



## 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, AUGUST 04, 2015 - 6:00 PM**

1. **ROLL CALL:**
2. **INVOCATION:** Reverend Frederick James Sr., Grant Chapel AME 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. Recognition of PBSO Captain Rolando Silva
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**
  - A. City Commission Budget Work Session - June 30, 2015
  - B. City Commission Meeting - July 14, 2015
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
  - A. Resolution No. 41-2015 - interlocal agreement for the membership expansion of the Palm Beach Metropolitan Planning Organization (MPO)
  - B. First Amendment to a Lease with RTT Benny's On the Beach, Inc. for additional space
  - C. Contract with Rosso Site Development for the 7th Avenue South roadway and watermain improvements project
  - D. Purchase two new vehicles for the Electric Utility Department
  - E. Task Order No. 7 with URS Corporation, a Division of AECOM, for engineering design, permitting, and bid phase services for the water plant acid dilution project

Agenda Date: August 4, 2015 Regular Meeting

- F. Contract with Electron Corp. of South Florida for the replacement of two variable frequency drives at the Master Pump Station
- G. Task Order No. 6 with Mathews Consulting, Inc. for engineering services for lime system upgrades and improvements
- H. Settlement and Relocation and Reconstruction Agreements with Clear Channel Outdoor, Inc.

**10. PUBLIC HEARINGS:**

- A. Ordinance No. 2015-04 - Second Reading and Second Public Hearing - amend various sections and tables in the Land Development Regulations
- B. Ordinance No. 2015-05 - Second Reading and Public Hearing - consider a major amendment to a Residential Planned Development (RPD) located at the northeast intersection of North Dixie Highway and 3rd Avenue North
- C. Resolution No. 42-2015 - Public Hearing - issue a revocable permit for property located at 1632 North K Street

**11. UNFINISHED BUSINESS:**

**12. NEW BUSINESS:**

- A. Ordinance No. 2015-08 - First Reading - allow future municipal election date changes in the event of any countywide or statewide election in March and schedule the public hearing date for August 18, 2015
- B. Amendment 5 to the Law Enforcement Services Agreement with the Palm Beach County Sheriff's Office through September 30, 2016
- C. Village of Palm Springs claim for additional franchisee fees for electric revenues
- D. First Amendment to an Agreement with USP Technologies to provide odor control treatment in the City's sewer collection system

**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 items)

**C. PUBLIC HEARING:**

Agenda Date: August 4, 2015 Regular Meeting

**D. NEW BUSINESS:**

- 1) Contract with Alpha-Omega Training & Compliance, Inc. for no. 8 fuel tank cleaning

**14. CITY ATTORNEY'S REPORT:**

**15. CITY MANAGER'S REPORT:**

- A. August 18, 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.



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**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** City Commission

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### **EXECUTIVE BRIEF**

**TITLE:**

Resolution No. 41-2015 – interlocal agreement for the membership expansion of the Palm Beach Metropolitan Planning Organization

**SUMMARY:**

This Resolution will provide for a voting representative for the Village of Palm Springs and permanent seats for the City of Greenacres and the Village of Royal Palm Beach.

**BACKGROUND AND JUSTIFICATION:**

The Palm Beach Metropolitan Planning Organization (MPO) is currently comprised of 19 elected officials in the County, which includes the City of Greenacres and the Village of Royal Palm Beach rotating one seat on an annual basis.

In October 2004 an interlocal agreement was signed by all jurisdictions that are represented on the MPO Board. In 2014, the Florida Legislature amended Florida Statutes 339.175(3) to increase the maximum number of apportioned members from 19 to 25.

On July 17, 2014, the Palm Beach MPO approved the addition of two seats for a total of 21. The membership change includes the addition of the Village of Palm Springs as a new member and providing a permanent seat to both the City of Greenacres and the Village of Royal Palm Beach. This interlocal agreement between the Florida Department of Transportation, Palm Beach County, and City of Lake Worth implements this membership change.

**MOTION:**

I move to approve/disapprove Resolution No. 41-2015.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Interlocal Agreement  
Resolution



## CITY OF LAKE WORTH

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**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Leisure Services

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### **EXECUTIVE BRIEF**

**TITLE:**

First Amendment to a Lease with RTT Benny's On the Beach, Inc. for additional space

**SUMMARY:**

The Amendment will allow for an additional 400 square feet of space adjacent to and west of the existing premise for food and beverage services.

**BACKGROUND AND JUSTIFICATION:**

On February 11, 2014, the City entered into a lease with RTT - Benny's On The Beach, Inc. for use of city owned property located on the City of Lake Worth Municipal Pier for use as a restaurant with incidental retail sales and a bait shop. Earlier this year, Benny's On The Beach approached the City about using an extra 400 square feet of space adjacent to and west of the lease premises for additional food and beverage services. The City and Benny's On The Beach have negotiated a price of \$15 per square foot as the annual payment to the City for the Patio Area, which is to be made in monthly installments of \$500 per month to the City. This is similar to the concept to the Patio lease existing at the Casino Building. Benny's On The Beach has been using the Patio Area since March 1, 2015 and agrees to pay the City \$2,500 in recognition of such use through August 1, 2015.

**MOTION:**

I move to approve/not approve the First Amendment to a Lease with RTT-Benny's On The Beach, Inc.

