-2015 through 35-2015 - declare acquisition of land as necessary for the widening and construction of Boutwell Road improvements

SUMMARY:

The Resolutions authorize the acquisition of parcels 1, 7, 19, 19E, 20, 20E, 21, 21E, and 28 as a public use and purpose, necessary for the widening and construction of Boutwell Road, and authorize other necessary actions for the acquisition. This action also authorizes offers for each parcel, based on 125% of the appraised value of the properties not to exceed a total of \$201,200.

BACKGROUND AND JUSTIFICATION:

Improvement of Infrastructure along Boutwell Road is included as Phase 1 of the Park of Commerce Project, which was identified by a Master Plan completed by CDM in 2005. Boutwell Road is the entrance road to the Park of Commerce, a regional road connector between I-95 and Lake Worth, and an access road for school children walking to a local middle school. The roadway also serves as the primary access between the Lake Worth Tri-Rail Station and I-95. The Park of Commerce Project has been recognized by the Regional Planning Council of the Treasure Coast, and Palm Beach County is currently working with the City on an EDA Grant application for the project.

The design and right-of-way acquisition for the widening and construction of improvements to Boutwell Road were approved in the FY 2014-2015 Capital Improvement Project (CIP) budget for Phase 1 of the Park of Commerce project. The Commission approved the design of phase 1 of this project on January 7, 2014. Engineering of the project is now complete, identifying the necessary properties required to be acquired. Grant applications to state and federal agencies require acquisition of necessary rights-of-way and easements. The great majority of necessary project rights-of-way and easements (93%) are being obtained through transfer from Palm Beach County or donation from the existing land owner. The project was redesigned to reduce necessary acquisitions. The remaining acquisitions included here are required to construct the infrastructure improvements.

The attached resolutions and their exhibits include a description and sketch of each parcel. Offers for each parcel are based on two appraisals for each property. Acquisition may be through negotiation or eminent domain.

MOTION:

I move a motion to approve/disapprove Resolution Nos. 27-2015 through 35-2015.

Attachments:

- 1) Fiscal Analysis
- 2) Resolutions (nine total)
- 3) Schedule of Value

FISCAL IMPACT ANALYSIS:

A. Five Year Summary of Fiscal Impact

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	\$201,200	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	\$201,200	\$0	\$0	\$0	\$0

No. of Additional Full-Time Employees	0	0	0	0	0
---------------------------------------	---	---	---	---	---

B. Recommended Source of Funds/Summary of Fiscal Impact

The funds have been identified in the FY2015 Park of Commerce Capital Improvement Project Budget from account 304-5020-541.63-15.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2015 Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
304-5020-541.63-15	Park of Commerce	GV# 1421	\$520,375	N/A	\$236,235	-\$201,200	\$35,035

C. Fiscal Review:

Larry Johnson – Director

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RESOLUTION NO. 27-2015 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED PARCEL 1 AS NECESSARY FOR THE WIDENING AND CONSTRUCTION OF IMPROVEMENTS TO BOUTWELL ROAD TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS; AND FOR OTHER PURPOSES.

WHEREAS, the City Manager has recommended the acquisition of fee simple title to Parcel 1 to the City Commission of the City of Lake Worth, as being necessary for the widening and construction of improvements to Boutwell Road in the City of Lake Worth, Florida; and,

WHEREAS, the funds are available for the acquisition of the parcel designated as Parcel 1; and,

WHEREAS, the City Commission of the City of Lake Worth is exercising its authority of eminent domain pursuant to Chapters 73, 74, and 166, Florida Statutes, as amended; and,

WHEREAS, the City Commission has considered the required factors pursuant to Florida law including safety, costs, alternate routes or methodologies, long-range planning and the environment, as applicable to this parcel and project, as described in attached Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, the City Commission has determined that the acquisition of fee simple title to the real property identified as Parcel 1 and described in Exhibit "A", is necessary for the following public use and purpose, to wit: the widening and the construction of improvements to Boutwell Road and, as such, the acquisition of said property is for a public use and purpose deemed to be in the best interests of the City of Lake Worth; and,

WHEREAS, the acquisition of Parcel 1 is necessary for the construction of improvements to be undertaken by the City of Lake Worth for the aforementioned project; and,

WHEREAS, the property as described in Exhibit "A" to be acquired through eminent domain as authorized by this Resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and is subject to any applicable conveyance restrictions pursuant to Florida law, to the extent they may apply; and,

WHEREAS, in order to accomplish the acquisition of Parcel 1, the City Manager, City Attorney and their designees are authorized to take legal action, including the filing of eminent domain proceedings, and to employ outside legal

49 counsel, real estate appraisers and other experts deemed necessary to
50 accomplish this purpose.

51

52 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
53 THE CITY OF LAKE WORTH, FLORIDA, THAT:

54

55 SECTION 1. This City Commission adopts and ratifies those matters set
56 forth in the foregoing recitals.

57

58 SECTION 2. The City Manager, City Attorney and their designees are
59 authorized and directed to proceed to take all necessary steps, including the
60 hiring of outside legal counsel, accountants, appraisers, or other experts and
61 witnesses, for the City of Lake Worth to acquire in its own name by donation,
62 purchase or eminent domain proceedings, fee simple title to the real property
63 described in Exhibit "A", and prepare all papers, pleadings and other instruments
64 required for that purpose, and to see that all eminent domain proceedings are
65 prosecuted to judgment.

66

67 SECTION 3. The City Manager, City Attorney and their designees are
68 hereby further authorized and directed to take such further actions as are
69 reasonably required to fully accomplish the purposes herein above directed,
70 including the making of minor changes in the description of any real property
71 described in Exhibit "A" that may be necessary to fully accomplish those
72 purposes.

73

74 SECTION 4. The property described in Exhibit "A" is to be used for the
75 following public use and purpose; rights-of-way necessary for the widening and
76 construction of improvements to Boutwell Road.

77

78 SECTION 5. This Resolution shall become effective immediately upon
79 its passage.

80

81 The passage of this Resolution was moved by Commissioner _____,
82 seconded by Commissioner _____, and upon being put to a vote, the vote was
83 as follows:

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85 Mayor Pam Triolo
86 Vice Mayor Scott Maxwell
87 Commissioner Christopher McVoy
88 Commissioner Andy Amoroso
89 Commissioner Ryan Maier

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The Mayor thereupon declared this Resolution duly passed and adopted on the 16th day of June, 2015.

LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, Clerk

107

EXHIBIT " A "

LOCATION MAP
NOT TO SCALE

4/15/15
David A. Bower
DAVID A. BOWER
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA
CERTIFICATE NO. LS 5888

DESCRIPTION:

A parcel of land being a portion of Tract 87, Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida, as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

The external area formed by a 40.00 foot radius concave to the Southeast and being tangent to a line being 50.00 feet East of and parallel with the West line of said Tract 87 and the North line of said Tract 87.

TOGETHER WITH:

The internal segment lying between the chord line and the circular curve line formed by the aforementioned 40.00 foot radius.

Containing 812 square feet more or less.

PARCEL 1			
NO.	DATE	REVISIONS	BY
1	04/15/15	ADD PARCEL NUMBER	DAB

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers
460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: 561 753-0650 Fax: 561 753-0290

BOUNDARY SURVEY
For: City of Lake Worth, Florida

DRAWN: ASC	SCALE: N/A	DATE: 04/07/15
CHK: DB	JOB# 15-079-001 BNDY 1CC	SHEET: 1 OF 4

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REPORT OF SURVEY:

1. The survey depicted hereon has been classified as a Boundary Survey, as defined in Rule 5J-17.050(10)(b)- of the Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes as amended.
2. This survey has been prepared in the office of Dennis J. Leavy & Associates, Inc. located at: 460 Business Park Way, Suite B, Royal Palm Beach, Florida whose certificate of authorization number is 6599 and the certifying surveyors license number is LS 5888.
3. This survey lies in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.
4. This survey does not meet those standards established by the American Land Title Association.
5. Underground apparent use and/or improvements not shown unless otherwise noted.
6. This instrument may not be reproduced in part or whole without the written consent of Dennis J. Leavy & Associates, Inc.
7. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
8. Measurements shown hereon are expressed in feet and decimal parts thereof unless otherwise noted.
9. Bearings depicted hereon are based on the East line of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida. Said line being monumented and having a bearing of North 01°21'31" East based upon the North American Datum of 1983, on the 1990 adjustment for the Florida Transverse Mercator East Zone.
10. By graphic plotting only, the subject property lies within Zones B and C, as shown on the Flood Insurance Rate Map Community Panel Number 120192 0165 B, Panel 165 of 245, Map Revised: October 15, 1982 and Flood Insurance Rate Map Community Panel Number 120213 0001 C, Panel 1 of 2, Map Revised: September 30, 1982.
11. All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein. There are no circumstances or concerns unique to this survey unless stated otherwise below. In some instances, graphic representations have been exaggerated to more clearly illustrate relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
12. Date of field survey: April 07, 2015.
13. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

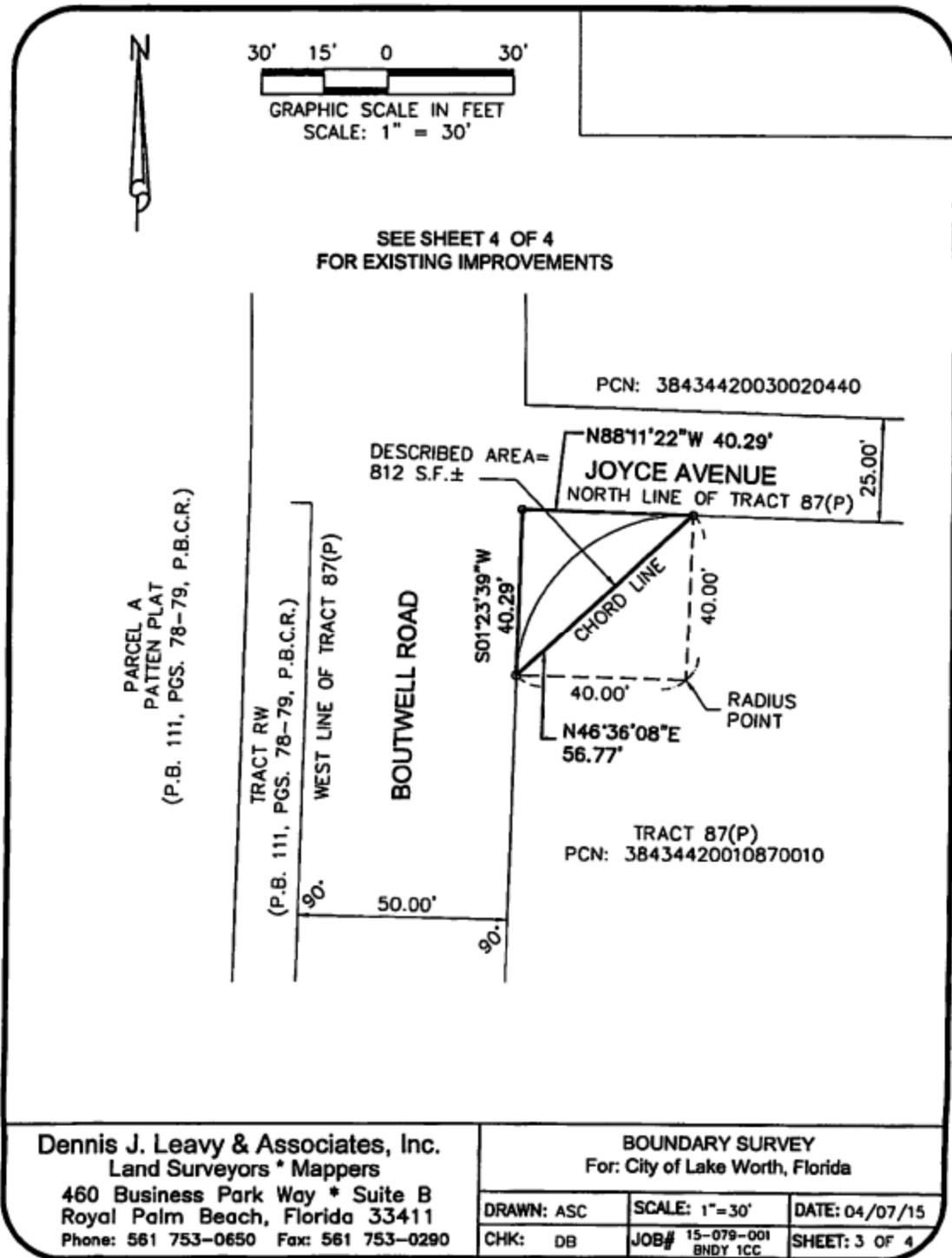
LEGEND:

- | | | | |
|----------|-----------------------------|-----|---|
| D | = CENTRAL ANGLE | R | = RADIUS |
| D.B. | = DEED BOOK | ± | = MORE OR LESS |
| L | = ARC LENGTH | (P) | = PER THE PLAT OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA (P.B. 5, PG. 79, P.B.C.R.) |
| O.R.B. | = OFFICIAL RECORDS BOOK | ⊙ | = SET IRON ROD WITH CAP "L.B. 6599" |
| P.B. | = PLAT BOOK | ⊙ | = SET NAIL WITH DISK "L.B. 6599" |
| P.B.C.R. | = PALM BEACH COUNTY RECORDS | | |
| PCN | = PARCEL CONTROL NUMBER | | |
| PG. | = PAGE | | |
| —○— | = SIGN | | |

Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0650 Fax: 561 753-0290

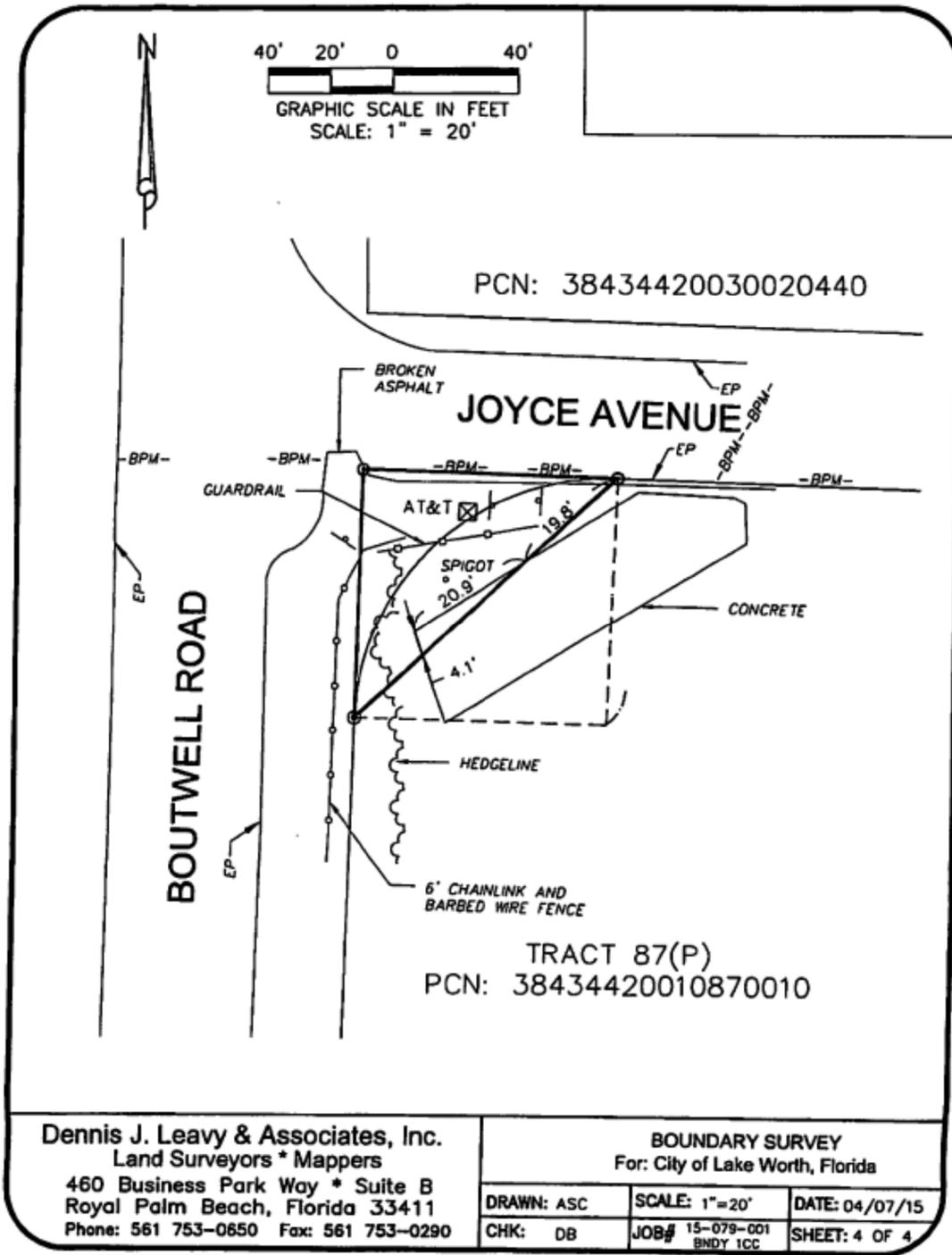
BOUNDARY SURVEY
 For: City of Lake Worth, Florida

DRAWN: ASC	SCALE: N/A	DATE: 04/07/15
CHK: DB	JOB# 15-079-001 BNDY 1CC	SHEET: 2 OF 4



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EXHIBIT "B"

**PARK OF COMMERCE – PHASE I PROJECT
CITY OF LAKE WORTH
BOUTWELL ROAD IMPROVEMENTS
PARCEL 1, 7, 19, 19E, 20, 20E, 21, 21E & 28**

The Lake Worth Park of Commerce – Phase I project (POC) is designed to improve the overall safety, utility, and aesthetics of the POC. Existing businesses will benefit from an increase in property values due to an improved road system, improved water and drainage utilities, and improved employee/ customer safety both through vehicular and pedestrian traffic. In addition to benefiting existing businesses, the project is expected to draw new businesses to the proposed POC. Hard Drive Construction, Inc. is planning on having its company headquarters in the POC. Additional new businesses include Green Street Industrial Park, Oxygen, Value Place Hotel, Holiday Inn Express, and Village of Lake Osborne Apartment Complex.

Improvements to Boutwell Road are an integral part of the POC project. Boutwell Road is the main access way to the POC from the north from 10th Avenue North and from the south from Lake Worth Road. Currently, Boutwell Road is a constrained and congested 2 lane roadway. Trucks and other large vehicles often have difficulty with turning movements onto side streets and private properties. Also, due to the 2 lane nature of the roadway, left-turning vehicles often significantly backup traffic along the roadway. The proposed improvements to Boutwell Road will be to add a 3rd lane which will primarily serve as a turning lane. Sidewalks, improved drainage, lighting and landscape buffers are also part of the project design.

SAFETY

Boutwell Road is a heavily travelled roadway serving as the primary access to the POC. Currently, traffic congestion, turning movements and pedestrian safety are of concern. As the POC expands, these conditions are expected to worsen. The planned roadway improvements to Boutwell Road will provide for improved turning movements, smoother traffic flow and increased safety for users of the facility. In addition, sidewalks and lighting will be added as part of the project in order to provide for safer pedestrian walkways. The design of the project has been done in accordance with City of Lake Worth, Florida Department of Transportation, South Florida Water Management District and Florida Department of Environmental Protection requirements and standards.

COST

The cost of the Park of Commerce – Phase I project has been estimated during the various design stages of project development. The appropriate funding for right-of-way/ easement acquisition was budgeted in the City's budget for the project. During the design of the roadway, all reasonable efforts were made to minimize the right-of-way/ easement areas to be acquired through condemnation.

LONG-RANGE PLANNING

The development of the POC is in conformance with the Comprehensive Plan of the City of Lake Worth. The expansion of the POC will significantly enhance the tax base of the City and provide employment opportunities for area residents. The planned improvements to Boutwell Road are crucial to the planned expansion of the POC.

ENVIRONMENTAL IMPACTS

Boutwell Road exists along an established roadway corridor and the proposed widening improvements and utility improvements will not have any negative impacts to the environment. The POC– Phase I Project and the Boutwell Road improvements will be permitted through all appropriate environmental regulatory agencies.

ALTERNATE ROUTES

As the existing major access way for the POC, it is not feasible to provide an alternate corridor to serve the POC. Developing a new corridor would result in significant environmental and practical impacts on existing properties. The cost of a new corridor would also be prohibitive. Therefore, improvements to the existing corridor are most prudent. Numerous alignments, elevations and other factors and considerations were factored into the current alignment and the alignment selected generally results in the least impact on existing, neighboring properties and are cost efficient as part of the road project.

After considering cost, safety, long-range planning, alternate routes and environmental factors, the acquisition of Parcels 1, 7, 19, 19E, 20, 20E, 21, 21E and 28 are necessary for this public project.

ACQUISITION FOR PARCEL 1

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 1. Parcel 1 is a corner clip right-of-way acquisition at the southeast corner of Boutwell Road and Joyce Avenue. The parent tract for Parcel 1 contains a total of 910,725 square feet. The impacted area is 812 square feet. The acquisition of Parcel 1 leaves a remainder of 909,913 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 1 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition

ACQUISITION FOR PARCEL 7

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 7. Parcel 7 is a corner clip right-of-way acquisition at the northeast corner of Boutwell Road and 7th Avenue North. The parent tract for Parcel 7 contains a total of 566,280 square feet. The impacted area is 381 square feet. The acquisition of Parcel 7 leaves a remainder of 565,899 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 7 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition.

ACQUISITION FOR PARCEL 19 and 19E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 19 and Parcel 19E. The property is located at the southwest corner of Boutwell Road and 7th Avenue North. Parcel 19 is a 10-ft right-of-way acquisition and Parcel 19E is a 5-ft. landscape buffer easement. The parent tract for Parcel 19 and Parcel 19E contains a total of 46,314 square feet. The impacted area for Parcel 19 is 1,529 square feet. The impacted area for Parcel 19E is 777 square feet. The acquisition of Parcel 19 leaves a remainder of 44,785 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 20 and 20E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 20 and Parcel 20E. The property is located on the west side of Boutwell Road approximately 150 feet south of 7th Avenue North. Parcel 20 is a 10-ft right-of-way acquisition and Parcel 20E is a 5-ft. landscape buffer easement. The parent tract for Parcel 20 and 20E contains a total of 53,055 square feet. The impacted area for Parcel 20 is 2,493 square feet. The impacted area for Parcel 20E is 1,247 square feet. The acquisition of Parcel 20 leaves a remainder of 50,562 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 21 and 21E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 21 and Parcel 21E. The property is located on the west side of Boutwell Road approximately 400 feet south of 7th Avenue North. Parcel 21 is a 10-ft right-of-way acquisition and Parcel 21E is a 5-ft. landscape buffer easement. The parent tract for Parcel 21 and Parcel 21E contains a total of 43,594 square feet. The impacted area for Parcel 21 is 1,629 square feet. The impacted area for Parcel 21E is 815 square feet. The acquisition of Parcel 21 leaves a remainder of 41,965 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 28

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 28. The property is located at the eastern end of Joyce Avenue. Parcel 28 is a 25' wide by 331' long drainage and utility easement. The parent tract for Parcel 28 contains 910,725 square feet. The impacted area for Parcel 28 is 8,277 square feet. The parcel allows for drainage and utility improvements associated with widening Boutwell Road and the POC project. The acquisition of this property will have no negative impact on the remainder property.

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RESOLUTION NO. 28-2015 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED PARCEL 7 AS NECESSARY FOR THE WIDENING AND CONSTRUCTION OF IMPROVEMENTS TO BOUTWELL ROAD TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS; AND FOR OTHER PURPOSES.

WHEREAS, the City Manager has recommended the acquisition of fee simple title to Parcel 7 to the City Commission of the City of Lake Worth, as being necessary for the widening and construction of improvements to Boutwell Road in the City of Lake Worth, Florida; and,

WHEREAS, the funds are available for the acquisition of the parcel designated as Parcel 7; and,

WHEREAS, the City Commission of the City of Lake Worth is exercising its authority of eminent domain pursuant to Chapters 73, 74, and 166, Florida Statutes, as amended; and,

WHEREAS, the City Commission has considered the required factors pursuant to Florida law including safety, costs, alternate routes or methodologies, long-range planning and the environment, as applicable to this parcel and project, as described in attached Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, the City Commission has determined that the acquisition of fee simple title to the real property identified as Parcel 7 and described in Exhibit "A", is necessary for the following public use and purpose, to wit: the widening and the construction of improvements to Boutwell Road and, as such, the acquisition of said property is for a public use and purpose deemed to be in the best interests of the City of Lake Worth; and,

WHEREAS, the acquisition of Parcel 7 is necessary for the construction of improvements to be undertaken by the City of Lake Worth for the aforementioned project; and,

WHEREAS, the property as described in Exhibit "A" to be acquired through eminent domain as authorized by this Resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and is subject to any applicable conveyance restrictions pursuant to Florida law, to the extent they may apply; and,

WHEREAS, in order to accomplish the acquisition of Parcel 7, the City Manager, City Attorney and their designees are authorized to take legal action, including the filing of eminent domain proceedings, and to employ outside legal

49 counsel, real estate appraisers and other experts deemed necessary to
50 accomplish this purpose.

51

52 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
53 THE CITY OF LAKE WORTH, FLORIDA, THAT:

54

55 SECTION 1. This City Commission adopts and ratifies those matters set
56 forth in the foregoing recitals.

57

58 SECTION 2. The City Manager, City Attorney and their designees are
59 authorized and directed to proceed to take all necessary steps, including the
60 hiring of outside legal counsel, accountants, appraisers, or other experts and
61 witnesses, for the City of Lake Worth to acquire in its own name by donation,
62 purchase or eminent domain proceedings, fee simple title to the real property
63 described in Exhibit "A", and prepare all papers, pleadings and other instruments
64 required for that purpose, and to see that all eminent domain proceedings are
65 prosecuted to judgment.

66

67 SECTION 3. The City Manager, City Attorney and their designees are
68 hereby further authorized and directed to take such further actions as are
69 reasonably required to fully accomplish the purposes herein above directed,
70 including the making of minor changes in the description of any real property
71 described in Exhibit "A" that may be necessary to fully accomplish those
72 purposes.

73

74 SECTION 4. The property described in Exhibit "A" is to be used for the
75 following public use and purpose; rights-of-way necessary for the widening and
76 construction of improvements to Boutwell Road.

77

78 SECTION 5. This Resolution shall become effective immediately upon
79 its passage.

80

81 The passage of this Resolution was moved by Commissioner _____,
82 seconded by Commissioner _____, and upon being put to a vote, the vote was
83 as follows:

84

85 Mayor Pam Triolo
86 Vice Mayor Scott Maxwell
87 Commissioner Christopher McVoy
88 Commissioner Andy Amoroso
89 Commissioner Ryan Maier

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The Mayor thereupon declared this Resolution duly passed and adopted on the 16th day of June, 2015.

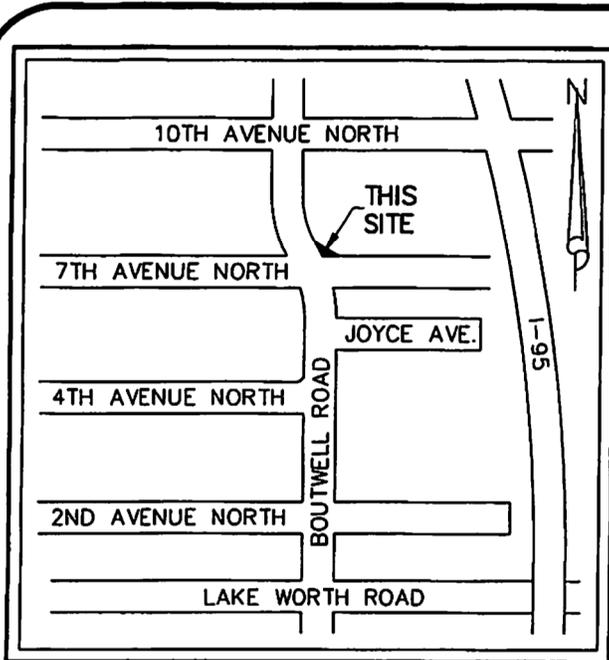
LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, Clerk

EXHIBIT " A " 99



LOCATION MAP
NOT TO SCALE

4/15/15
David A. Bower
DAVID A. BOWER
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA
CERTIFICATE NO. LS 5888

DESCRIPTION:

A parcel of land being a portion of Tract 57, Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida, as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

The external area formed by a 40.00 foot radius concave to the Northeast and being tangent to a line being 24.00 feet North of and parallel with the South line of said Tract 57 and the East line of Boutwell Road as recorded in Deed Book 977, Page 293 of the Public Records of Palm Beach County, Florida.

TOGETHER WITH:

The internal segment lying between the chord line and the circular curve line formed by the aforementioned 40.00 foot radius.

PARCEL 7

Containing 381 square feet more or less.

