



**AGENDA
CITY OF LAKE WORTH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, NOVEMBER 10, 2015 - 6:00 PM**

- 1. ROLL CALL:**
- 2. INVOCATION:** Pastor Sherry Colby, Victory Worship Center
- 3. PLEDGE OF ALLEGIANCE:** Led by Commissioner Ryan Maier
- 4. AGENDA - Additions/Deletions/Reordering:**
- 5. PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. Palm Beach County Property Appraiser's update on ad valorem tax assessment data
 - B. Proclamation declaring November as Joey Bergsma Retinoblastoma Awareness Month
 - C. Pineapple Beach Neighborhood Association update
 - D. South Palm Park Neighborhood Association update
 - E. Recognize former Recreation Advisory Board member Dick Oyer for his 12 years of service
- 6. COMMISSION LIAISON REPORTS AND COMMENTS:**
- 7. PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
- 8. APPROVAL OF MINUTES:**
 - A. City Commission Meeting - October 20, 2015
- 9. CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
 - A. Resolution No. 58-2015 - 1st amendment to the Fiscal Year 2016 budget
 - B. Resolution No. 59-2015 - amend the Commission's Rules of Procedures to include a policy for Invocation and Moment of Silence

- C. Resolution No. 60-2015 - Amendment No. 1 to the Professional Services Agreement (Special Magistrate Services) with Diane James-Bigot
- D. Trade-in Badger Water Meters that are removed from service to Innovative Metering Solutions, Inc.
- E. Agreement with Playmore West, Inc. for the purchase and installation of playground equipment at Northwest Park
- F. Agreement with Palm Beach Mobile Home Park, LLC and Palm Beach Home Sales, LLC for acquisition of certain rights of way for the Boutwell Road Infrastructure Project
- G. Monument Sign Access and Easement Agreement for "The Village I" project located at 2220 Lake Worth Road

10. PUBLIC HEARINGS:

11. UNFINISHED BUSINESS:

- A. Ordinance No. 2015-16 - First Reading - adopt amendments to the Lien Reductions and Release of Liens Code and schedule the public hearing date for December 8, 2015

12. NEW BUSINESS:

- A. Ordinance No 2015-17 - First Reading - clarify authority to regulate, inspect, and permit managed honeybee colonies and schedule the public hearing date for December 8, 2015
- B. Resolution No. 61-2015 - certify the Homes for Working Families Program is consistent with the City's Comprehensive Plan and local regulations
- C. 2016 Lake Worth Legislative Priorities
- D. Amend the September 22, 2015, Special City Commission minutes

13. LAKE WORTH ELECTRIC UTILITY:

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

- 1) New Outage Map

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

- 1) Resolution No. 62-2015 - declare intent to abandon six (6) utility easements that run through the center of the Wawa project and schedule the public hearing date for December 8, 2015

- C. **PUBLIC HEARING:**

D. NEW BUSINESS:

14. CITY ATTORNEY'S REPORT:

15. CITY MANAGER'S REPORT:

A. December 8, 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.

GARY R. NIKOLITS, CFA
PROPERTY APPRAISER
PALM BEACH COUNTY



301 North Olive Avenue
5th Floor – Governmental Center
West Palm Beach, FL 33401
(561) 355-3230 pbcgov.com/papa

August 13, 2015

Pam Triolo, Mayor
City of Lake Worth
7 North Dixie Highway
Lake Worth, FL 33460

RE: Ad Valorem Tax Assessment Data

As you know, June 1 and July 1 are two important dates for my office and your municipality. On June 1, my office provides your municipality with the estimate of the taxable values of all properties within your jurisdiction. This early information provides an opportunity for you to refine your estimated ad valorem tax revenue projections. On July 1, after my office completes our annual valuation process, you are provided the preliminary taxable value that you will use to determine your proposed tax rate.

During the weeks that follow my office works on more detailed reports for each municipality, which we would like to share with you.

We would be happy to make a short presentation on specific value, exemption and other property tax related matters to your elected leaders, staff and residents. It will be made by a senior member of my staff, who will be available to answer questions or provide additional data, if necessary. We know your meeting time is valuable and will gladly adjust the length of our presentation to meet your schedule.

