



**AGENDA  
CITY OF LAKE WORTH  
CITY COMMISSION MEETING  
CITY HALL COMMISSION CHAMBER  
TUESDAY, MARCH 01, 2016 - 6:00 PM**

- 1. ROLL CALL:**
- 2. INVOCATION OR MOMENT OF SILENCE:** Moment of Silence by Commissioner Ryan Maier
- 3. PLEDGE OF ALLEGIANCE:** Led by Commissioner Andy Amoroso
- 4. AGENDA - Additions/Deletions/Reordering:**
- 5. PRESENTATIONS:** (there is no public comment on Presentation items)
  - A. Proclamation declaring March 2016 as Florida Bicycle Month
  - B. Proclamation declaring March 2016 as Ethics Awareness Month
  - C. Planning and Zoning Board update
  - D. Royal Poinciana 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 - February 16, 2016
- 9. CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
  - A. Agreement with Midrange Support and Services to purchase an IBM Power 8 System to replace the City's IBM System i 520

- B. Agreement with Everglades Contracting, LLC for construction of the 11th Avenue South and South F Street Watermain project
- C. Purchase and Sale Agreement with Granite and Marble World Inc. for additional right-of-way needed for Boutwell Road Phase 1 improvements
- D. Ratify members to various City advisory boards

**10. PUBLIC HEARINGS:**

**11. UNFINISHED BUSINESS:**

- A. Declare REG Architects, Inc., The Morganti Group, Inc., and The Insurance Company of the State of Pennsylvania in default

**12. NEW BUSINESS:**

- A. Ordinance No. 2016-11 - First Reading - Small Scale Future Land Use Map Amendment and schedule the public hearing date for April 5, 2016
- B. Ordinance No. 2016-12 - First Reading - rezone property located at the northeast corner of Lucerne Avenue and North F Street and schedule the public hearing date for April 5, 2016
- C. Resolution No. 12-2016 - authorizing the levy of municipal special assessment liens totaling \$60,315.09 for unpaid lot clearing charges
- D. Resolution No. 13-2016 - authorizing the levy of municipal special assessment liens totaling \$78,107.62 for unpaid demolition charges
- E. Resolution No. 14-2016 - authorizing the levy of municipal special assessment liens totaling \$52,326.45 for unpaid boarding and securing charges

**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:**
- D. **NEW BUSINESS:**

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

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

A. March 22, 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:** March 1, 2016, Regular Meeting

**DEPARTMENT:** City Clerk

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**EXECUTIVE BRIEF**

**TITLE:**

Planning and Zoning Board update

**SUMMARY:**

Greg Rice, Chair, will update the Commission on activities that have taken place over the past several months.

**BACKGROUND AND JUSTIFICATION:**

The Board members review and approve site plans for three-units or more of residential development and all commercial development. The members also review community appearance and have the ability to grant variances from the Lake Worth Zoning Code. The members also serve as the Board of Sign Appeals and Nuisance Abatement Board. The members serve three-year terms. Last update from the Planning and Zoning board was on February 3, 2015.

**MOTION:**

Not applicable

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** City Clerk

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**EXECUTIVE BRIEF**

**TITLE:**

Royal Poinciana Neighborhood Association update

**SUMMARY:**

Ms. Sarah Parr, Royal Poinciana 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 Royal Poinciana Neighborhood Association was on September 15, 2015.

**MOTION:**

Not applicable

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** Information Technology

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**EXECUTIVE BRIEF**

**TITLE:**

Agreement with Midrange Support and Services to purchase IBM Power 8 System to replace IBM System i 520.

**SUMMARY:**

The Agreement authorizes the purchase of an IBM Power 8 System from Midrange Support. Services to include installation and migration from our current IBM System i 520 to the IBM Power 8 System. Purchase not to exceed \$48,286.38 which includes a 10% contingency.

**BACKGROUND AND JUSTIFICATION:**

The IBM System i 520 server is used to host the SunGard Naviline Enterprise Software. This server is ten years old and is approaching end of life. The server will be replaced with an IBM Power 8 System which will ensure continued IBM support, reliability, security, and expansion capabilities for future growth. In addition, the IBM Power 8 System will provide increased processing speed, storage, and will improve overall workload performance. In addition it will reduce the backup time, overall cost and power consumption.

An invitation for bid IFB 16-109 was opened 1/19/2016 with closed date of 2/3/2016 in accordance with the City's procurement code. The bid has been awarded to Midrange Support and Services Inc.

The agreement provides for the purchase and installation of an IBM Power 8 System and data migration from our IBM System i 520 server to the IBM Power 8 System.

**MOTION:**

I move to approve/disapprove the agreement an Midrange Support and Services, Inc. to purchase, install and perform the data migration to an IBM Power 8 System for an amount not to exceed \$48,286.38.

**ATTACHMENT(S):**

Fiscal Impact Analysis  
Bid Tab IFB 16-109  
Bid Proposal  
Agreement

**FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

<b>Fiscal Years</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Capital Expenditures	\$48,286	0	0
Operating Expenditures	0	0	0
External Revenues	0	0	0
Program Income	0	0	0
In-kind Match	0	0	0
Net Fiscal Impact	\$48,286	0	0

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

<b>Information Tech</b>		<b>Microsoft Enterprise Agreement</b>				
<b>Account Number (s)</b>	<b>Account Description</b>	<b>FY 2016 Budget</b>	<b>Account Balance</b>	<b>Project #</b>	<b>Agenda Expenses</b>	<b>Remaining Project Balance</b>
<b>510-1520-519.64-40</b>	Capital - Information Tech	\$306,000	203,319	IT 1508	-\$48,286	\$155,033

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



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** Water Utilities

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**EXECUTIVE BRIEF**

**TITLE:**

Agreement with Everglades Contracting, LLC for construction of the 11th Avenue South and South F Street Watermain project

**SUMMARY:**

The Agreement authorizes construction of watermain upgrades, fire hydrants and site restoration along 11<sup>th</sup> Avenue South and South F Streets by Everglades Contracting, LLC.

**BACKGROUND AND JUSTIFICATION:**

The 11<sup>th</sup> Avenue South right of way is currently unimproved. This project will upgrade the watermain before the construction of a greenway by Public Services through a separate project. The project is being directly funded through Water Utilities capital improvement funds. The project will include site restoration to the existing conditions prior to start of the separate greenways project.

The City received ten bids in response to its Invitation to Bid, IFB 16-101, and Everglades Contracting, LLC, a Fort Lauderdale based contractor, was the lowest, responsive, and responsible bidder for an amount of \$362,040.

**MOTION:**

I move to approve/disapprove the Agreement with Everglades Contracting, LLC, for a total amount of \$362,040.

**ATTACHMENT(S):**

- A. Fiscal Impact Analysis
- B. Award Letter with Bid Tabulation
- C. Agreement

**FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	362,040	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
<b>Net Fiscal Impact</b>	<b>362,040</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

No. of Addn'l Full-Time Employee Positions	0	0	0	0	0
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B. Recommended Sources of Funds/Summary of Fiscal Impact:

Water Utilities						
Account Number	Account Description	Contract Amount	Project #	Pre Exp; Balance	Expenditure for this item	Post Exp; Balance
402-7034-533.63-60	Water Utility Service / Improve other than Build-Mains	\$362,040	MP-0601	\$1,664,072	-\$362,040	\$1,302,032

C. Department Fiscal Review: Larry Johnson  
 Finance Review: Corinne Elliott



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** Water Utilities

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**EXECUTIVE BRIEF**

**TITLE:**

Purchase and Sale Agreement with Granite and Marble World Inc. for additional right-of-way needed for Boutwell Road Phase 1 improvements

**SUMMARY:**

Authorize purchase of additional right-of-way needed for the Boutwell Road Phase 1 improvements to the Park of Commerce, for the purchase price of \$8,600.

**BACKGROUND AND JUSTIFICATION:**

The City of Lake Worth authorized the design of Phase 1 improvements to Boutwell Road within the Park of Commerce on January 1, 2014. The design of the road improvements requires the acquisition of additional right-of-way along the corridor. This purchase agreement provides for acquisition of right-of-way at the northwest corner of Boutwell Road and Joyce Road that is needed for roadway improvements.

Acquisition of necessary right-of-way is required for the construction of this project.

**MOTION:**

I move to approve/disapprove the purchase and sale agreement with Granite and Marble World, Inc. for acquisition of additional right-of-way for the purchase price of \$8,600.

**ATTACHMENT(S):**

Fiscal Impact Analysis  
Purchas and Sale Agreement

**FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	\$8,600	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	\$8,600	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:

**Water Utilities**

Account Number	Account Description	Contract Amount	Project #	Pre Exp; Balance	Expenditure for this item	Post Exp; Balance
304-5020-541.63-15	Park of Commerce / