



**AGENDA
CITY OF LAKE WORTH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, DECEMBER 08, 2015 - 6:00 PM**

- 1. ROLL CALL:**
- 2. INVOCATION:** Moment of Silence
- 3. PLEDGE OF ALLEGIANCE:** Led by Vice Mayor Scott Maxwell
- 4. AGENDA - Additions/Deletions/Reordering:**
- 5. PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. Proclamation declaring December 1, 2015 as World AIDS Day
 - B. Update provided by School Board, District 4 representative Erica Whitfield
 - C. PBSO Community Policing update
 - D. ROLO Neighborhood Association update
- 6. COMMISSION LIAISON REPORTS AND COMMENTS:**
- 7. PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
- 8. APPROVAL OF MINUTES:**
 - A. City Commission Meeting - November 10, 2015
- 9. CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
 - A. Resolution No. 59-2015 - amend the Commission's Rules of Procedures to include a policy for Invocation or Moment of Silence

- B. Resolution No. 63-2015 - set the general election ballot
- C. Resolution No. 64-2015 - amend the Municipal Canvassing Board members during the March 15, 2016, election
- D. Resolution No. 65-2015 - second amendment to the Fiscal Year 2015-2016 budget
- E. Resolution No. 66-2015 - agreement with Palm Beach County for improvements to the Osborne Pavilion
- F. Contract with Rosso Site Development, Inc. for the construction of the 6th Ave. South - Federal to Dixie Roadway Improvements Project
- G. Contract with Waste Management for roll-off services
- H. Variance Agreement to allow stamped concrete on a driveway and City right-of-way on property located at 173 Vassar Drive
- I. General Release Agreement with Boris Pritsker for payment of a claim for damages
- J. Second amendment to a contract with Utilities Services Company for elevated tank maintenance
- K. First Amendment to an Agreement with Pace Analytical Services, Inc. for laboratory testing services on an as needed basis
- L. Agreement with All Webbs Enterprises, Inc. for the construction of Surficial Aquifer Test Well TW-18
- M. Agreement with All Webbs Enterprises, Inc. for the performance of Mechanical Integrity Testing of Class 1 Deep Injection Well IW-1
- N. Purchase authorization for Badger water meters from Innovative Metering Solutions, Inc.
- O. Utility easement by and between La Joya Villages, Ltd. and the City of Lake Worth
- P. Agreement with CP Logistics Lake Worth, LLC for acquisition of certain rights of way and an easement for the Boutwell Road Infrastructure Project

10. PUBLIC HEARINGS:

- A. Ordinance No. 2015-16 - Second Reading and Public Hearing - adopt amendments to the Lien Reductions and Release of Liens Code
- B. Ordinance No. 2015-17 - Second Reading and Public Hearing - clarity authority to regulate, inspect, and permit managed honeybee colonies

11. UNFINISHED BUSINESS:

12. NEW BUSINESS:

- A. Property located 200 feet west of the 10th Avenue North and Boutwell Road intersection:
 - 1) Ordinance No. 2016-01 - First Reading - voluntary annexation of 6.54 acres and schedule the public hearing date for January 5, 2016
 - 2) Ordinance No. 2016-02 - First Reading - Small Scale Future Land Use Map Amendment and schedule the public hearing date for January 5, 2016
 - 3) Ordinance No. 2016-03 - First Reading - rezone property and schedule the public hearing date for January 5, 2016
- B. Ordinance No. 2016-04 - First Reading - rezone a portion of the Gulfstream Hotel and schedule the public hearing date for January 5, 2016
- C. Ordinance No. 2016-05 - First Reading - amend the hours of sales for alcoholic beverages and schedule the public hearing date for January 5, 2016

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-Agendaed items)
- C. **PUBLIC HEARING:**
 - 1) Resolution No. 67-2015 - Public Hearing - abandon six utility easements that run through the center of the Wawa project
- D. **NEW BUSINESS:**

14. CITY ATTORNEY'S REPORT:

15. CITY MANAGER'S REPORT:

- A. January 5, 2016 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.



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Residents of Lake Osborne (ROLO) Neighborhood Association update

SUMMARY:

Mr. Robert Waples, Residents of Lake Osborne Neighborhood Association 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 Residents of Lake Osborne Heights Neighborhood Association was on May 6, 2014.

MOTION:

Not applicable

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable



AGENDA DATE: December 8, 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 has amended the 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.

This Resolution was discussed at length during the Commission's November 10, 2015, meeting, and a motion was approved by a 4-1 vote to amend Resolution No. 59-2015. The changes requested included allowing the Commission to bring in their own representative to offer an invocation and add United States Supreme Court guideline language. These changes are incorporated into the resolution for Commission consideration.

MOTION:

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

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Resolution No. 63-2015 - set the general election ballot

SUMMARY:

The Resolution sets the general election ballot for March 15, 2016.

BACKGROUND AND JUSTIFICATION:

At noon on December 8, 2015, the qualifying period for candidates to file papers and pay fees to the City Clerk ended. In accordance with Article II Section 22 of the Code of Ordinances, the setting of the election ballot for city elections shall be done by resolution of the City Commission. Because the deadline for qualifying as a candidate is the same date as the Commission meeting, the Resolution setting the ballot will be presented to the Commission just prior to the meeting. The estimated cost for a budgeted general election is \$30,000.

MOTION:

I move to approve/not approve Resolution No. 63-2015.

ATTACHMENT(S):

Fiscal Impact Analysis

Resolution to be presented prior to the meeting

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	\$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
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B. Recommended Sources of Funds/Summary of Fiscal Impact: Funding for the election is from accounts 001-1030-511-13-10 (Other Salaries/Part Time), 001-1030-511-49-10 (Other Current Charges /Obligations /Advertising) and 001-1030-511-49-50 (Other Current Charges/Obligations/Elections)

City Clerk		Municipal General Elections			
Account Number (s)	Account Description (s)	FY 2016 Budget	Current Balance	Agenda Expenses	Remaining Balance
001-1030-511-13-10	Other Salaries/ Part Time	40,144	40,144	(14,000)	26,144
001-1030-511-49-10	Other Current Charges/Advertising	1,392	1,392	(1,000)	392
001-1030-511-49-50	Other Current Charges/Elections	15,000	15,000	(15,000)	0.00

C. Department Fiscal Review: pjl



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: City Clerk

EXECUTIVE BRIEF

TITLE:

Resolution No. 64-2015 - amend the Municipal Canvassing Board members during the March 15, 2016, election and 2016 calendar year

SUMMARY:

The Resolution designates the County Canvassing Board members to serve as the City's Municipal Canvassing Board for the March 15, 2016, election and other members for any run-offs or other elections during the 2016 calendar year.

BACKGROUND AND JUSTIFICATION:

On October 6, 2015, the City Commission approved Resolution No. 56-2015 which designated the City Clerk, Internal Auditor, and either a retired judge or attorney with constitutional knowledge to serve as members of the City's Municipal Canvassing Board for the 2016 calendar year.

Because the City's March 15, 2016, Municipal Election coincides with the Federal Presidential Preference Primary Election, section 102.141(5), Florida Statutes, entitled, *County Canvassing Board duties*, requires the County Canvassing Board to submit the unofficial returns for each federal, statewide, state, or multi-county ballot measure to the State. As part of this responsibility, the County Canvassing Board also canvasses all ballots for the election. The County Canvassing Board consists of the County Supervisor of Elections; a County Court Judge, who acts as the chair; and, the Chair of the Board of County Commissioners. For any run-off election or any other special election occurring during the 2016 calendar year, the City will utilize the City Clerk, Internal Auditor, and either a retired judge or attorney with constitutional knowledge to serve as the City's Canvassing Board.

MOTION:

I move to approve/disapprove Resolution No. 64-2015.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Resolution



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Finance

EXECUTIVE BRIEF

TITLE:

Resolution No. 65-2015 – second amendment to the Fiscal Year 2015-2016 budget

SUMMARY:

This Resolution amends the City's Fiscal Year (FY) 2015-2016 budget by appropriating existing fund balances from the General, Electric, Beach, Sewer, Grant, and Water Funds to meet operational expenditures. Additionally, the Resolution is to request continued rollover funding of capital projects in FY 2016 that were originally funded in FY 2015 from the Water, Road Improvement, Local & Regional Sewer, Fleet, Grant, and Internal Service Funds for Information Technology.

BACKGROUND AND JUSTIFICATION:

On September 22nd, 2015 the City Commission adopted the FY 2015-2016 annual budget which contained projections for all expenditures; and was amended by Resolution No. 58-2015 on November 10th 2015. However, said budget did not anticipate or record the following expenditures.

1) General Fund

- a. \$20,000 increase for partial funding to purchase the GIS Software (ESRI) Enterprise License Agreement for the purpose of providing city employees access to important operational information contained on GIS maps. The cost of \$30,000 for the software license will be shared and used by two General Fund departments namely, Community Sustainability for \$10,000 and Public Services for \$10,000. The additional cost of \$10,000 will be funded from the Water Fund. (See below).
- b. \$67,647 increase for a Senior Code Officer salary, benefits and equipment. Position will be responsible for ensuring compliance with Commercial Business License Regulations as well as serve as general field management officer as recommended by the City's Internal Auditor. Additionally, the position will provide field oversight for the City's Chronic Nuisance Services Program.
- c. \$4,900 increase for additional conference registration and travel expense for Commission.

2) Internal Service Fund (Information Technology)

- a. \$23,000 increase for the purchase of Naviline Graphical User Interface (Naviline Edge).
- b. \$219,000 rollover funding from FY 2015 for the purpose of continued purchases, upgrades and completion of multiple technology projects already in progress. Please refer to attached Exhibit-A for detail rollover projects.

3) **Beach Fund**

\$46,005 increase for Parking Attendant position including salary and benefits. This position was approved during the FY 16 budget discussions on the beach fund but was not reflected in the budget numbers.

4) **Electric Fund**

- a. Requesting funding of salary and benefits for three (3) new positions: namely; a Budget Analyst to review ongoing spending from year to date and develop a five year budget plan, and two (2) Auxiliary Equipment Operators to ensure power plant operation and develop a succession plan within the plant organization.

Requesting funding to reclassify three (3) positions: Reclassify the Scada Control Programmer as an Engineering Manager to develop and implement an engineering process manual to ensure all projects meet both current and future standards and develop a budget plan for all electric projects, reclassify the Performance Specialist as a NERC Compliance Officer to ensure compliance with NERC and environmental EPA standards and date requirements, and reclassify the Revenue Protection Supervisor to a Revenue Protection Manager to manage the implementation of the AMI meter system and to ensure positive customer relations in the AMI project matters with residents.

5) **Water Fund**

- a. \$1,361,582 rollover funding from FY 2015 for the purpose of completing multiple capital projects already in progress. Exhibit-A detail of rollover projects under Water Fund.
- b. \$740,129 reduction due to schedule changes for projects being moved to FY 2017. Please refer to attached Exhibit-A for detail list of new additional projects.
- c. \$10,000 partial funding to purchase the GIS Software (ESRI) Enterprise License Agreement for the purpose of providing city employees access to important operational information contained on GIS maps. The cost of \$30,000 for the software license, however, the portion of cost allocated to the Water Fund is \$10,000.

6) **Local Sewer Fund**

- a. \$654,248 rollover funding from FY 2015 for the purpose of completing multiple capital projects already in progress. Exhibit-A detail of rollover projects under Local Sewer Fund.
- b. \$872,136 increase for additional local sewer capital project funds will be taken from local sewer fund balance. The increase scope for the three existing projects is to increase the size of the lift station # 4 to increase the safety factor during an emergency storm event. In addition, we are installing more pipes where projects are already planned to realize cost benefits and improve efficiency. Future sewer capital project schedules will be adjusted so that no changes in sewer rates are expected due to these changes. Please refer to attached Exhibit-A for detail list of revised local sewer projects.

7) **Regional Sewer (R & R)**

- a. \$357,173 rollover funding from FY 2015 for the purpose of completing multiple capital projects already in progress. Exhibit-A detail of rollover projects under Regional Sewer Fund.

8) **Fleet / Garage Fund**

- a. \$127,296 rollover funding from FY 2015 for the purpose of completing purchase of four vehicles for the Electric and Water departments;

9) **Road Improvement Fund**

- a. \$170,530 in rollover funding from FY 2015 for the purpose of completing 6th Avenue South project (Dixie to Federal)
- b. \$52,000 in rollover funding from FY 2015 for the purpose of completing 6th Avenue South project (Dixie to Federal) from Stormwater fund
- c. \$100,651 Reauthorize funding from the North Lakeside project (160,839) to partially fund the 6th Avenue project in the amount of \$60,188; and also partially fund Tropical & Barton Road project in the amount of \$100,651

10) Local Sewer Fund

- a. \$308,186 in rollover funding from FY 2015 for the purpose of completing Sewer Pipe Clean Machine

11) Grant Fund

- a. \$11,691 in rollover funding from FY 2015 for the purpose of completing State Aid to Library grant project
- b. \$412,193 in rollover funding from FY 2015 for the purpose of completing 7th Ave CDBG project
- c. \$19,139 in rollover funding from FY 2015 for the purpose of completing FY14 Justice Assistance Grant project
- d. \$60,000 authorization to reallocate CDBG funding for the purpose of doing two projects: Domino Park in the amount of \$39,505; and Osborne Park in the amount of \$60,000:

MOTION:

I move to approve / not approve Resolution No. 65-2015.