NO.	DATE	REVISIONS	BY
1	04/15/15	ADD PARCEL NUMBER	DAB

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers
460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: 561 753-0650 Fax: 561 753-0290

BOUNDARY SURVEY
For: City of Lake Worth, Florida

DRAWN: ASC	SCALE: N/A	DATE: 04/07/15
CHK: DB	JOB# 15-079-001 BNDY 7CC	SHEET: 1 OF 4

REPORT OF SURVEY:

1. The survey depicted hereon has been classified as a Boundary Survey, as defined in Rule 5J-17.050(10)(b)- of the Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes as amended.
2. This survey has been prepared in the office of Dennis J. Leavy & Associates, Inc. located at: 460 Business Park Way, Suite B, Royal Palm Beach, Florida whose certificate of authorization number is 6599 and the certifying surveyors license number is LS 5888.
3. This survey lies in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.
4. This survey does not meet those standards established by the American Land Title Association.
5. Underground apparent use and/or improvements not shown unless otherwise noted.
6. This instrument may not be reproduced in part or whole without the written consent of Dennis J. Leavy & Associates, Inc.
7. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
8. Measurements shown hereon are expressed in feet and decimal parts thereof unless otherwise noted.
9. Bearings depicted hereon are based on the East line of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida. Said line being monumented and having a bearing of North 01°21'31" East based upon the North American Datum of 1983, on the 1990 adjustment for the Florida Transverse Mercator East Zone.
10. By graphic plotting only, the subject property lies within Zones B and C, as shown on the Flood Insurance Rate Map Community Panel Number 120192 0165 B, Panel 165 of 245, Map Revised: October 15, 1982 and Flood Insurance Rate Map Community Panel Number 120213 0001 C, Panel 1 of 2, Map Revised: September 30, 1982.
11. All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein. There are no circumstances or concerns unique to this survey unless stated otherwise below. In some instances, graphic representations have been exaggerated to more clearly illustrate relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
12. Date of field survey: April 07, 2015.
13. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

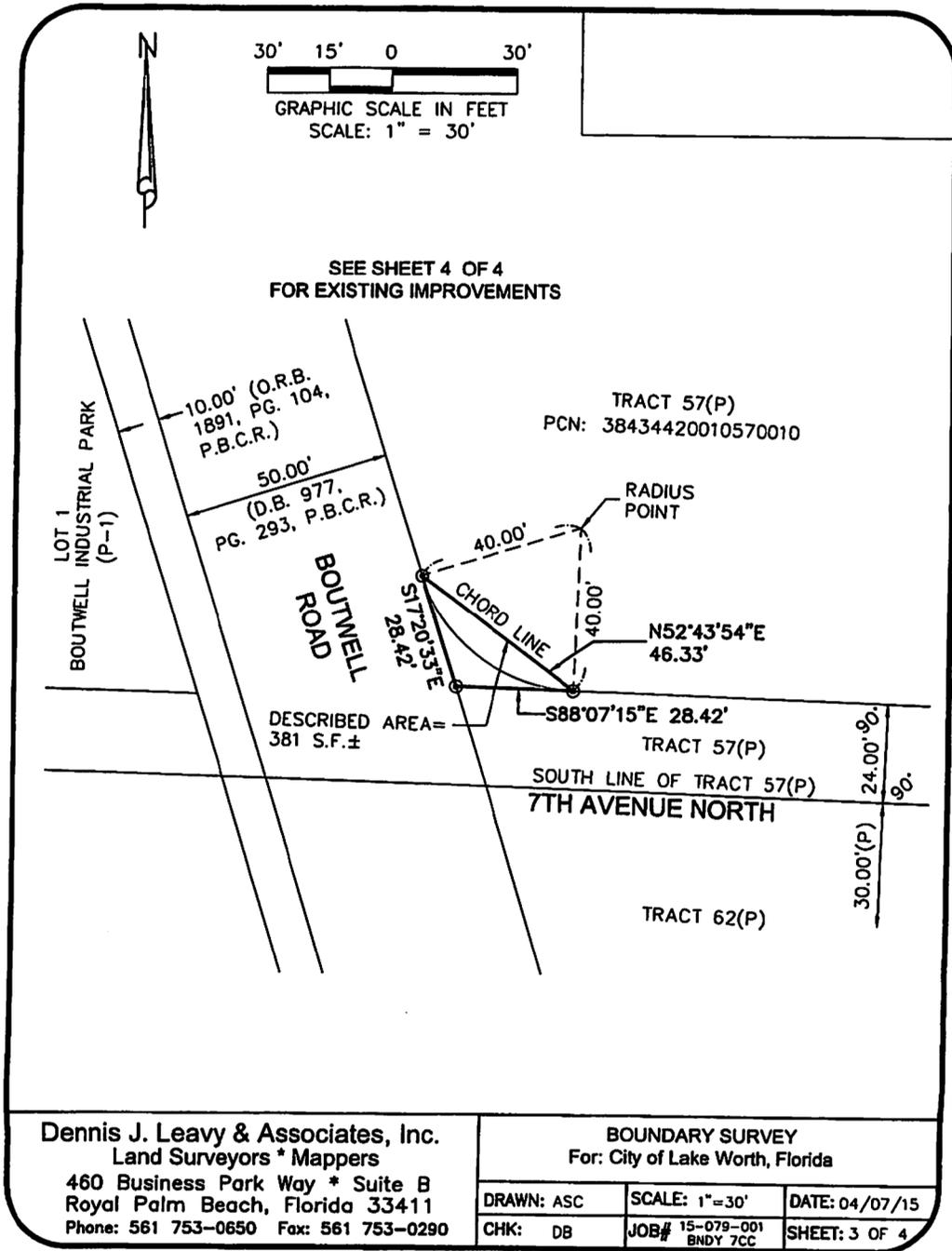
LEGEND:

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|---|-----------------------------|---|---|
| D | = CENTRAL ANGLE |  | = FIBER OPTIC HAND HOLE |
| D.B. | = DEED BOOK | R | = RADIUS |
| L | = ARC LENGTH | ± | = MORE OR LESS |
| O.R.B. | = OFFICIAL RECORDS BOOK | (P) | = PER THE PLAT OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA (P.B. 5, PG. 79, P.B.C.R.) |
| P.B. | = PLAT BOOK | (P-1) | = PER THE PLAT OF BOUTWELL INDUSTRIAL PARK (P.B. 106, PGS. 182-183, P.B.C.R.) |
| P.B.C.R. | = PALM BEACH COUNTY RECORDS | ⊙ | = SET IRON ROD WITH CAP "L.B. 6599" |
| PCN | = PARCEL CONTROL NUMBER | -OHW- | = OVERHEAD UTILITY WIRES |
| PG. | = PAGE | | |
|  | = SIGN | | |
| 00"  | = PALM SPECIES | | |
|  | = CONCRETE UTILITY POLE | | |

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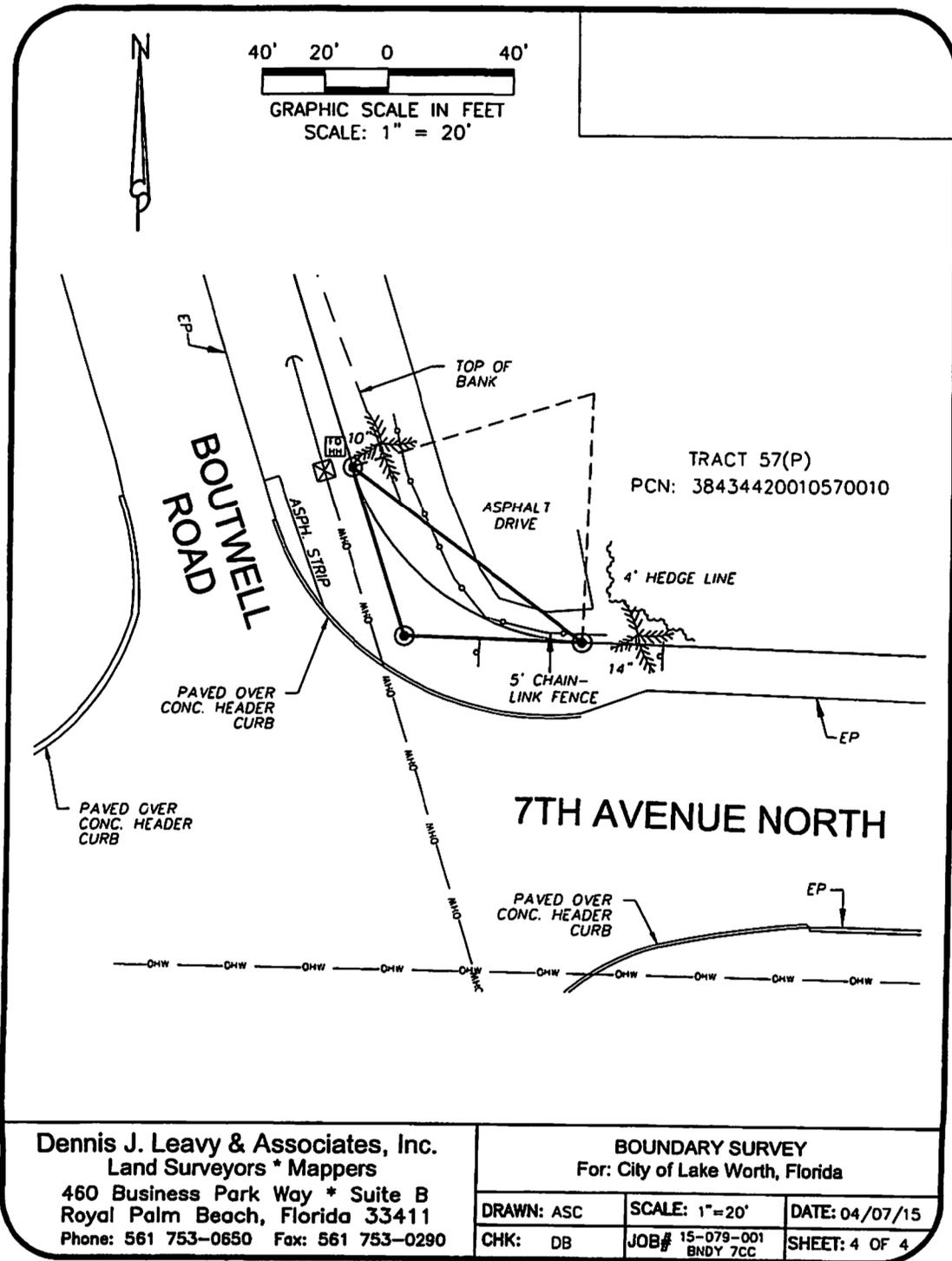
BOUNDARY SURVEY
 For: City of Lake Worth, Florida

DRAWN: ASC	SCALE: N/A	DATE: 04/07/15
CHK: DB	JOB# 15-079-001 BNDY 7CC	SHEET: 2 OF 4



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Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0650 Fax: 561 753-0290

BOUNDARY SURVEY
 For: City of Lake Worth, Florida

DRAWN: ASC	SCALE: 1"=20'	DATE: 04/07/15
CHK: DB	JOB# 15-079-001 BNDY 7CC	SHEET: 4 OF 4

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EXHIBIT "B"

**PARK OF COMMERCE – PHASE I PROJECT
CITY OF LAKE WORTH
BOUTWELL ROAD IMPROVEMENTS
PARCEL 1, 7, 19, 19E, 20, 20E, 21, 21E & 28**

The Lake Worth Park of Commerce – Phase I project (POC) is designed to improve the overall safety, utility, and aesthetics of the POC. Existing businesses will benefit from an increase in property values due to an improved road system, improved water and drainage utilities, and improved employee/ customer safety both through vehicular and pedestrian traffic. In addition to benefiting existing businesses, the project is expected to draw new businesses to the proposed POC. Hard Drive Construction, Inc. is planning on having its company headquarters in the POC. Additional new businesses include Green Street Industrial Park, Oxygen, Value Place Hotel, Holiday Inn Express, and Village of Lake Osborne Apartment Complex.

Improvements to Boutwell Road are an integral part of the POC project. Boutwell Road is the main access way to the POC from the north from 10th Avenue North and from the south from Lake Worth Road. Currently, Boutwell Road is a constrained and congested 2 lane roadway. Trucks and other large vehicles often have difficulty with turning movements onto side streets and private properties. Also, due to the 2 lane nature of the roadway, left-turning vehicles often significantly backup traffic along the roadway. The proposed improvements to Boutwell Road will be to add a 3rd lane which will primarily serve as a turning lane. Sidewalks, improved drainage, lighting and landscape buffers are also part of the project design.

SAFETY

Boutwell Road is a heavily travelled roadway serving as the primary access to the POC. Currently, traffic congestion, turning movements and pedestrian safety are of concern. As the POC expands, these conditions are expected to worsen. The planned roadway improvements to Boutwell Road will provide for improved turning movements, smoother traffic flow and increased safety for users of the facility. In addition, sidewalks and lighting will be added as part of the project in order to provide for safer pedestrian walkways. The design of the project has been done in accordance with City of Lake Worth, Florida Department of Transportation, South Florida Water Management District and Florida Department of Environmental Protection requirements and standards.

COST

The cost of the Park of Commerce – Phase I project has been estimated during the various design stages of project development. The appropriate funding for right-of-way/ easement acquisition was budgeted in the City's budget for the project. During the design of the roadway, all reasonable efforts were made to minimize the right-of-way/ easement areas to be acquired through condemnation.

LONG-RANGE PLANNING

The development of the POC is in conformance with the Comprehensive Plan of the City of Lake Worth. The expansion of the POC will significantly enhance the tax base of the City and provide employment opportunities for area residents. The planned improvements to Boutwell Road are crucial to the planned expansion of the POC.

ENVIRONMENTAL IMPACTS

Boutwell Road exists along an established roadway corridor and the proposed widening improvements and utility improvements will not have any negative impacts to the environment. The POC– Phase I Project and the Boutwell Road improvements will be permitted through all appropriate environmental regulatory agencies.

ALTERNATE ROUTES

As the existing major access way for the POC, it is not feasible to provide an alternate corridor to serve the POC. Developing a new corridor would result in significant environmental and practical impacts on existing properties. The cost of a new corridor would also be prohibitive. Therefore, improvements to the existing corridor are most prudent. Numerous alignments, elevations and other factors and considerations were factored into the current alignment and the alignment selected generally results in the least impact on existing, neighboring properties and are cost efficient as part of the road project.

After considering cost, safety, long-range planning, alternate routes and environmental factors, the acquisition of Parcels 1, 7, 19, 19E, 20, 20E, 21, 21E and 28 are necessary for this public project.

ACQUISITION FOR PARCEL 1

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 1. Parcel 1 is a corner clip right-of-way acquisition at the southeast corner of Boutwell Road and Joyce Avenue. The parent tract for Parcel 1 contains a total of 910,725 square feet. The impacted area is 812 square feet. The acquisition of Parcel 1 leaves a remainder of 909,913 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 1 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition

ACQUISITION FOR PARCEL 7

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 7. Parcel 7 is a corner clip right-of-way acquisition at the northeast corner of Boutwell Road and 7th Avenue North. The parent tract for Parcel 7 contains a total of 566,280 square feet. The impacted area is 381 square feet. The acquisition of Parcel 7 leaves a remainder of 565,899 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 7 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition.

ACQUISTION FOR PARCEL 19 and 19E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 19 and Parcel 19E. The property is located at the southwest corner of Boutwell Road and 7th Avenue North. Parcel 19 is a 10-ft right-of-way acquisition and Parcel 19E is a 5-ft. landscape buffer easement. The parent tract for Parcel 19 and Parcel 19E contains a total of 46,314 square feet. The impacted area for Parcel 19 is 1,529 square feet. The impacted area for Parcel 19E is 777 square feet. The acquisition of Parcel 19 leaves a remainder of 44,785 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISTION FOR PARCEL 20 and 20E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 20 and Parcel 20E. The property is located on the west side of Boutwell Road approximately 150 feet south of 7th Avenue North. Parcel 20 is a 10-ft right-of-way acquisition and Parcel 20E is a 5-ft. landscape buffer easement. The parent tract for Parcel 20 and 20E contains a total of 53,055 square feet. The impacted area for Parcel 20 is 2,493 square feet. The impacted area for Parcel 20E is 1,247 square feet. The acquisition of Parcel 20 leaves a remainder of 50,562 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISTION FOR PARCEL 21 and 21E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 21 and Parcel 21E. The property is located on the west side of Boutwell Road approximately 400 feet south of 7th Avenue North. Parcel 21 is a 10-ft right-of-way acquisition and Parcel 21E is a 5-ft. landscape buffer easement. The parent tract for Parcel 21 and Parcel 21E contains a total of 43,594 square feet. The impacted area for Parcel 21 is 1,629 square feet. The impacted area for Parcel 21E is 815 square feet. The acquisition of Parcel 21 leaves a remainder of 41,965 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISTION FOR PARCEL 28

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 28. The property is located at the eastern end of Joyce Avenue. Parcel 28 is a 25' wide by 331' long drainage and utility easement. The parent tract for Parcel 28 contains 910,725 square feet. The impacted area for Parcel 28 is 8,277 square feet. The parcel allows for drainage and utility improvements associated with widening Boutwell Road and the POC project. The acquisition of this property will have no negative impact on the remainder property.

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RESOLUTION NO. 29-2015 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED PARCEL 19 AS NECESSARY FOR THE WIDENING AND CONSTRUCTION OF IMPROVEMENTS TO BOUTWELL ROAD TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS; AND FOR OTHER PURPOSES.

WHEREAS, the City Manager has recommended the acquisition of fee simple title to Parcel 19 to the City Commission of the City of Lake Worth, as being necessary for the widening and construction of improvements to Boutwell Road in the City of Lake Worth, Florida; and,

WHEREAS, the funds are available for the acquisition of the parcel designated as Parcel 19; and,

WHEREAS, the City Commission of the City of Lake Worth is exercising its authority of eminent domain pursuant to Chapters 73, 74, and 166, Florida Statutes, as amended; and,

WHEREAS, the City Commission has considered the required factors pursuant to Florida law including safety, costs, alternate routes or methodologies, long-range planning and the environment, as applicable to this parcel and project, as described in attached Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, the City Commission has determined that the acquisition of fee simple title to the real property identified as Parcel 19 and described in Exhibit "A", is necessary for the following public use and purpose, to wit: the widening and the construction of improvements to Boutwell Road and, as such, the acquisition of said property is for a public use and purpose deemed to be in the best interests of the City of Lake Worth; and,

WHEREAS, the acquisition of Parcel 19 is necessary for the construction of improvements to be undertaken by the City of Lake Worth for the aforementioned project; and,

WHEREAS, the property as described in Exhibit "A" to be acquired through eminent domain as authorized by this Resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and is subject to any applicable conveyance restrictions pursuant to Florida law, to the extent they may apply; and,

WHEREAS, in order to accomplish the acquisition of Parcel 19, the City Manager, City Attorney and their designees are authorized to take legal action, including the filing of eminent domain proceedings, and to employ outside legal

49 counsel, real estate appraisers and other experts deemed necessary to
50 accomplish this purpose.

51

52 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
53 THE CITY OF LAKE WORTH, FLORIDA, THAT:

54

55 SECTION 1. This City Commission adopts and ratifies those matters set
56 forth in the foregoing recitals.

57

58 SECTION 2. The City Manager, City Attorney and their designees are
59 authorized and directed to proceed to take all necessary steps, including the
60 hiring of outside legal counsel, accountants, appraisers, or other experts and
61 witnesses, for the City of Lake Worth to acquire in its own name by donation,
62 purchase or eminent domain proceedings, fee simple title to the real property
63 described in Exhibit "A", and prepare all papers, pleadings and other instruments
64 required for that purpose, and to see that all eminent domain proceedings are
65 prosecuted to judgment.

66

67 SECTION 3. The City Manager, City Attorney and their designees are
68 hereby further authorized and directed to take such further actions as are
69 reasonably required to fully accomplish the purposes herein above directed,
70 including the making of minor changes in the description of any real property
71 described in Exhibit "A" that may be necessary to fully accomplish those
72 purposes.

73

74 SECTION 4. The property described in Exhibit "A" is to be used for the
75 following public use and purpose; rights-of-way necessary for the widening and
76 construction of improvements to Boutwell Road.

77

78 SECTION 5. This Resolution shall become effective immediately upon
79 its passage.

80

81 The passage of this Resolution was moved by Commissioner _____,
82 seconded by Commissioner _____, and upon being put to a vote, the vote was
83 as follows:

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85 Mayor Pam Triolo
86 Vice Mayor Scott Maxwell
87 Commissioner Christopher McVoy
88 Commissioner Andy Amoroso
89 Commissioner Ryan Maier

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The Mayor thereupon declared this Resolution duly passed and adopted on the 16th day of June, 2015.

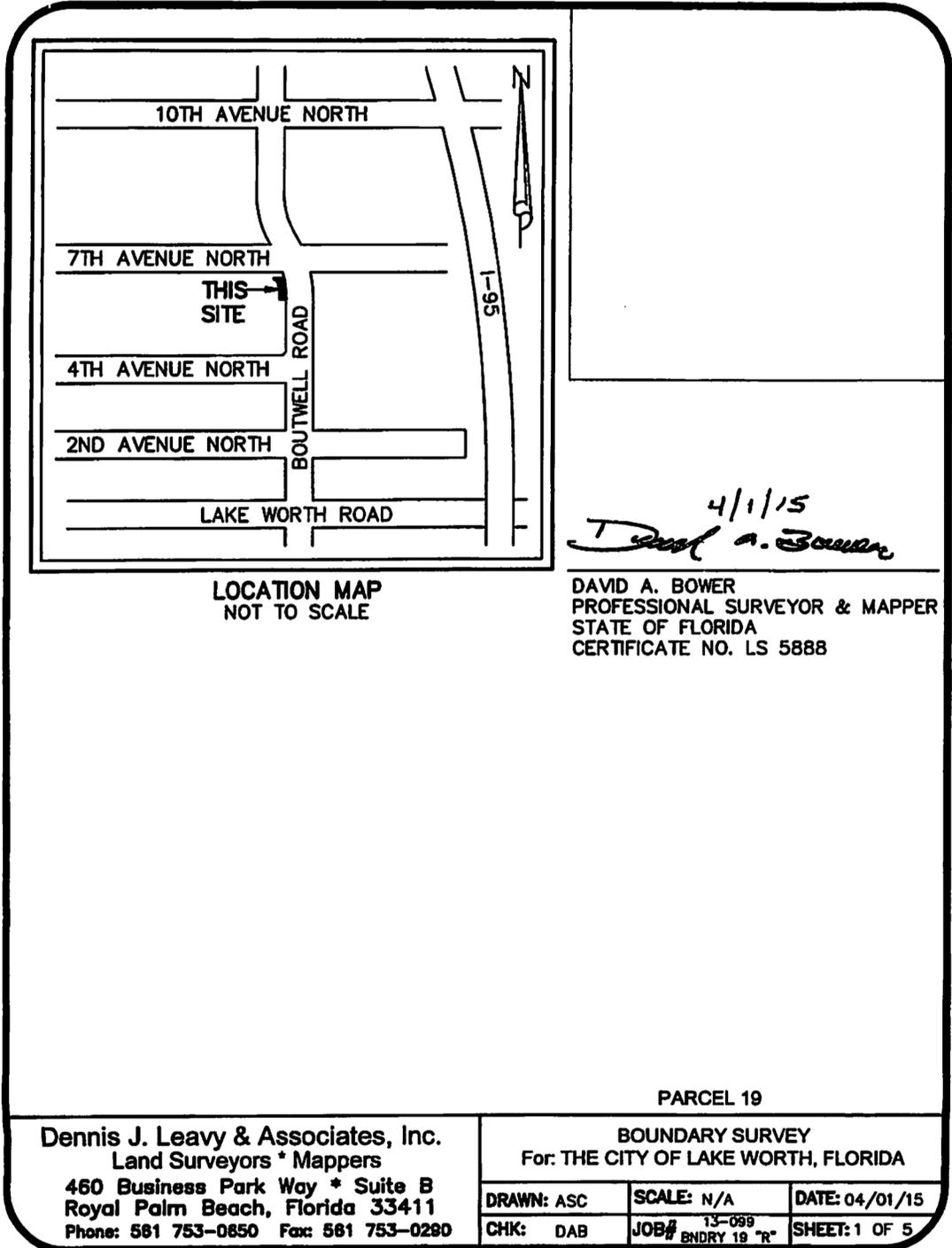
LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, Clerk

EXHIBIT "A"



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DESCRIPTION:

A variable width strip of land being a portion of those lands as described in the Warranty Deed as recorded in Official Records Book 15538, Page 1434 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

BEGINNING at the intersection of a line being 20.00 feet South of the South line of a 30.00 foot wide road right-of-way as depicted on the plat of MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida and the West right-of-way line of Boutwell Road as recorded in Official Records Book 1891, Page 102 and Official Records Book 1891, Page 104 of the Public Records of Palm Beach County, Florida; thence South 17°20'33" East (as a basis of bearings) along said West right-of-way line, a distance of 147.82 feet to a point being on the South line of those lands as described in the Warranty Deed as recorded in Official Records Book 15538, Page 1434 of the Public Records of Palm Beach County, Florida; thence North 88°08'10" West along said South line, a distance of 10.59 feet; thence North 17°20'33" West departing said South line, a distance of 137.41 feet; thence North 52°43'54" West, a distance of 16.98 feet to a point being on a line lying 20.00 feet South of the South line of a 30.00 foot wide road right-of-way as depicted on the plat of MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida; thence South 88°07'15" East along said line, a distance of 21.00 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.

Containing 1,529 square feet more or less.

Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0850 Fax: 561 753-0290

BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 19 "R"	SHEET: 2 OF 5

REPORT OF SURVEY:

1. The survey depicted hereon has been classified as a Boundary Survey, as defined in Rule 5J-17.050(10)(b)- of the Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes as amended.
2. This survey has been prepared in the office of Dennis J. Leavy & Associates, Inc. located at: 460 Business Park Way, Suite B, Royal Palm Beach, Florida whose certificate of authorization number is 6599 and the certifying surveyors license number is LS 5888.
3. This survey lies in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.
4. This survey does not meet those standards established by the American Land Title Association.
5. Underground apparent use and/or improvements not shown unless otherwise noted.
6. This instrument may not be reproduced in part or whole without the written consent of Dennis J. Leavy & Associates, Inc.
7. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
8. Measurements shown hereon are expressed in feet and decimal parts thereof unless otherwise noted.
9. Bearings depicted hereon are based on the East line of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida. Said line being monumented and having a bearing of North 01°21'31" East based upon the North American Datum of 1983, on the 1990 adjustment for the Florida Transverse Mercator East Zone.
10. By graphic plotting only, the subject property lies within Zones B and C, as shown on the Flood Insurance Rate Map Community Panel Number 120192 0165 B, Panel 165 of 245, Map Revised: October 15, 1982 and Flood Insurance Rate Map Community Panel Number 120213 0001 C, Panel 1 of 2, Map Revised: September 30, 1982.
11. All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein.
There are no circumstances or concerns unique to this survey unless stated otherwise below.
In some instances, graphic representations have been exaggerated to more clearly illustrate relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
12. Date of field survey: April 01, 2015.
13. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

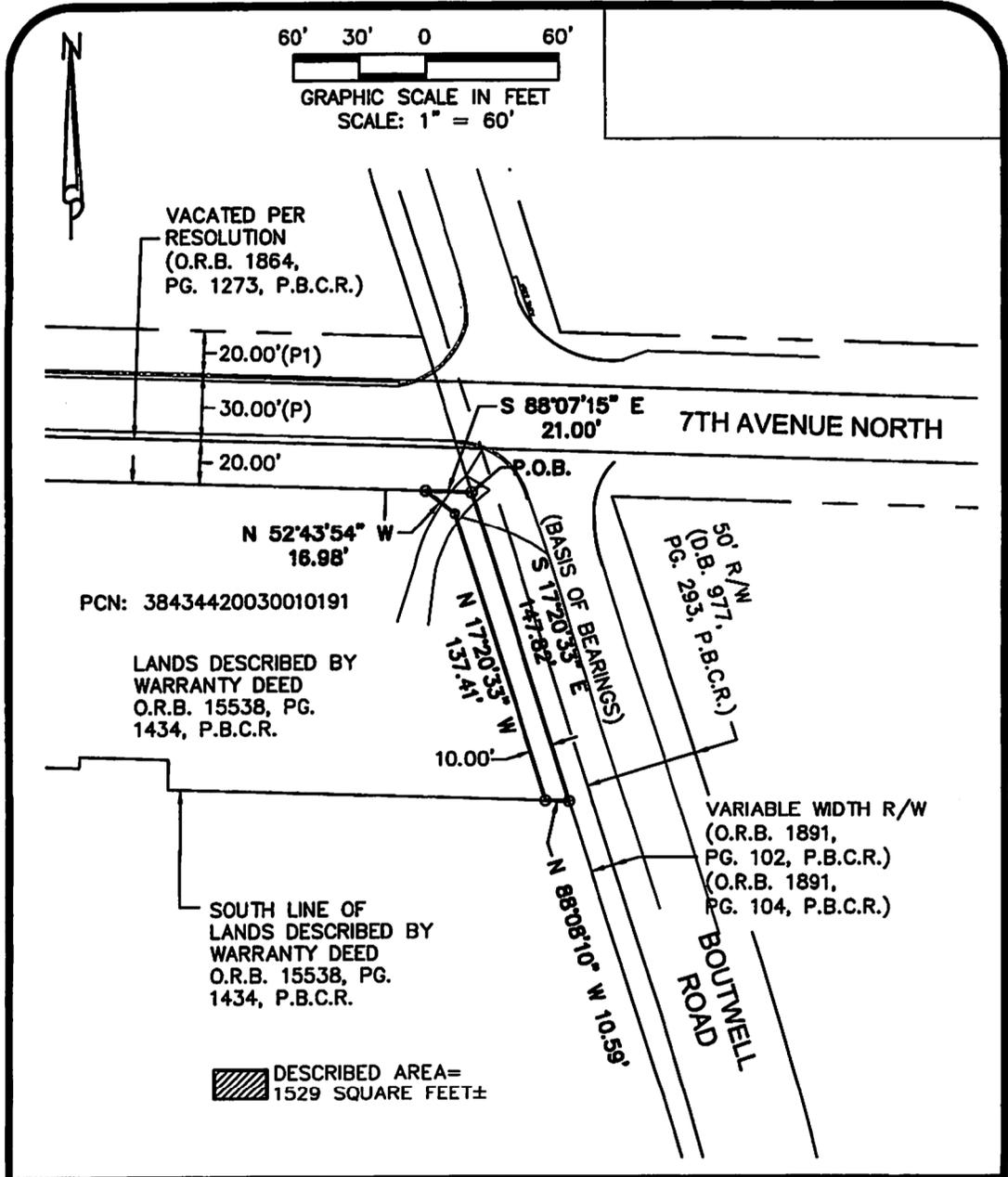
LEGEND:

- | | | | |
|---|---|---|---|
| 00"  | = UNKNOWN TREE | 00"  | = OAK SPECIES |
| D.B. | = DEED BOOK | EP | = EDGE OF PAVEMENT |
| O.R.B. | = OFFICIAL RECORDS BOOK | R/W | = RIGHT OF WAY |
| P.B. | = PLAT BOOK | ± | = MORE OR LESS |
| P.B.C.R. | = PALM BEACH COUNTY RECORDS | (P) | = PER THE PLAT OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA (P.B. 5, PG. 79, P.B.C.R.) |
| PCN | = PARCEL CONTROL NUMBER | ⊙ | = SET IRON ROD WITH CAP "L.B. 6599" |
| PG. | = PAGE | ○ | = SET NAIL WITH DISK "L.B. 6599" |
| (P1) | = PER THE PLAT OF BOUTWELL INDUSTRIAL PARK (P.B. 106, PGS. 182-183, P.B.C.R.) | | |

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 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0850 Fax: 561 753-0280

BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-089 BNDRY 19 "R"	SHEET: 3 OF 5

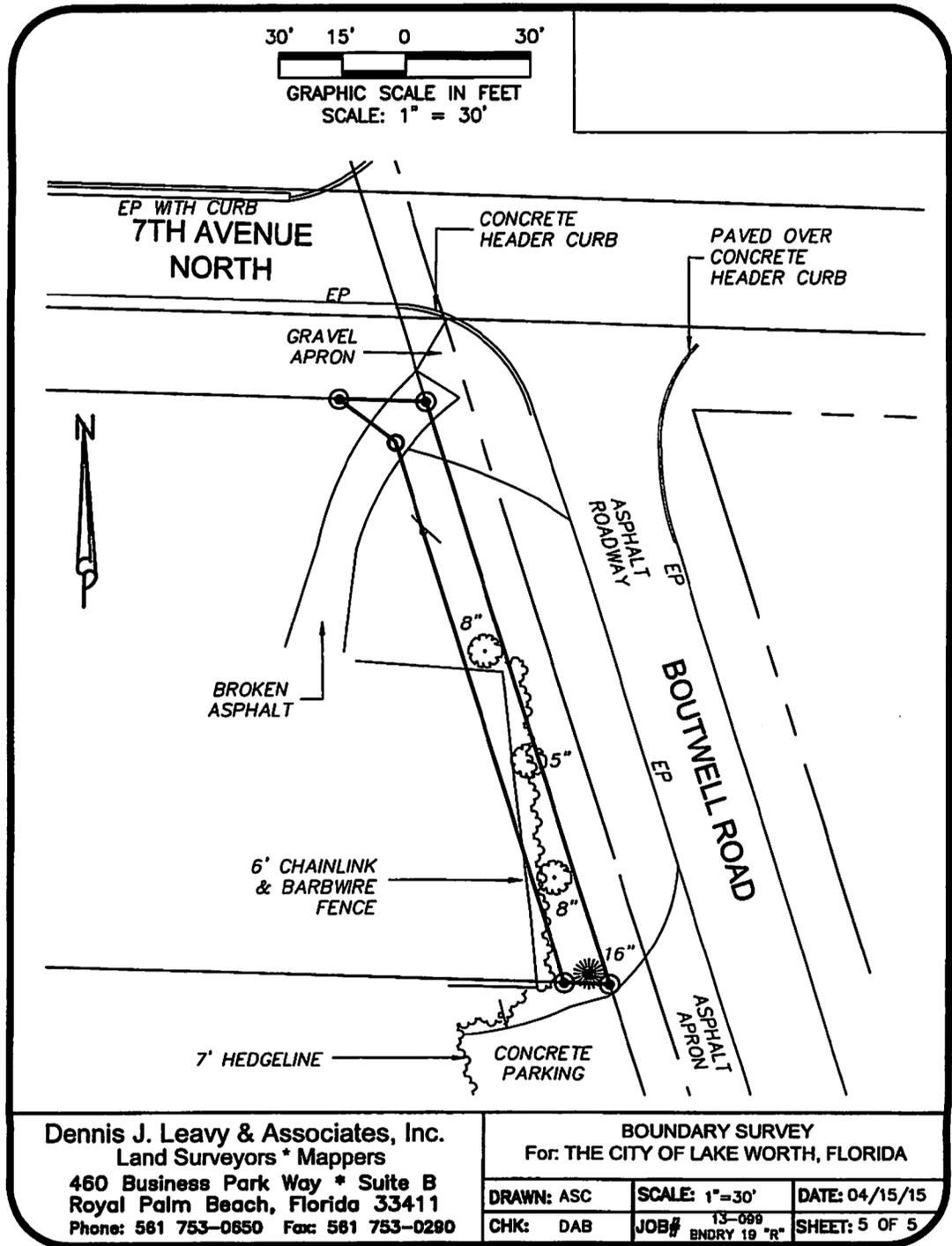


Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0850 Fax: 561 753-0280

BOUNDARY SURVEY For: THE CITY OF LAKE WORTH, FLORIDA		
DRAWN: ASC	SCALE: 1"=60'	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 19 "R"	SHEET: 4 OF 5

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EXHIBIT "B"

**PARK OF COMMERCE – PHASE I PROJECT
CITY OF LAKE WORTH
BOUTWELL ROAD IMPROVEMENTS
PARCEL 1, 7, 19, 19E, 20, 20E, 21, 21E & 28**

The Lake Worth Park of Commerce – Phase I project (POC) is designed to improve the overall safety, utility, and aesthetics of the POC. Existing businesses will benefit from an increase in property values due to an improved road system, improved water and drainage utilities, and improved employee/ customer safety both through vehicular and pedestrian traffic. In addition to benefiting existing businesses, the project is expected to draw new businesses to the proposed POC. Hard Drive Construction, Inc. is planning on having its company headquarters in the POC. Additional new businesses include Green Street Industrial Park, Oxygen, Value Place Hotel, Holiday Inn Express, and Village of Lake Osborne Apartment Complex.