**ATTACHMENT(S):**

Fiscal Impact Analysis  
Amendment  
Patio Area Map

**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            |
| Additional Revenues                               | 3,500        | 6,000        | 6,000        | 6,000        | 6,000        |
| Program Income                                    | 0            | 0            | 0            | 0            | 0            |
| In-kind Match                                     | 0            | 0            | 0            | 0            | 0            |
| <b>Net Fiscal Impact</b>                          | <b>3,500</b> | <b>6,000</b> | <b>6,000</b> | <b>6,000</b> | <b>6,000</b> |
| <b>No. of Addn'l Full-Time Employee Positions</b> | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     | <b>0</b>     |

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

The Beach Fund will receive additional revenues of \$3,500: for the period March 1<sup>st</sup> 2015 through September 30, 2015; and additional patio rent of \$6,000 annually starting in FY 2016.

| <b>Leisure Services</b>   | <b>Benny's-on-the-Beach (RTT) Amended Contract</b> |                       |                          |               |                            |                           |
|---------------------------|--|-----------------------|--------------------------|---------------|----------------------------|---------------------------|
| <b>Account Number (s)</b> | <b>Account Description</b>                         | <b>FY 2015 Budget</b> | <b>Available Balance</b> | <b>Proj #</b> | <b>Additional Revenues</b> | <b>FY 2015 Est. Total</b> |
| <b>140-0000-362-40-00</b> | Pier Revenues                                      | 240,000               | -                        | N/A           | 3,500                      | 243,500                   |

C. Department Fiscal Review: \_JR\_



## CITY OF LAKE WORTH

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**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Public Services

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### **EXECUTIVE BRIEF**

#### **TITLE:**

Contract with Rosso Site Development for the 7th Avenue South roadway and watermain improvements project

#### **SUMMARY:**

The Contract authorizes construction of a new roadway, greenway section, watermain upgrades, stormwater upgrades, sidewalk, traffic calming, curb and gutter, sodding, landscape, and striping/signage along 7<sup>th</sup> Avenue South from South A to South F Streets.

#### **BACKGROUND AND JUSTIFICATION:**

The 7<sup>th</sup> Avenue South right of way is currently unimproved and consists of weeds and sandy shellrock base. Because of its condition, staff has identified this roadway as part of the overall direction of the Commission to improve the Community Development Block Grant (CDBG) area and convert these unimproved right of ways to better serve the public and further remove blight. The project was brought forth to the public during District 1 neighborhood meetings, neighborhood association meetings, an evening neighborhood meeting for direct local input, and at Commission workshop meetings.

The project is funded through CDBG with the watermain component being directly funded through Water Utilities capital improvement funds. The grant funding will cover the cost of the design, inspections, all roadway work, stormwater construction, and all other components of the project.

The City received five bids in response to its Request For Bid and Rosso Site Development, a local contractor, was the lowest, responsive, and responsible bidder for an amount of \$643,140.47.

#### **MOTION:**

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

#### **ATTACHMENT(S):**

- A. Fiscal Impact Analysis
- B. Bid Tabulation
- C. Contract Agreement between the City of Lake Worth and Palm Beach County for reimbursement of construction costs up to a maximum of \$417,105.00.
- D. Construction Contract with Rosso Site Development, Inc.

**FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

| Fiscal Years             | 2015              | 2016     | 2017     | 2018     | 2019     |
|--------------------------|-------------------|----------|----------|----------|----------|
| Capital Expenditures     | 643,140.47        | 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        |
| <b>Net Fiscal Impact</b> | <b>643,140.47</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |

|  |   |   |   |   |   |
|--|---|---|---|---|---|
| No. of Addn'l Full-Time Employee Positions | 0 | 0 | 0 | 0 | 0 |
|--|---|---|---|---|---|

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

| Public Services    |  |                 |                                    |                  |                           |                   |
|--------------------|--|-----------------|------------------------------------|------------------|---------------------------|-------------------|
| Account Number     | Account Description                                  | Contract Amount | Project #                          | Pre Exp; Balance | Expenditure for this item | Post Exp; Balance |
| 180-9710-539.63-15 | Grant Funds /Improve Other than Build Infrastructure | \$643,140.47    | FG1405 CDBG 7 <sup>th</sup> Ave S. | 725,906.70       | -\$379,687.60             | \$346,219.10      |

| Water Utilities    |  |                 |                                   |                  |                           |                   |
|--------------------|--|-----------------|-----------------------------------|------------------|---------------------------|-------------------|
| Account Number     | Account Description                              | Contract Amount | Project #                         | Pre Exp; Balance | Expenditure for this item | Post Exp; Balance |
| 402-7022-533.63-00 | Water Utility Service / Improve other than Build | \$643,140.47    | FG1405 CDBG 7 <sup>th</sup> Ave S | 416,695.80       | -\$263,452.87             | 153,242.93        |

**C. Department Fiscal Review: \_\_JB\_\_**



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**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Public Services

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### **EXECUTIVE BRIEF**

#### **TITLE:**

Purchase two new vehicles for the Electric Utility Department

#### **SUMMARY:**

The Purchase will replace two (2) vehicles for the Electric Utilities Department due to the current vehicles reaching the end of their useful lives and becoming too costly to repair.

#### **BACKGROUND AND JUSTIFICATION:**

The Electric Utilities Department is replacing Vehicle #253 (1999 Chevy 3500 4x4 pickup truck) that has over 110,000 miles on it. The vehicle is currently driven by the Transmission and Distribution Division (T&D) and is utilized daily throughout the City. The vehicle has reached the end of its useful life and has become too costly to repair. The replacement vehicle will be a 2015 GMC 2500HD at a cost not to exceed \$37,741.50 and be purchased through the State of Florida's Term Contract cooperative purchase agreement. A portion of the purchase cost is being funded directly by Electric Utilities for additional items on the truck (body boxes, lighting, etc.).

The existing vehicle (#253) will be auctioned off once the new vehicle is delivered to the City.

The Electric Utilities Dept. is also replacing Vehicle #245 (2004 Chevy Blazer) that has over 100,000 miles on it. The vehicle is currently driven primarily by the Energy Delivery Manager and is utilized daily throughout the City to supervise field crews and for emergency response calls. The vehicle has reached the end of its useful life and has become too costly to repair. The replacement vehicle will be a 2015 GMC Terrain at a cost not to exceed \$25,906 and will be purchased through the Florida Sheriff's Association Cooperative purchase agreement.

The existing vehicle (#245) will be auctioned off once the new vehicle is delivered to the City.

#### **MOTION:**

I motion to approve / not approve the purchase of two new replacement vehicles for the Electric Utilities Dept.

#### **ATTACHMENT(S):**

Fiscal Impact Analysis

2015 GMC Sierra 2500HD – Dealer quote

2015 GMC Terrain – Dealer quote

2015 GMC Terrain – Florida Sheriff's Association cost summary

**FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

| Fiscal Years                               | 2015      | 2016 | 2017 | 2018 | 2019 |
|--|-----------|------|------|------|------|
| Capital Expenditures                       | 63,647.50 | 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                          | 63,647.50 | 0    | 0    | 0    | 0    |
| No. of Addn'l Full-Time Employee Positions | 0         | 0    | 0    | 0    | 0    |

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

| Public Services    |                                    |               |           |                  |                           |                   |
|--------------------|------------------------------------|---------------|-----------|------------------|---------------------------|-------------------|
| Account Number     | Account Description                | FY2015 Budget | Project # | Pre Exp; Balance | Expenditure for this item | Post Exp; Balance |
| 530-9010-549.64-30 | Machinery and Equipment / Vehicles | 2,004,161     | N/A       | 958,247.88       | 54,596.00                 | 903,651.88        |

| Electric Utilities |                          |               |           |                  |                           |                   |
|--------------------|--------------------------|---------------|-----------|------------------|---------------------------|-------------------|
| Account Number     | Account Description      | FY2015 Budget | Project # | Pre Exp; Balance | Expenditure for this item | Post Exp; Balance |
| 401-6034-531.46-27 | Repair / Maint. Services | 154,060       | N/A       | 50,846.53        | \$9,051.50                | 41,795.03         |

The additional cost of \$9,051.50 included above relates to outfitting the vehicles with special accessories and fixtures unique to the departments and their functions.

C. Department Fiscal Review: \_\_\_\_\_



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

**AGENDA DATE:** August 4, 2015 Regular Meeting

**DEPARTMENT:** Water/Sewer Utilities

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**EXECUTIVE BRIEF**

**TITLE:**

Task Order No. 7 with URS Corporation, a Division of AECOM, for engineering design, permitting, and bid phase services for the Water Plant Acid Dilution project

**SUMMARY:**

The Task Order authorizes URS Corporation to complete engineering design, permitting, bid phase and construction phase services for the Water Plant Acid Dilution project for a price not to exceed \$44,967.

**BACKGROUND AND JUSTIFICATION:**

Sulfuric acid is used to increase the acidity of the water during the Reverse Osmosis (RO) water treatment process. Sulfuric acid is fed at two locations: (1) the incoming raw watermain, and (2) the permeate line after the RO trains. This helps to prevent scale formation in the RO membranes, and aids in the hydrogen sulfide removal of the aeration process.

Sulfuric acid is currently stored and fed at a concentration of 93%, which is highly corrosive and dangerous to handle. The acid is stored in a separate room, and is piped through the membrane treatment room to the injection points. The plant was designed to be able to handle a maximum concentration of 98%. This project will dilute the sulfuric acid that is piped through the plant to the dosing sites to a concentration of less than 10%. The diluted acid will greatly reduce the health and safety risk associated with the acid system, and reduce plant maintenance costs. This project will also include the repair of the 20 inch raw water main injection port that was recently damaged due to the corrosiveness of the 93% concentrated acid.

URS Corporation was the Engineering Consulting firm selected by the City of Lake Worth as the number three ranked firm for a continuing services contract, per **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 engineering design, permitting, bid phase and construction phase services for the Water Plant Acid Dilution project by the Lake Worth Water Utilities Department.

**MOTION:**

I move to approve/disapprove Task Order no. 7 URS Corporation, a Division of AECOM, for engineering design, permitting, bid phase and construction phase services for the Water Plant Acid Dilution project for a price not to exceed \$44,967

Attachments

- 1) Fiscal Analysis
- 2) URS Corporation Task Order 6 Proposal – Water Plant Acid Dilution

## 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 | 44,967 | 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      | 44,967 | 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 Treatment 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 |
| 402-7022-533.34-50         | Water Treatment Contractual | N/A       | \$249,400               | \$249,400      | \$51,846.71     | -\$44,967                | \$6,879.71        |

### C. Fiscal Review:

Larry Johnson – Director  
 Monica Shaner –Assistant Director



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

**AGENDA DATE:** August 4, 2015 Regular Meeting

**DEPARTMENT:** Water/Sewer Utilities

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**EXECUTIVE BRIEF**

**TITLE:**

Contract with Electron Corp. of South Florida for the replacement of two Variable Frequency Drives at the Master Pump Station

**SUMMARY:**

The contract authorizes Electron Corp. of South Florida to furnish and install two Variable Frequency Drives (VFD) at the Master Pump Station at a cost not to exceed \$145,721 (IFB# 15-108).

**BACKGROUND AND JUSTIFICATION:**

The Master Pump Station located in Bryant Park is a part of the key infrastructure of the Subregional wastewater system that serves Lake Worth and seven municipal/government partners. There are currently four 400hp submersible pumps in the station that transfer flows through a 36" force main to the County portion of the regional system. Three of these pumps are driven by VFD's. In 2013, VFD #103 was replaced after it was damaged by an electrical surge. The parts for the original VFD's are no longer available.

This project will replace the remaining two Variable Frequency Drives, #101 and 102, which have been identified as vulnerable equipment items. Replacing VFD 101 and 102 will eliminate a weak point in the reliability of the Master Pump Station, extending the useful life of the units and enabling the pumps to run more efficiently.

The City of Lake Worth Water Utilities department has solicited bids from contractors for the replacement of two Variable Frequency Drives at the Master Pump Station, under Bid IFB-15-108. The lowest responsible, responsive bid for the sum of \$145,721 was from Electron Corp. of South Florida and the City of Lake Worth Water Utilities Department is recommending award to Electron Corp. of South Florida.

**MOTION:**

I move to approve/disapprove the contract award with Electron Corp. of South Florida for the replacement of two Variable Frequency Drives at the Master Pump Station for a price not to exceed \$145,721.

Attachments

- 1) Fiscal Analysis
- 2) Bid Tabulation IFB 15-108
- 3) Notice of Recommendation to Award
- 4) Electron Corp. of South Florida Contract
- 5) CIP Sheet

## FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact

| Fiscal Years           | 2015    | 2016 | 2017 | 2018 | 2019 |
|------------------------|---------|------|------|------|------|
| Capital Expenditures   | 145,721 | 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      | 145,721 | 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 Regional Sewer Capital budget from account 406-7490-535.62-20.

| Utilities/Water Production |                        |           |                         |                |                 |                          |                   |
|----------------------------|------------------------|-----------|-------------------------|----------------|-----------------|--------------------------|-------------------|
| Account Number             | Account Description    | Project # | FY 2015 Proposed Budget | Amended Budget | Current Balance | Agenda Item Expenditures | Remaining Balance |
| 406-7490-535.62-20         | Regional Sewer Capital | RS 1501   | \$250,000               | \$250,000      | \$250,000       | -\$145,721               | \$104,279         |

### C. Fiscal Review:

Larry Johnson – Director  
 Monica Shaner –Assistant Director



**CITY OF LAKE WORTH**  
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**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Water Utilities

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**EXECUTIVE BRIEF**

**TITLE:**

Task Order No. 6 with Mathews Consulting, Inc. for Engineering Services for Lime System Upgrades and Improvements

**SUMMARY:**

The Task Order authorizes Mathews Consulting, Inc. to complete engineering services for Lime System Upgrades and Improvements at the Water Treatment Plant for a price not to exceed \$54,748.

**BACKGROUND AND JUSTIFICATION:**

The lime softening process built in the 1970s is used to treat half of the water produced at the water treatment plant. There are currently four lime bins that receive and store lime at the water treatment plant, three of which are connected to three lime slakers. The fourth bin is used for lime storage only. This project would add a fourth lime slaker to the fourth lime bin. This project will also include the replacement of the lime dust scrubber that has been malfunctioning since its installment.

This project will ease operation of the lime plant by adding redundancy to the production of lime slurry. The fourth lime bin has been difficult to maintain, as its design makes it very cumbersome to remove the stored lime. This project will enable the lime bin to function per design, since the lime will drop directly into the new slaker without the need of transferring it into one of the other three bins first. The replacement of the lime dust scrubber will reduce or eliminate the lime dust during lime deliveries. It will also reduce the lime accumulation in the slaker room, thus improving the work environment for the operators.

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 engineering services for Lime System Upgrades and Improvements at the Water Treatment Plant by the Lake Worth Water Utilities Department. Construction is scheduled for FY 2016.

**MOTION:**

I move to approve/disapprove Task Order No. 6 with Mathews Consulting, Inc. for Lime System Upgrades and Improvements at the Water Treatment Plant for a price not to exceed \$54,748.

Attachments

- 1) Fiscal Analysis
- 2) Mathews Consulting, Inc. Task Order No. 6

## FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact

| Fiscal Years           | 2015     | 2016 | 2017 | 2018 | 2019 |
|------------------------|----------|------|------|------|------|
| Capital Expenditures   | \$54,748 | 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      | \$54,748 | 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 402-7022-533.63-00.

| Utilities/Water Production |                          |           |                         |                |                 |                          |                   |
|----------------------------|--------------------------|-----------|-------------------------|----------------|-----------------|--------------------------|-------------------|
| Account Number             | Account Description      | Project # | FY 2015 Proposed Budget | Amended Budget | Current Balance | Agenda Item Expenditures | Remaining Balance |
| 402-7022-533.63-00         | Water Production Capital | WT-1511   | \$55,000                | \$55,000       | \$55,000        | -\$54,748                | \$252             |

### C. Fiscal Review:

Larry Johnson – Director  
 Monica Shaner –Assistant Director



## CITY OF LAKE WORTH

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**AGENDA DATE:** August 4, Regular Meeting

**DEPARTMENT:** Legal

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### **EXECUTIVE BRIEF**

#### **TITLE:**

Settlement Agreement and Relocation and Reconstruction Agreement with Clear Channel Outdoor, Inc.

#### **SUMMARY:**

The City Attorney recommends entering into a Settlement Agreement and a Relocation and Reconstruction Agreement with Clear Channel Outdoor, Inc.

#### **BACKGROUND AND JUSTIFICATION:**

In 2001, the City entered into a Settlement Agreement with the predecessor to Clear Channel (Florida Outdoor Advertising). That Settlement Agreement allowed Florida Outdoor Advertising to construct a static billboard at 1802 Fourth Avenue North just west of I-95. The Settlement Agreement did not contain any termination clause setting a time when the billboard would have to be taken down.

In 2009, Clear Channel approached the City to install an LED face on each side of this billboard. The 2001 Settlement Agreement, in relevant part, provided as follows:

The Sign may be illuminated, however, a sign which contains, includes, or is illuminated by any flashing, intermittent, or moving lights is prohibited, except that lights embodied in the sign may be used. Further, the sign shall be so illuminated that it does not interfere with the effectiveness of or obscures an official traffic sign, device, or signal. No neon lighting shall be permitted.

Clear Channel ultimately filed a lawsuit claiming that the LED lights did not violate the Settlement Agreement and that they have the right to install the lights. The City argued that the LED lights were the type of flashing, intermittent lights which are prohibited. Federal regulations appear to allow these type of lights.

The City's LDRs prohibit billboards in the City and required that existing billboards would have to be removed by 2019, unless, however, any billboards that were subject to a settlement agreement could remain in place for 20 years or as set forth in the settlement agreement.

The parties have negotiated a settlement of this matter, subject to Commission approval. The proposed settlement would allow Clear Channel to replace both faces of the billboard with LED signage which could remain in place for 50 years. The City would receive ten (10) hours/month of free public service advertising space. The City would be paid \$25,000.00 per digital face (\$50,000.00 total) per year increasing 10% every 5 years during said 50 years for a total of \$3,984,385.

#### **MOTION:**

I move to approve / not approve the settlement agreement and relocation and reconstruction agreement with Clear Channel Outdoor, Inc.

#### **ATTACHMENT(S):**

Fiscal Impact Analysis  
Relocation and Reconstruction Agreement  
Settlement Agreement

**FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

| Fiscal Years                                  | 2015     | 2016     | 2017     | 2018     | 2019     |
|---|----------|----------|----------|----------|----------|
| Capital Expenditures                          | 0        | 0        | 0        | 0        | 0        |
| Operating Expenditures                        | 0        | 0        | 0        | 0        | 0        |
| External Revenues                             | \$50,000 | \$50,000 | \$50,000 | \$50,000 | \$50,000 |
| Program Income                                | 0        | 0        | 0        | 0        | 0        |
| In-kind Match                                 | 0        | 0        | 0        | 0        | 0        |
| Net Fiscal Impact                             | 0        | 0        | 0        | 0        | 0        |
| No. of Addn'l Full-Time<br>Employee Positions | 0        | 0        | 0        | 0        | 0        |

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

C. Department Fiscal Review: \_\_\_\_\_



## CITY OF LAKE WORTH

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

**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Community Sustainability

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### **EXECUTIVE BRIEF**

#### **TITLE:**

Ordinance No. 2015-04 - Second Reading and Second Public Hearing - amend various sections and tables in the Land Development Regulations

#### **SUMMARY:**

The Ordinance amends Chapter 23, Land Development Regulations, of the City's Code of Ordinances including four (4) articles of the Land Development Regulations: General Provisions, Zoning Districts, Development Standards, and Supplemental Regulations. The ordinance also revises the Land Development Regulation's permitted use table.

#### **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.

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.

This was brought to the City Commission on July 14, 2015, where the Commission discussed changes in the High and Medium Intensity Public Uses category in the BAC Zoning District, specifically deleting the permissions "P" in the Recreation Public (Indoor) with and without Team Sport Facilities in the High Intensity and in the Medium Intensity.

The Commission at its regularly scheduled meeting approved the first reading of this ordinance with a 4-0 vote.

#### **MOTION:**

I move to approve/disapprove Ordinance No. 2015-04 on second reading.

#### **ATTACHMENT(S):**

Ordinance No. 2015-04



## CITY OF LAKE WORTH

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

**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Community Sustainability

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### EXECUTIVE BRIEF

#### **TITLE:**

Ordinance No. 2015-05 - Second Reading and Public Hearing - consider a major amendment to a Residential Planned Development (RPD) located at the northeast intersection of North Dixie Highway and 3rd Avenue North

#### **SUMMARY:**

This Ordinance will provide for a major amendment to the Residential Planned Development (RPD) known as Hammond Park.

#### **BACKGROUND AND JUSTIFICATION:**

The applicant, Brett Leone of Coteleur & Hearing, is proposing a Major RPD Amendment and to rename the project from Hammond Park to Bella Terra. The RPD is 3.78 acres in size. The proposed modifications include the addition of 36 dwelling units to the 13 already built for a total of 49 dwelling units and affect the northern portion of the RPD, which encompasses 1.26 acres. The southern portion of the RPD contains a Publix Grocery Store and parking area. No changes are proposed to the southern portion of the site.

The zoning code contains provisions for Planned Development Districts, which include Residential Planned Developments (RPD). The RPD designation allows site specific development regulations to be adopted, which in essence serve as a site specific zoning code.

The site plan was reviewed by the Site Plan Review Committee (SPRC) at its regular meeting on April 8, 2015. The SPRC recommended approval of the project subject to a number of conditions of approval.

With the project being located half within a historic district and half outside a district, both the Planning & Zoning Board and the Historic Resources Preservation Board had to review the proposal.

At their June 3, 2015 regular meeting, the Planning & Zoning Board unanimously approved the Major Site Plan Amendment subject to the recommended conditions of approval. The Board also voted 5-0 to forward a recommendation to the City Commission to APPROVE the RPD Amendment.

At their June 10, 2015 regular meeting, the Historic Resources Preservation Board voted 6-1 to approve the application subject to the recommended conditions of approval. The Board also voted 6-1 to forward a recommendation to the City Commission to APPROVE the RPD Amendment.

At its meeting on July 14, 2015 the City Commission voted 4-0 to approve the RPD and schedule the second reading and public hearing for August 4, 2015. Further, the Commission voted to include a condition of approval to include a sound screen to attenuate the air conditioning condensers along the property lines.

#### **MOTION:**

I move to approve/not approve Ordinance No. 2015-05 on second reading.

#### **ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Ordinance No. 2015-05



## CITY OF LAKE WORTH

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

**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Public Services

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### **EXECUTIVE BRIEF**

#### **TITLE:**

Resolution No. 42-2015 - Public Hearing - issue a revocable permit for property located at 1632 North K Street

#### **SUMMARY:**

The Resolution is the second of a two part process to consider a request for a revocable permit for the right of way adjacent to 1632 North K Street. If approved, the revocable permit will be granted to the applicant.

#### **BACKGROUND AND JUSTIFICATION:**

There are many unimproved right of ways located within the city limits that are maintained on an annual basis but currently serve no public function or use. Some of the unimproved right of ways contain utilities or storm-water facilities within them but are not paved and create more maintenance work for City grounds staff. The City allows for issuance of Revocable Permits to residents meeting certain criteria as identified in the Chapter 19, Article III of the City's Code of Ordinances.

City staff has reviewed the revocable permit application by the property owner, Lori Marszal, and issued comments in order for the application to be accepted. Ms. Marszal is seeking to fence the entire portion of the right of way including the northern half adjacent to 1702 N. K Street. The owner of 1702 N. K Street has consented to the revocable permit for Ms. Marszal. Ms. Marszal has accepted staff comments to her application and agreed to the terms. The terms will be formalized in a written agreement with Ms. Marszal which shall be recorded in official records (if approved).

#### **MOTION:**

I move to approve/disapprove Resolution No. 42-2015 and issue the revocable permit for the property located at 1632 North K Street.

#### **ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Resolution with the revocable permit



## CITY OF LAKE WORTH

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

**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** City Clerk

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### **EXECUTIVE BRIEF**

**TITLE:** Ordinance No. 2015-08 – First Reading – allow future municipal election date changes in the event of any countywide or statewide election in March and schedule the public hearing date for August 18, 2015

**SUMMARY:**

This Ordinance will provide for the City's Municipal General Election date to be changed, as provided by state law, in the event of any countywide or statewide election.

**BACKGROUND:**

State law was recently amended to change the State's presidential preference primary from "...the first Tuesday that the rules of the major political parties provide..." to the third Tuesday in March of each presidential election year. In 2016, this date will be March 15, 2016.

As a result of this new legislation, the Palm Beach County Supervisor of Elections (SOE) has notified all Palm Beach County municipalities that the voting equipment currently used only allows input on one election cycle at a time. For 2016, this election cycle begins on December 11, 2015 through March 15, 2016. Because of this, the SOE has informed all County municipalities that the voting system will not be available to conduct Municipal Elections on the usual second Tuesday in March (March 8, 2016). Instead, the municipal elections will be held on March 15, 2016 concurrently with the presidential preference primary.

State law allows a municipality, by ordinance, to move the date of any municipal election and the term of any elected municipal official to a date concurrent with any statewide or countywide election, as provided by municipal charter or ordinance.

The attached ordinance will allow the 2016 and other future municipal election dates to be changed to be consistent with a statewide or countywide election.

**MOTION:**

I move to approve/disapprove Ordinance No. 2015-08 on first reading and schedule the public hearing date for August 18, 2015.

Attachments:

Fiscal Impact Analysis – not applicable

House Bill 7035

County Supervisor of Elections Memorandum

Ordinance



## CITY OF LAKE WORTH

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

**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** City Clerk

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### **EXECUTIVE BRIEF**

#### **TITLE:**

Amendment 5 to the Law Enforcement Services Agreement with the Palm Beach County Sheriff's Office through September 30, 2016

#### **SUMMARY:**

The Law Enforcement Service Agreement Amendment 5 with the Palm Beach County Sheriff's Office reflects a negotiated increase of 1%. Additionally, it amends the current 22 part time school crossing guard allocations to 24 in order to meet the Florida Department of Transportation's standards. Including the 1% and the crossing guard allocation the Agreement will go from \$12,100,000 to \$12,221,000. This increase is the first cost adjustment since FY 2009/2010.

#### **BACKGROUND AND JUSTIFICATION:**

The Sheriff has submitted an increase in his budget to Palm Beach County Commission in the amount of 3% and to the other Cities within his jurisdiction an increase of 2%. The Mayor was able to negotiate a lower rate of 1% based on the budgetary issues facing the City while balancing the fact the previous two years saw no increases.

In FY 2008, (August 28, 2008) the City of Lake Worth and the Palm Beach County Sheriff's Office (PBSO) entered into a contract entitled "Agreement for Law Enforcement Services By and Between the Palm Beach County Sheriff's Office and the City of Lake Worth" (LESA) which provides for all the City's law enforcement services. In accordance with Article 2- Level of Services, Section 2.1 (c) this includes:

*"municipal police departments, which include receiving of 911 calls, dispatch of calls for law enforcement services, arrest of criminal offenders and citations issued to traffic violators, code enforcement PAL, traffic control, testifying in court, community policing, high visibility patrol within the CITY (including all CITY facilities and parks), and other duties in accordance with the SHERIFF'S general orders, the CITY Charter and Ordinances, Palm Beach County Charter and Ordinances that are applicable within the CITY, and statutes of the State of Florida".*

Residents in the community have been very satisfied with the law enforcement services provided by PBSO and the positive impact they have had in addressing criminal activities in the community.

The original agreement was for a total of \$13,851,472.

Amendment #1 effective for FY 2009/2010 increased that amount to \$14,267,016 per the escalator clause of the original agreement.

Amendment #2 effective for FY 2010/2011 reduced the amount to an annual cost of \$13,176,268.00.

Amendment #3 effective for FY 2011/2012 and FY 2012/2013 (amendment #3) resulted in an additional reduction of \$1,076,268, to an annual cost of \$12,100,000.00 for those two fiscal years.

Amendment #4 effective for FY 2013/2014 and FY 2014/2015. The Sheriff's Office had originally proposed a 2% increase (\$242,000) this year and a 3% (\$370,000) for next. After several negotiating sessions with the Mayor, City Attorney and City Manager the Sheriff agreed to no increase for the next 2 fiscal years.

Amendment #5, effective for FY 2015/2016, increases the amount to an annual cost of \$12,221,000 and increases the part time school crossing guards from 22 to 24.

As per the original agreement, the City continues to be responsible for maintaining and keeping in good repair, the building and ground maintenance, pest control, alarm service, and janitorial services for the former Police Station which now serves as the District 14 Office for PBSO.

Staffing changes between FY 2012/13 through 2016 consist of additional school crossing guards but no other changes in sworn or non-sworn personnel.

**MOTION:**

I move to approve/disapprove Addendum #5 to the Law Enforcement Service Agreement for Fiscal Year 2016.

Attachments:

- Fiscal Impact Analysis
- Addendum #5 agreement
- Original agreement
- Addendum #1 agreement
- Addendum #2 agreement
- Addendum #3 agreement
- Addendum #4 agreement

## **FISCAL IMPACT ANALYSIS**

### A. Five Year Summary of Fiscal Impact:

| Fiscal Years                                  | 2015       | 2016       | 2017 | 2018 | 2019 |
|---|------------|------------|------|------|------|
| Capital Expenditures                          | 0          | 0          | 0    | 0    | 0    |
| Operating Expenditures                        | 12,100,000 | 12,221,000 | 0    | 0    | 0    |
| External Revenues                             | 0          | 0          | 0    | 0    | 0    |
| Program Income                                | 0          | 0          | 0    | 0    | 0    |
| In-kind Match                                 | 0          | 0          | 0    | 0    | 0    |
| Net Fiscal Impact                             | 0          | 0          | 0    | 0    | 0    |
| No. of Addn'l Full-Time<br>Employee Positions | 0          | 0          | 0    | 0    | 0    |

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

General Fund Public Safety Police Services 2016 budget – Contract is for exact amount budgeted

### C. Department Fiscal Review:



## CITY OF LAKE WORTH

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

**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Electric Utility/Water Utility

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### **EXECUTIVE BRIEF**

#### **TITLE:**

Resolving Village of Palm Springs claim for uncollected public service tax and franchise fees for electric revenues.

#### **SUMMARY:**

The Village of Palm Springs has requested that the City of Lake Worth reimburse them for franchise fees and public services taxes on Electric Utility Revenue, that the Village requested be collected on property annexed into Palm Springs during the period of 2010 – 2013. The Village has suggested an exchange of Lake Worth water and sewer service territory in lieu of payment for the claim. Staff does not recommend approval of the service area transfer to Palm Springs, and have developed other alternatives to resolve this issue.