ATTACHMENT(S):

Fiscal Impact Analysis
Resolution

FISCAL IMPACT ANALYSIS

Exhibit - A					
FY 2016 - 2nd Budget Amendment - Approved by CC - Dec 8th, 2015					
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
1 - A		New Funds Requested for FY 2016			
Information Technology					
001-0000-395-00-00		Use of Fund Balance		10,000	
001-9010-581-91-80	IT XXXX	Transfer to Capital Project			10,000
510-0000-341-20-10	IT XXXX	Internal Serv Fund Revenue (Gen Fund)		10,000	
510-1520-519-64-15	IT XXXX	(ESRI) GIS Software (Info Technology)			10,000
001-0000-395-00-00		Use of Fund Balance		10,000	
001-9010-581-91-80	IT XXXX	Transfer to Capital Project			10,000
510-0000-341-20-10	IT XXXX	Internal Serv Fund Revenue (Gen Fund)		10,000	
510-1520-519-64-15	IT XXXX	(ESRI) GIS Software (Info Technology)			10,000
402-0000-395-00-00		Use of Fund Balance		10,000	
402-9010-581-91-80	IT XXXX	Transfer to Capital Project			10,000
510-0000-341-20-25	IT XXXX	Internal Serv Fund Revenue (Water)		10,000	
510-1520-519-64-15	IT XXXX	(ESRI) GIS Software (Info Technology)			10,000
1 - B		Request for add'l funds in FY 2016			
General Fund (Code)					
001-0000-395-00-00		Use of Fund Balance		67,647	
001-2040-515-12-10	N/A	Salaries for Sr. Code Officer			36,808
001-2040-515-XX-XX	N/A	Benefits for Sr. Code Officer			28,839
001-2040-515-56-20	N/A	Computer /Equip for Sr. Code Officer			2,000
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
1 - C		Request for add'l funds in FY 2016			
General Fund (City Comm)					
001-0000-395-00-00		Use of Fund Balance		4,900	
001-1010-511-40-10	N/A	Training & Registration			800
001-1010-511-40-20	N/A	Lodging & Transportation			4,100
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
2 - A		Request for add'l funds in FY 2016			
Internal Service Fund (I.T)					
510-0000-395-00-00		Use of Fund Balance		23,000	
510-1520-519-64-15	IT XXXX	Naviline Edge (Info Tech)			23,000
2 - B		Rollover of funds from FY 2015			
510-0000-395-00-00		Use of Fund Balance		219,000	
510-1520-519-64-15	IT 1302	Network Infrastructure Replacement			25,000
510-1520-519-64-15	IT 1303	Computer server upgrades			71,000
510-1520-519-64-15	IT 1501	Computer workstation upgrades			25,000
510-1520-519-64-15	IT 1501	Alternate contract mgmt			30,000
510-1520-519-64-15	IT 1506	Adobe Licenses			3,000
510-1520-519-64-15	IT 1507	Cognos BI			15,000
510-1520-519-64-15	IT 1508	I Series Replacement			50,000
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
3		Request for add'l funds in FY 2016			
Beach Fund					
140-0000-395-00-00		Use of Fund Balance		46,005	
140-8050-579-12-10	N/A	Salaries for Parking Attendant			23,775
140-8050-579-XX-XX	N/A	Benefits for Parking Attendant			22,230

Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
4		Request for add'l funds in FY 2016			
Electric Fund					
401-0000-395-00-00		Use of Fund Balance		270,000	
401-XXXX-XXX-12-10	N/A	Salaries for additional staff (#6)			151,000
401-XXXX-XXX-XX-XX	N/A	Benefits for additional staff (#6)			119,000
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
5-A		Rollover of funds from FY 2015			
Water Fund					
402-0000-395-00-00		Use of Fund Balance		1,361,582	
402-7022-533-63-00	WT 1511	Slaker # 4			183,469
402-7022-533-63-00	FG 1610	7th Avenue South			263,453
402-7022-533-64-00	WT 1503	Replace VFDs Hi Service			100,000
402-7022-533-64-00	WT 1504	Pumps in HSP Room			76,660
402-7022-533-63-60	WT 0601	11th Avenue South			330,000
402-7021-533-63-00	WT 1508	MIT Deep Well			150,000
402-7021-533-63-00	WT 1404	Well 12 Rehab			258,000
5-B		Request for add'l funds in FY 2016			
Water Fund					
402-0000-395-00-00		Use of Fund Balance		(740,129)	
402-7022-533-63-00	WT 1511	Slaker # 4			66,531
402-7022-533-63-00	WT 1609	WTP Post Chlorination System			100,000
402-7022-533-63-00	WT 1610	North Booster & Elevated Tank Mod			150,000
402-7022-533-63-00	WT 1601	Flash Mixer			(350,000)
402-7022-533-63-00	WT 1602	Ground Storage			(200,000)
402-7022-533-64-00	WT 1504	Pumps in HSP Room			273,340
402-7034-533-63-60	MP1602	Watermain- Lake & Lucerne			(720,000)
402-7034-533-63-60	MP1604	Well 17 New			(60,000)
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
6-A		Rollover of funds from FY 2015			
Local Sewer Fund					
403-0000-395-00-00		Use of Fund Balance		654,248	
403-7231-535-63-15	LS 1504	15th S / Fordham			351,516
403-7231-535-63-15	LS 1507	6th Ave S Local			302,732
6-B		Request for add'l funds in FY 2016			
Local Sewer Fund					
403-0000-395-00-00		Use of Fund Balance		872,136	
403-7231-535-63-15	LS 1503	LS 4 Replace			560,000
403-7231-535-63-15	LS 1609	New Sewer 11th - 12th			165,000
403-7231-535-63-15	LS 1605	Sewer Repair 5th to 6th S			100,000
403-7231-535-63-15	LS 1402	Global Manhole			47,136
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
Z		Rollover of funds from FY 2015			
Regional Sewer R & R					
406-0000-395-00-00		Use of Fund Balance		357,173	
406-7490-535-62-60		MPS Control Improvements (VFD)			131,000
406-7490-535-62-60		6th Ave S Regional			226,173

Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
8		Rollover of funds from FY 2015			
Fleet/Garage					
530-0000-395-00-00		Use of Fund Balance		127,296	
530-9010-549-64-30	EL 1516	Electric Department			37,742
530-9010-549-64-30	EL 1517	Electric Department			25,906
530-9010-549-64-30	EL 1518	Electric Department			37,742
530-9010-549-64-30	WT 1510	Water Department			25,906
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
9 - A		Rollover of funds from FY 2015			
Road Improvement Fund					
170-0000-395-00-00		Use of Fund Balance (Road Imprv)		170,538	
170-5020-519-63-15	GV 1502	8th Ave South (Dixie -to- Federal)			170,538
9 - B					
408-0000-395-00-00		Use of Fund Balance (SW)		52,000	
408-5090-538-46-40	ST 1601	8th Ave South (Dixie -to- Federal)			52,000
9 - C					
170-0000-395-00-00		Use of Fund Balance (Road Imprv)		160,839	
170-5020-519-63-15	GV 1502	8th Ave South (Dixie -to- Federal)			60,188
170-5020-519-63-15	MP 1600	Tropical & Barton			100,651
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
10		Rollover of funds from FY 2015			
Local Sewer					
403-0000-395-00-00		Use of Fund Balance		308,186	
403-7231-535-64-00	LS 1508	Sewer Pipe Clean Machine			308,186
Fund Name/ Acct #	Project #	Account Description	B/A #	Incr / Decr Revenues	Incr / Decr Expenditures
11 - A		Rollover of funds from FY 2015			
Grant Fund					
180-0000-395-00-00		Use of Fund Balance		12,585	
180-9720-52-13-10	SG 1501	State Aid to Libraries (Salary)			11,691
180-9720-52-21-00	SG 1501	State Aid to Libraries (FICA)			894
11 - B					
180-0000-331.39-00	FG1405	Revenues		412,193	
180-9710-539.63-15	FG1405	7th Avenue - CDBG			412,193
11 - C					
180-0000-331.20-00	FG1409	Revenues		19,139	
180-9710-529-13-10	FG1409	FY14 Jusitics Assistance Grant (Salary)			17,779
180-9710-529-21-00	FG1409	FY14 Jusitics Assistance Grant (FICA)			1,360
11 - D		New Funds Requested for FY 2016			
180-0000-331-39-00		Revenues		99,505	
180-9710-572-64-00	Pending	Domino Park (CDBG)			39,505
180-9710-572-64-00	Pending	Osborne Pavillion (CDBG)			60,000

A. Department Fiscal Review: Corinne Elliott – Assistant Finance Director



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 66-2015 - agreement with Palm Beach County for improvements to the Osborne Pavilion

SUMMARY:

The Resolution authorizes an Agreement with the County for use of \$60,000 in Community Development Block Grant (CDBG) funds for the reconstruction of the Osborne Pavilion.

BACKGROUND AND JUSTIFICATION:

At its meeting of May 5, 2015, the City Commission approved Resolution No. 19-2015 authorizing the submission of an application to Palm Beach County Department of Economic Sustainability (DES) for Fiscal Year 2015-2016 CDBG Program funding for improvements to the Osborne Pavilion. A total of \$60,000 in CDBG funding was requested for this purpose.

The project entails a complete reconstruction of the Osborne pavilion. Proposed improvements include removal of the existing structure, clearing and grubbing of the site, milling of the parking area, installation of a concrete slab, purchase/construction of a new pavilion on the concrete foundation, installation of concrete sidewalks and a split rail fence, sodding and installation of amenities and equipment such as tables, benches, etc. All improvements will be ADA compliant.

The estimated cost of these improvements is \$59,176.00 with no matching funds being required from the City. However, the City will be responsible for any cost overruns in excess of the \$60,000 allocation of CDBG funds for the project.

MOTION:

I move to approve/ not approve Resolution No. 66-2015.

ATTACHMENT(S):

Fiscal Impact Analysis
Resolution
Cost Estimate
Agreement
Aerial

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	60,000	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 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 FY 2015-2016 CDBG funds in the amount of \$60,000.

C. Department Fiscal Review: ___CE___



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Contract with Rosso Site Development, Inc. for the construction of the 6th Ave South - Federal to Dixie Roadway Improvements Project

SUMMARY:

The Contract authorizes a new roadway surface, striping and signage improvements, drainage upgrades, ADA improvements (curb ramps and sidewalks), minor landscaping and traffic calming elements to effectively slow the corridor that is bordered by residential properties and South Grade Elementary School.

BACKGROUND AND JUSTIFICATION:

As a main collector roadway and gateway to the eastern portion of the City, 6th Ave South from Dixie Hwy to Federal Hwy is a critical roadway segment that is rated in poor condition. The project was budgeted in FY2015 and is schedule for re-authorization to roll over into FY 2016. Engineering services were performed by Craven Thompson and Associates, Inc. for the re-design of the roadway.

The City received a total of four (4) bid proposals for the project on October 28, 2015. Rosso Site Development, Inc. was the lowest, most responsive and responsible bidder. Staff is recommending award to Rosso Site Development, Inc.

MOTION:

I move to approve / disapprove the contract with Rosso Site Development, Inc. for the construction of 6th Ave South – Federal Hwy to Dixie Hwy Roadway Improvements Project; pending approval of 2nd budget amendment on December 8th 2015.

ATTACHMENT(S):

Fiscal Impact Analysis
Bid Submittal
Bid Tabulation
Contract

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	282,726.18	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	282,726.18	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	FY2016 Project Budget	Project #	Rollover from FY15	2nd Bud Amend Funding from SW	2nd Bud Amend From N. Lakeside
170-5020-519.63-15	Improve other than Build / Infrastructure	\$282,726	GV1502	-170,538	-\$52,000	-\$60,188

C. Department Fiscal Review:

Jamie Brown – Department Director
 Corinne Elliott – Assistant Finance Director



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Contract with Waste Management for roll-off services

SUMMARY:

The Contract allows Waste Management to provide roll-off services beginning in January 2016. This Contract does not include household waste services, which will still be provided by City staff.

BACKGROUND AND JUSTIFICATION:

Currently, the Refuse Division provides all roll-off services within the City. It has been determined, however, that it would be in the best interest of the City to execute an exclusive contract with one provider for these services. As displayed in the chart below, the City has consistently run this operation at a loss since it began in 2011.

	ESTIMATE D REVENUE	TOTAL ACTUAL REVENUE	AVG MTHLY REVENUE	BUDGET AMOUN T	TOTAL EXPENDITURE S	PROFIT / LOSS
2015*	269,399	213,667	30,524	433,936	276,858	(63,191)
2014	220,000	361,737	30,145	473,225	390,970	(29,233)
2013	220,000	269,399	22,450	308,410	330,309	(60,910)
2012	220,000	280,477	23,373	562,437	432,001	(151,524)
2011	40,000	186,192	15,516	451,335	381,829	(195,637)

*2015 NUMBERS ARE THRU 4/30/15 (7 MONTHS)

The City released a Request For Proposal (RFP) to licensed, qualified providers of roll-off services in the State to perform this service within the City limits. All of the submitted proposals were reviewed by a Selection Committee consisting of the Public Services, Assistant Public Services, and Finance Directors. Upon review and individual scoring of the attached Evaluation Matrix, it was found that Waste Management earned the highest ranking.

On October 20, 2015, the Commission approved the award of the RFP to Waste Management contingent upon an agreement of contract terms. This exclusive thirty-six (36) month contract (franchise agreement) with the option of renewal for two (2) additional twelve (12) month periods is now being presented to the Commission for approval.

While the selected contractor shall be granted the right to be the sole contractor for roll-off services (residential and commercial) in the City, the City shall reserve the right to perform its own roll-off services. This being the case, one of the two roll-off vehicles and multiple containers of each size shall be retained by the City.