Improvements to Boutwell Road are an integral part of the POC project. Boutwell Road is the main access way to the POC from the north from 10th Avenue North and from the south from Lake Worth Road. Currently, Boutwell Road is a constrained and congested 2 lane roadway. Trucks and other large vehicles often have difficulty with turning movements onto side streets and private properties. Also, due to the 2 lane nature of the roadway, left-turning vehicles often significantly backup traffic along the roadway. The proposed improvements to Boutwell Road will be to add a 3rd lane which will primarily serve as a turning lane. Sidewalks, improved drainage, lighting and landscape buffers are also part of the project design.

SAFETY

Boutwell Road is a heavily travelled roadway serving as the primary access to the POC. Currently, traffic congestion, turning movements and pedestrian safety are of concern. As the POC expands, these conditions are expected to worsen. The planned roadway improvements to Boutwell Road will provide for improved turning movements, smoother traffic flow and increased safety for users of the facility. In addition, sidewalks and lighting will be added as part of the project in order to provide for safer pedestrian walkways. The design of the project has been done in accordance with City of Lake Worth, Florida Department of Transportation, South Florida Water Management District and Florida Department of Environmental Protection requirements and standards.

COST

The cost of the Park of Commerce – Phase I project has been estimated during the various design stages of project development. The appropriate funding for right-of-way/ easement acquisition was budgeted in the City's budget for the project. During the design of the roadway, all reasonable efforts were made to minimize the right-of-way/ easement areas to be acquired through condemnation.

LONG-RANGE PLANNING

The development of the POC is in conformance with the Comprehensive Plan of the City of Lake Worth. The expansion of the POC will significantly enhance the tax base of the City and provide employment opportunities for area residents. The planned improvements to Boutwell Road are crucial to the planned expansion of the POC.

ENVIRONMENTAL IMPACTS

Boutwell Road exists along an established roadway corridor and the proposed widening improvements and utility improvements will not have any negative impacts to the environment. The POC– Phase I Project and the Boutwell Road improvements will be permitted through all appropriate environmental regulatory agencies.

ALTERNATE ROUTES

As the existing major access way for the POC, it is not feasible to provide an alternate corridor to serve the POC. Developing a new corridor would result in significant environmental and practical impacts on existing properties. The cost of a new corridor would also be prohibitive. Therefore, improvements to the existing corridor are most prudent. Numerous alignments, elevations and other factors and considerations were factored into the current alignment and the alignment selected generally results in the least impact on existing, neighboring properties and are cost efficient as part of the road project.

After considering cost, safety, long-range planning, alternate routes and environmental factors, the acquisition of Parcels 1, 7, 19, 19E, 20, 20E, 21, 21E and 28 are necessary for this public project.

ACQUISITION FOR PARCEL 1

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 1. Parcel 1 is a corner clip right-of-way acquisition at the southeast corner of Boutwell Road and Joyce Avenue. The parent tract for Parcel 1 contains a total of 910,725 square feet. The impacted area is 812 square feet. The acquisition of Parcel 1 leaves a remainder of 909,913 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 1 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition

ACQUISITION FOR PARCEL 7

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 7. Parcel 7 is a corner clip right-of-way acquisition at the northeast corner of Boutwell Road and 7th Avenue North. The parent tract for Parcel 7 contains a total of 566,280 square feet. The impacted area is 381 square feet. The acquisition of Parcel 7 leaves a remainder of 565,899 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 7 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition.

ACQUISITION FOR PARCEL 19 and 19E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 19 and Parcel 19E. The property is located at the southwest corner of Boutwell Road and 7th Avenue North. Parcel 19 is a 10-ft right-of-way acquisition and Parcel 19E is a 5-ft. landscape buffer easement. The parent tract for Parcel 19 and Parcel 19E contains a total of 46,314 square feet. The impacted area for Parcel 19 is 1,529 square feet. The impacted area for Parcel 19E is 777 square feet. The acquisition of Parcel 19 leaves a remainder of 44,785 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 20 and 20E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 20 and Parcel 20E. The property is located on the west side of Boutwell Road approximately 150 feet south of 7th Avenue North. Parcel 20 is a 10-ft right-of-way acquisition and Parcel 20E is a 5-ft. landscape buffer easement. The parent tract for Parcel 20 and 20E contains a total of 53,055 square feet. The impacted area for Parcel 20 is 2,493 square feet. The impacted area for Parcel 20E is 1,247 square feet. The acquisition of Parcel 20 leaves a remainder of 50,562 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 21 and 21E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 21 and Parcel 21E. The property is located on the west side of Boutwell Road approximately 400 feet south of 7th Avenue North. Parcel 21 is a 10-ft right-of-way acquisition and Parcel 21E is a 5-ft. landscape buffer easement. The parent tract for Parcel 21 and Parcel 21E contains a total of 43,594 square feet. The impacted area for Parcel 21 is 1,629 square feet. The impacted area for Parcel 21E is 815 square feet. The acquisition of Parcel 21 leaves a remainder of 41,965 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 28

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 28. The property is located at the eastern end of Joyce Avenue. Parcel 28 is a 25' wide by 331' long drainage and utility easement. The parent tract for Parcel 28 contains 910,725 square feet. The impacted area for Parcel 28 is 8,277 square feet. The parcel allows for drainage and utility improvements associated with widening Boutwell Road and the POC project. The acquisition of this property will have no negative impact on the remainder property.

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3 RESOLUTION NO. 30-2015 OF THE CITY COMMISSION OF THE CITY OF
4 LAKE WORTH, FLORIDA, DECLARING THE ACQUISITION OF A
5 PERMANENT EASEMENT IN AND TO A PARCEL OF LAND DESIGNATED
6 PARCEL 19E AS NECESSARY FOR THE WIDENING AND CONSTRUCTION
7 OF IMPROVEMENTS TO BOUTWELL ROAD TO BE FOR A PUBLIC USE AND
8 PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND
9 OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS;
10 AND FOR OTHER PURPOSES
11

12 WHEREAS, the City Manager has recommended the acquisition of a
13 permanent easement in and to Parcel 19E to the City Commission of the City of
14 Lake Worth, as being necessary for the widening and construction of
15 improvements to Boutwell Road in the City of Lake Worth, Florida; and
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17 WHEREAS, the funds are available for the acquisition of the parcel
18 designated as Parcel 19E; and,
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20 WHEREAS, the City Commission of the City of Lake Worth is exercising
21 its authority of eminent domain pursuant to Chapters 73, 74, and 166, Florida
22 Statutes, as amended; and
23

24 WHEREAS, the City Commission has considered the required factors
25 pursuant to Florida law including safety, costs, alternate routes or methodologies,
26 long-range planning and the environment, as applicable to this parcel and project,
27 as described in attached Exhibit "B"; and
28

29 WHEREAS, after considering the factors as set forth above, the City
30 Commission has determined that the acquisition of a permanent easement in and
31 to the real property identified as Parcel 19E and described in Exhibit "A", is
32 necessary for the following public use and purpose, to wit: to provide a landscape
33 and buffer easement to be used in conjunction with the widening and the
34 construction of improvements to Boutwell Road and, as such, the acquisition of
35 said property is for a public use and purpose deemed to be in the best interests
36 of the City of Lake Worth. A full description of the easement is set forth on
37 Exhibit "C"; and
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39 WHEREAS, the acquisition of Parcel 19E is necessary for the construction
40 of improvements to be undertaken by the City of Lake Worth for the
41 aforementioned project; and
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43 WHEREAS, the property as described in Exhibit "A" to be acquired through
44 eminent domain as authorized by this Resolution is not being acquired for the
45 purpose of abating or eliminating public nuisances, slum or blighted conditions,
46 and is subject to any applicable conveyance restrictions pursuant to Florida law,
47 to the extent they may apply; and

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WHEREAS, in order to accomplish the acquisition of Parcel 19E, the City Manager, City Attorney and their designees are authorized to take legal action, including the filing of eminent domain proceedings, and to employ outside legal counsel, real estate appraisers and other experts deemed necessary to accomplish this purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, THAT:

SECTION 1. This City Commission adopts and ratifies those matters set forth in the foregoing recitals.

SECTION 2. The City Manager, City Attorney and their designees are authorized and directed to proceed to take all necessary steps, including the hiring of outside legal counsel, accountants, appraisers, or other experts and witnesses, for the City of Lake Worth to acquire in its own name by donation, purchase or eminent domain proceedings, a permanent easement in and to the real property described in Exhibit "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all eminent domain proceedings are prosecuted to judgment.

SECTION 3. The City Manager, City Attorney and their designees are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

SECTION 4. The property described in Exhibit "A" is to be used for the following public use and purpose; a permanent drainage and utilities easement necessary for the widening and construction of improvements to Boutwell Road.

SECTION 5. This Resolution shall become effective immediately upon its passage.

The passage of this Resolution was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

- Mayor Pam Triolo
- Vice Mayor Scott Maxwell
- Commissioner Christopher McVoy
- Commissioner Andy Amoroso
- Commissioner Ryan Maier

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The Mayor thereupon declared this Resolution duly passed and adopted on the 16th day of June, 2015.

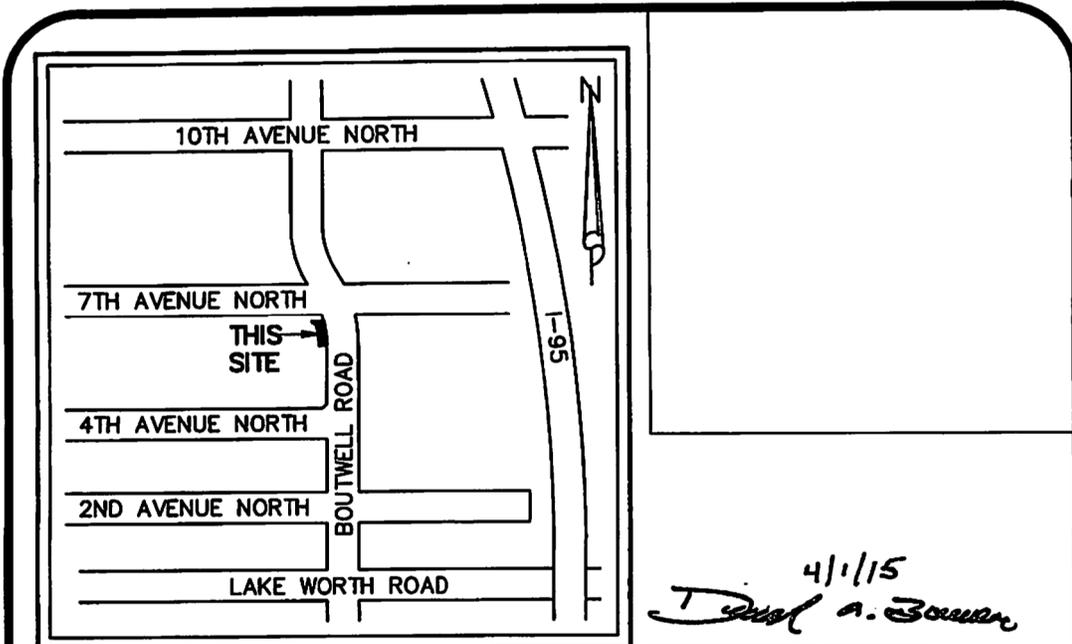
LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, Clerk

EXHIBIT "A"



LOCATION MAP
NOT TO SCALE

4/1/15
David A. Bower

DAVID A. BOWER
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA
CERTIFICATE NO. LS 5888

PARCEL 19E

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers
460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: 561 753-0850 Fax: 561 753-0290

BOUNDARY SURVEY
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 19 "B"	SHEET: 1 OF 5

KA 2013 lrbv13-099.dwg 13-099 BNDRY 19-B.dwg 4/16/2015 10:05:16 AM W5-2

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DESCRIPTION:

A 5.00 foot wide strip of land being a portion of those lands as described in the Warranty Deed as recorded in Official Records Book 15538, Page 1434 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

COMMENCING at the intersection of a line being 20.00 feet South of the South line of a 30.00 foot wide road right-of-way as depicted on the plat of MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida and the West right-of-way line of Boutwell Road as recorded in Official Records Book 1891, Page 102 and Official Records Book 1891, Page 104 of the Public Records of Palm Beach County, Florida; thence North 88°07'15" West along said line being 20.00 feet South of the South line of a 30.00 foot wide road right-of way, a distance of 21.00 feet to the POINT OF BEGINNING; thence continue North 88°07'15" West along said line, a distance of 8.63 feet; thence South 52°43'54" East, a distance of 22.42 feet; thence South 17°20'33" East, a distance of 134.07 feet to a point being on the South line of those lands as described in the Warranty Deed as recorded in Official Records Book 15538, Page 1434 of the Public Records of Palm Beach County, Florida; thence South 88°08'10" East along said South line, a distance of 5.30 feet; thence North 17°20'33" West, a distance of 137.41 feet; thence North 52°43'54" West, a distance of 16.98 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.

Containing 777 square feet more or less.

Dennis J. Leavy & Associates, Inc.
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BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 19 "B"	SHEET: 2 OF 5

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REPORT OF SURVEY:

1. The survey depicted hereon has been classified as a Boundary Survey, as defined in Rule 5J-17.056(10)(b)- of the Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes as amended.
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5. Underground apparent use and/or improvements not shown unless otherwise noted.
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7. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
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10. By graphic plotting only, the subject property lies within Zones B and C, as shown on the Flood Insurance Rate Map Community Panel Number 120192 0165 B, Panel 165 of 245, Map Revised: October 15, 1982 and Flood Insurance Rate Map Community Panel Number 120213 0001 C, Panel 1 of 2, Map Revised: September 30, 1982.
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There are no circumstances or concerns unique to this survey unless stated otherwise below.
In some instances, graphic representations have been exaggerated to more clearly illustrate relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
12. Date of field survey: April 01, 2015.
13. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

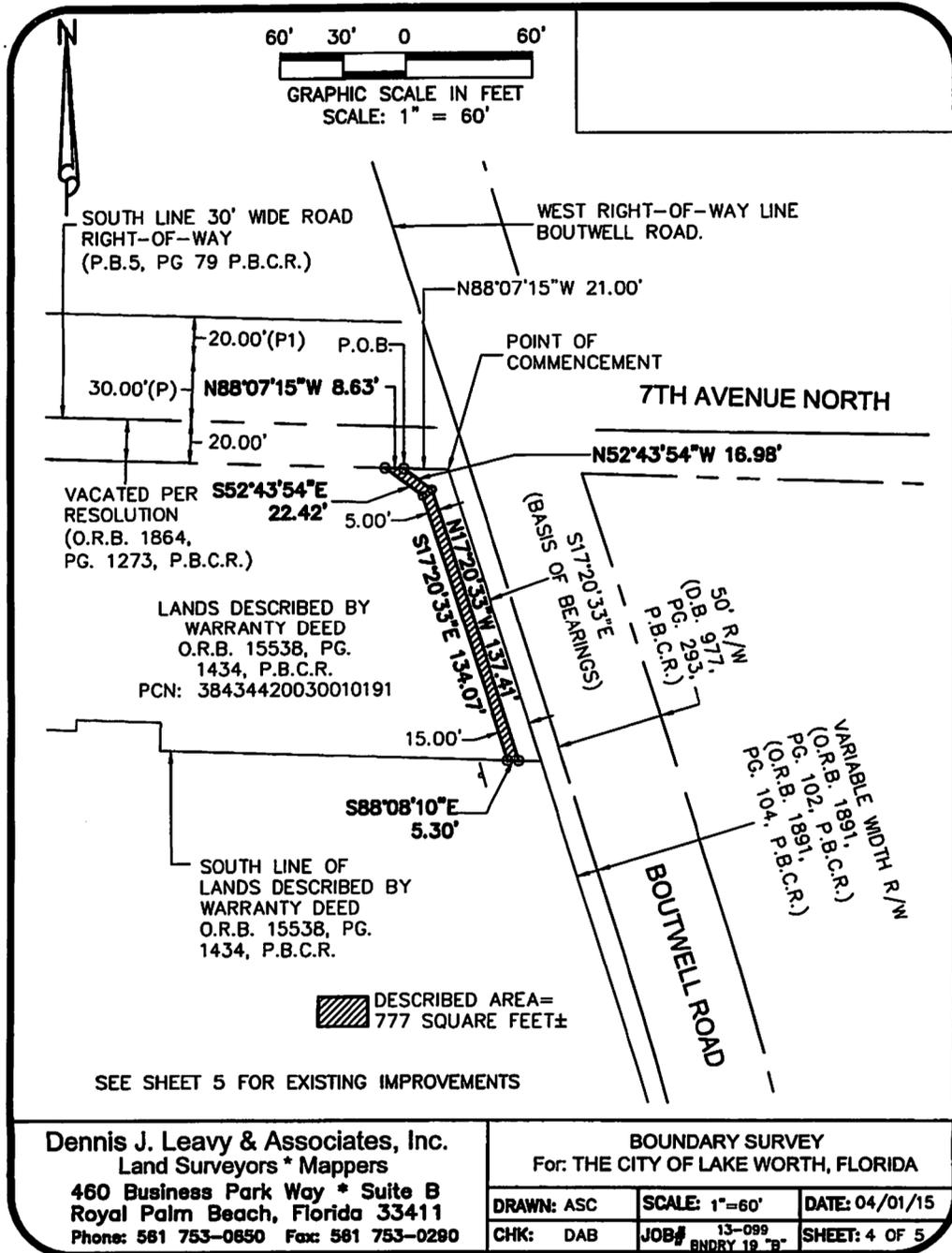
LEGEND:

- | | | | |
|---|---|---|---|
| 00°  | = UNKNOWN TREE | 00°  | = OAK SPECIES |
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| P.B.C.R. | = PALM BEACH COUNTY RECORDS | (P) | = PER THE PLAT OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA (P.B. 5, PG. 79, P.B.C.R.) |
| PCN | = PARCEL CONTROL NUMBER | ⊙ | = SET IRON ROD WITH CAP "L.B. 6599" |
| PG. | = PAGE | | |
| POB | = POINT OF BEGINNING | | |
| (P1) | = PER THE PLAT OF BOUTWELL INDUSTRIAL PARK (P.B. 106, PGS. 182-183, P.B.C.R.) | | |

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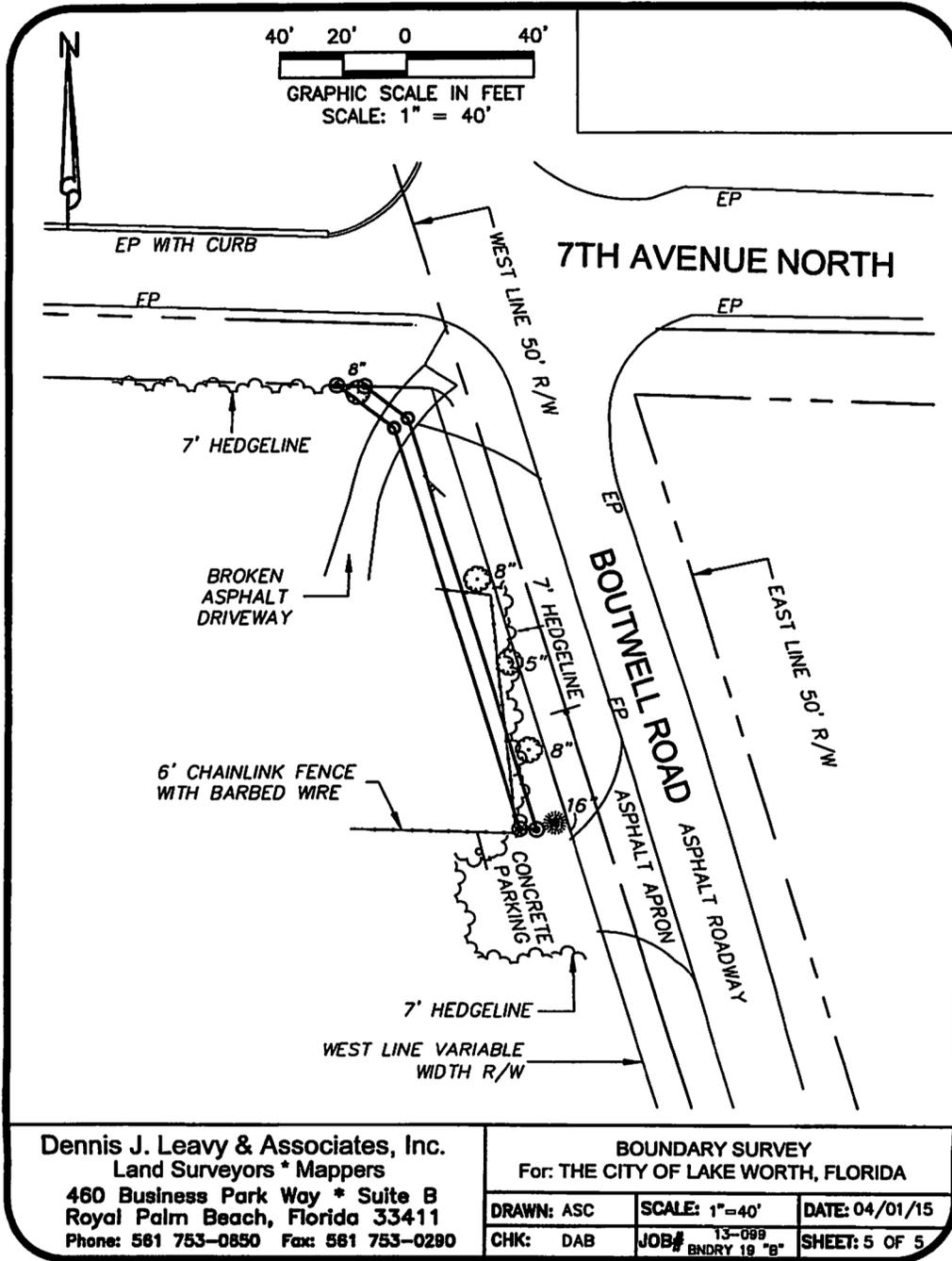
BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 19 "B"	SHEET: 3 OF 5



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Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0850 Fax: 561 753-0290

BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: 1"=40'	DATE: 04/01/15
CHK: DAB	JOB# 13-099 # BNDRY 19 "g"	SHEET: 5 OF 5

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EXHIBIT "B"

**PARK OF COMMERCE – PHASE I PROJECT
CITY OF LAKE WORTH
BOUTWELL ROAD IMPROVEMENTS
PARCEL 1, 7, 19, 19E, 20, 20E, 21, 21E & 28**

The Lake Worth Park of Commerce – Phase I project (POC) is designed to improve the overall safety, utility, and aesthetics of the POC. Existing businesses will benefit from an increase in property values due to an improved road system, improved water and drainage utilities, and improved employee/ customer safety both through vehicular and pedestrian traffic. In addition to benefiting existing businesses, the project is expected to draw new businesses to the proposed POC. Hard Drive Construction, Inc. is planning on having its company headquarters in the POC. Additional new businesses include Green Street Industrial Park, Oxygen, Value Place Hotel, Holiday Inn Express, and Village of Lake Osborne Apartment Complex.

Improvements to Boutwell Road are an integral part of the POC project. Boutwell Road is the main access way to the POC from the north from 10th Avenue North and from the south from Lake Worth Road. Currently, Boutwell Road is a constrained and congested 2 lane roadway. Trucks and other large vehicles often have difficulty with turning movements onto side streets and private properties. Also, due to the 2 lane nature of the roadway, left-turning vehicles often significantly backup traffic along the roadway. The proposed improvements to Boutwell Road will be to add a 3rd lane which will primarily serve as a turning lane. Sidewalks, improved drainage, lighting and landscape buffers are also part of the project design.

SAFETY

Boutwell Road is a heavily travelled roadway serving as the primary access to the POC. Currently, traffic congestion, turning movements and pedestrian safety are of concern. As the POC expands, these conditions are expected to worsen. The planned roadway improvements to Boutwell Road will provide for improved turning movements, smoother traffic flow and increased safety for users of the facility. In addition, sidewalks and lighting will be added as part of the project in order to provide for safer pedestrian walkways. The design of the project has been done in accordance with City of Lake Worth, Florida Department of Transportation, South Florida Water Management District and Florida Department of Environmental Protection requirements and standards.

COST

The cost of the Park of Commerce – Phase I project has been estimated during the various design stages of project development. The appropriate funding for right-of-way/ easement acquisition was budgeted in the City's budget for the project. During the design of the roadway, all reasonable efforts were made to minimize the right-of-way/ easement areas to be acquired through condemnation.

LONG-RANGE PLANNING

The development of the POC is in conformance with the Comprehensive Plan of the City of Lake Worth. The expansion of the POC will significantly enhance the tax base of the City and provide employment opportunities for area residents. The planned improvements to Boutwell Road are crucial to the planned expansion of the POC.

ENVIRONMENTAL IMPACTS

Boutwell Road exists along an established roadway corridor and the proposed widening improvements and utility improvements will not have any negative impacts to the environment. The POC– Phase I Project and the Boutwell Road improvements will be permitted through all appropriate environmental regulatory agencies.

ALTERNATE ROUTES

As the existing major access way for the POC, it is not feasible to provide an alternate corridor to serve the POC. Developing a new corridor would result in significant environmental and practical impacts on existing properties. The cost of a new corridor would also be prohibitive. Therefore, improvements to the existing corridor are most prudent. Numerous alignments, elevations and other factors and considerations were factored into the current alignment and the alignment selected generally results in the least impact on existing, neighboring properties and are cost efficient as part of the road project.

After considering cost, safety, long-range planning, alternate routes and environmental factors, the acquisition of Parcels 1, 7, 19, 19E, 20, 20E, 21, 21E and 28 are necessary for this public project.

ACQUISITION FOR PARCEL 1

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 1. Parcel 1 is a corner clip right-of-way acquisition at the southeast corner of Boutwell Road and Joyce Avenue. The parent tract for Parcel 1 contains a total of 910,725 square feet. The impacted area is 812 square feet. The acquisition of Parcel 1 leaves a remainder of 909,913 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 1 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition

ACQUISITION FOR PARCEL 7

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 7. Parcel 7 is a corner clip right-of-way acquisition at the northeast corner of Boutwell Road and 7th Avenue North. The parent tract for Parcel 7 contains a total of 566,280 square feet. The impacted area is 381 square feet. The acquisition of Parcel 7 leaves a remainder of 565,899 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 7 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition.

ACQUISITION FOR PARCEL 19 and 19E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 19 and Parcel 19E. The property is located at the southwest corner of Boutwell Road and 7th Avenue North. Parcel 19 is a 10-ft right-of-way acquisition and Parcel 19E is a 5-ft. landscape buffer easement. The parent tract for Parcel 19 and Parcel 19E contains a total of 46,314 square feet. The impacted area for Parcel 19 is 1,529 square feet. The impacted area for Parcel 19E is 777 square feet. The acquisition of Parcel 19 leaves a remainder of 44,785 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 20 and 20E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 20 and Parcel 20E. The property is located on the west side of Boutwell Road approximately 150 feet south of 7th Avenue North. Parcel 20 is a 10-ft right-of-way acquisition and Parcel 20E is a 5-ft. landscape buffer easement. The parent tract for Parcel 20 and 20E contains a total of 53,055 square feet. The impacted area for Parcel 20 is 2,493 square feet. The impacted area for Parcel 20E is 1,247 square feet. The acquisition of Parcel 20 leaves a remainder of 50,562 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 21 and 21E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 21 and Parcel 21E. The property is located on the west side of Boutwell Road approximately 400 feet south of 7th Avenue North. Parcel 21 is a 10-ft right-of-way acquisition and Parcel 21E is a 5-ft. landscape buffer easement. The parent tract for Parcel 21 and Parcel 21E contains a total of 43,594 square feet. The impacted area for Parcel 21 is 1,629 square feet. The impacted area for Parcel 21E is 815 square feet. The acquisition of Parcel 21 leaves a remainder of 41,965 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 28

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 28. The property is located at the eastern end of Joyce Avenue. Parcel 28 is a 25' wide by 331' long drainage and utility easement. The parent tract for Parcel 28 contains 910,725 square feet. The impacted area for Parcel 28 is 8,277 square feet. The parcel allows for drainage and utility improvements associated with widening Boutwell Road and the POC project. The acquisition of this property will have no negative impact on the remainder property.