#### **BACKGROUND AND JUSTIFICATION:**

The City passed Ordinance 91-03, as amended by Ordinance 2013-17, attached, establishing an electric utility franchise in the Village, and establishing franchise payments to the Village. During the period prior to 2013, certain properties annexed by the Village were not recognized as within the Village by the City. Palm Springs annexed certain properties into the Village in 2010, and notified the city at that time by sending letters to the Clerk and the CRA. Unfortunately, the information was not provided to the Electric Utility staff, and the annexed properties were not changed from the County to Palm Springs by Lake Worth. The City continued to collect public service taxes established by the County on electric utility revenue against properties that had been annexed by the Village during the period from 2010-2013, and transferred these revenues to the County. The City has corrected the problem in 2013, and began collecting the appropriate fees at that point for the Village. Lake Worth worked with the County to refund \$262,092 of public services tax that were collected at the lower County rate and remitted to the County, which should have been sent to Palm Springs.

Palm Springs claims that the difference between what was collected by Lake Worth at the lower County rate compared to the higher Palm Springs rate for the annexed properties during 2010-2013, should be paid to them by the City, even though the City did not collect these revenues from the Palm Springs properties. The City staff have calculated this amount to be \$273,744. Palm Springs has not verified this amount. These additional franchise fees and public services taxes were not collected by Lake Worth and therefore the City did not benefit from them.

Staff is requesting direction regarding potential resolution of this claim using one or more of the following alternatives.

#### **Alternative City Proposals:**

1. Do nothing.
2. Negotiate financial settlement of claim. Estimated cost of \$100,000 - \$275,000 from General Fund.
3. Increase franchise fee for Palm Springs residents located in the annexed area to collect the franchise fees that were not collected previously over a five year period.

4. Request a legal opinion from the State Attorney General regarding the legal basis for Palm Springs claim against the City, and agree with the Village to be bound by the opinion.

**Palm Springs Proposal –**

5. Transfer Water and sewer utility service area between Florida Mango and Congress Ave. south of 10<sup>th</sup> Ave. N to Palm Springs. This option was proposed as an alternative to a cash settlement. Estimated cost over 20 years is \$600,000 to \$1,200,000 from the Water and Sewer System. Since the water and sewer system is not directly involved in the claim, reduction of water revenue to resolve a general fund claim may be a legal issue. Staff does not recommend

**MOTION:**

Commission may provide direction to staff regarding alternatives. No formal action is needed at this time.

**ATTACHMENTS:**

Fiscal Impact Analysis – not applicable

Palm Springs Refund

Ordinance 91-03

Memorandum from Steven Carr

Lake Worth letter to the County

Acceptance of Electric Franchise

Resolution No. 34-2013

Maps

# FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact

| Years                | 2015 | 2016 | 2017 | 2018 | 2019 |
|----------------------|------|------|------|------|------|
| Expenditures         | \$0. | 0    | 0    | 0    | 0    |
| Capital Expenditures | TBD  | 0    | 0    | 0    | 0    |
| Operating Revenues   | 0    | 0    | 0    | 0    | 0    |
| Net Income           | 0    | 0    | 0    | 0    | 0    |
| Grant Match          | 0    | 0    | 0    | 0    | 0    |
| Fiscal Impact        | 0    | \$0  | \$0  | \$0  | \$0  |

|                                |   |   |   |   |   |
|--------------------------------|---|---|---|---|---|
| Additional Full-Time Employees | 0 | 0 | 0 | 0 | 0 |
|--------------------------------|---|---|---|---|---|

## B. Recommended Source of Funds/Summary of Fiscal Impact

Resolution of this claim may affect General Fund, Electric Utility Fund or Water and Sewer Funds.

## C. Fiscal Review:

Larry Johnson – Water Director  
Walt Gill – Assistant Electric Director  
Clyde Johnson - Finance



## CITY OF LAKE WORTH

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

**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Water Utilities

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### **EXECUTIVE BRIEF**

#### **TITLE:**

First Amendment to an Agreement with USP Technologies to provide improved odor control treatment in the City's sewer collection system

#### **SUMMARY:**

The Amendment provides for two additional sites to be added to the City's odor control program at an additional cost of \$60,000.

#### **BACKGROUND AND JUSTIFICATION:**

The City Commission originally approved an agreement with U.S. Peroxide, LLC, now known as USP Technologies, to provide odor control treatment in the city's wastewater system, including the Master Pump Station at Bryant Park and the subregional force main to the ECR wastewater treatment facility. Hydrogen Sulfide gas forms in the sanitary sewer system and is the primary source of wastewater odor. It also is toxic and corrosive, and over time, causes damage to manholes and gravity pipes in the system. The cost for this contract was an amount not to exceed \$100,000. This item is a request for additional funds as a direct result of two sites being added to the odor control program:

(1) At Lift Station 10 for control of odors and corrosion along 7<sup>th</sup> Street N., specifically for odor complaints along the gravity portion of the system downstream of the force main outfall manhole (mostly near US 1) as well as corrosion control in a system that had been rehabilitated recently. The success of the peroxide addition was immediate, with odor complaints ceasing from area residents. It can also be assumed the useful life of the gravity system will be extended as a result of the significant reduction of H<sub>2</sub>S in the system each day.

(2) At the Master Pump Station (MPS) for treatment of the flow originating in the beach communities and for downstream control of dissolved sulfides in flows entering the Palm Beach County system. Treatment of the Beach flow approximately 500 feet upstream of the MPS has resulted in aqueous sulfides being reduced from greater than 10 mg/L to less than 0.3 mg/L. West Palm Beach has mandated sulfide levels of 5.0 mg/L or less in flows entering the wastewater treatment plant. The additional peroxide residual from treatment of the Beach flow has resulted in dissolved levels near the required levels, most recently 5.1 mg/L on samples analyzed on May 5-6, 2015.

#### **MOTION:**

I move to approve/not approve an amended agreement with USP Technologies (formerly US Peroxide) for an additional \$60,000, and budget transfers in the amount of \$34,300 to provide odor control treatment to the City sewer collection system.