Please contact my Executive Assistant Joanne Rufty at jrufty@pbcgov.org or 561-355-2865 to reserve a date and time that works for your municipality. Please let Joanne know whether you have a specific topic you would like us to address.

We look forward to sharing this data with you.

Sincerely,

A handwritten signature in black ink that reads "Gary R. Nikolits". The signature is written in a cursive style.

Gary R. Nikolits, CFA
Property Appraiser



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Pineapple Beach Neighborhood Association Update

SUMMARY:

Ms. Pam Bergsma, Pineapple Beach President, will advise the Commission on activities in the neighborhoods.

BACKGROUND AND JUSTIFICATION:

At the City Commission meeting on July 20, 2010, the City Commission requested that all neighborhood associations provide an update. The last update from the Pineapple Beach Neighborhood Association was on March 4, 2014.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

South Palm Park Neighborhood Association Update

SUMMARY:

Ms. Maryann Polizzi, South Palm Park President, will advise the Commission on activities in the neighborhoods.

BACKGROUND AND JUSTIFICATION:

At the City Commission meeting on July 20, 2010, the City Commission requested that all neighborhood associations provide an update. The last update from the South Palm Park Neighborhood Association was on November 4, 2014.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Finance Department

EXECUTIVE BRIEF

TITLE:

Resolution No. 58-2015 - 1st amendment to the Fiscal Year 2016 budget

SUMMARY:

This Resolution amends the City of Lake Worth FY 2015-2016 budget by appropriating existing fund balances from the Electric Fund, Self-Insurance Fund, Building Permit Fund, and General Fund to meet capital and operational expenditures.

Additionally, this budget amendment seeks authorization to establish a new fund # 306 namely, Performance Contract Fund specifically being set up to create a transparent and accountable record of the Seimens Energy Services project funded from the Bank of America Loan.

BACKGROUND AND JUSTIFICATION:

On September 22nd, 2015 the City Commission adopted the FY 2015-2016 annual budget which contained projections for all expenditures. However, said budget did not anticipate or record the following expenditures.

1) **Electrical Fund:**

These funds will be used for Professional & Contractual Legal Consulting Services for Garden, Bist, Weiner in the amount of \$25,000:

2) **Self-Insurance Fund:**

This request to transfer \$130,000 will be used for the purchase of a modular office trailer to replace the severely damaged existing office trailers for the Public Services Administrative staff. This agenda item was presented to, and approved by the City Commission on July 14th, 2015 for said amount of \$130,000:, but the purchase was not completed before 9/30/2015 due to a lengthy permitting process as outlined in a memo from Public Services dated 10/23/2015 (herein attached), hence the need for re-authorization under fiscal year 2016.

3) **Performance Contract Fund:**

Authorization to execute and operate a new fund # 306 (Performance Contract Fund) to record all related transactions both revenues and expenditures in a transparent and accountable manner, as it

relates to the Energy Services Agreement with Seimens Industry, Inc. adopted by the City Commission on September 1st, 2015; and funded from a Bank of America Loan.

4) **Building Permit Fund:**

Funding is requested for the purpose of providing office space for Community Sustainability/ Building Permit and Customer Service staff in the amount of \$217,500. This project includes the enclosure of an approximately 1,400 sq. ft. porch area to provide additional office space. In addition, some existing office space will be converted to a large file storage room. Project also includes purchase of office system furnishings and other related components to complete the office conversion.

MOTION:

I move to approve / not approve Resolution No. 58-2015.

ATTACHMENT(S):

Fiscal Impact Analysis

Resolution

CIP for Community Sustainability

Rollover of Funding for Public Services

FISCAL IMPACT ANALYSIS

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

EXHIBIT A				
Fund Name/ Acct #	Account Description		Increase Revenues	Increase Expenditures
<u>1</u>				
Electric Fund				
401-0000-395-00-00	Use of Fund Balance	N/A	25,000	
401-6020-531-31-10	Contractual Legal Fees	N/A		25,000
<u>2</u>				
Self-Insurance Fund				
520-0000-395-00-00	Use of Fund Balance	N/A	130,000	
520-9010-581-91-80	Transfer to Capital Proj	N/A		130,000
301-0000-381-50-20	Self Insurance Fund	N/A	130,000	
301-5060-513-62-20	Buildings/Structures	N/A		130,000
<u>3</u>				
Performance Contract Fund # 306				
306-XXXX-XX-XX-XX	Loan Proceeds	N/A	22,964,693	
306-XXXX-XX-XX-XX	Direct Purchase	N/A		10,259,014
306-XXXX-XX-XX-XX	Contractual Services	N/A		11,917,971
306-XXXX-XX-XX-XX	Contingency	N/A		787,708
<u>4</u>				
Building Permit Fund				
103-0000-395-00-00	Use of Fund Balance	N/A	217,500	
103-2020-515-62-10	Buildings/Structures	N/A		217,500

B. Department Fiscal Review: CE



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Legal

EXECUTIVE BRIEF

TITLE:

Resolution No. 59-2015 - amend the Commission's Rules of Procedures to include a policy for Invocation or Moment of Silence

SUMMARY:

The Resolution would amend Rule 5 *Order of Business* to include a policy for either an Invocation or Moment of Silence by the Mayor or member of the Commission on a rotating basis.

BACKGROUND AND JUSTIFICATION:

From time to time, the City Commission have amended their Rules of Procedures to follow new legislative rules or to provide for more public input on agenda items. This amendment includes a procedural change to provide for the Mayor or a member of the Commission, on a rotating basis, to offer an Invocation or Moment of Silence.

MOTION:

I move to approve/not approve Resolution No. 59-2015.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: City Attorney's Office

EXECUTIVE BRIEF

TITLE:

Resolution No. 60-2015 - Amendment No. 1 to the Professional Services Agreement (Special Magistrate Services) with Diane James-Bigot

SUMMARY:

This Resolution authorizes Amendment No. 1 to an agreement with Diane James-Bigot for Special Magistrate Services to increase the hourly rate from \$165/per hour to \$190/per hour.

BACKGROUND AND JUSTIFICATION:

Effective on October 1, 2012, the City entered into a Professional Services Agreement for Special Magistrate Services with Diane-James-Bigot, Esquire. Ms. Bigot has been compensated for such services at an hourly rate of \$165.00. She has served as the Special Magistrate for three years and has continued to fulfill her responsibilities in a professional and impartial manner. Based upon Ms. Bigot's qualifications, experience and the quality of services provided, it is recommended that her hourly rate be \$190.00/per hour which is a reasonable rate for the position and responsibility.

MOTION:

I move to approve / not approve Resolution No. 60-2015.

ATTACHMENT(S):

Fiscal Impact Analysis
Resolution with Amendment

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	0	0	0	0	0
Operating Expenditures	\$16,150	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	\$16,150	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: A standing purchase order for Special Magistrate services is created each year and allocated to the Professional Services (Legal) account line item. For FY 2016, \$701,500 was budgeted for legal services. The expenditure for Special Magistrate services in the FY 2016 was budgeted at \$16,150.

Legal Services		Special Magistrate's Services				
Account Number (s)	Account Description	Project #	FY 2016 Budget	Agenda Expense	Budget Xfer	Balance
001.1110.514.31-10	Professional Services (Legal)	N/A	\$701,500	(\$16,150)	-	\$685,350

C. Department Fiscal Review: __WW__



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Water Utility Department

EXECUTIVE BRIEF

TITLE:

Trade-in Badger Water Meters that are removed from service by the City to Innovative Metering Solutions, Inc.

SUMMARY:

This Item is a request to suspend the City's scrap material disposal procedure and allow for a trade-in of Badger water meters previously purchased by the City that are no longer operational.

BACKGROUND AND JUSTIFICATION:

The City has a sole source agreement with Innovative Metering Solutions, Inc. to supply badger water meters. Innovative Metering Solutions, Inc. offers a trade-in service to take water meters that have been removed from service and credit the trade-in price against new meter purchases. Suspending normal city procedures for disposal of scrap material in lieu of the trade-in of water meters is advantageous because of the pricing, ease of handling, and security benefits.