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2
3 RESOLUTION NO. 31-2015 OF THE CITY COMMISSION OF THE CITY OF
4 LAKE WORTH, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF
5 LAND DESIGNATED PARCEL 20 AS NECESSARY FOR THE WIDENING AND
6 CONSTRUCTION OF IMPROVEMENTS TO BOUTWELL ROAD TO BE FOR A
7 PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF
8 APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT
9 DOMAIN PROCEEDINGS; AND FOR OTHER PURPOSES.

10
11 WHEREAS, the City Manager has recommended the acquisition of fee
12 simple title to Parcel 20 to the City Commission of the City of Lake Worth, as
13 being necessary for the widening and construction of improvements to Boutwell
14 Road in the City of Lake Worth, Florida; and,

15
16 WHEREAS, the funds are available for the acquisition of the parcel
17 designated as Parcel 20; and,

18
19 WHEREAS, the City Commission of the City of Lake Worth is exercising
20 its authority of eminent domain pursuant to Chapters 73, 74, and 166, Florida
21 Statutes, as amended; and,

22
23 WHEREAS, the City Commission has considered the required factors
24 pursuant to Florida law including safety, costs, alternate routes or methodologies,
25 long-range planning and the environment, as applicable to this parcel and project,
26 as described in attached Exhibit "B"; and,

27
28 WHEREAS, after considering the factors as set forth above, the City
29 Commission has determined that the acquisition of fee simple title to the real
30 property identified as Parcel 20 and described in Exhibit "A", is necessary for the
31 following public use and purpose, to wit: the widening and the construction of
32 improvements to Boutwell Road and, as such, the acquisition of said property is
33 for a public use and purpose deemed to be in the best interests of the City of
34 Lake Worth; and,

35
36 WHEREAS, the acquisition of Parcel 20 is necessary for the construction
37 of improvements to be undertaken by the City of Lake Worth for the
38 aforementioned project; and,

39
40 WHEREAS, the property as described in Exhibit "A" to be acquired through
41 eminent domain as authorized by this Resolution is not being acquired for the
42 purpose of abating or eliminating public nuisances, slum or blighted conditions,
43 and is subject to any applicable conveyance restrictions pursuant to Florida law,
44 to the extent they may apply; and,

45
46 WHEREAS, in order to accomplish the acquisition of Parcel 20, the City
47 Manager, City Attorney and their designees are authorized to take legal action,
48 including the filing of eminent domain proceedings, and to employ outside legal

49 counsel, real estate appraisers and other experts deemed necessary to
50 accomplish this purpose.

51

52 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
53 THE CITY OF LAKE WORTH, FLORIDA, THAT:

54

55 SECTION 1. This City Commission adopts and ratifies those matters set
56 forth in the foregoing recitals.

57

58 SECTION 2. The City Manager, City Attorney and their designees are
59 authorized and directed to proceed to take all necessary steps, including the
60 hiring of outside legal counsel, accountants, appraisers, or other experts and
61 witnesses, for the City of Lake Worth to acquire in its own name by donation,
62 purchase or eminent domain proceedings, fee simple title to the real property
63 described in Exhibit "A", and prepare all papers, pleadings and other instruments
64 required for that purpose, and to see that all eminent domain proceedings are
65 prosecuted to judgment.

66

67 SECTION 3. The City Manager, City Attorney and their designees are
68 hereby further authorized and directed to take such further actions as are
69 reasonably required to fully accomplish the purposes herein above directed,
70 including the making of minor changes in the description of any real property
71 described in Exhibit "A" that may be necessary to fully accomplish those
72 purposes.

73

74 SECTION 4. The property described in Exhibit "A" is to be used for the
75 following public use and purpose; rights-of-way necessary for the widening and
76 construction of improvements to Boutwell Road.

77

78 SECTION 5. This Resolution shall become effective immediately upon
79 its passage.

80

81 The passage of this Resolution was moved by Commissioner _____,
82 seconded by Commissioner _____, and upon being put to a vote, the vote was
83 as follows:

84

85 Mayor Pam Triolo
86 Vice Mayor Scott Maxwell
87 Commissioner Christopher McVoy
88 Commissioner Andy Amoroso
89 Commissioner Ryan Maier

90

91

92 The Mayor thereupon declared this Resolution duly passed and adopted
93 on the 16th day of June, 2015.

94

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LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, Clerk

EXHIBIT " A "

LOCATION MAP
NOT TO SCALE

4/1/15
David A. Bower

DAVID A. BOWER
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA
CERTIFICATE NO. LS 5888

PARCEL 20

Dennis J. Leavy & Associates, Inc. Land Surveyors * Mappers 460 Business Park Way * Suite B Royal Palm Beach, Florida 33411 Phone: 561 753-0850 Fax: 561 753-0290		BOUNDARY SURVEY For: THE CITY OF LAKE WORTH, FLORIDA	
DRAWN: ASC	SCALE: N/A	DATE: 04/01/15	
CHK: DAB	JOB# 13-089 BNDRY 20 "R"	SHEET: 1 OF 5	

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DESCRIPTION:

A 10.00 foot wide strip of land being a portion of Lot 10 through 19, Block 2, DONORA PARK, according to the plat thereof, as recorded in Plat Book 13, Page 36 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

COMMENCING at the intersection of a line being 20.00 feet South of the South line of a 30.00 foot Right-of-Way as depicted on the PLAT OF MODEL LAND COMPANY'S SUBDIVISION of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida and the West Right-of-Way line of Boutwell Road as recorded in Official Records Book 1891, Page 102 and Official Records Book 1891, Page 104 of the Public Records of Palm Beach County, Florida; thence South 17°20'33" East (as a basis of bearings) along said West right-of-way line, a distance of 147.82 feet to a point being in the North line of those lands as described in Official Records Book 6746, Page 1427 of the Public Records of Palm Beach County, Florida and the POINT OF BEGINNING; thence continue South 17°20'33" East, a distance of 136.74 feet to the point of curvature of a circular curve to the right; thence Southerly and Easterly along the arc of said curve and along said West right-of-way line having a radius of 1,149.22 feet, a central angle of 05°36'32" for a distance of 112.50 feet to a point being on the South line of those lands as described in Official Records Book 6746, Page 1427 of the Public Records of Palm Beach County, Florida; thence North 88°09'51" West, along said South line, a distance of 10.29 feet to a point being on the arc of a circular curve to the left whose radius point bears South 78°08'42" West from said point; thence Northerly and Westerly along the arc of said curve having a radius of 1139.22 feet, a central angle of 05°29'15", for a distance of 109.11 feet; thence North 17°20'33" West, a distance of 140.23 feet to a point being on the North line those lands as described in Official Records Book 6746, Page 1427 of the Public Records of Palm Beach County, Florida; thence South 88°08'10" East, along said North line, a distance of 10.59 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.

Containing 2493 square feet more or less.

Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0850 Fax: 561 753-0290

BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 20 "R"	SHEET: 2 OF 5

REPORT OF SURVEY:

1. The survey depicted hereon has been classified as a Boundary Survey, as defined in Rule 5J-17.050(10)(b)- of the Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes as amended.
2. This survey has been prepared in the office of Dennis J. Leavy & Associates, Inc. located at: 460 Business Park Way, Suite B, Royal Palm Beach, Florida whose certificate of authorization number is 6599 and the certifying surveyors license number is LS 5888.
3. This survey lies in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.
4. This survey does not meet those standards established by the American Land Title Association.
5. Underground apparent use and/or improvements not shown unless otherwise noted.
6. This instrument may not be reproduced in part or whole without the written consent of Dennis J. Leavy & Associates, Inc.
7. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
8. Measurements shown hereon are expressed in feet and decimal parts thereof unless otherwise noted.
9. Bearings depicted hereon are based on the East line of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida. Said line being monumented and having a bearing of North 01°21'31" East based upon the North American Datum of 1983, on the 1990 adjustment for the Florida Transverse Mercator East Zone.
10. By graphic plotting only, the subject property lies within Zones B and C, as shown on the Flood Insurance Rate Map Community Panel Number 120192 0165 B, Panel 165 of 245, Map Revised: October 15, 1982 and Flood Insurance Rate Map Community Panel Number 120213 0001 C, Panel 1 of 2, Map Revised: September 30, 1982.
11. All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein. There are no circumstances or concerns unique to this survey unless stated otherwise below. In some instances, graphic representations have been exaggerated to more clearly illustrate relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
12. Date of field survey: April 01, 2015.
14. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

LEGEND:

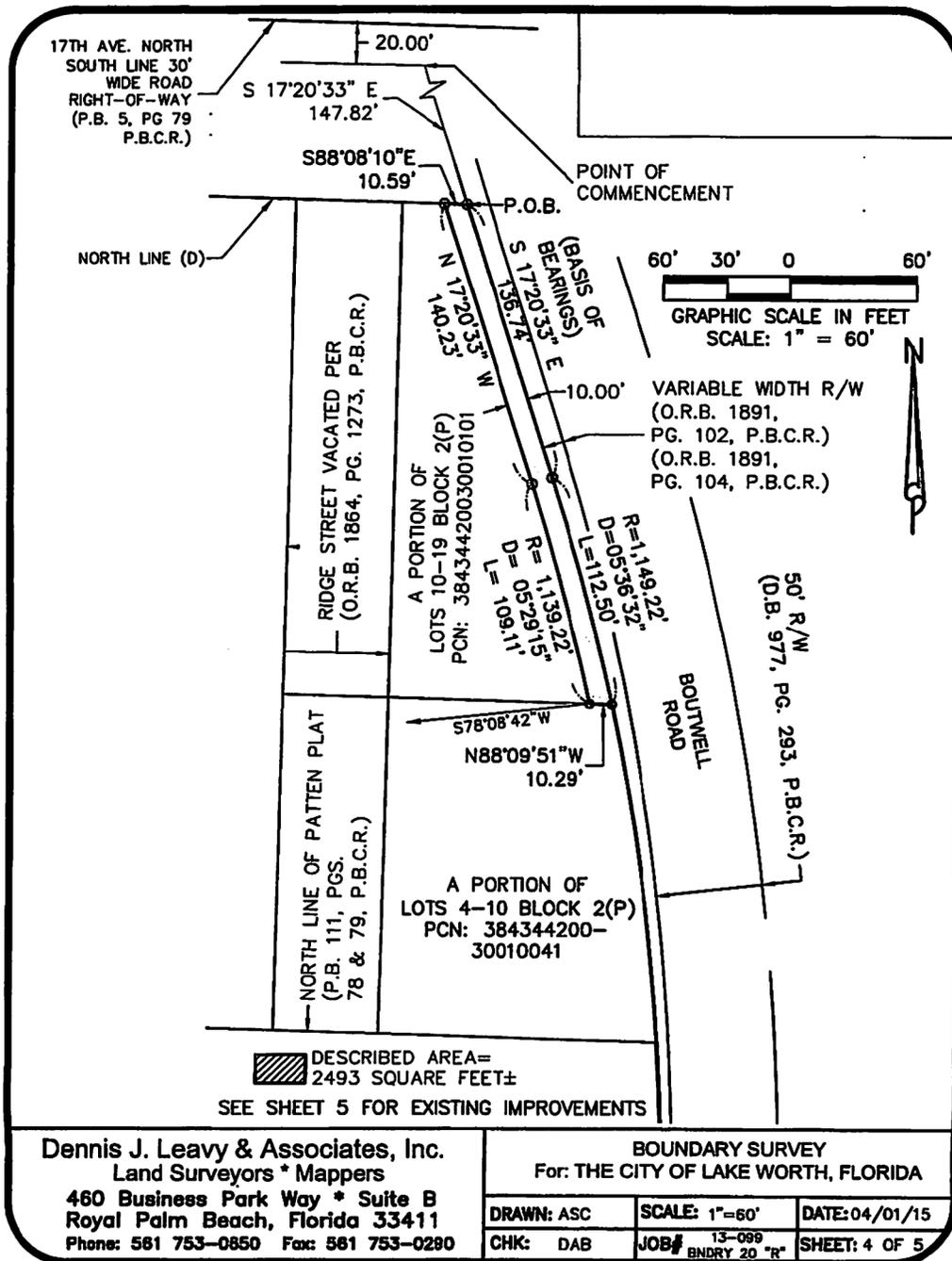
- | | | | |
|---|---|---|---|
| 00°  | = UNKNOWN TREE | 00°  | = OAK SPECIES |
| D.B. | = DEED BOOK | EP | = EDGE OF PAVEMENT |
| O.R.B. | = OFFICIAL RECORDS BOOK | R/W | = RIGHT OF WAY |
| P.B. | = PLAT BOOK | ± | = MORE OR LESS |
| P.B.C.R. | = PALM BEACH COUNTY RECORDS | (P) | = PER THE PLAT OF DONORA PARK (P.B. 13, PG. 36, P.B.C.R.) |
| PCN | = PARCEL CONTROL NUMBER | ⊙ | = SET IRON ROD WITH CAP "L.B. 6599" |
| PG. | = PAGE | (D) | = LANDS AS DESCRIBED IN O.R.B. 6746, PAGE 1427 (P.B.C.R.) |
| POB. | = POINT OF BEGINNING | | |
| (P1) | = PER THE PLAT OF BOUTWELL INDUSTRIAL PARK (P.B. 106, PGS. 182-183, P.B.C.R.) | | |
| ○ | = SET NAIL WITH DISK "L.B. 6599" | | |

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 Royal Palm Beach, Florida 33411
 Phone: 561 753-0650 Fax: 561 753-0290

BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

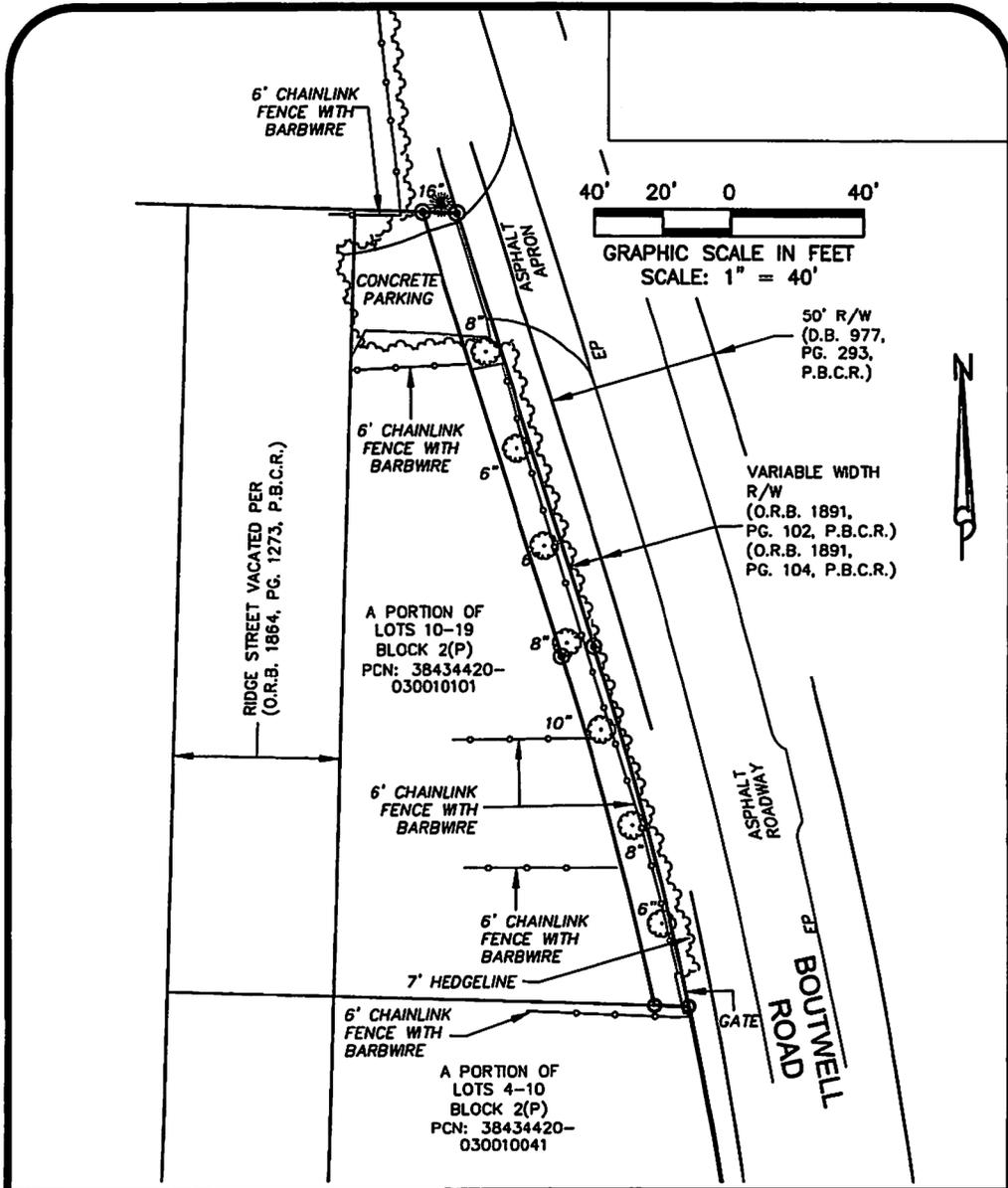
DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 20 "R"	SHEET: 3 OF 5

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Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0850 Fax: 561 753-0290

BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: 1"=40'	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 20 "R"	SHEET: 5 OF 5

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EXHIBIT "B"

**PARK OF COMMERCE – PHASE I PROJECT
CITY OF LAKE WORTH
BOUTWELL ROAD IMPROVEMENTS
PARCEL 1, 7, 19, 19E, 20, 20E, 21, 21E & 28**

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The cost of the Park of Commerce – Phase I project has been estimated during the various design stages of project development. The appropriate funding for right-of-way/ easement acquisition was budgeted in the City's budget for the project. During the design of the roadway, all reasonable efforts were made to minimize the right-of-way/ easement areas to be acquired through condemnation.

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After considering cost, safety, long-range planning, alternate routes and environmental factors, the acquisition of Parcels 1, 7, 19, 19E, 20, 20E, 21, 21E and 28 are necessary for this public project.

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This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 1. Parcel 1 is a corner clip right-of-way acquisition at the southeast corner of Boutwell Road and Joyce Avenue. The parent tract for Parcel 1 contains a total of 910,725 square feet. The impacted area is 812 square feet. The acquisition of Parcel 1 leaves a remainder of 909,913 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 1 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition

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This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 7. Parcel 7 is a corner clip right-of-way acquisition at the northeast corner of Boutwell Road and 7th Avenue North. The parent tract for Parcel 7 contains a total of 566,280 square feet. The impacted area is 381 square feet. The acquisition of Parcel 7 leaves a remainder of 565,899 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 7 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition.

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This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 20 and Parcel 20E. The property is located on the west side of Boutwell Road approximately 150 feet south of 7th Avenue North. Parcel 20 is a 10-ft right-of-way acquisition and Parcel 20E is a 5-ft. landscape buffer easement. The parent tract for Parcel 20 and 20E contains a total of 53,055 square feet. The impacted area for Parcel 20 is 2,493 square feet. The impacted area for Parcel 20E is 1,247 square feet. The acquisition of Parcel 20 leaves a remainder of 50,562 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

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This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 21 and Parcel 21E. The property is located on the west side of Boutwell Road approximately 400 feet south of 7th Avenue North. Parcel 21 is a 10-ft right-of-way acquisition and Parcel 21E is a 5-ft. landscape buffer easement. The parent tract for Parcel 21 and Parcel 21E contains a total of 43,594 square feet. The impacted area for Parcel 21 is 1,629 square feet. The impacted area for Parcel 21E is 815 square feet. The acquisition of Parcel 21 leaves a remainder of 41,965 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 28

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 28. The property is located at the eastern end of Joyce Avenue. Parcel 28 is a 25' wide by 331' long drainage and utility easement. The parent tract for Parcel 28 contains 910,725 square feet. The impacted area for Parcel 28 is 8,277 square feet. The parcel allows for drainage and utility improvements associated with widening Boutwell Road and the POC project. The acquisition of this property will have no negative impact on the remainder property.

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A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT IN AND TO A PARCEL OF LAND DESIGNATED PARCEL 20E AS NECESSARY FOR THE WIDENING AND CONSTRUCTION OF IMPROVEMENTS TO BOUTWELL ROAD TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS; AND FOR OTHER PURPOSES

WHEREAS, the City Manager has recommended the acquisition of a permanent easement in and to Parcel 20E to the City Commission of the City of Lake Worth, as being necessary for the widening and construction of improvements to Boutwell Road in the City of Lake Worth, Florida; and

WHEREAS, the funds are available for the acquisition of the parcel designated as Parcel 20E; and,

WHEREAS, the City Commission of the City of Lake Worth is exercising its authority of eminent domain pursuant to Chapters 73, 74, and 166, Florida Statutes, as amended; and

WHEREAS, the City Commission has considered the required factors pursuant to Florida law including safety, costs, alternate routes or methodologies, long-range planning and the environment, as applicable to this parcel and project, as described in attached Exhibit "B"; and

WHEREAS, after considering the factors as set forth above, the City Commission has determined that the acquisition of a permanent easement in and to the real property identified as Parcel 20E and described in Exhibit "A", is necessary for the following public use and purpose, to wit: to provide a landscape and buffer easement to be used in conjunction with the widening and the construction of improvements to Boutwell Road and, as such, the acquisition of said property is for a public use and purpose deemed to be in the best interests of the City of Lake Worth. A full description of the easement is set forth on Exhibit "C"; and

WHEREAS, the acquisition of Parcel 20E is necessary for the construction of improvements to be undertaken by the City of Lake Worth for the aforementioned project; and

WHEREAS, the property as described in Exhibit "A" to be acquired through eminent domain as authorized by this Resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and is subject to any applicable conveyance restrictions pursuant to Florida law, to the extent they may apply; and

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WHEREAS, in order to accomplish the acquisition of Parcel 20E, the City Manager, City Attorney and their designees are authorized to take legal action, including the filing of eminent domain proceedings, and to employ outside legal counsel, real estate appraisers and other experts deemed necessary to accomplish this purpose.

57

58

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, THAT:

59

60

SECTION 1. This City Commission adopts and ratifies those matters set forth in the foregoing recitals.

63

64

SECTION 2. The City Manager, City Attorney and their designees are authorized and directed to proceed to take all necessary steps, including the hiring of outside legal counsel, accountants, appraisers, or other experts and witnesses, for the City of Lake Worth to acquire in its own name by donation, purchase or eminent domain proceedings, a permanent easement in and to the real property described in Exhibit "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all eminent domain proceedings are prosecuted to judgment.

72

73

SECTION 3. The City Manager, City Attorney and their designees are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

79

80

SECTION 4. The property described in Exhibit "A" is to be used for the following public use and purpose; a permanent drainage and utilities easement necessary for the widening and construction of improvements to Boutwell Road.

83

84

SECTION 5. This Resolution shall become effective immediately upon its passage.

86

87

The passage of this Resolution was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

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Mayor Pam Triolo

92

Vice Mayor Scott Maxwell

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Commissioner Christopher McVoy

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Commissioner Andy Amoroso

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Commissioner Ryan Maier

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The Mayor thereupon declared this Resolution duly passed and adopted on the 16th day of June, 2015.

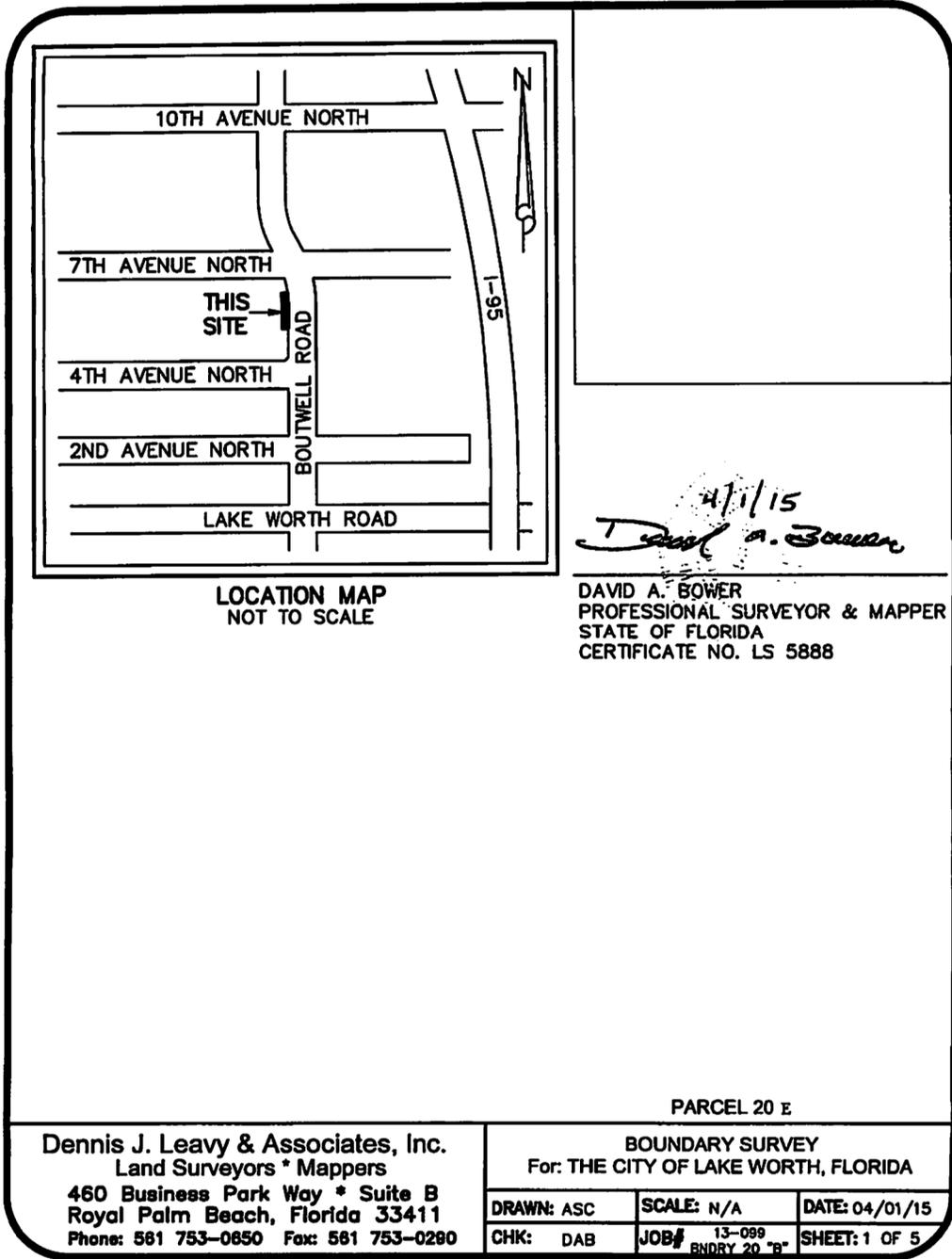
LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, Clerk

EXHIBIT " A "



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112
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DESCRIPTION:

A 5.00 foot wide strip of land being a portion of Lots 10-19 Block 2 DONORA PARK, according to the plat thereof, as recorded in Plat Book 13, Page 36 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

COMMENCING at the intersection of a line being 20.00 feet South of the South line of a 30.00 foot Right-of-Way as depicted on the PLAT OF MODEL LAND COMPANY'S SUBDIVISION of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida and the West Right-of-Way line of Boutwell Road as recorded in Official Records Book 1891, Page 102 and Official Records Book 1891, Page 104 of the Public Records of Palm Beach County, Florida; thence South 17°20'33" East (as a basis of bearings) along said West right-of-way line, a distance of 147.82 feet to a point being on the North line of those lands as described in Official Records Book 6746, Page 1427 of the Public Records of Palm Beach County, Florida; thence North 88°08'10" West along said North line, a distance of 10.59 feet to the POINT OF BEGINNING; thence continue North 88°08'10" West, a distance of 5.30 feet; thence South 17°20'33" East, a distance of 141.97 feet to the point of curvature of a circular curve to the right; thence Southerly and Easterly along the arc of said curve and having a radius of 1,134.22 feet, a central angle of 05°25'34" for a distance of 107.41 feet to a point being on the South line of those lands as described in Official Records Book 6746, Page 1427, of the Public Records of Palm Beach County, Florida; thence South 88°09'51" East, along said South line, a distance of 5.15 feet to a point being on the arc of a circular curve to the left whose radius point bears South 78°08'42" West from said point; thence Northerly and Westerly along the arc of said curve having a radius of 1139.22 feet, a central angle of 05°29'15", for a distance of 109.11 feet; thence North 17°20'33" West, a distance of 140.23 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.

Containing 1247 square feet more or less.