#### Attachments:

- 1) Fiscal Analysis
- 2) Sulfide Control Program Summary
- 3) 2013 agreement with US Peroxide
- 4) Amended agreement

## FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact

| Fiscal Years           | 2015     | 2016 | 2017 | 2018 | 2019 |
|------------------------|----------|------|------|------|------|
| Capital Expenditures   | 0        | 0    | 0    | 0    | 0    |
| Operating Expenditures | \$60,000 | 0    | \$0  | \$0  | \$0  |
| External Revenues      | 0        | 0    | 0    | 0    | 0    |
| Program Income         | 0        | 0    | 0    | 0    | 0    |
| In-Kind Match          | 0        | 0    | 0    | 0    | 0    |
| Net Fiscal Impact      | \$60,000 | 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 following accounts:

\$8,000: transfer from 405-7421-535.46-60 to 405-7421-535-52-30

\$26,300 transfer from 405-7421-535.46-27 to 405-7421-535-52-30

\$25,700 is the current balance in 405-7421-535-52-30

**\$60,000: Total Agenda Item Cost**

These available amounts of \$8,000 and \$26,300 for a total of \$34,300 will be transferred into the FY2015 Utilities-Regional Sewer/Chemicals Account 405-7421-535.52-30.

| Utilities/Water Production |                     |           |                         |                 |              |                          |                            |
|----------------------------|---------------------|-----------|-------------------------|-----------------|--------------|--------------------------|----------------------------|
| Account Number             | Account Description | Project # | FY 2015 Proposed Budget | Current Balance | Transfers In | Agenda Item Expenditures | Proposed Remaining Balance |
| 405-7421-535.52-30         | Regional Sewer      | N/A       | \$160,200               | \$25,700        | 34,300       | -\$60,000                | \$0                        |

### C. Department Fiscal Review:

Larry Johnson – Water Utilities Director  
 Nerahoo Hemraj – Finance Director



## CITY OF LAKE WORTH

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

**AGENDA DATE:** August 4, 2015, Regular Meeting

**DEPARTMENT:** Electric Utility

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### **EXECUTIVE BRIEF**

#### **TITLE:**

Contract with Alpha-Omega Training & Compliance, Inc. for No. 8 Fuel Tank Cleaning

#### **SUMMARY:**

This Contract provides for the cleaning of a 360,000 gallon black oil fuel tank, existing fuel fill lines, and the lines in the existing pump house.

City staff recommends awarding the contract for IFB 15-106 (No. 8 Fuel Tank Cleaning) to Alpha-Omega Training & Compliance, Inc., based on the IFB's evaluation criteria.

**BACKGROUND AND JUSTIFICATION:** On March 8, 2015, the City issued Invitation for Bids #15-106 (IFB) for No. 8 Fuel Tank Cleaning. The IFB seeks bids to clean the 360,000 gallon black oil fuel tank, the existing fuel fill lines and the lines in the existing pump-house. The cleaning must be done in a manner to accept low sulfur diesel without contaminating the new diesel fuel and without impacting the City's wellfield permit for the site. Given the importance of having the fuel tank properly cleaned and its location, the project must be approached with an ample degree of caution and skill.

According to the IFB, a contract for the services is to be awarded based on the "best value" to the City using the following equally weighted criteria:

1. Qualifications;
2. Skill and experience based on reference verification;
3. Amount of the bid in relation to the needed goods & services and in relation to other bids received; and,
4. Adherence to the specifications and requirements of the IFB.

On April 14, 2015, the City received four bids in response to the IFB. Attached to this brief is a copy of the bid tabulation summarizing the four bids. Dave Mulvay, Power Plant Manager, reviewed the bids. FECC, Inc., D/B/A AquaTech Industrial Services ("FECC"), submitted the lowest bid at \$24,800. Since the other three bids were roughly \$50,000 more than FECC's bid and more in line with the City's cost estimate, FECC's bid appeared to be an unreasonably low amount. FECC's qualifications and references also did not clearly convey a sufficient level of experience or past performance with the specific type of tank cleaning involved in this IFB. Further, FECC failed to acknowledge receipt of the City issued addendum and include it with its bid.

The qualifications and references for the second lowest bidder, Alpha-Omega Training & Compliance, Inc. ("Alpha-Omega"), established past performance and skill with the specific type of tank cleaning involved in this

IFB. Specifically, the low bidder had no references stating that they had cleaned fuel tanks. Their references were for sand and leach tanks. Alpha-Omega's bid in amount of \$72,043 is consistent with the City's estimation and lower, but similar, to the other two higher bids. Alpha-Omega submitted the issued addendum with its bid and otherwise complied with the IFB requirements.

Since Alpha-Omega's bid amount is lower than the other two remaining bids (and finding all other criteria relatively equal), City staff recommends award to Alpha-Omega.

| Type                                      | Vendor  | Cost         | Total           |
|---|---|--------------|-----------------|
| IFB-15-106<br>No. 8 Fuel Tank<br>Cleaning | Alpha-Omega<br>Training &<br>Compliance, Inc. | \$72,043     | \$72,043        |
|   |   | <b>Total</b> | <b>\$72,043</b> |

On June 10, 2015, the Electric Utility Advisory Board recommended this item for the City Commission's review.

**MOTION:**

I move to approve / not approve a contract for IFB 15-106 for No. 8 Fuel Tank Cleaning to Alpha-Omega Training & Compliance, Inc.

**ATTACHMENT(S):**

1. Fiscal Impact Analysis
2. Bid Tabulation
3. IFB 15-106
4. Addendum #1

## **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                        | \$72,043 | 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                             | \$72,043 | 0    | 0    | 0    | 0    |
| No. of Addn'l Full-Time<br>Employee Positions | 0        | 0    | 0    | 0    | 0    |

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

| Utilities /Electric |                            |           |               |                 |                          |                   |
|---------------------|----------------------------|-----------|---------------|-----------------|--------------------------|-------------------|
| Account Number      | Account Description        | Project # | FY2015 Budget | Current Balance | Agenda Item Expenditures | Remaining Balance |
| 401-6031-531-34-50  | Other Contractual Services | N/A       | \$139,233     | \$83,476        | \$72,043                 | \$11,433          |

### C. Department Fiscal Review: Walt Gill