MOTION:

I move to approve / not approve a contract for roll-off services with Waste Management.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
RFP 15-203 Roll-Off Services
Evaluation Matrix
Proposal – Waste Management
Contract



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Public Services

EXECUTIVE BRIEF

TITLE:

Variance Agreement to allow stamped concrete on a driveway and City right-of-way on property located at 173 Vassar Drive.

SUMMARY:

The Agreement with owners Frederick R. Blevens and Charlene M. Blevens will allow for the encroachment of stamped concrete into the City right-of-way and protect the City from any future liability.

BACKGROUND AND JUSTIFICATION:

Per the City Code, Section 19-26(d), all driveway approaches and walkways are to be constructed of six inch concrete unless a variance stating otherwise is allowed by the Public Services Director. Based on the requirements, Public Services Staff does not recommend approval of stamped concrete because it is not financially beneficial to the City due to the required maintenance over the life of the stamped concrete section.

On November 23, 2015, the Public Services Director authorized the variance; however, in order to protect the City from any liability (or if the City needs to remove the stamped concrete for future work or any other reason), a variance agreement will hold the City harmless and not require replacement of the stamped concrete in the right-of-way. Upon completion of any improvements in the right-of-way, the City would then perform a repair with concrete or the stamped concrete could be reinstalled at the owner's expense. There is currently no existing variance agreement for stamped concrete on this property.

MOTION:

I move to approve/not approve a variance agreement with Frederick R. Blevens and Charlene M. Blevens.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Agreement



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Human Resources

EXECUTIVE BRIEF

TITLE:

General Release Agreement with Boris Pritsker for payment of a claim for damages

SUMMARY:

The Agreement will authorize the payment of a claim for damages sustained in an accident with a city vehicle.

BACKGROUND AND JUSTIFICATION:

On December 17, 2013, Boris Pritsker was a passenger in a vehicle and was involved in an accident with a City vehicle. He sustained injuries as a result of the accident, and retained Steinger, Iscoe & Greene as legal counsel. The initial demand was for \$45,000 and has agreed to a settlement for the amount of \$35,000.

MOTION:

I move to approve/not approve the General Release Agreement with Boris Pritsker.

ATTACHMENT(S):

1. Fiscal Impact Analysis
2. General Release 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	\$35,000.00	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	\$35,000.00	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:

Settlement for Boris Prikster						
Account Number (s)	Account Description	FY 2016 Budget	Project #	Balance Before Expenses	Agenda Expense	Balance after Expenses
520-1332-513-45-60	Ded-Non Covered Loss	\$300,000	N/A	275,575	- 35,000	240,575

C. Department Fiscal Review: _____



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Second amendment to contract with Utilities Services Company for elevated water tank maintenance.

SUMMARY:

The second amendment provides for maintenance and painting of the south elevated water tower over a five year extension at a cost not to exceed \$27,565.56 per fiscal year.

BACKGROUND AND JUSTIFICATION:

In 2010, the Utilities Department solicited proposals for contract maintenance, rehabilitation, repair, and repainting of the south elevated water tank located at the northeast corner of I-95 and 6th Avenue South. On April 15, 2010, the City Commission awarded the contract to Utility Service Company, Inc. On February 23, 2012, the City Commission approved the first amendment to the contract to address maintenance issues with the south elevated water tank.

The original contract included an initial contract period of five years with an option to renew the contract for an additional 5-year period through March 31, 2020. The basis for the five year contract periods is to correspond with the 5-year standard maintenance cycle for an elevated water tank. During the five year period, the contract includes annual inspections, cleaning of the interior every two years, and one exterior repainting of the tower.

Payment by the City for each year of the contract is conditioned upon on the lawful annual appropriation of funds by the City Commission for the same. The City will issue a purchase order for each year of the contract dependent on the annual budget approval. If the contract is terminated, the city is only responsible for the work performed.

MOTION:

I move to approve/disapprove the Second Amendment to South Water Tank Maintenance Contract with Utility Services Company at a cost not to exceed \$27,565.56 per fiscal year through the final contract term of five (5) years to March 31, 2020.

Attachments

Fiscal Impact Analysis
Second Amendment to South Water Tank
First Amendment to South Tank Contract
South Tank Final Contract

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	\$27,565.56	\$27,565.56	\$27,565.56	\$27,565.56	\$27,565.56
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 Additional Full-Time Employees	0	0	0	0	0
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B. Recommended Source of Funds/Summary of Fiscal Impact

Water Treatment	Utilities/	Water					
Account Number	Account Description	Project #	FY 2016 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7022-533.3450	Contractual Services	N/A	\$325,507.00	N/A	\$291,433.79	-\$27,565.56	\$263,868.23

C. Fiscal Review:

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



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

First Amendment to an Agreement with Pace Analytical Services to continue supplemental Laboratory Testing Services for the Water and Electric Utilities Departments on an as need basis

SUMMARY:

The Amended Agreement authorizes use of the City of Pompano Beach's contract with Pace Analytical Services for supplemental testing of materials that are not within the certifications of the City's Water Plant Laboratory.

BACKGROUND AND JUSTIFICATION:

All tests must be performed by a laboratory that is NELAP (National Environmental Laboratory Accreditation Program) certified through the Florida Department of Health Environmental Laboratory Services Program.

On June 2, 2014, the City of Pompano Beach through a competitive bid process awarded Pace Analytical Services contract # T-27-14 Laboratory Testing Services. The City of Lake Worth is currently utilizing contract #T-27-14 (Laboratory Service) through a Piggy-Back Agreement authorized by the City of Lake Worth on February 3, 2015. The City of Pompano Beach has exercised its one year extension option which extends the contract period to June 1, 2016.

MOTION:

To move to approve/not approve the First Amendment to an Agreement with Pace Analytical Services; and authorize the continued use of the City of Pompano Beach's contract.

ATTACHMENTS

Fiscal Impact Analysis
Renewal Agreement 2016
Original Agreement 2015
Bid Document for Pompano 2014
Pompano Renewal Extension 2015

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	\$28,454.00	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	0	0	\$0	\$0	\$0

No. of Additional Full-Time Employees	0	0	0	0	0
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B. Recommended Source of Funds/Summary of Fiscal Impact

Water Treatment							
Account Number	Account Description	Project #	FY 2016 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7022-533.3190	Professional Services	N/A	\$60,000.00	N/A	\$46,956.10	-\$20,000.00	\$26,956.10

Electric Utilities/ Power Plant							
Account Number	Account Description	Project #	FY 2016 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
401-6031-531-3170	Environmental Compliance	N/A	\$78,350	N/A	\$74,050	-\$8,454	\$65,596

C. Fiscal Review:

Larry Johnson – Director
 Monica Shaner –Assistant Utilities Director
 Clyde Johnson - Budget Analyst



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Agreement with All Webbs Enterprises, Inc. for the construction of Surficial Aquifer Test Well TW-18

SUMMARY:

The Agreement authorizes the construction of a Surficial Aquifer Test Well TW-18 at a cost not to exceed \$47,550 (Bid IFB-15-115).

BACKGROUND AND JUSTIFICATION:

This project will consist of the drilling and construction of a new Surficial Aquifer test well. The test well will be drilled to an overall depth of 300 feet, and will be located west of I-95 at the 1900 2nd Avenue North Complex.

During development of the pilot well for Surficial Production Well #16, it was noted that the iron concentrations were higher than desired from the 200 to 225 ft. depth interval. This proposed test well will assist staff in determining the best location for the next proposed Surficial Production Wells, #17 and #18.

The City of Lake Worth Utilities department solicited bids from contractors for the Test Well TW-18 construction, under Bid IFB-15-115. Two bids were received. The lowest bid for the sum of \$47,550 was from All Webbs Enterprises, Inc. Mock Roos & Associates is recommending award of the Bid to All Webbs, Inc. whose previous work include the re-drilling of Well 12, the rehabilitation of Well 9R, and the drilling of the three Floridian Aquifer wells for the Reverse Osmosis Water Treatment Plant.

MOTION:

I move to approve/disapprove an agreement award with All Webbs Enterprises, Inc. for the construction of Surficial Aquifer Test Well TW-18 at a cost not to exceed \$47,550 during the Fiscal Year 2016.

Attachments

- 1) Fiscal Analysis
- 2) Agreement
- 3) Bid Tabulation
- 4) Bid Recommendation

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	47,550	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	47,550	0	\$0	\$0	\$0

No. of Additional Full-Time Employees	0	0	0	0	0
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B. Recommended Source of Funds/Summary of Fiscal Impact

The funds have been identified in the FY2016 Wells Capital Improvement budget from account 402-7021-533.63-00.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2016 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7021-533.63-00	Wells CIP	WT 1509	60,000	N/A	48,395	-\$47,550	\$845

C. Fiscal Review:

Larry Johnson – Director
 Monica Shaner –Engineer
 Clyde Johnson – Finance
 Corinne Elliott – Assistant Finance Director



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Agreement with All Webbs Enterprises, Inc. for the performance of Mechanical Integrity Testing of Class 1 Deep Injection Well IW-1.

SUMMARY:

The Agreement authorizes All Webbs Enterprises, Inc. to perform the Mechanical Integrity Testing of Class 1 Deep Injection Well IW-1 for the Reverse Osmosis water plant at a cost not to exceed \$30,000 (Bid IFB-15-119).

BACKGROUND AND JUSTIFICATION:

The City of Lake Worth Water Utilities Department operates a Class 1 Deep Injection Well (IW-1) at the Water Treatment Plant for disposal of concentrate (salt) water from the Reverse Osmosis water treatment process, and settled backwash water from the lime softening water treatment process.

The Florida Department of Environmental Protection operating permit for the Deep Well requires that the City perform a Mechanical Integrity test every 5 years. The test ensures that there are no leaks in the casing, tubing or packer, and that there is no fluid movement into an underground drinking water zone.

The City of Lake Worth Utilities department solicited bids from contractors for the Performance of Mechanical Integrity Testing of Class 1 Deep Injection Well IW-1, under Bid IFB-15-119. Two bids were received. The lowest bid for the sum of \$30,000 was from All Webbs Enterprises, Inc. Mathews Consulting are recommending award of the Bid to All Webbs, Inc, whose previous work include the re-drilling of Well 12, the rehabilitation of Well 9R, and the drilling of the three Floridian Aquifer wells for the Reverse Osmosis Water Treatment Plant.

MOTION:

I move to approve/disapprove an agreement with All Webbs Enterprises, Inc. for the Performance of Mechanical Integrity Testing of Class 1 Deep Injection Well IW-1 for the Reverse Osmosis water plant at a cost not to exceed \$30,000 during the Fiscal Year 2016.

Attachments

- 1) Fiscal Analysis
- 2) Agreement
- 3) Bid Tabulation

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	30,000	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	30,000	0	\$0	\$0	\$0

No. of Additional Full-Time Employees	0	0	0	0	0
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B. Recommended Source of Funds/Summary of Fiscal Impact

The funds have been identified in the FY2015 Wells Capital Improvement budget from account 402-7021-533.63-00, and will be rolled forward to the FY2016 budget as a part of the budget amendment to be approved with this agenda.

Utilities/Water Production							
Account Number	Account Description	Project #	FY 2016 Proposed Budget	Amended Budget	Current Balance	Agenda Item Expenditures	Remaining Balance
402-7021-533.63-00	Wells CIP	WT 1508	120,000	N/A	103,395	-\$30,000	\$73,395

C. Fiscal Review:

Larry Johnson – Director
 Monica Shaner –Assistant Director
 Clyde Johnson – Finance
 Corinne Elliott – Assistant Finance Director



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Purchase Authorization for Badger water meters from Innovative Metering Solutions, Inc.

SUMMARY:

This Item authorizes the purchase of water meters for normal repairs at a cost not to exceed \$75,000 for Fiscal Year 2016.

BACKGROUND AND JUSTIFICATION:

The Water Utilities Department is requesting authorization to purchase Badger water meters from Innovative Metering Solutions, Inc. These meters will enable Water Distribution staff to replace water meters during normal operational repairs. These repairs are separate from the automated metering replacements being performed by Siemens. Meters will be purchased as needed for inventory, based on operational demands.

Innovative Metering Solutions, Inc. are the sole source vendor for Badger Meters in the State of Florida. See attached Sole Source letter.

MOTION:

I move to approve/disapprove a purchase with Innovative Metering Solutions, Inc. for an amount not to exceed \$75,000 for Fiscal Year 2016.

ATTACHMENT(S):

Fiscal Impact Analysis

Sole Source Letter

Innovative Metering Solutions, Inc. Quote

Request for Sole Source Procurement

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	75,000	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	75,000	0	0	0	0

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

C. The funds have been identified in the 2016 Operations and Maintenance budget from account 402-7034-533.46-60

Utilities Water Distribution						
Account Number	Account Description	FY2016 Budget	Project #	Pre Exp; Balance	Agenda Item Expenditures	Remaining Balance
402-7034-533.46-60	Meters/Lines	\$209,000	N/A	\$209,000	-\$75,000	\$134,000

D. Department Fiscal Review: _____

L Johnson – Budget Manager

C Elliott – Assistant Finance Director



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Water Utilities

EXECUTIVE BRIEF

TITLE:

Dedication of Utility Easement by La Joya Villages, Ltd., to the City.

SUMMARY:

Pursuant to the conditions of approval for its project, La Joya Villages, Ltd., is dedicating a utility easement to the City.

BACKGROUND AND JUSTIFICATION:

La Joya Villages, Ltd., recently constructed the La Joya Villages residential development project located at 1105 6th Avenue South. The City currently owns and maintains public utilities that traverse the property. La Joya Villages, Ltd., is dedicating a fifteen foot wide utility easement to the City for unrestricted access to all associated utilities for maintenance, repair and new installations. A drawing showing the location of the easement is included with the easement.