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers
460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: 561 753-0650 Fax: 561 753-0290

BOUNDARY SURVEY
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 20 "B"	SHEET: 2 OF 5

K:\2013 jobs\13-099\dwg\13-099 BNDRY 20-B.dwg, 5/4/2015 2:28:01 PM

REPORT OF SURVEY:

1. The survey depicted hereon has been classified as a Boundary Survey, as defined in Rule 5J-17.050(10)(b)- of the Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes as amended.
2. This survey has been prepared in the office of Dennis J. Leavy & Associates, Inc. located at: 460 Business Park Way, Suite B, Royal Palm Beach, Florida whose certificate of authorization number is 6599 and the certifying surveyors license number is LS 5888.
3. This survey lies in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.
4. This survey does not meet those standards established by the American Land Title Association.
5. Underground apparent use and/or improvements not shown unless otherwise noted.
6. This instrument may not be reproduced in part or whole without the written consent of Dennis J. Leavy & Associates, Inc.
7. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
8. Measurements shown hereon are expressed in feet and decimal parts thereof unless otherwise noted.
9. Bearings depicted hereon are based on the East line of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida. Said line being monumented and having a bearing of North 01°21'31" East based upon the North American Datum of 1983, on the 1990 adjustment for the Florida Transverse Mercator East Zone.
10. By graphic plotting only, the subject property lies within Zones B and C, as shown on the Flood Insurance Rate Map Community Panel Number 120192 0165 B, Panel 165 of 245, Map Revised: October 15, 1982 and Flood Insurance Rate Map Community Panel Number 120213 0001 C, Panel 1 of 2, Map Revised: September 30, 1982.
11. All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein. There are no circumstances or concerns unique to this survey unless stated otherwise below. In some instances, graphic representations have been exaggerated to more clearly illustrate relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
12. Date of field survey: April 01, 2015.
14. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

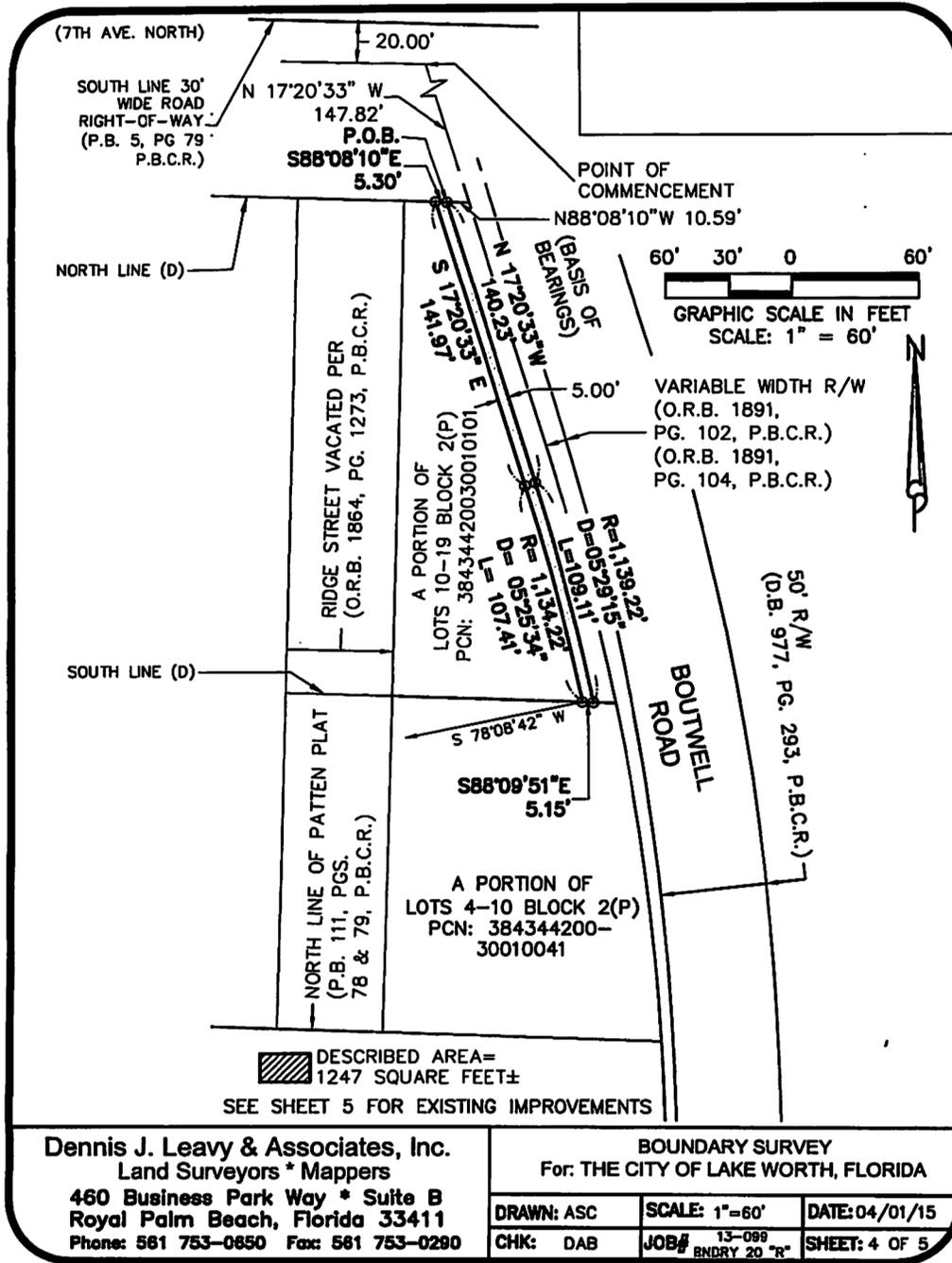
LEGEND:

- | | | | |
|---|---|---|---|
|  | = UNKNOWN TREE |  | = OAK SPECIES |
| D.B. | = DEED BOOK | EP | = EDGE OF PAVEMENT |
| O.R.B. | = OFFICIAL RECORDS BOOK | R/W | = RIGHT OF WAY |
| P.B. | = PLAT BOOK | ± | = MORE OR LESS |
| P.B.C.R. | = PALM BEACH COUNTY RECORDS | (P) | = PER THE PLAT OF DONORA PARK (P.B. 13, PG. 36, P.B.C.R.) |
| PCN | = PARCEL CONTROL NUMBER | ⊙ | = SET IRON ROD WITH CAP "L.B. 6599" |
| PG. | = PAGE | (D) | = LANDS AS DESCRIBED IN O.R.B. 6746, PAGE 1427 (P.B.C.R.) |
| POB. | = POINT OF BEGINNING | | |
| (P1) | = PER THE PLAT OF BOUTWELL INDUSTRIAL PARK (P.B. 106, PGS. 182-183, P.B.C.R.) | | |
| ○ | = SET NAIL WITH DISK "L.B. 6599" | | |

Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0850 Fax: 561 753-0290

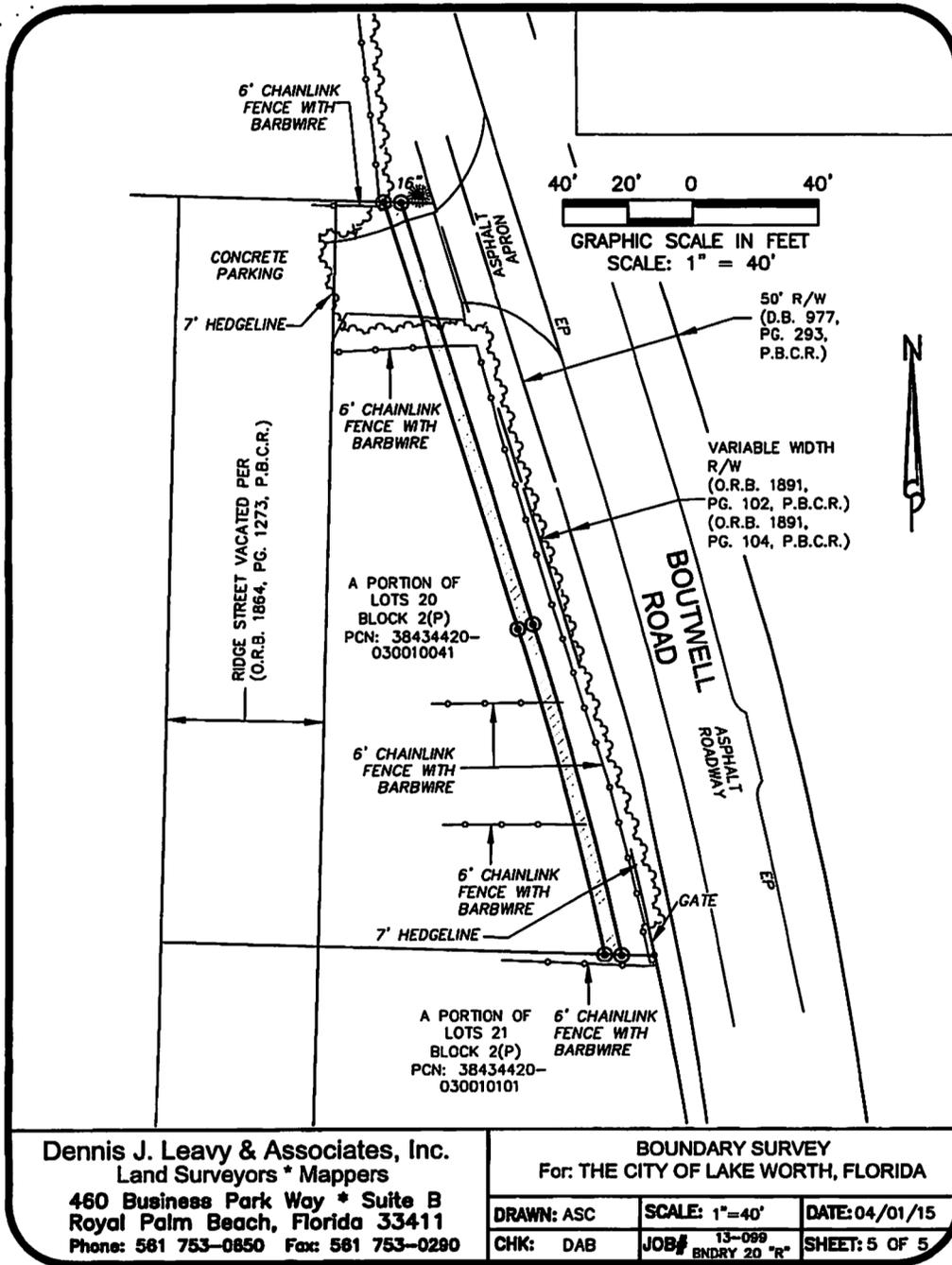
BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-089 BNDRY 20 "B"	SHEET: 3 OF 5



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EXHIBIT "B"

**PARK OF COMMERCE – PHASE I PROJECT
CITY OF LAKE WORTH
BOUTWELL ROAD IMPROVEMENTS
PARCEL 1, 7, 19, 19E, 20, 20E, 21, 21E & 28**

The Lake Worth Park of Commerce – Phase I project (POC) is designed to improve the overall safety, utility, and aesthetics of the POC. Existing businesses will benefit from an increase in property values due to an improved road system, improved water and drainage utilities, and improved employee/ customer safety both through vehicular and pedestrian traffic. In addition to benefiting existing businesses, the project is expected to draw new businesses to the proposed POC. Hard Drive Construction, Inc. is planning on having its company headquarters in the POC. Additional new businesses include Green Street Industrial Park, Oxygen, Value Place Hotel, Holiday Inn Express, and Village of Lake Osborne Apartment Complex.

Improvements to Boutwell Road are an integral part of the POC project. Boutwell Road is the main access way to the POC from the north from 10th Avenue North and from the south from Lake Worth Road. Currently, Boutwell Road is a constrained and congested 2 lane roadway. Trucks and other large vehicles often have difficulty with turning movements onto side streets and private properties. Also, due to the 2 lane nature of the roadway, left-turning vehicles often significantly backup traffic along the roadway. The proposed improvements to Boutwell Road will be to add a 3rd lane which will primarily serve as a turning lane. Sidewalks, improved drainage, lighting and landscape buffers are also part of the project design.

SAFETY

Boutwell Road is a heavily travelled roadway serving as the primary access to the POC. Currently, traffic congestion, turning movements and pedestrian safety are of concern. As the POC expands, these conditions are expected to worsen. The planned roadway improvements to Boutwell Road will provide for improved turning movements, smoother traffic flow and increased safety for users of the facility. In addition, sidewalks and lighting will be added as part of the project in order to provide for safer pedestrian walkways. The design of the project has been done in accordance with City of Lake Worth, Florida Department of Transportation, South Florida Water Management District and Florida Department of Environmental Protection requirements and standards.

COST

The cost of the Park of Commerce – Phase I project has been estimated during the various design stages of project development. The appropriate funding for right-of-way/ easement acquisition was budgeted in the City's budget for the project. During the design of the roadway, all reasonable efforts were made to minimize the right-of-way/ easement areas to be acquired through condemnation.

LONG-RANGE PLANNING

The development of the POC is in conformance with the Comprehensive Plan of the City of Lake Worth. The expansion of the POC will significantly enhance the tax base of the City and provide employment opportunities for area residents. The planned improvements to Boutwell Road are crucial to the planned expansion of the POC.

ENVIRONMENTAL IMPACTS

Boutwell Road exists along an established roadway corridor and the proposed widening improvements and utility improvements will not have any negative impacts to the environment. The POC– Phase I Project and the Boutwell Road improvements will be permitted through all appropriate environmental regulatory agencies.

ALTERNATE ROUTES

As the existing major access way for the POC, it is not feasible to provide an alternate corridor to serve the POC. Developing a new corridor would result in significant environmental and practical impacts on existing properties. The cost of a new corridor would also be prohibitive. Therefore, improvements to the existing corridor are most prudent. Numerous alignments, elevations and other factors and considerations were factored into the current alignment and the alignment selected generally results in the least impact on existing, neighboring properties and are cost efficient as part of the road project.

After considering cost, safety, long-range planning, alternate routes and environmental factors, the acquisition of Parcels 1, 7, 19, 19E, 20, 20E, 21, 21E and 28 are necessary for this public project.

ACQUISITION FOR PARCEL 1

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 1. Parcel 1 is a corner clip right-of-way acquisition at the southeast corner of Boutwell Road and Joyce Avenue. The parent tract for Parcel 1 contains a total of 910,725 square feet. The impacted area is 812 square feet. The acquisition of Parcel 1 leaves a remainder of 909,913 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 1 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition

ACQUISITION FOR PARCEL 7

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 7. Parcel 7 is a corner clip right-of-way acquisition at the northeast corner of Boutwell Road and 7th Avenue North. The parent tract for Parcel 7 contains a total of 566,280 square feet. The impacted area is 381 square feet. The acquisition of Parcel 7 leaves a remainder of 565,899 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 7 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition.

ACQUISTION FOR PARCEL 19 and 19E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 19 and Parcel 19E. The property is located at the southwest corner of Boutwell Road and 7th Avenue North. Parcel 19 is a 10-ft right-of-way acquisition and Parcel 19E is a 5-ft. landscape buffer easement. The parent tract for Parcel 19 and Parcel 19E contains a total of 46,314 square feet. The impacted area for Parcel 19 is 1,529 square feet. The impacted area for Parcel 19E is 777 square feet. The acquisition of Parcel 19 leaves a remainder of 44,785 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISTION FOR PARCEL 20 and 20E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 20 and Parcel 20E. The property is located on the west side of Boutwell Road approximately 150 feet south of 7th Avenue North. Parcel 20 is a 10-ft right-of-way acquisition and Parcel 20E is a 5-ft. landscape buffer easement. The parent tract for Parcel 20 and 20E contains a total of 53,055 square feet. The impacted area for Parcel 20 is 2,493 square feet. The impacted area for Parcel 20E is 1,247 square feet. The acquisition of Parcel 20 leaves a remainder of 50,562 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISTION FOR PARCEL 21 and 21E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 21 and Parcel 21E. The property is located on the west side of Boutwell Road approximately 400 feet south of 7th Avenue North. Parcel 21 is a 10-ft right-of-way acquisition and Parcel 21E is a 5-ft. landscape buffer easement. The parent tract for Parcel 21 and Parcel 21E contains a total of 43,594 square feet. The impacted area for Parcel 21 is 1,629 square feet. The impacted area for Parcel 21E is 815 square feet. The acquisition of Parcel 21 leaves a remainder of 41,965 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISTION FOR PARCEL 28

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 28. The property is located at the eastern end of Joyce Avenue. Parcel 28 is a 25' wide by 331' long drainage and utility easement. The parent tract for Parcel 28 contains 910,725 square feet. The impacted area for Parcel 28 is 8,277 square feet. The parcel allows for drainage and utility improvements associated with widening Boutwell Road and the POC project. The acquisition of this property will have no negative impact on the remainder property.

PERMANENT LANDSCAPE AND BUFFER EASEMENT
(Parcels 19E and 20E)

A perpetual easement which shall permit the City of Lake Worth, its successors and assigns ("City"), to enter upon the real property described on Exhibit "A" (the "Property") at any time for the following purposes and subject to the following terms and conditions:

1. To install, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into and inspect plants and landscape materials including, irrigation and fence material, in, on, over, under and across the Property.
2. City shall be solely responsible for the maintenance, replacement, repair and care of the materials placed in or on the easement property unless such maintenance, replacement or repair is caused by the intentional acts of the land owner(s) or its successors and/or assigns.
3. The owner(s) of the Property, its successors and/or assigns, shall not be permitted to construct or place any permanent structures on the Property.

EXHIBIT "C"

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RESOLUTION NO. 33-2015 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED PARCEL 21 AS NECESSARY FOR THE WIDENING AND CONSTRUCTION OF IMPROVEMENTS TO BOUTWELL ROAD TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS; AND FOR OTHER PURPOSES.

WHEREAS, the City Manager has recommended the acquisition of fee simple title to Parcel 21 to the City Commission of the City of Lake Worth, as being necessary for the widening and construction of improvements to Boutwell Road in the City of Lake Worth, Florida; and,

WHEREAS, the funds are available for the acquisition of the parcel designated as Parcel 21; and,

WHEREAS, the City Commission of the City of Lake Worth is exercising its authority of eminent domain pursuant to Chapters 73, 74, and 166, Florida Statutes, as amended; and,

WHEREAS, the City Commission has considered the required factors pursuant to Florida law including safety, costs, alternate routes or methodologies, long-range planning and the environment, as applicable to this parcel and project, as described in attached Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, the City Commission has determined that the acquisition of fee simple title to the real property identified as Parcel 21 and described in Exhibit "A", is necessary for the following public use and purpose, to wit: the widening and the construction of improvements to Boutwell Road and, as such, the acquisition of said property is for a public use and purpose deemed to be in the best interests of the City of Lake Worth; and,

WHEREAS, the acquisition of Parcel 21 is necessary for the construction of improvements to be undertaken by the City of Lake Worth for the aforementioned project; and,

WHEREAS, the property as described in Exhibit "A" to be acquired through eminent domain as authorized by this Resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and is subject to any applicable conveyance restrictions pursuant to Florida law, to the extent they may apply; and,

WHEREAS, in order to accomplish the acquisition of Parcel 21, the City Manager, City Attorney and their designees are authorized to take legal action, including the filing of eminent domain proceedings, and to employ outside legal

49 counsel, real estate appraisers and other experts deemed necessary to
50 accomplish this purpose.

51

52 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
53 THE CITY OF LAKE WORTH, FLORIDA, THAT:

54

55 SECTION 1. This City Commission adopts and ratifies those matters set
56 forth in the foregoing recitals.

57

58 SECTION 2. The City Manager, City Attorney and their designees are
59 authorized and directed to proceed to take all necessary steps, including the
60 hiring of outside legal counsel, accountants, appraisers, or other experts and
61 witnesses, for the City of Lake Worth to acquire in its own name by donation,
62 purchase or eminent domain proceedings, fee simple title to the real property
63 described in Exhibit "A", and prepare all papers, pleadings and other instruments
64 required for that purpose, and to see that all eminent domain proceedings are
65 prosecuted to judgment.

66

67 SECTION 3. The City Manager, City Attorney and their designees are
68 hereby further authorized and directed to take such further actions as are
69 reasonably required to fully accomplish the purposes herein above directed,
70 including the making of minor changes in the description of any real property
71 described in Exhibit "A" that may be necessary to fully accomplish those
72 purposes.

73

74 SECTION 4. The property described in Exhibit "A" is to be used for the
75 following public use and purpose; rights-of-way necessary for the widening and
76 construction of improvements to Boutwell Road.

77

78 SECTION 5. This Resolution shall become effective immediately upon
79 its passage.

80

81 The passage of this Resolution was moved by Commissioner _____,
82 seconded by Commissioner _____, and upon being put to a vote, the vote was
83 as follows:

84

85 Mayor Pam Triolo
86 Vice Mayor Scott Maxwell
87 Commissioner Christopher McVoy
88 Commissioner Andy Amoroso
89 Commissioner Ryan Maier

90

91

92 The Mayor thereupon declared this Resolution duly passed and adopted
93 on the 16th day of June, 2015.

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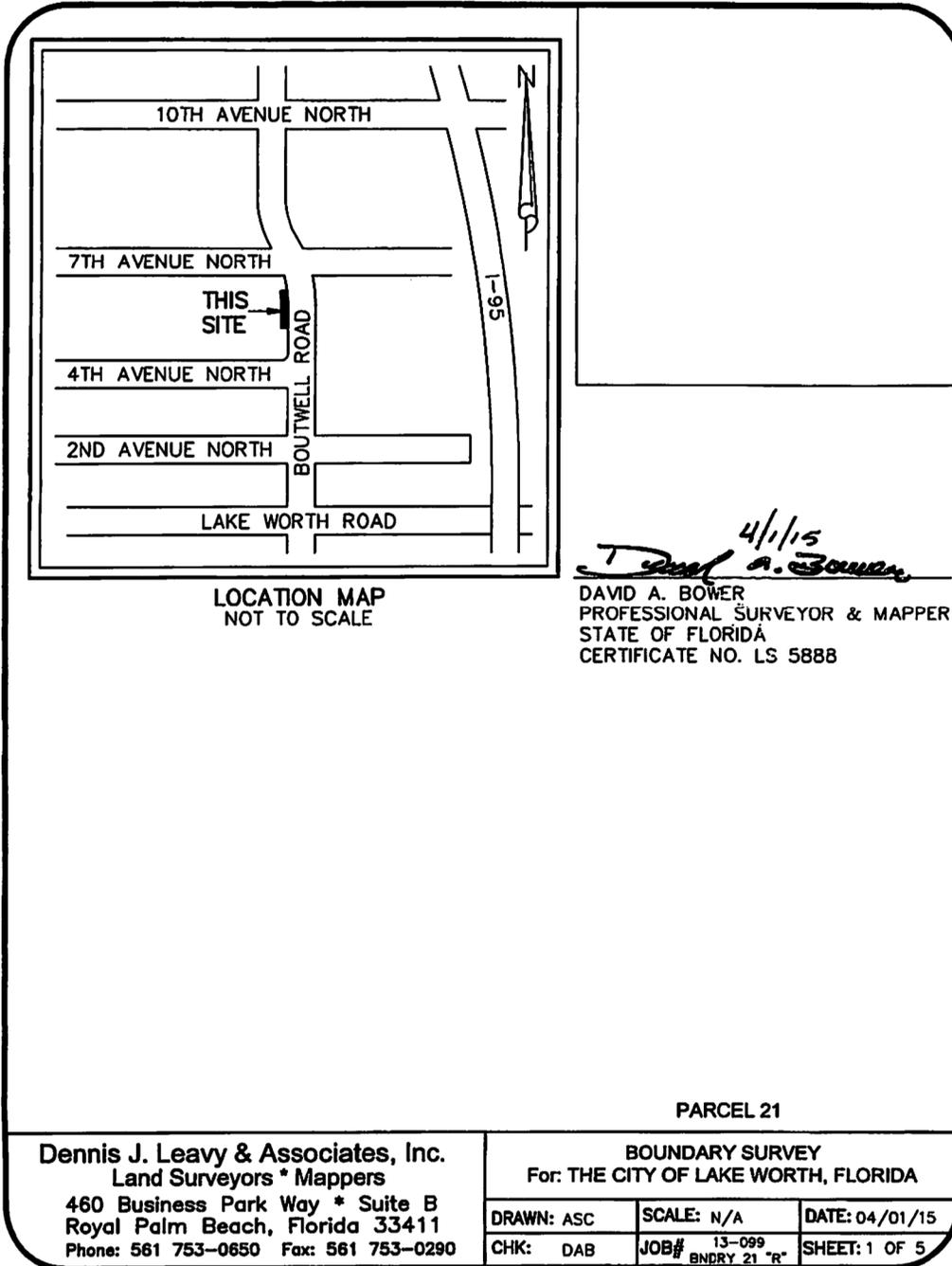
LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, Clerk

EXHIBIT " A "



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DESCRIPTION:

A 10.00 foot wide strip of land being a portion of Lots 4-10, Block 2, DONORA PARK, according to the plat thereof, as recorded in Plat Book 13, Page 36 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

BEGINNING at the Northeast corner of the plat of PATTEN PLAT as recorded in Plat Book 111, Pages 78 and 79 of the Public Records of Palm Beach County, Florida: thence North 88°06'34" West along the North line of said plat (as a bearing of basis), a distance of 10.05 feet to a point being on the arc of a circular curve to the left whose radius point bears South 86°20'19" West from said point; thence Northerly and Westerly along the arc of said curve having a radius of 1,139.22 feet, a central angle of 08°11'37" for a distance of 162.92 feet to a point being on the North line of those lands as recorded in Official Records Book 9575, Page 1100 of the Public Records of Palm Beach County, Florida; thence South 88°09'51" East along said North line, a distance of 10.29 feet to a point being on the arc of a circular curve to the right whose radius point bears South 78°15'59" West from said point; thence Southerly and Easterly along the arc of said curve having a radius of 1,149.22 feet, a central angle of 08°07'15" for a distance of 162.88 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.

Containing 1629 square feet more or less.

Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
 Phone: 561 753-0650 Fax: 561 753-0290

BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 21 "R"	SHEET: 2 OF 5

K:\2013 Jobs\13-099\dwg\13-099 BNDRY 21-R.dwg, 4/16/2015 1:22:38 PM, WS-2

REPORT OF SURVEY:

1. The survey depicted hereon has been classified as a Boundary Survey, as defined in Rule 5J-17.050(10)(b)- of the Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes as amended.
2. This survey has been prepared in the office of Dennis J. Leavy & Associates, Inc. located at: 460 Business Park Way, Suite B, Royal Palm Beach, Florida whose certificate of authorization number is 6599 and the certifying surveyors license number is LS 5888.
3. This survey lies in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.
4. This survey does not meet those standards established by the American Land Title Association.
5. Underground apparent use and/or improvements not shown unless otherwise noted.
6. This instrument may not be reproduced in part or whole without the written consent of Dennis J. Leavy & Associates, Inc.
7. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
8. Measurements shown hereon are expressed in feet and decimal parts thereof unless otherwise noted.
9. Bearings depicted hereon are based on the East line of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida. Said line being monumented and having a bearing of North 01°21'31" East based upon the North American Datum of 1983, on the 1990 adjustment for the Florida Transverse Mercator East Zone.
10. By graphic plotting only, the subject property lies within Zones B and C, as shown on the Flood Insurance Rate Map Community Panel Number 120192 0165 B, Panel 165 of 245, Map Revised: October 15, 1982 and Flood Insurance Rate Map Community Panel Number 120213 0001 C, Panel 1 of 2, Map Revised: September 30, 1982.
11. All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein. There are no circumstances or concerns unique to this survey unless stated otherwise below. In some instances, graphic representations have been exaggerated to more clearly illustrate relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
12. Date of field survey: April 01, 2015.
13. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

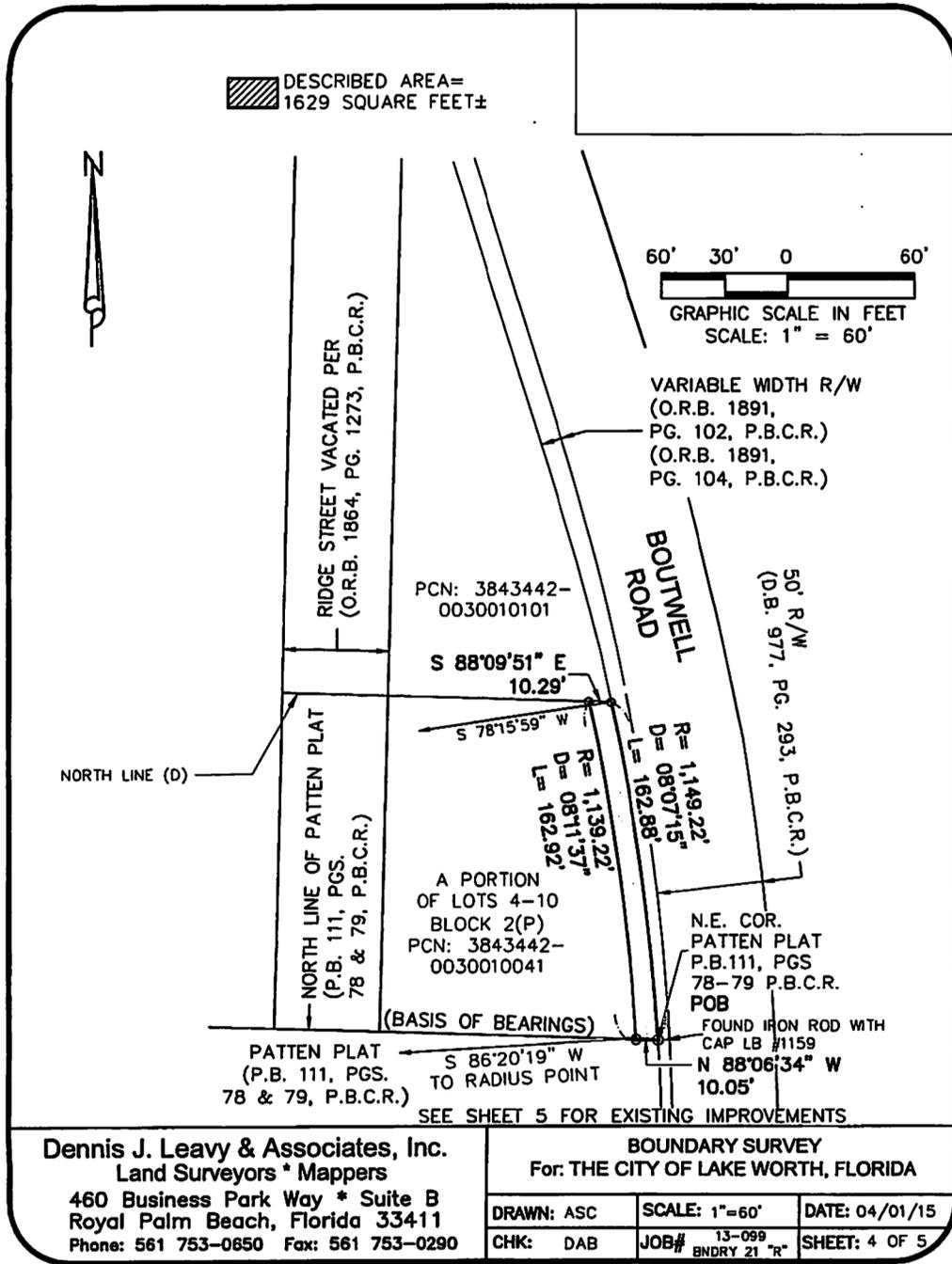
LEGEND:

- | | | | |
|---|---|---|---|
| 00"  | = UNKNOWN TREE | POB | = POINT OF BEGINNING |
| D.B. | = DEED BOOK | 00"  | = OAK SPECIES |
| O.R.B. | = OFFICIAL RECORDS BOOK | EP | = EDGE OF PAVEMENT |
| P.B. | = PLAT BOOK | R/W | = RIGHT OF WAY |
| P.B.C.R. | = PALM BEACH COUNTY RECORDS | ± | = MORE OR LESS |
| PCN | = PARCEL CONTROL NUMBER | (P) | = PER THE PLAT OF DONORA PARK (P.B. 13, PG. 36, P.B.C.R.) |
| PG. | = PAGE | ⊙ | = SET IRON ROD WITH CAP "L.B. 6599" |
| (P1) | = PER THE PLAT OF BOUTWELL INDUSTRIAL PARK (P.B. 106, PGS. 182-183, P.B.C.R.) | (D) | = LANDS AS DESCRIBED IN O.R.B. 9575, PAGE 1100 (P.B.C.R.) |
| ○ | = SET NAIL WITH DISK "L.B. 6599" | | |

Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
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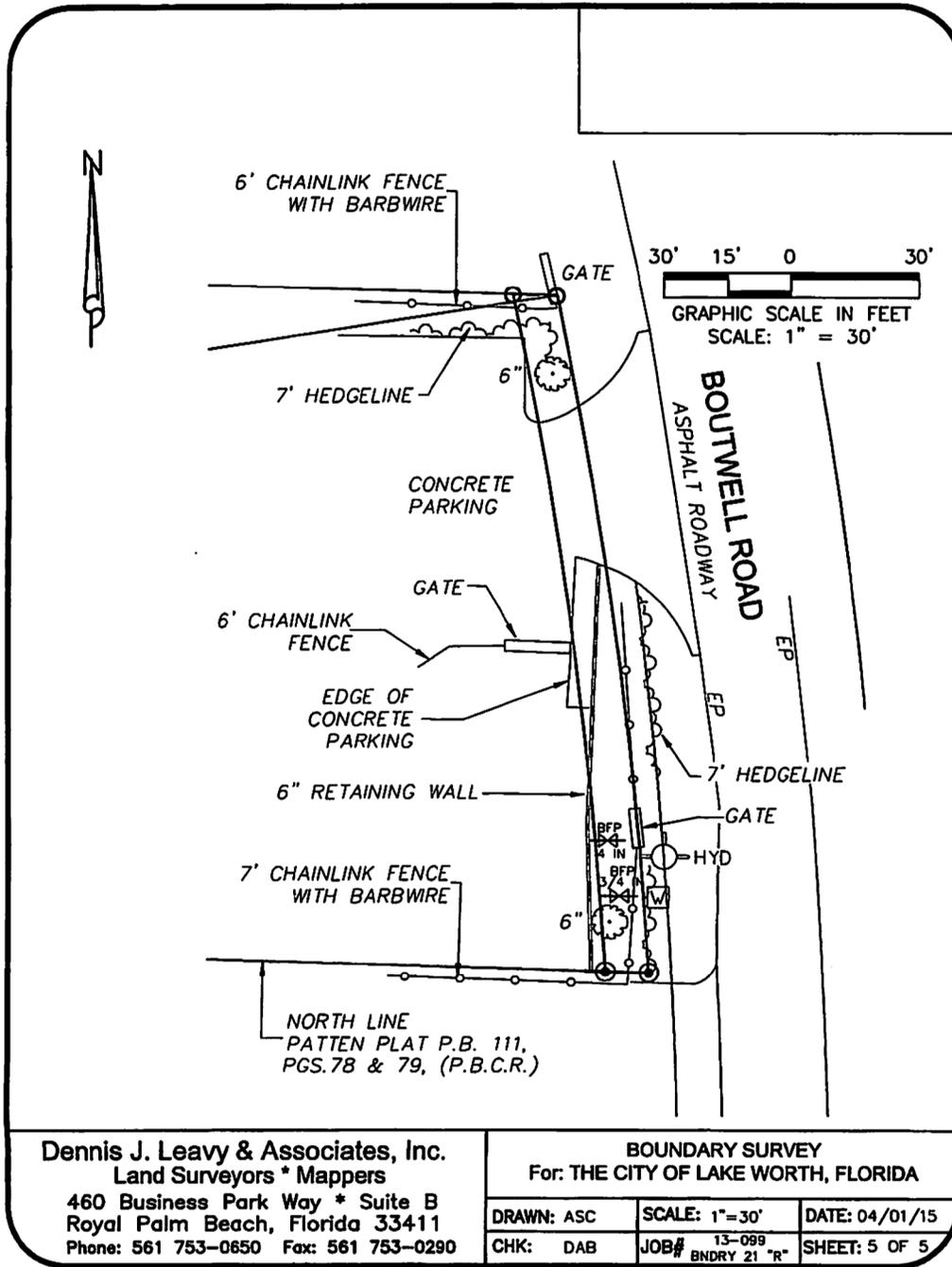
BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 21 "R"	SHEET: 3 OF 5



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EXHIBIT "B"

**PARK OF COMMERCE – PHASE I PROJECT
CITY OF LAKE WORTH
BOUTWELL ROAD IMPROVEMENTS
PARCEL 1, 7, 19, 19E, 20, 20E, 21, 21E & 28**

The Lake Worth Park of Commerce – Phase I project (POC) is designed to improve the overall safety, utility, and aesthetics of the POC. Existing businesses will benefit from an increase in property values due to an improved road system, improved water and drainage utilities, and improved employee/ customer safety both through vehicular and pedestrian traffic. In addition to benefiting existing businesses, the project is expected to draw new businesses to the proposed POC. Hard Drive Construction, Inc. is planning on having its company headquarters in the POC. Additional new businesses include Green Street Industrial Park, Oxygen, Value Place Hotel, Holiday Inn Express, and Village of Lake Osborne Apartment Complex.