Badger water meters have been demonstrated to have high reliability and long life exceeding 15 years. Trade-in of water meters removed from service provides for partial offset of the price of new meters, eliminates staff time associated with conducting and administering a scrap auction, and minimizes opportunities for old water meters to be diverted and used illegally. Water meters replaced as part of the Siemens automated metering project will be handled separately from this agreement.

MOTION:

I move to approve/not approve the suspension of the City procedures for scrap disposal and accept the trade-in of Badger water meters to Innovative Metering Solutions, Inc. for the trade-in prices shown in the attached quotation.

ATTACHMENT(S):

Fiscal Impact Analysis

IMS letter dated 6/6/2015

IMS Quotation dated 5/7/2015

Badger Meter letter dated 10/15/2014

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	0	0	0	0	0
Savings on Operating Exp	(30,000)	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	(\$30,000)	0	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Agreement with Playmore West, Inc. for the purchase and installation of playground equipment at Northwest Park

SUMMARY:

The Agreement provides for the purchase and installation of playground equipment through a “piggy back” procurement method based on a Term Contract between the County and Playmore West, Inc.

BACKGROUND AND JUSTIFICATION:

At its Regular Meeting of August 19, 2014, the City Commission approved Resolution No. 40-2014, approving and authorizing the acceptance of funding in the amount of \$50,000 from the State of Florida Department of Environmental Protection under the Fiscal Year 2014-2015 Florida Recreation Development Assistance Program (FRDAP) for the development of a new playground in Northwest Park. The State of Florida and City entered into a Project Agreement, that sets forth the terms and conditions for the use of these funds. The time of performance is three years from the effective date of September 8, 2014

Palm Beach County issued Solicitation #10-072/PR for the procurement of vendors for Playground Park Equipment, Parts and Installation. Based on this Solicitation, the County entered into Term contract #10072 with Playmore West, Inc. for this purpose. By mutual consent this Term Contract was extended through November 22, 2015. The City intends to “piggy back” on this term contract for the purchase and installation of playground equipment in Northwest Park.

The Agreement provides for the purchase and installation of a new Americans with Disabilities Act (ADA) compliant custom playground system with appropriate surfacing in the existing playground area at Northwest Park in the amount of \$49,767.75. The source of funding is the aforementioned allocation of \$50,000 in Fiscal Year 2014-2015 FRDAP funds approved for this purpose. These grant funds from the State will be made available to the City on a reimbursable basis.

MOTION:

I move to approve/ not approve an agreement with Playmore West, Inc. to purchase and install new playground equipment in Northwest Park in amount not to exceed \$49,767.75.

ATTACHMENT(S):

Fiscal Impact Analysis
Agreement

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	0	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	49,768	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 Employee Positions	0	0	0	0	0

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

The source of funding is the FY 2014-2015 FRDAP grant in the amount of \$50,000.

C. Department Fiscal Review: _____



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Agreement with Palm Beach Mobile Home Park, LLC and Palm Beach Home Sales, LLC for acquisition of certain rights of way for the Boutwell Road Infrastructure Project

SUMMARY:

Agreement provides for the payment of a total of \$41,637.50 to cover the cost of acquiring three parcels (3) and legal fees of property owner associated with the rights of way necessary for the Boutwell Road Infrastructure Project. The Agreement also grants the City authorization to line a portion of the sewer required by Health Department permits for an adjacent city well.

BACKGROUND AND JUSTIFICATION:

Over the past three years, the City has been working with its client representative, Mathews Consulting, and its design engineer, Mock Roos, to complete the necessary permit documents for the Boutwell Road Infrastructure Project. The design work is 95% complete and the acquisition of these three (3) parcel will be used to address required corner clips for improved turning radius at Joyce Street and Seventh Avenue North.

All of the property is owned and controlled by Palm Beach Mobile Home Park, LLC and Palm Beach Home Sales, LLC. As part of the negotiations to acquire the properties and the eminent domain proceedings filed by the city, the owner(s) incurred legal fees for which the City is responsible to cover in addition to the actual appraised value of the land. The total cost for the three (3) parcels including the legal fees incurred by the owner(s) is \$41,637.50.

