



CITY OF LAKE WORTH

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ACTION AGENDA
CITY OF LAKE WORTH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, SEPTEMBER 01, 2015 - 6:00 PM

1. **ROLL CALL:** The Mayor and all Commissioners were present.
2. **INVOCATION:** Pastor Tony Cato, New Hope 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. Mango Groves Neighborhood Association update
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve the following minutes, as submitted. Motion and second were withdrawn.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve the August 18, 2015, minutes and asked the City Clerk to listen to the August 11, 2015, meeting's audio.

Vote: Motion approved, 5-0

 - A. City Commission Budget Work Session - August 11, 2015
 - B. City Commission Meeting - August 18, 2015
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve the Consent Agenda.

Vote: Motion approved, 5-0

 - A. Resolution No. 43-2015 - refuse collection special assessment for Fiscal Year 2016

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- B. Resolution No. 44-2015 - stormwater special assessment for Fiscal Year 2016
- C. Resolution No. 49-2015 - grant an ad valorem tax exemption for property located at 728 North Lakeside Drive
- D. First Amendment to an Easement Agreement with DR Horton, Inc. on property located at 1100 Boutwell Road
- E. Change Order No. 1 with Johnson-Davis, Inc. for additional time on the Regional Wastewater Forcemain Air Release Valve Replacement project
- F. Agreement with Image Janitorial Services, Inc. for city-wide janitorial services
- G. Purchase a replacement vehicle for the Electric Utilities Department
- H. Agreement with LV Superior Landscaping, Inc. for city-wide Lawn Maintenance services
- I. Agreement for legal services with the Law Offices of Andrew DeGraffenreidt
- J. Ratify board members to various City advisory boards
- K. Designate the Community Redevelopment Agency's chair and vice-chair for a two year term

10. PUBLIC HEARINGS:

There were no Public Hearings items on the agenda.

11. UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

12. NEW BUSINESS:

- A. Ordinance No. 2015-09 - First Reading - amend the City's rights-of-way regulations and schedule the public hearing date for September 15, 2015

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2015-09 on first reading and schedule the public hearing date for September 15, 2015.

Vote: Motion approved, 5-0

- B. Ordinance No. 2015-10 - First Reading - amend the City's Health and Sanitation Code and schedule the public hearing date for September 15, 2015

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2015-10 and schedule the second reading and public hearing for September 15, 2015.

Vote: Motion approved, 5-0

- C. Ordinance No. 2015-11 - First Reading - amend the Unsafe Building Abatement Code and

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schedule the public hearing date for September 15, 2015

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2015-11 on first reading and schedule the public hearing for September 15, 2015.

Vote: Motion approved, 5-0

D. Ordinance No. 2015-12 - First Reading - amend various sections in the City's Land Development Regulations and schedule the public hearing date for September 15, 2015

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2015-12 on first reading and schedule the public hearing for September 15, 2015.

Vote: Motion approved, 3-2 (Commissioners McVoy and Maier dissenting)

E. Resolution No. 46-2015 - establish the rates, fees and charges for the Water System

Action: Motion made by Commissioner McVoy and seconded by Commissioner Maier to approve Resolution No. 46-2015 establishing the Fiscal Year 2016 rates and charges for the City water utility.

Vote: Motion approved, 4-1 (Vice Mayor Maxwell dissenting)

F. Resolution No. 47-2015 - establish the rates, fees and charges for the Local Sewer System

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the amended Resolution No. 47-2015 establishing the Fiscal Year 2016 rates and charges for the City local sewer utility.

Vote: Motion approved, 5-0

G. Resolution No. 48-2015 - establish the rates, fees and charges for the Subregional Sewer System

Action: Motion made by Commissioner McVoy and seconded by Commissioner Amoroso to approve Resolution No. 48-2015 establishing the Fiscal Year 2016 rates and charges for the City sub-regional sewer utility.

Vote: Motion approved, 5-0

H. Adopt the Public Services Policy and Procedures Manual

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to adopt the Public Services Policy and Procedure Manual.

Vote: Motion approved, 5-0

I. Resolution No. 50-2015 - Master Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp and the associated Escrow Agreement

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to approve Resolution No. 50-2015 contingent upon the approval of agenda Item J.

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Vote: Motion approved, 4-1 (Commissioner Maier dissenting)

J. Energy Services Agreement with Siemens Industry, Inc. Building Technologies Division

Action: Motion made by Commissioner McVoy and seconded by Commissioner Amoroso to amend the agreement to include a commitment to install 2700 degrees Kelvin on residential streets, for the City and Siemens to jointly request a variance from the Florida Department of Transportation, and to install light shields in residential cul-de-sac areas; to approve the amended agreement with Siemens Industry, Inc., Building Technologies Division, including a waiver as provided in section 2-112(j) of the City's purchasing code and with authorization to the Mayor and City Clerk to execute the Energy Services Agreement as may be modified hereafter with the approval of the City Attorney and City Manager.

Vote: Motion approved, 4-1 (Commissioner Maier dissenting)

K. Work Order with URS for Energy Efficiency Program Construction Management Services

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the draft work order with URS for Energy Efficiency Program Construction Management Services for a not-to-exceed amount of \$299,403; and authorize the Mayor to approve the final documents.

Vote: Motion approved, 4-1 (Commissioner Maier dissenting)

13. LAKE WORTH ELECTRIC UTILITY:

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

1) Update on the electric utility system

No update was provided.

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

There were no Lake Worth Electric Utility Consent Agenda items on the agenda.

C. PUBLIC HEARING:

There were no Lake Worth Electric Utility Public Hearing items on the agenda.

D. NEW BUSINESS:

There were no Lake Worth Electric Utility New Business items on the agenda.

14. CITY ATTORNEY'S REPORT:

Assistant City Attorney Goddeau did not provide a report.

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15. CITY MANAGER'S REPORT:

City Manager Bornstein provided the following:

- Reported that staff got a chance to exercise the City's emergency plan during the threat of Tropical Storm Erika. He said communication with the County Fire/Rescue Department and Sheriff's Office did what it was supposed to have done and he thanked City staff.

A. September 15, 2015 draft Commission agenda

16. ADJOURNMENT: The meeting was adjourned at 9:13 PM.

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.