Improvements to Boutwell Road are an integral part of the POC project. Boutwell Road is the main access way to the POC from the north from 10th Avenue North and from the south from Lake Worth Road. Currently, Boutwell Road is a constrained and congested 2 lane roadway. Trucks and other large vehicles often have difficulty with turning movements onto side streets and private properties. Also, due to the 2 lane nature of the roadway, left-turning vehicles often significantly backup traffic along the roadway. The proposed improvements to Boutwell Road will be to add a 3rd lane which will primarily serve as a turning lane. Sidewalks, improved drainage, lighting and landscape buffers are also part of the project design.

SAFETY

Boutwell Road is a heavily travelled roadway serving as the primary access to the POC. Currently, traffic congestion, turning movements and pedestrian safety are of concern. As the POC expands, these conditions are expected to worsen. The planned roadway improvements to Boutwell Road will provide for improved turning movements, smoother traffic flow and increased safety for users of the facility. In addition, sidewalks and lighting will be added as part of the project in order to provide for safer pedestrian walkways. The design of the project has been done in accordance with City of Lake Worth, Florida Department of Transportation, South Florida Water Management District and Florida Department of Environmental Protection requirements and standards.

COST

The cost of the Park of Commerce – Phase I project has been estimated during the various design stages of project development. The appropriate funding for right-of-way/ easement acquisition was budgeted in the City's budget for the project. During the design of the roadway, all reasonable efforts were made to minimize the right-of-way/ easement areas to be acquired through condemnation.

LONG-RANGE PLANNING

The development of the POC is in conformance with the Comprehensive Plan of the City of Lake Worth. The expansion of the POC will significantly enhance the tax base of the City and provide employment opportunities for area residents. The planned improvements to Boutwell Road are crucial to the planned expansion of the POC.

ENVIRONMENTAL IMPACTS

Boutwell Road exists along an established roadway corridor and the proposed widening improvements and utility improvements will not have any negative impacts to the environment. The POC– Phase I Project and the Boutwell Road improvements will be permitted through all appropriate environmental regulatory agencies.

ALTERNATE ROUTES

As the existing major access way for the POC, it is not feasible to provide an alternate corridor to serve the POC. Developing a new corridor would result in significant environmental and practical impacts on existing properties. The cost of a new corridor would also be prohibitive. Therefore, improvements to the existing corridor are most prudent. Numerous alignments, elevations and other factors and considerations were factored into the current alignment and the alignment selected generally results in the least impact on existing, neighboring properties and are cost efficient as part of the road project.

After considering cost, safety, long-range planning, alternate routes and environmental factors, the acquisition of Parcels 1, 7, 19, 19E, 20, 20E, 21, 21E and 28 are necessary for this public project.

ACQUISITION FOR PARCEL 1

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 1. Parcel 1 is a corner clip right-of-way acquisition at the southeast corner of Boutwell Road and Joyce Avenue. The parent tract for Parcel 1 contains a total of 910,725 square feet. The impacted area is 812 square feet. The acquisition of Parcel 1 leaves a remainder of 909,913 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 1 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition

ACQUISITION FOR PARCEL 7

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 7. Parcel 7 is a corner clip right-of-way acquisition at the northeast corner of Boutwell Road and 7th Avenue North. The parent tract for Parcel 7 contains a total of 566,280 square feet. The impacted area is 381 square feet. The acquisition of Parcel 7 leaves a remainder of 565,899 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 7 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition.

ACQUISTION FOR PARCEL 19 and 19E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 19 and Parcel 19E. The property is located at the southwest corner of Boutwell Road and 7th Avenue North. Parcel 19 is a 10-ft right-of-way acquisition and Parcel 19E is a 5-ft. landscape buffer easement. The parent tract for Parcel 19 and Parcel 19E contains a total of 46,314 square feet. The impacted area for Parcel 19 is 1,529 square feet. The impacted area for Parcel 19E is 777 square feet. The acquisition of Parcel 19 leaves a remainder of 44,785 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISTION FOR PARCEL 20 and 20E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 20 and Parcel 20E. The property is located on the west side of Boutwell Road approximately 150 feet south of 7th Avenue North. Parcel 20 is a 10-ft right-of-way acquisition and Parcel 20E is a 5-ft. landscape buffer easement. The parent tract for Parcel 20 and 20E contains a total of 53,055 square feet. The impacted area for Parcel 20 is 2,493 square feet. The impacted area for Parcel 20E is 1,247 square feet. The acquisition of Parcel 20 leaves a remainder of 50,562 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISTION FOR PARCEL 21 and 21E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 21 and Parcel 21E. The property is located on the west side of Boutwell Road approximately 400 feet south of 7th Avenue North. Parcel 21 is a 10-ft right-of-way acquisition and Parcel 21E is a 5-ft. landscape buffer easement. The parent tract for Parcel 21 and Parcel 21E contains a total of 43,594 square feet. The impacted area for Parcel 21 is 1,629 square feet. The impacted area for Parcel 21E is 815 square feet. The acquisition of Parcel 21 leaves a remainder of 41,965 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISTION FOR PARCEL 28

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 28. The property is located at the eastern end of Joyce Avenue. Parcel 28 is a 25' wide by 331' long drainage and utility easement. The parent tract for Parcel 28 contains 910,725 square feet. The impacted area for Parcel 28 is 8,277 square feet. The parcel allows for drainage and utility improvements associated with widening Boutwell Road and the POC project. The acquisition of this property will have no negative impact on the remainder property.

1
2
3 RESOLUTION NO. 34-2015 OF THE CITY COMMISSION OF THE CITY OF
4 LAKE WORTH, FLORIDA, DECLARING THE ACQUISITION OF A
5 PERMANENT EASEMENT IN AND TO A PARCEL OF LAND DESIGNATED
6 PARCEL 21E AS NECESSARY FOR THE WIDENING AND CONSTRUCTION
7 OF IMPROVEMENTS TO BOUTWELL ROAD TO BE FOR A PUBLIC USE AND
8 PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND
9 OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS;
10 AND FOR OTHER PURPOSES
11

12 WHEREAS, the City Manager has recommended the acquisition of a
13 permanent easement in and to Parcel 21E to the City Commission of the City of
14 Lake Worth, as being necessary for the widening and construction of
15 improvements to Boutwell Road in the City of Lake Worth, Florida; and
16

17 WHEREAS, the funds are available for the acquisition of the parcel
18 designated as Parcel 21E; and,
19

20 WHEREAS, the City Commission of the City of Lake Worth is exercising
21 its authority of eminent domain pursuant to Chapters 73, 74, and 166, Florida
22 Statutes, as amended; and
23

24 WHEREAS, the City Commission has considered the required factors
25 pursuant to Florida law including safety, costs, alternate routes or methodologies,
26 long-range planning and the environment, as applicable to this parcel and project,
27 as described in attached Exhibit "B"; and
28

29 WHEREAS, after considering the factors as set forth above, the City
30 Commission has determined that the acquisition of a permanent easement in and
31 to the real property identified as Parcel 21E and described in Exhibit "A", is
32 necessary for the following public use and purpose, to wit: to provide a landscape
33 and buffer easement to be used in conjunction with the widening and the
34 construction of improvements to Boutwell Road and, as such, the acquisition of
35 said property is for a public use and purpose deemed to be in the best interests
36 of the City of Lake Worth. A full description of the easement is set forth on
37 Exhibit "C"; and
38

39 WHEREAS, the acquisition of Parcel 21E is necessary for the construction
40 of improvements to be undertaken by the City of Lake Worth for the
41 aforementioned project; and
42

43 WHEREAS, the property as described in Exhibit "A" to be acquired through
44 eminent domain as authorized by this Resolution is not being acquired for the
45 purpose of abating or eliminating public nuisances, slum or blighted conditions,
46 and is subject to any applicable conveyance restrictions pursuant to Florida law,
47 to the extent they may apply; and
48

50

51 WHEREAS, in order to accomplish the acquisition of Parcel 21E, the City
52 Manager, City Attorney and their designees are authorized to take legal action,
53 including the filing of eminent domain proceedings, and to employ outside legal
54 counsel, real estate appraisers and other experts deemed necessary to
55 accomplish this purpose.

56

57 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
58 THE CITY OF LAKE WORTH, FLORIDA, THAT:

59

60 SECTION 1. This City Commission adopts and ratifies those matters set
61 forth in the foregoing recitals.

62

63 SECTION 2. The City Manager, City Attorney and their designees are
64 authorized and directed to proceed to take all necessary steps, including the
65 hiring of outside legal counsel, accountants, appraisers, or other experts and
66 witnesses, for the City of Lake Worth to acquire in its own name by donation,
67 purchase or eminent domain proceedings, a permanent easement in and to the
68 real property described in Exhibit "A", and prepare all papers, pleadings and other
69 instruments required for that purpose, and to see that all eminent domain
70 proceedings are prosecuted to judgment.

71

72 SECTION 3. The City Manager, City Attorney and their designees are
73 hereby further authorized and directed to take such further actions as are
74 reasonably required to fully accomplish the purposes herein above directed,
75 including the making of minor changes in the description of any real property
76 described in Exhibit "A" that may be necessary to fully accomplish those
77 purposes.

78

79 SECTION 4. The property described in Exhibit "A" is to be used for the
80 following public use and purpose; a permanent drainage and utilities easement
81 necessary for the widening and construction of improvements to Boutwell Road.

82

83 SECTION 5. This Resolution shall become effective immediately upon
84 its passage.

85

86 The passage of this Resolution was moved by Commissioner _____,
87 seconded by Commissioner _____, and upon being put to a vote, the vote was
88 as follows:

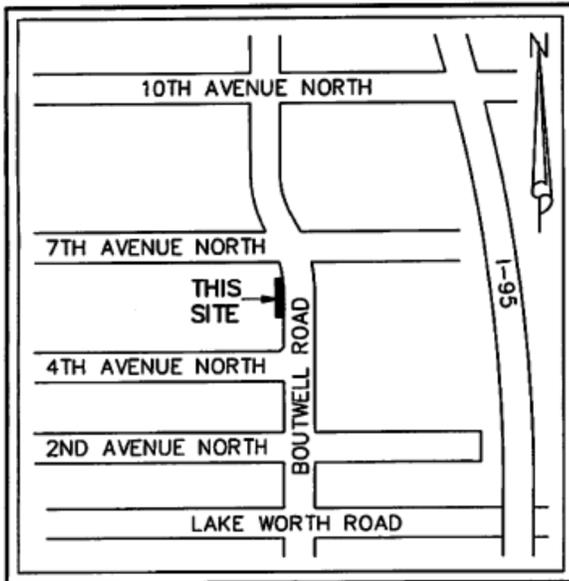
89

90 Mayor Pam Triolo
91 Vice Mayor Scott Maxwell
92 Commissioner Christopher McVoy
93 Commissioner Andy Amoroso
94 Commissioner Ryan Maier

95

96

EXHIBIT "A"



LOCATION MAP
NOT TO SCALE

4/1/15
David A. Bower

DAVID A. BOWER
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA
CERTIFICATE NO. LS 5888

PARCEL 21 E

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers
460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: 561 753-0850 Fax: 561 753-0290

BOUNDARY SURVEY
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 21 "B"	SHEET: 1 OF 5

111
112

DESCRIPTION:

A 5.00 foot wide strip of land being a portion of Lots 4-10, Block 2, DONORA PARK, according to the plat thereof, as recorded in Plat Book 13, Page 36 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

COMMENCING at the Northeast corner of the plat of PATTEN PLAT as recorded in Plat Book 111, Pages 78 and 79 of the Public Records of Palm Beach County, Florida; thence North 88°06'34" West along the North line of said plat (as a basis or bearings) a distance of 10.05 feet to THE POINT OF BEGINNING; thence continue North 88°06'34" West along said north line, a distance of 5.02 feet to a point being on the arc of a circular curve to the left whose radius point bears South 86°20'19" West from said point; thence Northerly and Westerly along the arc of said curve having a radius of 1,134.22 feet, a central angle of 08°13'51" for a distance of 162.93 feet to a point being on the North line of those lands as recorded in Official Records Book 9575, Page 1100 of the Public Records of Palm Beach County, Florida; thence South 88°09'51" East along said North line, a distance of 5.15 feet to a point being on the arc of a circular curve to the right whose radius point bears South 78°08'42" West from said point; thence Southerly and Easterly along the arc of said curve having a radius of 1,139.22 feet, a central angle of 08°11'37" for a distance of 162.92 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.

Containing 815 square feet more or less.

Dennis J. Leavy & Associates, Inc.
 Land Surveyors * Mappers
 460 Business Park Way * Suite B
 Royal Palm Beach, Florida 33411
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BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-009 BNDRY 21 "B"	SHEET: 2 OF 5

REPORT OF SURVEY:

1. The survey depicted hereon has been classified as a Boundary Survey, as defined in Rule 5J-17.050(10)(b)- of the Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes as amended.
2. This survey has been prepared in the office of Dennis J. Leavy & Associates, Inc. located at: 460 Business Park Way, Suite B, Royal Palm Beach, Florida whose certificate of authorization number is 6599 and the certifying surveyors license number is LS 5888.
3. This survey lies in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.
4. This survey does not meet those standards established by the American Land Title Association.
5. Underground apparent use and/or improvements not shown unless otherwise noted.
6. This instrument may not be reproduced in part or whole without the written consent of Dennis J. Leavy & Associates, Inc.
7. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
8. Measurements shown hereon are expressed in feet and decimal parts thereof unless otherwise
9. ~~Boundaries~~ boundaries depicted hereon are based on the East line of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida. Said line being monumented and having a bearing of North 01°21'31" East based upon the North American Datum of 1983, on the 1990 adjustment for the Florida Transverse Mercator East Zone.
10. By graphic plotting only, the subject property lies within Zones B and C, as shown on the Flood Insurance Rate Map Community Panel Number 120192 0165 B, Panel 165 of 245, Map Revised: October 15, 1982 and Flood Insurance Rate Map Community Panel Number 120213 0001 C, Panel 1 of 2, Map Revised: September 30, 1982.
11. All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein.
There are no circumstances or concerns unique to this survey unless stated otherwise below.
In some instances, graphic representations have been exaggerated to more clearly illustrate
12. relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
13. Date of field survey: April 1, 2015.
14. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

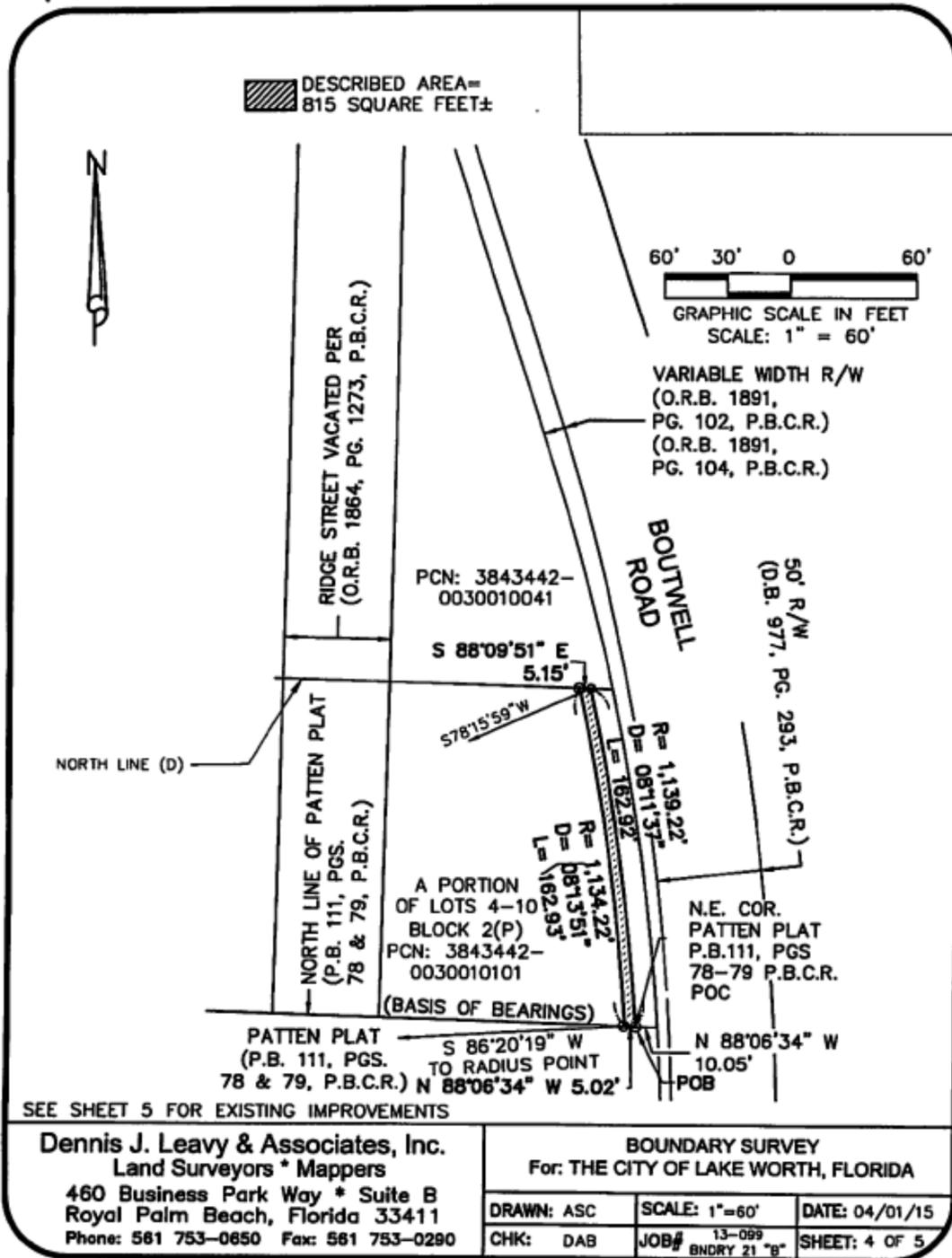
LEGEND:

- | | | | |
|---|---|---|---|
| 00°  | = UNKNOWN TREE | 00°  | = OAK SPECIES |
| D.B. | = DEED BOOK | EP | = EDGE OF PAVEMENT |
| O.R.B. | = OFFICIAL RECORDS BOOK | R/W | = RIGHT OF WAY |
| P.B. | = PLAT BOOK | ± | = MORE OR LESS |
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| (P1) | = PER THE PLAT OF BOUTWELL INDUSTRIAL PARK (P.B. 106, PGS. 182-183, P.B.C.R.) | (D) | = LANDS AS DESCRIBED IN O.R.B. 9575, PAGE 1100 (P.B.C.R.) |
| POB | = POINT OF BEGINNING | | |
| POC | = POINT OF COMMENCEMENT | | |

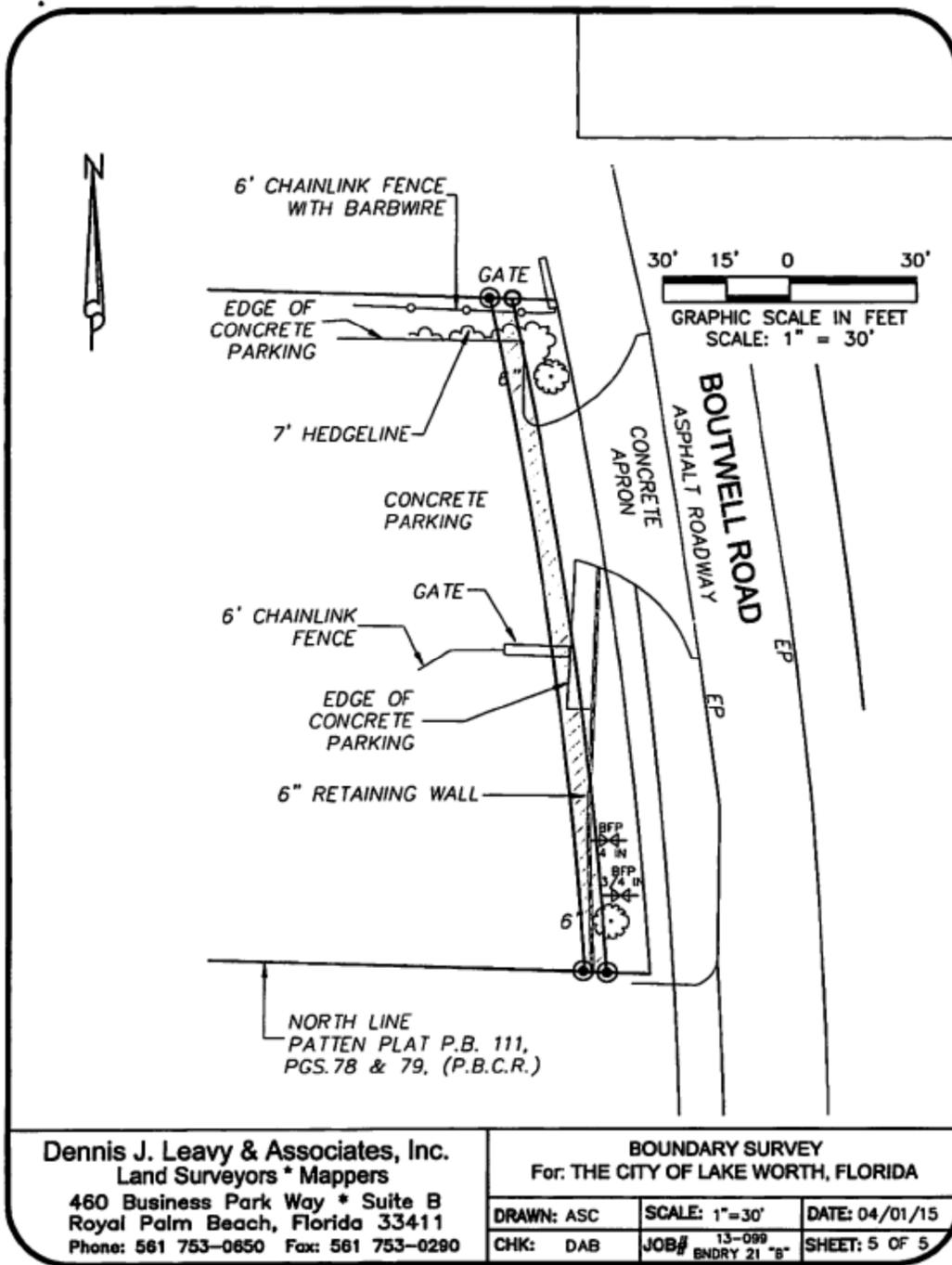
Dennis J. Leavy & Associates, Inc.
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BOUNDARY SURVEY
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: ASC	SCALE: N/A	DATE: 04/01/15
CHK: DAB	JOB# 13-099 BNDRY 21 "B"	SHEET: 3 OF 5



117
118



119
120

EXHIBIT "B"

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CITY OF LAKE WORTH
BOUTWELL ROAD IMPROVEMENTS
PARCEL 1, 7, 19, 19E, 20, 20E, 21, 21E & 28**

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The cost of the Park of Commerce – Phase I project has been estimated during the various design stages of project development. The appropriate funding for right-of-way/ easement acquisition was budgeted in the City's budget for the project. During the design of the roadway, all reasonable efforts were made to minimize the right-of-way/ easement areas to be acquired through condemnation.

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ACQUISITION FOR PARCEL 7

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 7. Parcel 7 is a corner clip right-of-way acquisition at the northeast corner of Boutwell Road and 7th Avenue North. The parent tract for Parcel 7 contains a total of 566,280 square feet. The impacted area is 381 square feet. The acquisition of Parcel 7 leaves a remainder of 565,899 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 7 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition.

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ACQUISITION FOR PARCEL 20 and 20E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 20 and Parcel 20E. The property is located on the west side of Boutwell Road approximately 150 feet south of 7th Avenue North. Parcel 20 is a 10-ft right-of-way acquisition and Parcel 20E is a 5-ft. landscape buffer easement. The parent tract for Parcel 20 and 20E contains a total of 53,055 square feet. The impacted area for Parcel 20 is 2,493 square feet. The impacted area for Parcel 20E is 1,247 square feet. The acquisition of Parcel 20 leaves a remainder of 50,562 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 21 and 21E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 21 and Parcel 21E. The property is located on the west side of Boutwell Road approximately 400 feet south of 7th Avenue North. Parcel 21 is a 10-ft right-of-way acquisition and Parcel 21E is a 5-ft. landscape buffer easement. The parent tract for Parcel 21 and Parcel 21E contains a total of 43,594 square feet. The impacted area for Parcel 21 is 1,629 square feet. The impacted area for Parcel 21E is 815 square feet. The acquisition of Parcel 21 leaves a remainder of 41,965 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 28

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 28. The property is located at the eastern end of Joyce Avenue. Parcel 28 is a 25' wide by 331' long drainage and utility easement. The parent tract for Parcel 28 contains 910,725 square feet. The impacted area for Parcel 28 is 8,277 square feet. The parcel allows for drainage and utility improvements associated with widening Boutwell Road and the POC project. The acquisition of this property will have no negative impact on the remainder property.

PERMANENT LANDSCAPE AND BUFFER EASEMENT
(Parcel 21E)

A perpetual easement which shall permit the City of Lake Worth, its successors and assigns ("City"), to enter upon the real property described on Exhibit "A" (the "Property") at any time for the following purposes and subject to the following terms and conditions:

1. To install, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into and inspect plants and landscape materials including, irrigation and fence material, in, on, over, under and across the Property.
2. City shall be solely responsible for the maintenance, replacement, repair and care of the materials placed in or on the easement property unless such maintenance, replacement or repair is caused by the intentional acts of the land owner(s) or its successors and/or assigns.
3. To re-install or relocate, at City's expense, the backflow preventer device located at 3585 Boutwell Road Lake Worth, Florida. Following the installation or relocation of the back flow preventer device by City, the owner(s) of the Property will be responsible for the maintenance and repair of the backflow preventer device.
4. The owner(s) of the Property, its successors and/or assigns, shall not be permitted to construct or place any permanent structures on the Property.

EXHIBIT "C"

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RESOLUTION NO. 35-2015 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT IN AND TO A PARCEL OF LAND DESIGNATED PARCEL 28 AS NECESSARY FOR THE WIDENING AND CONSTRUCTION OF IMPROVEMENTS TO BOUTWELL ROAD TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS; AND FOR OTHER PURPOSES

WHEREAS, the City Manager has recommended the acquisition of a permanent easement in and to Parcel 28 to the City Commission of the City of Lake Worth, as being necessary for the widening and construction of improvements to Boutwell Road in the City of Lake Worth, Florida; and

WHEREAS, the funds are available for the acquisition of the parcel designated as Parcel 28; and,

WHEREAS, the City Commission of the City of Lake Worth is exercising its authority of eminent domain pursuant to Chapters 73, 74, and 166, Florida Statutes, as amended; and

WHEREAS, the City Commission has considered the required factors pursuant to Florida law including safety, costs, alternate routes or methodologies, long-range planning and the environment, as applicable to this parcel and project, as described in attached Exhibit "B"; and

WHEREAS, after considering the factors as set forth above, the City Commission has determined that the acquisition of a permanent easement in and to the real property identified as Parcel 28 and described in Exhibit "A", is necessary for the following public use and purpose, to wit: to provide a permanent drainage and utilities easement to be used in conjunction with the widening and the construction of improvements to Boutwell Road and, as such, the acquisition of said property is for a public use and purpose deemed to be in the best interests of the City of Lake Worth. A full description of the drainage and utilities easement is set forth on Exhibit "C"; and

WHEREAS, the acquisition of Parcel 28 is necessary for the construction of improvements to be undertaken by the City of Lake Worth for the aforementioned project; and

WHEREAS, the property as described in Exhibit "A" to be acquired through eminent domain as authorized by this Resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and is subject to any applicable conveyance restrictions pursuant to Florida law, to the extent they may apply; and

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WHEREAS, in order to accomplish the acquisition of Parcel 28, the City Manager, City Attorney and their designees are authorized to take legal action, including the filing of eminent domain proceedings, and to employ outside legal counsel, real estate appraisers and other experts deemed necessary to accomplish this purpose.