The Health Department required the City to line a portion of the sewer as part of the permit to operate an adjacent city well. The cost of lining is included in an ongoing capital project.

MOTION:

Move to approve/disapprove agreement with Palm Beach Mobile Home Park, LLC and Palm Beach Home Sales, LLC for acquisition of rights of way for the Boutwell Road Infrastructure Project.

ATTACHMENT(S):

Fiscal Impact Analysis
Agreement

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	\$41,637.50	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	\$41,637.50	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: The Boutwell Road Infrastructure Project Capital account 304-5020-541.63-15 was funded in the amount of \$8,700,000 for FY 2016. The approved budget included funds for the acquisition of required rights of way.

Park of Commerce		Right-of-Way Purchase				
Account Number (s)	Account Description	Project #	FY 2016 Budget	Agenda Expense	Budget Xfer	Balance
304-5020-541-63-15	Infrastructure	N/A	8,700,000	(41,638)	-	8,658,363

C. Department Fiscal Review: __WW__



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Monument Sign Access and Easement Agreement for "The Village I" project located at 2220 Lake Worth Road

SUMMARY:

This Agreement provides the City with access and easement to a monument sign on property owned by Lake Worth Village, LLC for its repair and maintenance in perpetuity.

BACKGROUND AND JUSTIFICATION:

As a condition of approval, the Village I project, located at 2220 Lake Worth Road, was required to construct the City's "Park of Commerce" monument sign located at the northwest corner of Boutwell Road and Lake Worth Road. The property that the monument sign is built on is fee simple owned by Lake Worth Village, LLC (LWV) and this agreement between the City and LWV, LLC provides for the access and easement agreement terms.

The City will be responsible in perpetuity for the repair and maintenance of the new monument sign that is for the beneficial use of the City as a gateway entrance landmark to the Park of Commerce.

MOTION:

I motion to approve/disapprove the Monument Sign Access and Easement Agreement with Lake Worth Village, LLC.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Monument Sign Access and Easement Agreement
Monument Sign detail



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2015-16 - First Reading - adopt amendments to the Lien Reductions and Release of Liens Code and schedule the public hearing date for December 8, 2015

SUMMARY:

The Ordinance amends the lien reduction and release of liens provision of the City's code.

BACKGROUND AND JUSTIFICATION:

The City Commission adopted a Lien Reduction and Release of Liens Code in an effort to more systematically deal with Code Enforcement Liens that had accrued against properties in the City of Lake Worth. This Code provided for set guidelines and reduction parameters to follow when considering requests for how to satisfy and remove liens. Increased requests and the provisions of F.S. 162.09 make it necessary to provide an equitable process to release liens that are encumbered on other property within Palm Beach County as a result of the liens on property within the City of Lake Worth. This process will continue to place a premium on the Lake Worth property being in a compliant condition before a release will be released. This is in keeping with the standards of release already written in the Code for other types of releases. It also requires a payment of \$5000 or 10% of the total amount of the lien, whichever is greater, in order to complete the release.

In addition, the amendment seeks to clarify the role of the Special Magistrate as an ex officio appointee of the City and not an employee; thereby, removing any ambiguity in the dual office holding provision in State law if that Magistrate serves in the same capacity for another municipality.

At its meeting of Tuesday, October 20, the Commission voted 5-0 to have the ordinance brought back under first reading with changes to the procedures, payments and applicability. These changes have been incorporated herein.

MOTION:

I move to approve/not approve Ordinance No. 2015-16 on first reading and schedule the public hearing and second reading date for December 8, 2015.

ATTACHMENT(S):

Fiscal Impact Analysis – Not Applicable
Ordinance



AGENDA DATE: November 10, 2015 Regular Meeting

DEPARTMENT: City Manager

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2015-17 – First Reading – clarify authority to regulate, inspect, and permit managed honeybee colonies and schedule the public hearing date for December 8, 2015

SUMMARY:

The Ordinance clarifies that the authority to regulate, inspect, and permit managed honeybee colonies is preempted to the State of Florida and supersedes any related ordinance adopted by the City.

BACKGROUND AND JUSTIFICATION:

In 2012, Chapter 2012-83, Laws of Florida went into effect which amended Florida's Honey Certification and Honeybee Law, Chapter 586, Florida Statutes, in pertinent part, and preempted the authority to regulate, inspect, and permit managed honeybee colonies and to adopt rules on the placement and location of registered inspected managed honeybee colonies to the State of Florida. Any municipal ordinances in place that regulate or otherwise prohibit honeybee colonies are invalid. The City's Code of Ordinances does not specifically address honey bee colonies, but Chapter 6 speaks to the keeping of animals as pets and the raising or boarding of animals or fowl. It is recommended that the City adopt language to clarify that the City's Code of Ordinances does not regulate managed honeybee colonies. To this end, the proposed Ordinance simply acknowledges the State Legislature's preemption of this area of the law.

MOTION:

I move to approve / not approve Ordinance No. 2015-17 on first reading and schedule the public hearing date for December 8, 2015.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: City Manager's Office

EXECUTIVE BRIEF

TITLE:

Resolution No. 61-2015 - certify the Homes for Working Families Program is consistent with the City's Comprehensive Plan and local regulations

SUMMARY:

The Resolution certifies that the Neighborhood Renaissance, Inc.'s Homes for Working Families Program is consistent with local plans and regulations, including the City's Comprehensive Plan. This certification of consistency is required for Neighborhood Renaissance, Inc. to become an eligible sponsor of affordable housing under the Community Contribution Tax Credit Program.

BACKGROUND AND JUSTIFICATION:

As a partner of the Lake Worth Community Redevelopment Agency's Neighborhood Stabilization Program 2 (NSP2), Neighborhood Renaissance, Inc. is proposing its Homes for Working Families program. The program aims to reclaim distressed properties within the City of Lake Worth and provide decent, sanitary and safe housing that is affordable for working families earning less than eighty percent of the area median income. The program represents a long term (three to five years) effort to eliminate substandard residential properties through the construction of new standard single-family houses on vacant lots and the rehabilitation of existing troubled single-family properties to a standard condition. These improved properties will be made available for purchase by income-eligible working households as owner-occupants.

Pursuant to Chapters 220, 212 and 624, Florida Statutes, the Community Contribution Tax Credit Program provides corporate tax credits, sales tax and insurance premium refunds as an incentive for businesses to donate cash, property or goods to eligible projects such as the construction or rehabilitation of homes that will be affordable for low-income households to purchase. Accordingly, Neighborhood Renaissance, Inc. must demonstrate that the proposed Homes for Working Families Program is consistent with all local plans and regulations, including the City's Comprehensive Plan, in order to become an eligible sponsor of affordable housing under the Community Credit Tax Credit Program. Resolution No. XX-2015 certifies such consistency in support of Neighborhood Renaissance, Inc.'s application to participate in the Community Contribution Tax Credit Program.

As an eligible sponsor of affordable housing under the Community Contribution Tax Credit Program, Neighborhood Renaissance, Inc. will be able to accept donations to assist with the construction and/or rehabilitation of homes that will be affordable to income eligible households, as well as related management and development activities. Under its Homes for Working Families, Neighborhood Renaissance, Inc. intends to construct four new houses and rehabilitate four new houses per year over the three to five year life of the

program. The Lake Worth Community Redevelopment Agency intends to convey three vacant properties in the Royal Poinciana Neighborhood that it purchased with NSP2 funds to Neighborhood Renaissance, Inc for the development of affordable housing under its Home for Working Families Program.

MOTION:

I move to approve/ not approve Resolution No. 61-2015

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Resolution



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Economic Development

EXECUTIVE BRIEF

TITLE:

Lake Worth State of Florida 2016 Legislative Priorities

SUMMARY:

This Item establishes two funding priorities to bring before the State Legislators during their 2016 Session.

BACKGROUND AND JUSTIFICATION:

With a poverty rate still at 32.5% - approximately two times the national average - and a civilian unemployment rate stubbornly stuck at 11.6%, economic recovery is hard to quantify in our bedroom community a mere stone's throw away from the island of Palm Beach. And although Lake Worth has seen property values rise in the past year, the city simply cannot afford to invest on its own in the major infrastructure improvements that are necessary to attract jobs to the city.

Public safety, roads, sidewalks, water, sewer - basic infrastructure - are all in the prevue of government. And all play into the needs of a healthy economy that creates jobs. Lake Worth is not looking for a hand-out, but rather a hand-up in these critical areas. Critical areas of concern for the City that affect economic growth:

§ Lake Worth Park of Commerce: Infrastructure Improvements

§ Water Infrastructure

MOTION:

I motion to approve / disapprove the Lake Worth State of Florida 2016 Legislative Agenda.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Legislative Issues 2016



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Commissioner McVoy

EXECUTIVE BRIEF

TITLE:

Amend the September 22, 2015, Special City Commission minutes

SUMMARY:

This Item is to request the September 22, 2015, Special City Commission minutes be amended to include the Electric Fund Workbooks and Options' graph and email sent to the Electric Utility Director into the official minutes.

BACKGROUND AND JUSTIFICATION:

On September 22, 2015, Commissioner McVoy distributed an Electric Fund Workbooks and Options' graph and email sent to the Electric Utility Director during the meeting. After lengthy discussion, he asked that the graph and email be placed in the record. There was no motion or consensus made to support this request.

MOTION:

I move to amend/not amend the September 22, 2015, Special City Commission minutes to include the Electric Fund Workbooks and Options' graph and email sent to the Electric Utility Director into the official minutes.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

September 22, 2015 minutes

Graph and email



AGENDA DATE: November 10, 2015, Regular Meeting

DEPARTMENT: Electric Utility

TITLE:

Resolution No. 62-2015 - declare intent to abandon six (6) utility easements that run through the center of the Wawa project and schedule the public hearing date for December 8, 2015

SUMMARY:

The Resolution is the required first step to abandon six (6) existing utility easements on the northeast corner of Lake Worth Road & South Congress Avenue.

BACKGROUND AND JUSTIFICATION:

The applicant, Bohler Engineering FL, LLC on behalf of SFD Holdings, LLC would like to request approval of abandonment of existing utilities easements. The proposed Wawa is situated on assemblage of five (5) parcels totaling 3.13 acres (3.03 acres net) and will consist of 6,119SF retail store and eight (8) fuel pumps. The Site Plan has been approved by the Village of Palm Springs but requires the conflicting utility easements to be abandoned. There are nine (9) parcels that are impacted by the abandonment of the proposed six (6) utility easements that are part of the proposed development.

The City of Lake Worth has no objection to abandoning the six (6) easements located from the northeast corner of South Congress Avenue and Lake Worth Road to the South East Corner of South Congress and 2nd Avenue North that separates parcel numbers: 70-434420011040090, 70-434420011040100, 70-434420011040040, 70-434420011040050, 70-434420011040020, 70-434420011040010, 70-434420011040030, 70-434420011040080, and 70-434420011040070.

The request for abandonment is being made because the Wawa project is to be constructed over the six (6) existing utility easements. Abandonment of the easements are required as it is a condition of approval of the site plan approval for construction of the Wawa building. Currently, the easements are not used by any of the utility functions of the City, and the abandonment has been reviewed by all appropriate departments. The site plan and conditional land use of the project was reviewed by the Village of Palm Springs Council on July 23, 2015. If approved, the final utility easement abandonment and public hearing will be scheduled on December 8, 2015.

Code Section 19.1.4 Streets and Sidewalks – Procedure for Abandonment, outlines the process by which public rights-of-way can be abandoned. A Resolution declaring the intention of the City Commission to consider the abandonment must be adopted prior to the actual public hearing for abandonment. This Resolution shall serve as the City's Declaration of Intent. The public hearing will be scheduled for December 8, 2015.

There will be no fiscal impact for the abandonment of the six (6) existing utility easement.

MOTION:

I move to approve/disapprove Resolution No. 62-2015 and schedule the public hearing date for December 8, 2015.

ATTACHMENT(S):

- 1) Fiscal Impact Analysis – not applicable
- 2) Site
- 3) Resolution

4) Sketch and Legal description of utility easement to be abandoned