MOTION:

I move to approve/disapprove the Utility Easement by La Joya Villages, Ltd., to the City.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Easement Agreement and drawing



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Agreement with CP Logistics Lake Worth, LLC, for acquisition of certain rights of way and an easement for the Boutwell Road Infrastructure Project.

SUMMARY:

This Agreement provides for the dedication of a ten foot (10') right of way and the granting of a ten foot (10') easement for a bio-swale and landscaping associated with the Boutwell Road Infrastructure project.

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. Now that the design work is 95% complete, the process to acquire and control the required rights of way to construct the project has begun. This agreement serves as the second formal, voluntary dedication of rights of way for property necessary for the roadway to be constructed. One (1) parcel is involved. The right of way dedication provides the required seventy foot (70') right of way for along Boutwell Road north of Seventh Avenue North and the required northwest corner clip for Boutwell Road and Seventh Avenue North. The agreement includes the granting of an easement for a ten foot (10') landscaped bioswale to run along the western side of the improved Boutwell Road.

In total, the dedication of the right of way and the granting of the easement is valued at Eighty-One Thousand, One Hundred dollars (\$81,100.00) per appraisals prepared by Anderson & Carr. The owner has proposed utilizing this value in order to meet a portion of the required sustainable bonus requirement for the Boutwell Business Center, which was approved by the Planning & Zoning Board on November 4, 2015.

MOTION:

I move to approve/disapprove an agreement with CP Logistics Lake Worth, LLC for acquisition by dedication of certain rights of way and an easement for the Boutwell Road Infrastructure Project.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Agreement w/exhibits



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2015-16 - Second Reading and Public Hearing - adopt amendments to the Lien Reductions and Release of Liens Code

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 entertaining requests for how to satisfy and remove liens. The activity of the real estate market and the provisions of F.S. 162.09 have made it necessary to amend that code 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 November 10, 2015, the Commission voted 4-0 to approve the ordinance and to schedule the second reading and public hearing for December 8, 2015

MOTION:

I move to approve/not approve Ordinance No. 2015-16 on second reading.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: City Manager

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2015-17 - Second Reading and Public Hearing - clarify authority to regulate, inspect, and permit managed honeybee colonies

SUMMARY:

This 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 a municipality.

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 second reading.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2016-01 - First Reading - voluntary annexation of 6.54 acres and schedule the public hearing date for January 5, 2016

SUMMARY:

The Ordinance provides for the voluntary annexation of approximately 6.54 acres pursuant to the Interlocal Service Boundary Agreement adopted by the City of Lake Worth on August 18, 2015, and subsequently adopted by Palm Beach County on October 6, 2015.

BACKGROUND AND JUSTIFICATION:

This is a companion item to Ordinance Nos. 2016-02 and 2016-03 approving the Small Scale Future Land Use Map Amendment and Rezoning.

The Applicant (property owner) proposes to voluntarily annex approximately a 6.54 acre parcel of land. The request for annexation falls within the scope of a small-scale comprehensive plan amendment. The parcel located in Palm Beach County fronts on 10th Avenue North and lies along the western border of the City's Mixed Use - West (MU-W) zoning district. Currently, the site has a Palm Beach County zoning designation of Multi Family Residential High Intensity (RH). It has a Palm Beach County Land use designation of Commercial High Intensity/ 8 dwelling units per acre.

The proposed Future Land Use designation of Mixed Use West (MU-W) is appropriate for the site and is consistent with adjacent properties along 10th Avenue North located within the City. The proposed zoning designation of Mixed Use - West (MU-W) is appropriate for the site and is consistent with surrounding properties which front 10th Avenue North within the City. The MU-W District allows for low and moderate intensity commercial uses including administrative and professional offices, medical offices, retail-type business services, low-intensity financial institutions, low-intensity convenience sales, personal services, and eating and drinking establishments.

The City forwarded the Annexation, FLUM and rezoning documents to Palm Beach County to allow opportunity for comment. No comments or objections have been received.

At its meeting of November 4, 2015, the City's Planning and Zoning Board voted unanimously to recommend approval to the City Commission PZB 15-02200001, which covers, the voluntary annexation of the 6.54 acre parcel of land into the City of Lake Worth.

MOTION:

I move to approve/not approve Ordinance No. 2016-01 on first reading and schedule the public hearing date for January 5, 2016.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Draft November 4, 2015 P&Z Board minutes

Universal Development Application

PZB Staff Report

Ordinance



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2016-02 - First Reading - Small Scale Future Land Use Map Amendment and schedule the public hearing date for January 5, 2016

SUMMARY:

The Ordinance amends the City's Future Land Use Map, including a small scale amendment to its Comprehensive Plan as part of a voluntary annexation of approximately 6.54 acres pursuant to the Interlocal Service Boundary Agreement adopted by the City of Lake Worth on August 18, 2015, and subsequently adopted by Palm Beach County on October 6, 2015.

BACKGROUND AND JUSTIFICATION:

This is a companion item to Ordinance Nos. 2016-01 and 2016-03 approving the Voluntary Annexation and Rezoning.

The Applicant (property owner) proposes to voluntarily annex an approximately 6.54 acre parcel of land. The request for annexation falls within the scope of a small-scale comprehensive plan amendment. The parcel located in Palm Beach County fronts on 10th Avenue North and lies along the western border of the City's Mixed Use - West (MU-W) zoning district. Currently, the site has a Palm Beach County zoning designation of Multi Family Residential High Intensity (RH). It has a Palm Beach County Land use designation of Commercial High Intensity/ 8 dwelling units per acre.

The proposed Future Land Use designation of Mixed Use West (MU-W) is appropriate for the site and is consistent with adjacent properties along 10th Avenue North located within the City. The proposed zoning designation of Mixed Use - West (MU-W) is appropriate for the site and is consistent with surrounding properties which front 10th Avenue North within the City. The MU-W District allows for low and moderate intensity commercial uses including administrative and professional offices, medical offices, retail-type business services, low-intensity financial institutions, low-intensity convenience sales, personal services, and eating and drinking establishments.

The City forwarded the Annexation, FLUM and rezoning documents to Palm Beach County to allow opportunity for comment. No comments or objections have been received.

At its meeting of November 4, 2015, the City's Planning and Zoning Board voted unanimously to recommend approval to the City Commission PZB 15-00300001, which covers amending the City's Future Land Use Map (FLUM) including a small scale amendment to the City's Comprehensive Plan.

MOTION:

I move to approve/disapprove Ordinance No. 2016-02 on first reading and schedule the public hearing date for January 5, 2016.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Draft Minutes of the P&Z Board Meeting of November 4, 2015

Universal Development Application

Ordinance

PZB Staff Report



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2016-03 - First Reading - rezone property and schedule the public hearing date for January 5, 2016.