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, THAT:

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SECTION 1. This City Commission adopts and ratifies those matters set forth in the foregoing recitals.

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SECTION 2. The City Manager, City Attorney and their designees are authorized and directed to proceed to take all necessary steps, including the hiring of outside legal counsel, accountants, appraisers, or other experts and witnesses, for the City of Lake Worth to acquire in its own name by donation, purchase or eminent domain proceedings, a permanent easement in and to the real property described in Exhibit "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all eminent domain proceedings are prosecuted to judgment.

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SECTION 3. The City Manager, City Attorney and their designees are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

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SECTION 4. The property described in Exhibit "A" is to be used for the following public use and purpose; a permanent drainage and utilities easement necessary for the widening and construction of improvements to Boutwell Road.

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SECTION 5. This Resolution shall become effective immediately upon its passage.

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The passage of this Resolution was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

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Mayor Pam Triolo

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Vice Mayor Scott Maxwell

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Commissioner Christopher McVoy

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Commissioner Andy Amoroso

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Commissioner Ryan Maier

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The Mayor thereupon declared this Resolution duly passed and adopted on the 16th day of June, 2015.

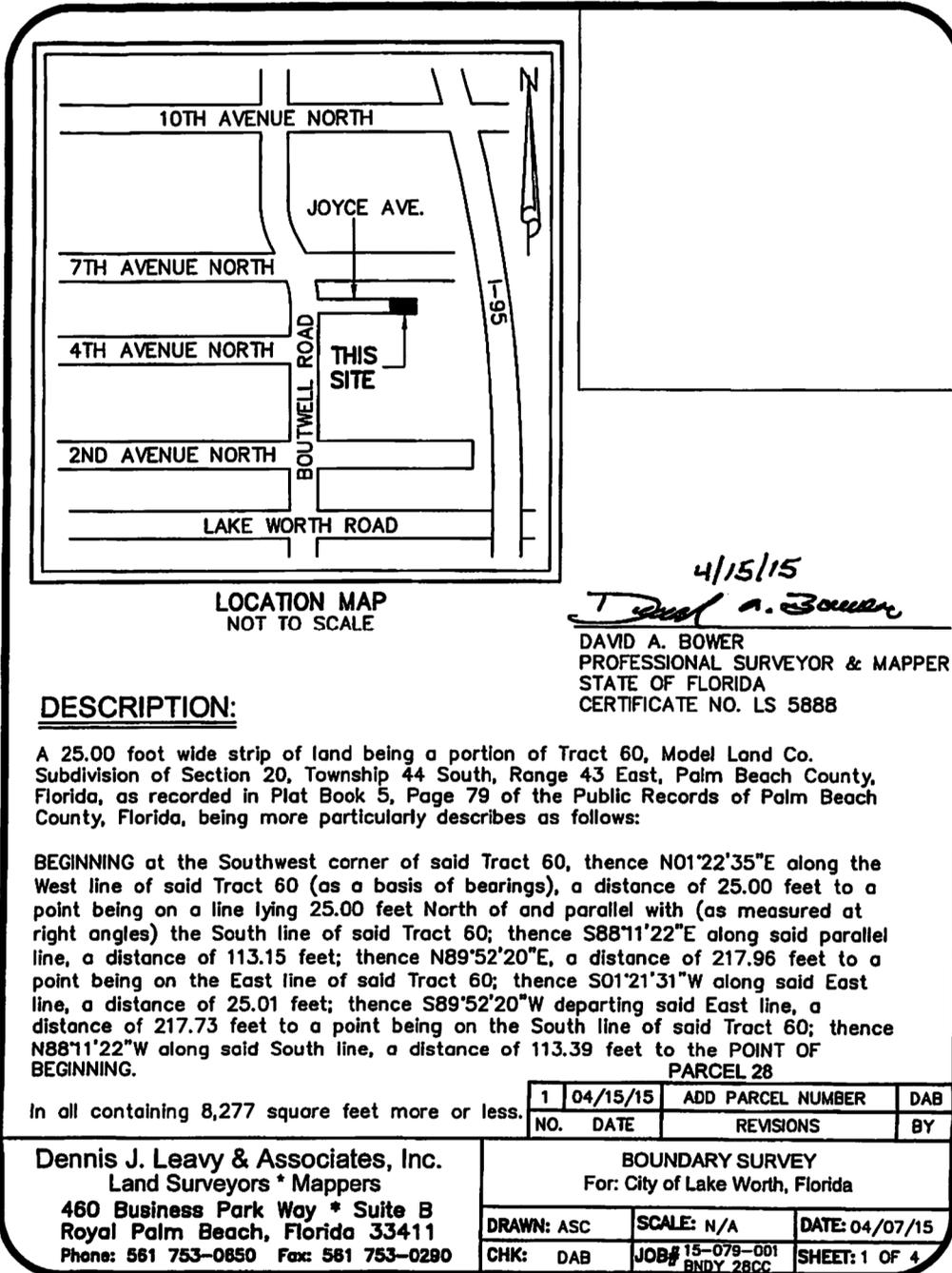
LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, Clerk

EXHIBIT " A "



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REPORT OF SURVEY:

1. The survey depicted hereon has been classified as a Boundary Survey, as defined in Rule 5J-17.050(10)(b)- of the Florida Administrative Code, pursuant to Chapter 472.027, Florida Statutes as amended.
2. This survey has been prepared in the office of Dennis J. Leavy & Associates, Inc. located at: 460 Business Park Way, Suite B, Royal Palm Beach, Florida whose certificate of authorization number is 6599 and the certifying surveyors license number is LS 5888.
3. This survey lies in Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida.
4. This survey does not meet those standards established by the American Land Title Association.
5. Underground apparent use and/or improvements not shown unless otherwise noted.
6. This instrument may not be reproduced in part or whole without the written consent of Dennis J. Leavy & Associates, Inc.
7. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
8. Measurements shown hereon are expressed in feet and decimal parts thereof unless otherwise
9. Bearings depicted hereon are based on the East line of Section 20, Township 44 South, Range 43 ~~East~~ Palm Beach County, Florida. Said line being monumented and having a bearing of North 01°21'31" East based upon the North American Datum of 1983, on the 1990 adjustment for the Florida Transverse Mercator East Zone.
10. By graphic plotting only, the subject property lies within Zones B and C, as shown on the Flood Insurance Rate Map Community Panel Number 120192 0165 B, Panel 165 of 245, Map Revised: October 15, 1982 and Flood Insurance Rate Map Community Panel Number 120213 0001 C, Panel 1 of 2, Map Revised: September 30, 1982.
11. All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein.
There are no circumstances or concerns unique to this survey unless stated otherwise below.
In some instances, graphic representations have been exaggerated to more clearly illustrate relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
12. Date of field survey: April 07, 2015.
14. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

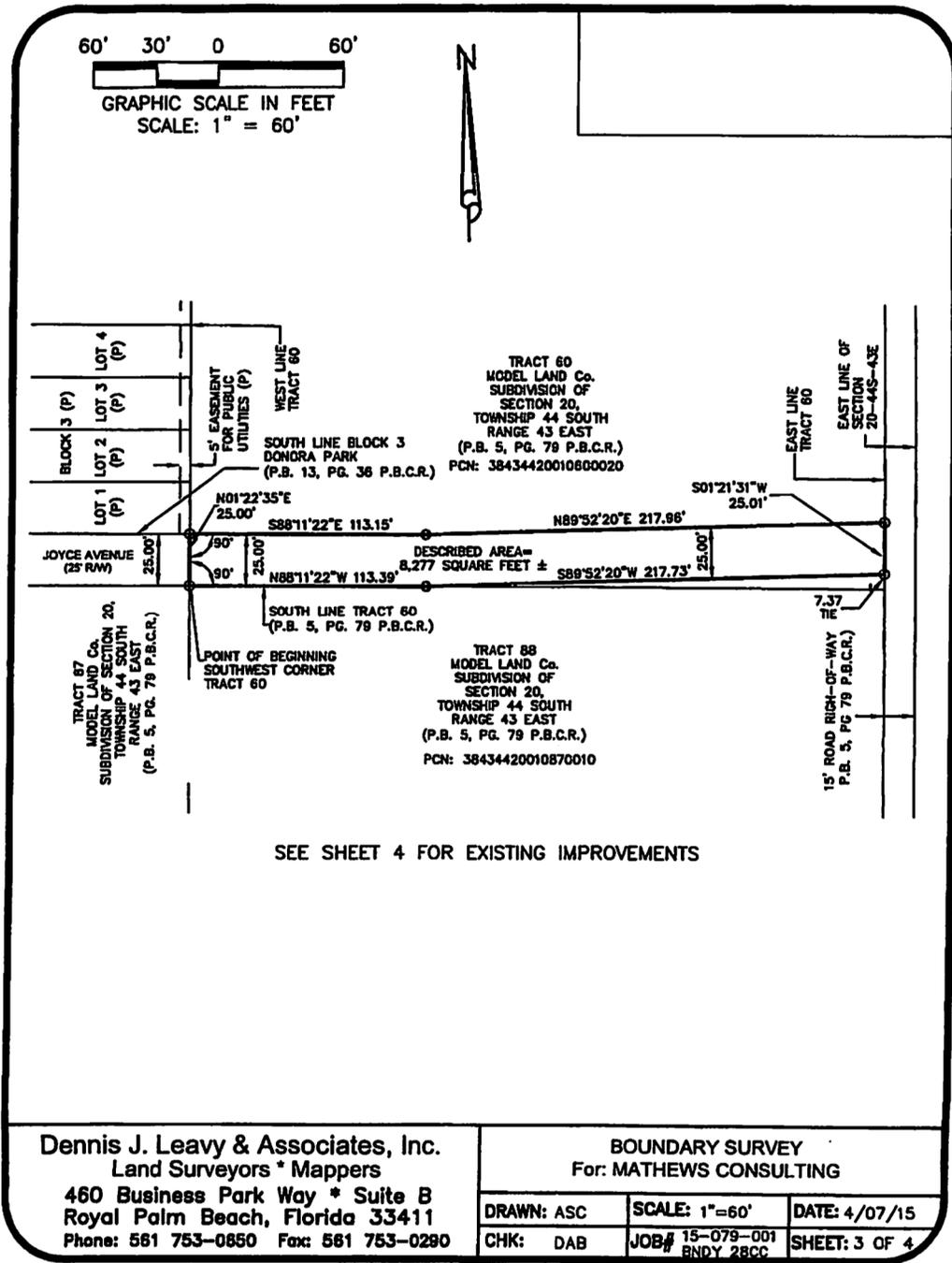
LEGEND:

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|---|--|---|--|
| 00"  | = UNKNOWN TREE | 00"  | = PALM SPECIES |
| D.B. | = DEED BOOK | EP | = EDGE OF PAVEMENT |
| O.R.B. | = OFFICIAL RECORDS BOOK | CMP | = CORRUGATED METAL PIPE |
| P.B. | = PLAT BOOK | PVC | = POLYVINYL CHLORIDE PIPE |
| P.B.C.R. | = PALM BEACH COUNTY RECORDS | -OHW- | = OVERHEAD UTILITY WIRES |
| PCN | = PARCEL CONTROL NUMBER | R/W | = RIGHT OF WAY |
| PG. | = PAGE |  | = UNKNOWN HANDHOLE |
| (P) | = PER THE PLAT OF DONORA PARK
(P.B. 13, PG. 36, P.B.C.R.) |  | = MAILBOX |
| ± | = MORE OR LESS |  | = SIGN POST |
| | |  | = SET IRON ROD WITH CAP
"L.B. 6599" |
| | |  | = SET NAIL WITH DISK
"L.B. 6599" |

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers
460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: 561 753-0850 Fax: 561 753-0290

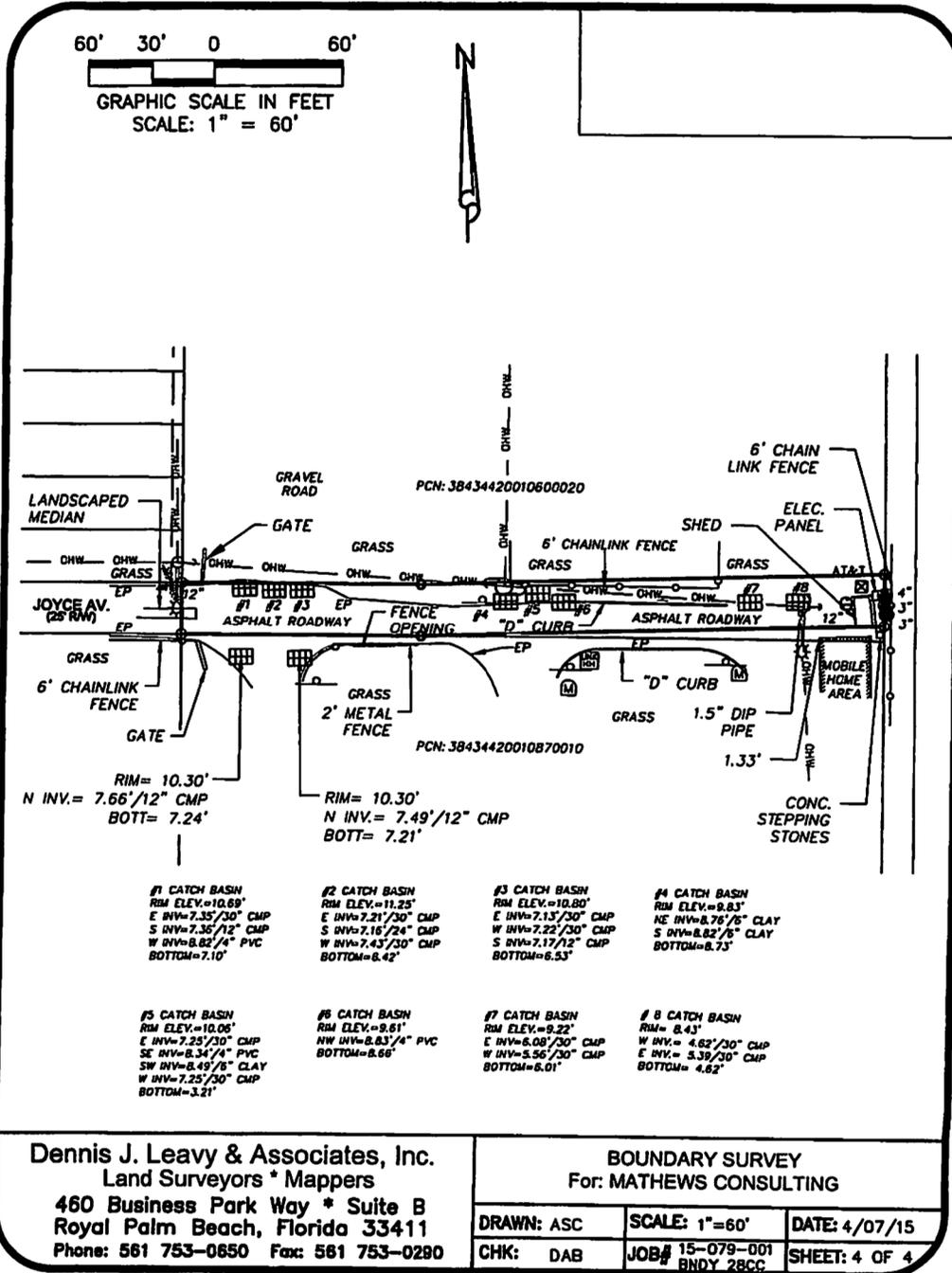
BOUNDARY SURVEY
For: MATHEWS CONSULTING

DRAWN: ASC	SCALE: N/A	DATE: 04/07/15
CHK: DAB	JOB# 15-079-001 BNDY 28CC	SHEET: 2 OF 4



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EXHIBIT "B"

**PARK OF COMMERCE – PHASE I PROJECT
CITY OF LAKE WORTH
BOUTWELL ROAD IMPROVEMENTS
PARCEL 1, 7, 19, 19E, 20, 20E, 21, 21E & 28**

The Lake Worth Park of Commerce – Phase I project (POC) is designed to improve the overall safety, utility, and aesthetics of the POC. Existing businesses will benefit from an increase in property values due to an improved road system, improved water and drainage utilities, and improved employee/ customer safety both through vehicular and pedestrian traffic. In addition to benefiting existing businesses, the project is expected to draw new businesses to the proposed POC. Hard Drive Construction, Inc. is planning on having its company headquarters in the POC. Additional new businesses include Green Street Industrial Park, Oxygen, Value Place Hotel, Holiday Inn Express, and Village of Lake Osborne Apartment Complex.

Improvements to Boutwell Road are an integral part of the POC project. Boutwell Road is the main access way to the POC from the north from 10th Avenue North and from the south from Lake Worth Road. Currently, Boutwell Road is a constrained and congested 2 lane roadway. Trucks and other large vehicles often have difficulty with turning movements onto side streets and private properties. Also, due to the 2 lane nature of the roadway, left-turning vehicles often significantly backup traffic along the roadway. The proposed improvements to Boutwell Road will be to add a 3rd lane which will primarily serve as a turning lane. Sidewalks, improved drainage, lighting and landscape buffers are also part of the project design.

SAFETY

Boutwell Road is a heavily travelled roadway serving as the primary access to the POC. Currently, traffic congestion, turning movements and pedestrian safety are of concern. As the POC expands, these conditions are expected to worsen. The planned roadway improvements to Boutwell Road will provide for improved turning movements, smoother traffic flow and increased safety for users of the facility. In addition, sidewalks and lighting will be added as part of the project in order to provide for safer pedestrian walkways. The design of the project has been done in accordance with City of Lake Worth, Florida Department of Transportation, South Florida Water Management District and Florida Department of Environmental Protection requirements and standards.

COST

The cost of the Park of Commerce – Phase I project has been estimated during the various design stages of project development. The appropriate funding for right-of-way/ easement acquisition was budgeted in the City's budget for the project. During the design of the roadway, all reasonable efforts were made to minimize the right-of-way/ easement areas to be acquired through condemnation.

LONG-RANGE PLANNING

The development of the POC is in conformance with the Comprehensive Plan of the City of Lake Worth. The expansion of the POC will significantly enhance the tax base of the City and provide employment opportunities for area residents. The planned improvements to Boutwell Road are crucial to the planned expansion of the POC.

ENVIRONMENTAL IMPACTS

Boutwell Road exists along an established roadway corridor and the proposed widening improvements and utility improvements will not have any negative impacts to the environment. The POC- Phase I Project and the Boutwell Road improvements will be permitted through all appropriate environmental regulatory agencies.

ALTERNATE ROUTES

As the existing major access way for the POC, it is not feasible to provide an alternate corridor to serve the POC. Developing a new corridor would result in significant environmental and practical impacts on existing properties. The cost of a new corridor would also be prohibitive. Therefore, improvements to the existing corridor are most prudent. Numerous alignments, elevations and other factors and considerations were factored into the current alignment and the alignment selected generally results in the least impact on existing, neighboring properties and are cost efficient as part of the road project.

After considering cost, safety, long-range planning, alternate routes and environmental factors, the acquisition of Parcels 1, 7, 19, 19E, 20, 20E, 21, 21E and 28 are necessary for this public project.

ACQUISITION FOR PARCEL 1

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 1. Parcel 1 is a corner clip right-of-way acquisition at the southeast corner of Boutwell Road and Joyce Avenue. The parent tract for Parcel 1 contains a total of 910,725 square feet. The impacted area is 812 square feet. The acquisition of Parcel 1 leaves a remainder of 909,913 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 1 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition

ACQUISITION FOR PARCEL 7

This proposed improvement necessitates the acquisition of certain property herein referred to as Parcel 7. Parcel 7 is a corner clip right-of-way acquisition at the northeast corner of Boutwell Road and 7th Avenue North. The parent tract for Parcel 7 contains a total of 566,280 square feet. The impacted area is 381 square feet. The acquisition of Parcel 7 leaves a remainder of 565,899 square feet. The parcel taking allows for the widening and required turning radius of Boutwell Road. Parcel 7 is a part of a mobile home park but no mobile homes will be negatively affected by the acquisition.

ACQUISITION FOR PARCEL 19 and 19E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 19 and Parcel 19E. The property is located at the southwest corner of Boutwell Road and 7th Avenue North. Parcel 19 is a 10-ft right-of-way acquisition and Parcel 19E is a 5-ft. landscape buffer easement. The parent tract for Parcel 19 and Parcel 19E contains a total of 46,314 square feet. The impacted area for Parcel 19 is 1,529 square feet. The impacted area for Parcel 19E is 777 square feet. The acquisition of Parcel 19 leaves a remainder of 44,785 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 20 and 20E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 20 and Parcel 20E. The property is located on the west side of Boutwell Road approximately 150 feet south of 7th Avenue North. Parcel 20 is a 10-ft right-of-way acquisition and Parcel 20E is a 5-ft. landscape buffer easement. The parent tract for Parcel 20 and 20E contains a total of 53,055 square feet. The impacted area for Parcel 20 is 2,493 square feet. The impacted area for Parcel 20E is 1,247 square feet. The acquisition of Parcel 20 leaves a remainder of 50,562 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 21 and 21E

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 21 and Parcel 21E. The property is located on the west side of Boutwell Road approximately 400 feet south of 7th Avenue North. Parcel 21 is a 10-ft right-of-way acquisition and Parcel 21E is a 5-ft. landscape buffer easement. The parent tract for Parcel 21 and Parcel 21E contains a total of 43,594 square feet. The impacted area for Parcel 21 is 1,629 square feet. The impacted area for Parcel 21E is 815 square feet. The acquisition of Parcel 21 leaves a remainder of 41,965 square feet. The parcel taking allows for widening of Boutwell Road with related roadway, underground utility and landscape improvements. A sidewalk and lighting is also provided for pedestrian safety purposes. The acquisition of these properties will have no negative impact on the remainder property.

ACQUISITION FOR PARCEL 28

This proposed improvement necessitates the acquisition of certain real property herein referred to as Parcel 28. The property is located at the eastern end of Joyce Avenue. Parcel 28 is a 25' wide by 331' long drainage and utility easement. The parent tract for Parcel 28 contains 910,725 square feet. The impacted area for Parcel 28 is 8,277 square feet. The parcel allows for drainage and utility improvements associated with widening Boutwell Road and the POC project. The acquisition of this property will have no negative impact on the remainder property.

PERMANENT DRAINAGE AND UTILITIES EASEMENT
(Parcel 28)

A perpetual easement which shall permit the City of Lake Worth, its successors and assigns (“City”), to enter upon the real property described on Exhibit “A” (the “Property”) at any time for the following purposes and subject to the following terms and conditions:

1. To install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into and inspect public utilities systems including, but not limited to, water, sanitary sewer, and electrical equipment, lines, wires and facilities, in, on, over, under and across the Property; and
2. To install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into and inspect stormwater drainage facilities, systems, structures and works, including pipes, inlets, culverts and appurtenances, including overlay of pavement, in, on, over, under and across the Property; and
3. The owner of the Property, its successors and assigns, shall not be permitted to construct or place any permanent structures on the Property; and
4. At any time City enters the Property to install, replace or maintain facilities, City shall, at City’s expense, restore all paving, landscaping and other existing improvements to the same or better condition prior to City’s work at the Property.

EXHIBIT “C”

	<u>Appraised Value</u>	<u>125% of Appraised Value</u>
Parcel 1	\$7400.00	\$9250.00
Parcel 7	\$3710.00	\$4637.50
Parcel 19	\$23,850.00	\$29,812.50
Parcel 19E	\$10,420.00	\$13,025.00
Parcel 20	\$42,800.00	\$53,500.00
Parcel 20E	\$6910.00	\$8637.50
Parcel 21	\$33,040.00	\$41,300.00
Parcel 21E	\$12,130.00	\$15,162.50
Parcel 28	\$20,700.00	\$25,875.00



CITY OF LAKE WORTH

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

AGENDA DATE: June 16, 2015 Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Agreement with Lanzo Lining Services, Inc. for Sanitary Sewer Rehabilitation Projects

SUMMARY:

The Agreement authorizes sanitary sewer rehabilitation projects throughout the City, including the lining of 100 sanitary manholes, the Sanitary Main Improvements for 15th Avenue South, Fordham Drive, and the 6th Avenue South Interceptor at a cost not to exceed \$1,027,557.20.

BACKGROUND AND JUSTIFICATION:

The proposed pipeline repair is to line the sewer mains on the following streets:

- 6th Avenue South from A Street to Lakeside Drive,
- 15th Avenue South from A Street to Lakeside Drive, and
- Fordham Drive from Dixie Highway to Federal Highway.

The total length of pipeline to be rehabilitated is approximately 7,700 feet of vitrified clay pipes that range in diameter from 10 inch to 24 inch. This will include the lining of all associated manholes.

Excess infiltration and inflow (I & I) takes up sewer capacity needed for existing customers and future growth, and increases the operating costs. This extra volume of water can also possibly overload the sewage collection system pipes causing backups or spills of raw sewage. These projects will decrease the operating costs associated with pumping and treatment of this water. They will also restore the structural integrity of the pipelines, and eliminate the formation of future sink holes that have developed in the roadway above the deteriorating pipes.

The proposed manhole lining project is the FY 2015 annual rehabilitation of 100 sanitary sewer manholes throughout the City that were identified by City staff as critically deteriorated.

A protective Calcium Aluminate coating will be applied to each manhole, to improve the structural integrity and prolong the lifespan of the manhole. The improvements will also reduce stormwater infiltration to the sanitary system, thereby decreasing operating expense by decreasing flow sent to the treatment plant.

The contract uses unit pricing contained in the Palm Beach County contract WUD 12-063(B) Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation. The county has renewed their contract, and the proposed city contract is attached.

MOTION:

I move to approve/disapprove an agreement with Lanzo Lining Services, Inc. for Sanitary Sewer Rehabilitation Projects at a cost not to exceed \$1,027,556.60.

Attachments

- 1) Fiscal Analysis
- 2) Lanzo Lining Services, Inc. – Palm Beach County Contract WUD 12-063(B)
- 3) Lanzo Lining Services, Inc. Palm Beach County Lining Contract Renewal
- 4) Lanzo Lining Services, Inc. agreement with City of Lake Worth

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	\$1,027,557.20	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	\$1,027,557.20	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 FY2015 Sewer Collection Capital budget account, and the FY2015 Regional Sewer Capital budget account.

Utilities/Sewer Collection							
Account Number	Account Description	Project #	FY 2015 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
403-7231-535.63-15	Local San Capital	LS 1501 LS 1506 LS 1507	\$801,384	N/A	\$801,384	-\$801,384	\$0
406-7490-535.62-20	Regional San Capital	RS1502	\$0	\$300,000	\$300,000	-\$226,173.20	\$73,826.80

C. Fiscal Review:

Larry Johnson – Director
Monica Shaner –Assistant Director.

3K-3

ORIGINAL

*approved
w/ CIP
4/22/14*

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA**

R2014:0521

APR 15 2014

**Continuing Contract
For Wastewater Gravity Lines
& Manhole Rehabilitation**

Project No. WUD 12-063 (B)

CONFORMED DOCUMENTS

**CONTRACT DOCUMENTS
BIDDING REQUIREMENTS, CONTRACT FORMS,
CONDITIONS OF THE CONTRACT, AND
TECHNICAL SPECIFICATIONS**

**Palm Beach County Water Utilities Department
P.O. Box 16097
West Palm Beach, FL 33416-6097**

**8100 Forest Hill Boulevard
West Palm Beach, FL 33413
FAX: (561) 493-6113**

E-Mail Address: hmelendez@pbcwater.com



Contractor Signature

Lanzo Lining Services, Inc - Florida

Bids will be received at the office of the Palm Beach County Water Utilities Department, Administration Building, located at 8100 Forest Hill Boulevard, West Palm Beach, Florida 33413 at the time and on the date specified in the Advertisement for Bids.

PBC WATER UTILITIES

MAR 28 2014

ENGINEERING

L 669

SCHEDULE OF BID PRICES

Project No.: WUD 12-063
 Project Name: Continuing Contract For Wastewater Gravity Lines
 & Manhole Rehabilitation

Bid Item No.	Item	Quantity	Units	Unit Price	Total
1	Point Repair (open trench), 4" through 8" Gravity Pipe (up to 5.9' deep)	200	L.F.	\$200.00	\$40,000.00
2	Point Repair (open trench), 4" through 8" Gravity Pipe (6' to 7.9' deep)	200	L.F.	\$250.00	\$50,000.00
3	Point Repair (open trench), 4" through 8" Gravity Pipe (8' to 9.9' deep)	150	L.F.	\$300.00	\$45,000.00
4	Point Repair (open trench), 4" through 8" Gravity Pipe (10' to 11.9' deep)	75	L.F.	\$400.00	\$30,000.00
5	Point Repair (open trench), 4" through 8" Gravity Pipe (12' to 13.9' deep)	75	L.F.	\$500.00	\$37,500.00
6	Point Repair (open trench), 4" through 8" Gravity Pipe (14' to 16' deep)	75	L.F.	\$600.00	\$45,000.00
7	Point Repair (open trench), 10" through 12" Gravity Pipe (up to 5.9' deep)	200	L.F.	\$250.00	\$50,000.00
8	Point Repair (open trench), 10" through 12" Gravity Pipe (6' to 7.9' deep)	200	L.F.	\$300.00	\$60,000.00
9	Point Repair (open trench), 10" through 12" Gravity Pipe (8' to 9.9' deep)	150	L.F.	\$400.00	\$60,000.00
10	Point Repair (open trench), 10" through 12" Gravity Pipe (10' to 11.9' deep)	75	L.F.	\$450.00	\$33,750.00
11	Point Repair (open trench), 10" through 12" Gravity Pipe (12' to 13.9' deep)	75	L.F.	\$550.00	\$41,250.00
12	Point Repair (open trench), 10" through 12" Gravity Pipe (14' to 16' deep)	75	L.F.	\$650.00	\$48,750.00
13	Single Lateral Replacement with Cleanout Installation (Removal and Installation) (up to 5.9' deep)	75	L.F.	\$70.00	\$5,250.00
14	Double Lateral Replacement with Cleanout Installation (Removal and Installation) (up to 5.9' deep)	75	L.F.	\$200.00	\$15,000.00
15	Single Lateral Replacement with Cleanout Installation (Removal and Installation) (6' to 7.9' deep)	25	L.F.	\$230.00	\$5,750.00
16	Double Lateral Replacement with Cleanout Installation (Removal and Installation) (6' to 7.9' deep)	25	L.F.	\$280.00	\$7,000.00
17	Single Lateral Replacement with Cleanout Installation (Removal and Installation) (8' to 9.9' deep)	20	L.F.	\$330.00	\$6,600.00
18	Double Lateral Replacement with Cleanout Installation (Removal and Installation) (8' to 9.9' deep)	20	L.F.	\$380.00	\$7,600.00
19	Single Lateral Replacement with Cleanout Installation (Removal and Installation) (10' to 11.9' deep)	20	L.F.	\$360.00	\$7,200.00

Bid Item No.	Item	Quantity	Units	Unit Price	Total
20	Double Lateral Replacement with Cleanout Installation (Removal and Installation) (10' to 11.9' deep)	20	L.F.	\$400.00	\$8,000.00
21	Single Lateral Replacement with Cleanout Installation (Removal and Installation) (12' to 13.9' deep)	20	L.F.	\$390.00	\$7,800.00
22	Double Lateral Replacement with Cleanout Installation (Removal and Installation) (12' to 13.9' deep)	20	L.F.	\$450.00	\$9,000.00
23	Single Lateral Replacement with Cleanout Installation (Removal and Installation) (14' to 16' deep)	20	L.F.	\$415.00	\$8,300.00
24	Double Lateral Replacement with Cleanout Installation (Removal and Installation) (14' to 16' deep)	20	L.F.	\$480.00	\$9,600.00
25	Replacement/Repair (open trench up to 20' pipe section), 4" to 8" Force Main (3' to 8' deep)	3	Each	\$10,000.00	\$30,000.00
26	Replacement/Repair (open trench up to 20' pipe section), 10" to 16" Force Main (3' to 8' deep)	3	Each	\$14,000.00	\$42,000.00
27	Replacement/Repair (open trench up to 20' pipe section), 18" to 24" Force Main (3' to 8' deep)	3	Each	\$20,000.00	\$60,000.00
28	Gravity Sewer Main Cleaning and TV Inspection (6" through 12" Pipe)	10000	L.F.	\$1.50	\$15,000.00
29	Gravity Sewer Main Cleaning and TV Inspection (15" through 30" Pipe)	1000	L.F.	\$5.00	\$5,000.00
30	Gravity Sewer Lateral (4" through 8") Cleaning and TV Inspection from Main (up to 30')	200	Each	\$125.00	\$25,000.00
31	Gravity Sewer Lateral (4" through 8") Cleaning and TV Inspection from Main (greater than 30')	10000	L.F.	\$0.20	\$2,000.00
32	Mechanical Root and/or Grease Removal (12" pipe or smaller)	1000	L.F.	\$4.00	\$4,000.00
33	Mechanical Root and/or Grease Removal (15" to 30" pipe)	1000	L.F.	\$8.25	\$8,250.00
34	Mechanical Tuberculation/Concrete Removal 12" pipe or smaller)	750	L.F.	\$15.00	\$11,250.00
35	Internal (through Pipe) Removal of Protruding Service Connection	20	Each	\$275.00	\$5,500.00
36	Exploratory Excavation in Grass or Non-paved Area (up to 5' deep)	20	Each	\$700.00	\$14,000.00
37	Exploratory Excavation in Asphalt or Concrete Area (up to 5' deep)	10	Each	\$1,300.00	\$13,000.00
38	Exploratory Excavation in Grass or Non-paved Area (greater than 5' deep)	50	V.F.	\$100.00	\$5,000.00
39	Exploratory Excavation in Asphalt or Concrete Area (greater than 5' deep)	50	V.F.	\$100.00	\$5,000.00
40	Bypass pumping 4" through 10" Force Main	10	Day	\$600.00	\$6,000.00
41	Bypass pumping 12" through 16" Force Main	10	Day	\$1,900.00	\$19,000.00

Bid Item No.	Item	Quantity	Units	Unit Price	Total
42	Bypass pumping 18" through 30" Force Main	10	Day	\$2,500.00	\$25,000.00
43	Cleanout installation (open trench) in grass area (up to 5' deep)	200	Each	\$500.00	\$100,000.00
44	Cleanout Installation (open trench) in asphalt area (up to 5' deep)	75	Each	\$1,000.00	\$75,000.00
45	Cleanout Installation (open trench) in concrete area (up to 5' deep)	25	Each	\$1,000.00	\$25,000.00
46	Cleanout Installation (for grass, asphalt or concrete surfaces) per V.F. beyond 5' in depth	50	V.F.	\$100.00	\$5,000.00
47	Install CIPP or FFP (CIRCLE ONE) Liner for 6" Gravity Sewer Main (up to 8' deep)	200	L.F.	\$35.00	\$7,000.00
48	Install CIPP or FFP (CIRCLE ONE) Liner for 8" Gravity Sewer Main (up to 7.9')	6,000	L.F.	\$26.00	\$156,000.00
49	Install CIPP or FFP (CIRCLE ONE) Liner for 8" Gravity Sewer Main (8' to 11.9' deep)	6,000	L.F.	\$26.00	\$156,000.00
50	Install CIPP or FFP (CIRCLE ONE) Liner for 8" Gravity Sewer Main (12' to 16' deep)	250	L.F.	\$26.00	\$6,500.00
51	Install CIPP or FFP (CIRCLE ONE) Liner for 10" Gravity Sewer Main (up to 7.9')	200	L.F.	\$27.00	\$5,400.00
52	Install CIPP or FFP (CIRCLE ONE) Liner for 10" Gravity Sewer Main (8' to 11.9' deep)	200	L.F.	\$28.00	\$5,600.00
53	Install CIPP or FFP (CIRCLE ONE) Liner for 10" Gravity Sewer Main (12' to 16' deep)	100	L.F.	\$28.00	\$2,800.00
54	Install CIPP or FFP (CIRCLE ONE) Liner for 12" Gravity Sewer Main (up to 7.9')	200	L.F.	\$32.00	\$6,400.00
55	Install CIPP or FFP (CIRCLE ONE) Liner for 12" Gravity Sewer Main (8' to 11.9' deep)	100	L.F.	\$32.00	\$3,200.00
56	Install CIPP or FFP (CIRCLE ONE) Liner for 12" Gravity Sewer Main (12' to 16' deep)	100	L.F.	\$35.00	\$3,500.00
57	Install CIPP or FFP (CIRCLE ONE) Liner for 15" Gravity Sewer Main (up to 7.9')	200	L.F.	\$43.00	\$8,600.00
58	Install CIPP or FFP (CIRCLE ONE) Liner for 15" Gravity Sewer Main (8' to 11.9' deep)	100	L.F.	\$43.00	\$4,300.00
59	Install CIPP or FFP (CIRCLE ONE) Liner for 15" Gravity Sewer Main (12' to 16' deep)	100	L.F.	\$43.00	\$4,300.00
60	Sewer Lateral grouting in preparation for lining (max. up to 10' long)	200	Each	\$255.00	\$51,000.00
61	Install T-liner in 6" to 12" Sewer Mains with 4" to 6" Sewer Laterals (include 25' of lateral at all depths)	20	Each	\$2,500.00	\$50,000.00
62	Install CIPP or FFP (CIRCLE ONE) liner in 4" to 6" laterals at all depths (25' of lateral)	25	Each	\$2,200.00	\$55,000.00
63	Install CIPP or FFP (CIRCLE ONE) liner in 4" to 6" laterals at all depths (per L.F. beyond 25' of lateral length)	100	L.F.	\$45.00	\$4,500.00

Bid Item No.	Item	Quantity	Units	Unit Price	Total
64	Install CIPP or FFP (<i>CIRCLE ONE</i>) mainline/lateral connection interface seal in any size main with 4" to 6" laterals, all depths	25	Each	\$2,000.00	\$50,000.00
65	8"x6" PVC Tee or Wye with Coupling	25	Each	\$1,000.00	\$25,000.00
66	10"x6" PVC Tee or Wye with Coupling	25	Each	\$1,500.00	\$37,500.00
67	12"x6" PVC Tee or Wye with Coupling	25	Each	\$2,000.00	\$50,000.00
68	Seal visible infiltration through manhole walls, bench and invert (brick manhole)	10	Each	\$661.50	\$6,615.00
69	Seal visible infiltration through manhole walls, bench and invert (concrete manhole)	10	Each	\$601.65	\$6,016.50
70	Repair Sewer Manhole bench and invert	15	Each	\$464.10	\$6,961.50
71	Replace Sewer Manhole bench and invert	15	Each	\$704.55	\$10,568.25
72	Wall Repair/Build Up for Excessive Interior Wall Surface Loss of Sewer Manhole	100	SQ. FT.	\$23.10	\$2,310.00
73	Replace Sewer Manhole Ring & Covers (in street pavement)	35	Each	\$2,157.75	\$75,521.25
74	Replace Sewer Manhole Ring & Covers (in non-paved area)	35	Each	\$1,554.00	\$54,390.00
75	Install Sewer Manhole Inflow Protectors	125	Each	\$185.85	\$23,231.25
76	Install New Standard Precast Concrete Sewer Manhole (4-ft Diam. 4' to 5.9' feet deep)	2	Each	\$5,500.00	\$11,000.00
77	Install New Standard Precast Concrete Sewer Manhole (4-ft Diam. 6' to 7.9' feet deep)	2	Each	\$6,200.00	\$12,400.00
78	Install New Standard Precast Concrete Sewer Manhole (4-ft Diam. 8' to 9.9' feet deep)	1	Each	\$7,300.00	\$7,300.00
79	Install New Standard Precast Concrete Sewer Manhole (4-ft Diam. 10' to 11.9' feet deep)	1	Each	\$9,000.00	\$9,000.00
80	Install New Standard Precast Concrete Sewer Manhole (4-ft Diam. 12' to 13.9' feet deep)	1	Each	\$12,000.00	\$12,000.00
81	Install New Standard Precast Concrete Sewer Manhole (4-ft Diam. 14' to 16' feet deep)	1	Each	\$13,000.00	\$13,000.00

Bid Item No.	Item	Quantity	Units	Unit Price	Total
82	Install New Drop Connection Precast Concrete Sewer Manhole (4-ft Diam. 4' to 5.9' feet deep)	1	Each	\$6,500.00	\$6,500.00
83	Install New Drop Connection Precast Concrete Sewer Manhole (4-ft Diam. 6' to 7.9' feet deep)	1	Each	\$7,400.00	\$7,400.00
84	Install New Drop Connection Precast Concrete Sewer Manhole (4-ft Diam. 8' to 9.9' feet deep)	1	Each	\$8,600.00	\$8,600.00
85	Install New Drop Connection Precast Concrete Sewer Manhole (4-ft Diam. 10' to 11.9' feet deep)	1	Each	\$9,800.00	\$9,800.00
86	Install New Drop Connection Precast Concrete Sewer Manhole (4-ft Diam. 12' to 13.9' feet deep)	1	Each	\$11,000.00	\$11,000.00
87	Install New Drop Connection Precast Concrete Sewer Manhole (4-ft Diam. 14' to 16' feet deep)	1	Each	\$13,000.00	\$13,000.00
88	Install 6" through 12" PVC Drop Pipe For Manholes (for all depths)	5	Each	\$2,000.00	\$10,000.00
89	Demolition/Removal & Disposal Existing Sewer Manhole	1	Each	\$1,000.00	\$1,000.00
90	Install Coating to Sewer Manhole (4-ft Diam. Existing Brick Manhole)	100	V.F.	\$253.05	\$25,305.00
91	Install Coating to Sewer Manhole (4-ft Diam. Existing Precast Concrete Manhole)	100	V.F.	\$235.20	\$23,520.00
92	Install Thermo-Plastic Cast-In Liner to Sewer Manhole (4-ft Diam. Existing Precast Concrete Manhole)	50	V.F.	\$735.00	\$36,750.00
93	Asphalt Driveway Replacement (Restoration)	550	SQ. YD.	\$45.00	\$24,750.00
94	Concrete Driveway Replacement (Restoration)	200	SQ. YD.	\$45.15	\$9,030.00
95	Asphalt Pavement Removal	750	SQ. YD.	\$2.00	\$1,500.00
96	Concrete Pavement Removal	250	SQ. YD.	\$10.00	\$2,500.00
97	Asphalt Pavement Overlay (1.5" thick. Asphalt Type S-III; 20 to 100 tons per work area)	100	Tons	\$210.00	\$21,000.00
98	Concrete Sidewalk Replacement	550	SQ. YD.	\$39.90	\$21,945.00
99	Asphalt Sidewalk Replacement	550	SQ. YD.	\$36.00	\$19,800.00
100	Concrete Curb and Gutter Replacement	500	L.F.	\$21.00	\$10,500.00
101	Density Test	75	Each	\$60.00	\$4,500.00
102	Proctor Test	25	Each	\$150.00	\$3,750.00

Bid Item No.	Item	Quantity	Units	Unit Price	Total
103	Sod Replacement (St Augustine, Bahia or Bermuda)	5,000	SQ. YD.	\$3.60	\$18,000.00
104	Demucking with Imported Clean Fill	2,000	CU. YD.	\$17.00	\$34,000.00
105	Maintenance of Traffic (M.O.T.)	10,000	L.F.	\$2.50	\$25,000.00
106	Preconstruction Manhole Survey (Condition Assessment)	500	Each	\$183.75	\$91,875.00
107	Smoke Testing of Gravity Sewer Mains and Laterals	10,000	L.F.	\$1.30	\$13,000.00
108	4" Line Stop	4	Each	\$1,575.00	\$6,300.00
109	6" Line Stop	4	Each	\$2,100.00	\$8,400.00
110	8" Line Stop	4	Each	\$2,520.00	\$10,080.00
111	10" Line Stop	2	Each	\$3,255.00	\$6,510.00
112	12" Line Stop	2	Each	\$3,570.00	\$7,140.00
113	16" Line Stop	2	Each	\$6,510.00	\$13,020.00
114	Pre-Construction Video	10,000	L.F.	\$1.00	\$10,000.00
115	Expedited Mobilization for Emergency Work (within 24 hours of request)	3	Each	\$3,500.00	\$10,500.00
116	Contract Allowance for Miscellaneous Items	1	L.S.	\$25,000.00	\$25,000.00
TOTAL BASE BID (Bid Item Nos. 1-116)					\$2,652,238.75

Two Million Six Hundred Thirty Two Thousand Two Hundred Thirty Eight Dollars and Seventy Five Cents

(The Total Base Bid Price is to be written in numerical figures above. In case of discrepancies, the unit price shown for each bid item shall govern and the corrected Total Base Bid Price shall be calculated as such.)

Bid Item Notes:

Bid Item No. 97 Includes prime coat, tack coat, base, subgrade and 1.5" of 5-3 Asphalt as required per FDOT Specifications. Includes all earthwork items for roadway and existing sewer manhole removal/replacement. Also includes compaction of subgrade to specifications and all grading and/or shaping required for final restoration.

Bid Item No. 98 & 99 Shall include pedestrian maintenance of traffic in accordance with the contract specifications.

IMPORTANT: Bidder shall circle one lining method on the Bid Items 47-59 & 62-64. Cured-in-Place (CIPP) or Fold-and-Form (FFP). If one of the two lining methods is NOT circled for these bid items, the BID WILL BE REJECTED.

General Note:

Contract award shall be made upon the basis of the lowest responsive responsible bidder.

Contractor's unit prices shall be held firm without adjustment and the County reserves the right to award any portion of the total bid dollar amount.

Victor
Approved in CIP
Date: 4/27/15

AMENDMENT NO. 1 TO THE LINING CONTINUING CONSTRUCTION CONTRACT

PROJECT: Continuing Contract For Wastewater Gravity Lines & Manhole Rehabilitation

Amendment No.: 1	WATER UTIL. DEPT. PROJECT NO.: WUD 12-063B
Contractor: Lanzo Lining Services, Inc.	
d/b/a Lanzo Trenchless Technologies South	DOCUMENT NO. R2014-0521
125 S.E. 5th Court	CONTRACT DATE: April 15, 2014
Deerfield Beach, FL 33441	DISTRICTS: Countywide
	BUDGET LINE ITEM: 4011-721-W031-6547

You are directed to make the following changes to this Contract:

1. Increase the contract time **April 15, 2015 through April 14, 2016.**
2. Increase the unit prices in the contract amount by 00.0% as per the U.S. Department of Labor, Bureau of Labor Statistics Consumer Price Index (CPI) increasing the total contract amount by \$000,000.

NOT VALID UNTIL SIGNED BY BOTH OWNER AND ENGINEER. SIGNATURE OF THE CONTRACTOR INDICATES HIS AGREEMENT HEREWITH INCLUDING ANY ADJUSTMENT IN THE CONTRACT SUM, UNIT PRICES OR CONTRACT TIME, AND NO ADDITIONAL COST OR TIME INDICATED HEREIN WILL BE RELATED TO THIS CHANGE

The Original Contract Sum was	\$ 2,632,238.75
Net Change by previous Amendments	\$ XX,XXX.XX
The Contract Sum prior to this Amendment was	\$2,632,238.75
The Contract Sum will be increased by this Amendment	\$ XX,XXX.XX
The New Contract Sum indicating this Amendment will be	\$ XX,XXX.XX
The Authorization Time will be increased by 365 days	(365) Days
The 12-Month Year Expiration Date of the Contract including this Amendment:	April 14, 2016

R20150496

<u>Palm Beach County</u>	Lanzo Lining Services, Inc. d/b/a Lanzo Trenchless Technologies South	<u>Palm Beach County</u>
ENGINEER	CONTRACTOR	OWNER
P.O. Box 16097	125 S.E. 5th Court	P.O. Box 16097
Address	Address	Address
W. Palm Beach, FL 33416	Deerfield Beach, FL 33441	W. Palm Beach, FL 33416
BY <u>[Signature]</u>	BY <u>[Signature]</u>	BY <u>[Signature]</u>
Maurice Tobon, P.E. Director of Engineering		Shelley Vana, Mayor
DATE <u>4/1/15</u>	DATE <u>3/31/15</u>	DATE <u>APR 21 2015</u>

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]
County Attorney

-Corporate Seal -

ATTEST:
Sharon R. Bock
Clerk and Comptroller

[Signature]
Deputy Clerk



AGREEMENT FOR SANITARY SEWER REHABILITATION
(Palm Beach County Piggy-Back)

THIS AGREEMENT ("Agreement" hereafter) is made as of the _____ day of _____, 2015, by and between the CITY OF LAKE WORTH, 7 N. Dixie Highway, Lake Worth, FL 33460, a municipal corporation organized and existing under the laws of the State of Florida, ("CITY" hereafter), and LANZO LINING SERVICES, INC. - FLORIDA, 125 S.E. 5th Court, Deerfield Beach, FL 33441, a corporation authorized to do business in the State of Florida ("CONTRACTOR" hereafter).

RECITALS

WHEREAS, the CITY's water utility department needs to repair sanitary sewer mains and rehabilitate sanitary sewer manholes at various locations; and,

WHEREAS, on or about April 15, 2014, Palm Beach County awarded a continuing contract for wastewater gravity lines and manhole rehabilitation (Project No. WUD 12-063) to the CONTRACTOR based on unit prices submitted by the CONTRACTOR in response to an invitation to bid issued by Palm Beach County ("Palm Beach County Contract" hereafter); and,

WHEREAS, the term of the Palm Beach County Contract is for one (1) year; and,

WHEREAS, the term of the Palm Beach County Contract has been extended for one (1) additional year; and,

WHEREAS, the CITY has requested and the CONTRACTOR has agreed to extend the terms and conditions of the Palm Beach County Contract to the CITY for its repair needs at the mobile home park; and,

WHEREAS, the specific repair needs of the City are covered by the unit prices set forth in the Palm Beach County Contract for specific types of work; and,

WHEREAS, the CITY has reviewed the unit prices from the Palm Beach County Contract and determined that the unit prices are competitive and will result in the best value to the CITY.

NOW THEREFORE, in consideration of the mutual promises set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Recitals. The parties agree that the recitals set forth above are true and correct and are fully incorporated herein by reference.
2. Palm Beach County Contract. The Palm Beach County Contract (along with the CONTRACTOR's responsive bid thereto) is hereby incorporated by reference into and expressly made a part of this Agreement as if set forth at length herein. The term of this Agreement shall be consistent with the term of the Palm Beach County Contract and shall expire no later than April 14, 2016 or an earlier date if all work is completed prior to April 14, 2016 or otherwise the

Agreement is terminated by the parties. The following requirements of the Palm Beach County Contract are waived:

- a. Permits (if applicable) will be as required by the CITY but permit fees will be waived or a direct pass through cost paid by the CITY; and,
- b. The SBE goals, forms and payment requirements are waived.

3. Purchase Orders. The CITY's ordering mechanism for all services provided and performed under this Agreement shall be a CITY issued Purchase Order; however, the contractual terms and conditions stated in the CITY issued Purchase Order shall not apply. CONTRACTOR shall not perform any services under this Agreement without a CITY issued Purchase Order specifically for this purpose and including the statement of work. CONTRACTOR shall not perform work which is outside the scope of work provided in the Purchase Order and the CONTRACTOR shall not exceed the expressed amounts stated in the Purchase Order to be paid for CONTRACTOR's services. For each issued Purchase Order, the CONTRACTOR shall provide the CITY with a certificate of compliance with the Trench Safety Act (if applicable). The term of each Purchase Order shall be stated therein. The pricing in each Purchase Order shall be consistent with the pricing set forth in the Palm Beach County Contract. Each issued Purchase Order shall be incorporated into this Agreement and made a part hereof.

4. Conflict of Terms and Conditions. Conflicts between documents that make up this Agreement shall be resolved in the following order of precedence:

- a. CITY issued Purchase Order(s);
- b. This Agreement;
- c. The Palm Beach County Contract; and,
- d. Exhibit "A" to this Agreement.

5. Compensation to CONTRACTOR. Payments by the CITY to the CONTRACTOR under this Agreement shall not exceed the amount of compensation stated in **Exhibit "A"**, which is the CONTRACTOR's proposal (dated ~~May 20,~~ ^{June 3,} 2015) to the CITY for the work required herein consistent with the unit prices in the Palm Beach County Contract. Exhibit "A" is attached hereto and incorporated herein. CONTRACTOR shall submit invoices to the CITY for review and approval by the CITY's representative, indicating that all services have been provided and rendered in conformity with this Agreement and then will be sent to the Finance Department for payment. CONTRACTOR will invoice the CITY in advance for each payment period. Invoices will normally be paid within thirty (30) days following the CITY representative's approval. CONTRACTOR waives consequential or incidental damages for claims, disputes or other matters in question arising out of or relating to this Agreement. In order for both parties herein to close their books and records, CONTRACTOR will clearly state "final invoice" on the CONTRACTOR's final/last billing to the CITY. This certifies that all services have been properly performed and all charges have been invoiced to the CITY. Since this account will thereupon be closed, any and other further charges if not properly included in this final invoice are waived by the CONTRACTOR. The CITY will not be liable for any invoice from the CONTRACTOR submitted thirty (30) days after the provision of all services. CJH
per email.

6. Warranty/Guaranty. Unless a longer period is stated in the Palm Beach County Contract, CONTRACTOR warrants that its services provided under this Agreement will be free of defects in materials and workmanship for a period of one (1) year following delivery and completion of those goods and services.

7. Miscellaneous Provisions.

A. This Agreement shall be governed by the laws of the State of Florida. Any and all legal action necessary to enforce this Agreement will be held in Palm Beach County. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

B. Except for any obligation of the CONTRACTOR to indemnify the CITY, if any legal action or other proceeding is brought for the enforcement of this Agreement, or because of an alleged dispute, breach, default or misrepresentation in connection with any provisions of this Agreement, each party shall be liable and responsible for their own attorney's fees incurred in that enforcement action, dispute, breach, default or misrepresentation. FURTHER, TO ENCOURAGE PROMPT AND EQUITABLE RESOLUTION OF ANY LITIGATION, EACH PARTY HEREBY WAIVES ITS RIGHTS TO A TRIAL BY JURY IN ANY LITIGATION RELATED TO THIS AGREEMENT.

C. If any term or provision of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, to remainder of this Agreement, or the application of such terms or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

D. All notices required in this Agreement shall be sent by certified mail, return receipt requested or by nationally recognized overnight courier, and sent to the addresses appearing on the first page of this Agreement.

E. The CITY and the CONTRACTOR agree that this Agreement (and the other documents described herein) sets forth the entire agreement between the parties, and that there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in this Agreement may be added to, modified, superseded or otherwise altered, except by written instrument executed by the parties hereto. Any provision of this Agreement which is of a continuing nature or imposes an obligation which extends beyond the term of this Agreement shall survive its expiration or earlier termination.

F. **PUBLIC RECORDS:** Effective July 1, 2013, pursuant to section 119.0701, Florida Statutes, the CONTRACTOR shall comply with Florida's Public Records Act, Chapter 119, Florida Statutes, and specifically agrees to:

Keep and maintain all public records that ordinarily and necessarily would be required by the CITY to keep and maintain in order to perform the services under this Agreement.

Provide the public with access to said public records on the same terms and conditions that the CITY would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.

Ensure that said public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

Meet all requirements for retaining said public records and transfer, at no cost, to the CITY all said public records in possession of the CONTRACTOR upon termination of the Agreement and destroy any duplicate public records that are exempt or confidential and exempt from Chapter 119, Florida Statutes, disclosure requirements. All records stored electronically must be provided to the CITY in a format that is compatible with the information technology systems of the CITY.

- G. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, and will become effective and binding upon the parties as of the effective date at such time as all the signatories hereto have signed a counterpart of this Agreement.
- H. If any term or provision of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, to remainder of this Agreement, or the application of such terms or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK
SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the CITY and CONTRACTOR hereto have made and executed this Agreement for Mobile Home Park Sanitary Sewer Rehabilitation as of the day and year first above written.

CITY OF LAKE WORTH, FLORIDA

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, City Clerk

Approved as to form and legal sufficiency:

CJT for

Glen J. Torcivia, City Attorney

CONTRACTOR:

LANZO LINING SERVICES, INC. - FLORIDA

By: _____
[Signature]

[Corporate Seal]

Print Name: Fred Tingberg

Title: Asst Secretary

STATE OF Florida)
COUNTY OF Broward)

The foregoing instrument was acknowledged before me this 8 day of June, 2015 by Fred Tingberg, as Asst Secretary (title), of LANZO LINING SERVICES, INC. - FLORIDA, a corporation authorized to do business in the State of Florida, and who is personally known to me or who has produced the following _____ as identification.



J. TILLI
MY COMMISSION # FF 016677
EXPIRES: May 9, 2017
Bonded Thru Budget Notary Services

[Signature]
NOTARY PUBLIC

EXHIBIT "A"
(CONTRACTOR'S PROPOSAL DATED MAY 20, 2015)

June 2,

CJA
per-email



*Delivering innovative trenchless technology solutions
to rehabilitate the world's diverse infrastructure*

June 2, 2015

City of Lake Worth
301 College Street
Lake Worth, FL 33461

Att: Ms. Monica Shaver

SUBJECT: 6th Ave project from South A Street to Lakeside Drive
15th Ave South & sanitary Sewer Manhole List
Piggyback of PBC WUD 12-063B

We would propose to furnish the necessary labor, supervision and equipment to perform manhole condition assessment, bypass pumping, MOT, cleaning, root removal, CIPP Lining, Structural Spray Applied Manhole Coating as outlined in the Scope of Work below.

SCOPE OF WORK

Contract Item #/Description		Unit	Total
A Street to RR Tracks			
29	Clean & TV	1833lf	\$5.00/lf \$ 9,165.00
33	Root Removal	1833lf	\$8.25/lf \$ 15,122.25
42	Bypass Pumping	10 day	\$2500.00/day \$ 25,000.00
X	15" VCP CIPP Lining	1833lf	\$43.00/lf \$ 78,819.00
105	MOT	1833lf	\$2.50/lf \$ 4,582.50
106	Preconst. MH Condition Assess	7 each	\$183.25/ea. \$ 1,282.75
90	Manhole Rehab	56 vf	\$235.00/vf \$ 13,160.00
Subtotal			\$147,135.50
RR Tracks to S Lakeside Drive			
29	Clean & TV	2932lf	\$5.00/lf \$ 14,660.00
33	Root Removal	2932lf	\$8.25/lf \$ 24,189.00
42	Bypass Pumping	10 day	\$2500.00/day \$ 25,000.00
X	15" VCP CIPP Lining	2932lf	\$43.00/lf \$126,076.00
105	MOT	2932lf	\$2.50/lf \$ 7,330.00
106	Preconst. MH Condition Assess	12 each	\$183.25/ea. \$ 2,199.00
70	Manhole Bench Rehab	12 each	\$464.10/ea \$ 5,569.20
90	Manhole Rehab	90 vf	\$235.00/vf \$ 21,150.00
Subtotal			\$226,173.20

15th Ave South

29	Clean & TV	1503 lf	\$5.00/lf	\$ 7,515.00
33	Root Removal	1503lf	\$8.25/lf	\$ 12,399.75
42	Bypass Pumping	10 day	\$2500.00/day	\$ 25,000.00
X	24" VCP CIPP Lining	1503lf	\$68.80/lf	\$103,406.40
105	MOT	1503lf	\$2.50/lf	\$ 3,757.50
106	Preconst. MH Condition Assess	8 each	\$183.25/ea.	\$ 1,466.00
70	Manhole Bench Rehab	8 each	\$464.10/ea	\$ 3,712.80
90	Manhole Rehab	68 vf	\$235.00/vf	\$ 15,980.00

Subtotal \$173,237.45

Sanitary Sewer Manhole List

106	Preconst. MH Condition Assess	101 each	\$183.25/ea.	\$ 18,508.25
70	Manhole Bench Rehab	101 each	\$464.10/ea	\$ 46,874.10
90	Manhole Rehab	1010 vf	\$235.00/vf	\$237,350.00

Subtotal \$302,732.25

Fordham

29	Clean & TV	2888lf	\$5.00/lf	\$ 14,440.00
33	Root Removal	2888lf	\$8.25/lf	\$ 23,826.00
42	Bypass Pumping	10 day	\$2500.00/day	\$ 25,000.00
X	10" VCP CIPP Lining	1373lf	\$28.00/lf	\$ 38,444.00
X	8" VCP CIPP Lining	1555lf	\$26.00/lf	\$ 40,430.00
105	MOT	2888lf	\$2.50/lf	\$ 7,220.00
106	Preconst. MH Condition Assess	12 each	\$183.25/ea.	\$ 2,199.00
70	Manhole Bench Rehab	12 each	\$464.10/ea	\$ 5,569.20
90	Manhole Rehab	90 vf	\$235.00/vf	\$ 21,150.00

Subtotal \$178,278.20

TOTAL ESTIMATE \$1,027,556.60

EXCLUSIONS

- Any special permits or fees, safe access to inlet & outlet, clean potable water (within 1000' of inlet/ outlet or manhole structures; additional traffic control should it be necessary to provide more than standard traffic cones and signs.

If you find the above proposal satisfactory, please provide a legal and binding contract accompanied with a purchase order number and project schedule. To schedule the above services, please contact our office as soon as possible.

Respectfully submitted,

Fred Tingberg Jr.

Fred Tingberg, Jr. Assistant secretary



CITY OF LAKE WORTH

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

DRAFT AGENDA

CITY OF LAKE WORTH CITY COMMISSION MEETING CITY HALL COMMISSION CHAMBER TUESDAY, JULY 14, 2015 - 6:00 PM

1. **ROLL CALL:**
2. **INVOCATION:** Pastor Steve Wipperman, Our Savior Lutheran Church
3. **PLEDGE OF ALLEGIANCE:**
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:**
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
 - A. First Amendment to RTT-Benny's On The Beach Lease (waiting for signed amendment)
10. **PUBLIC HEARINGS:**
11. **UNFINISHED BUSINESS:**
12. **NEW BUSINESS:**
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-

Agenda Date: July 14, 2015 Regular Meeting

Agendaed items)

C. PUBLIC HEARING:

D. NEW BUSINESS:

14. CITY ATTORNEY'S REPORT:

15. CITY MANAGER'S REPORT:

A. August 4, 2015 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.