SUMMARY:

The Ordinance will rezone approximately 6.54 acres from County Multi Family Residential High Intensity (RH) to City of Lake Worth Mixed Use –West (MU-W) Zoning district as a result of a voluntary annexation.

BACKGROUND AND JUSTIFICATION:

This is a companion item to Ordinance Nos. 2016-01 and 2016-02 approving the Voluntary Annexation and Small Scale Future Land Use Map Amendment.

The Applicant (property owner) proposes to voluntarily annex an approximately 6.54 acre parcel of land. The request for annexation falls within the scope of a small-scale comprehensive plan amendment. The parcel located in Palm Beach County fronts on 10th Avenue North and lies along the western border of the City's Mixed Use - West (MU-W) zoning district. Currently, the site has a Palm Beach County zoning designation of Multi Family Residential High Intensity (RH). It has a Palm Beach County Land use designation of Commercial High Intensity/ 8 dwelling units per acre.

The proposed Future Land Use designation of Mixed Use West (MU-W) is appropriate for the site and is consistent with adjacent properties along 10th Avenue North located within the City. The proposed zoning designation of Mixed Use - West (MU-W) is appropriate for the site and is consistent with surrounding properties which front 10th Avenue North within the City. The MU-W District allows for low and moderate intensity commercial uses including administrative and professional offices, medical offices, retail-type business services, low-intensity financial institutions, low-intensity convenience sales, personal services, and eating and drinking establishments.

The City forwarded the Annexation, FLUM and rezoning documents to Palm Beach County to allow opportunity for comment. No comments or objections have been received.

At its meeting of November 4, 2015, the City's Planning and Zoning Board voted unanimously to recommend approval to the City Commission PZB 15-01300002, which covers changing the zoning from Palm Beach County zoning classification of Multi Family Residential High Intensity (RH) to a City zoning classification of Mixed-Use – West (MU-W).

MOTION:

I move to approve/disapprove Ordinance No. 2016-03 on first reading and schedule the public hearing date for January 5, 2016.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

P&Z November 4, 2015 draft minutes

Universal Development Application

Ordinance

P&Z Staff Report including location map



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2016-04 - First Reading - rezone a portion of the Gulfstream Hotel properties from Multi-Family 30 (MF-30) to Downtown (DT) and schedule the public hearing date for January 5, 2016.

SUMMARY:

The Ordinance will rezone approximately 0.93 acres of the 1.82 acre site associated with the Gulfstream Hotel, situated on the east side of South Lakeside Drive and north of 1st Avenue South in the South Palm Park Historic District, from a zoning designation of Medium-Density Multi-Residential (MF-30) to Downtown (DT).

BACKGROUND AND JUSTIFICATION:

The Applicant (property owner) is preparing applications to renovate and redevelop the historic Gulfstream Hotel properties. The Applicant proposes to rezone seven (7) parcels for the proposed project, serving to revitalize the downtown corridor between the retail/restaurants uses and the Beach & Casino area.

For the project to move forward, the Applicant must first rezone the MF-30 portion of the property to DT. Next, the applicant must seek approval from the Historic Resources Preservation Board (HRPB) for a Certificate of Appropriateness (COA) for exterior alterations, an addition to the historic structure, and new construction of a hotel annex and parking garage as well as site plan approval and conditional land use permit consistent with the requirements of Land Development Regulations.

At its meeting of November 18, 2015, the City's HRPB voted unanimously (7-0) to recommend approval to the City Commission HRPB 15-01300001, which covers changing the zoning from MF-30 to DT including a condition to require the petitioner to implement a Unity of Title for the subject parcels in order to move forward with any development plans. Further, the HRPB expressed concerns about the design, height, bulk, mass, and visual compatibility of any development on the southernmost parcels, located at the northeast corner of South Lakeside Drive and 1st Avenue South. The HRPB also suggested a condition of approval stating any proposed development be compatible and harmonious with the historic integrity and character of the local historic district.

MOTION:

I move to approve/disapprove Ordinance No. 2016-04 on first reading and schedule the public hearing date for January 5, 2016.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
HRPB Board Staff Report November 18, 2015
Justification Statement

Initial Conceptual Site Plan
Revised Conceptual Site Plan
Ordinance



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: City Attorney

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2016-05 – First Reading – amend the hours of sales for alcoholic beverages and schedule the public hearing date for January 5, 2016.

SUMMARY:

This Ordinance amends the current hours of sales for alcoholic beverages to allow sales on Sunday mornings and prohibit off-premise consumption after 10 p.m.

BACKGROUND AND JUSTIFICATION:

The proposed ordinance addresses two issues regarding sales of alcoholic beverages in the City: (1) remove the prohibition on Sunday morning sales; and, (2) create a prohibition on off-premise sales after 10 p.m.

The City of Lake Worth currently prohibits the sale of alcoholic beverages on Sunday mornings from 2:00 a.m. to 11:59 a.m. *See* section 5-4 of the City's code of ordinances. Consistent with Palm Beach County and other municipalities in Palm Beach County, City staff recommends the proposed ordinance which amends section 5-4 of the City's code of ordinances to permit alcohol sales on Sunday mornings.

The City of Lake Worth currently allows alcoholic beverage sales for off-premise consumption for the same length of time as sales for on-premise consumption. The City continues to have issues with public consumption of alcoholic beverages in its parks, parking lots and streets/alleys especially after 10 p.m. To assist the City and PBSO with curbing such public consumption, the proposed ordinance would prohibit sales for off-premise consumption after 10 p.m.

Section 562.45, Florida Statutes, specifically authorizes the City to regulate the hours of sales for alcoholic beverages. If the proposed ordinance is adopted, all establishments selling alcohol for off-premise consumption must immediately comply (i.e., existing establishments will not be grand-fathered in or treated as non-conforming).

MOTION:

I move to approve/not approve Ordinance No. 2016-05.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
Ordinance



AGENDA DATE: December 8, 2015, Regular Meeting

DEPARTMENT: Electric Utility

EXECUTIVE BRIEF

TITLE:

Resolution No. 67-2015 - Public Hearing - abandon six utility easements that run through the center of the Wawa project

SUMMARY:

The Resolution abandons six (6) existing utility easements on the northeast corner of Lake Worth Road and 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 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 nine (9) 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. All City Departments have reviewed the proposed abandonment and none had any issues or any future need for the easements.

City Code Section 19.1.4 *Streets and Sidewalks – Procedure for Abandonment*, outlines the process by which public rights-of-way can be abandoned. Resolution 62-2015, declaring the intention of the City Commission to consider the abandonment, was APPROVED at the November 10, 2015 City Commission meeting. A 10-day advance notice was published in the Lake Worth Herald newspaper.

MOTION:

I move to approve/disapprove Resolution No. 67-2015.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Resolution

Petition of abandonment

Consent Letters from Lake Worth, AT&T, and Comcast

Legal Description and Sketch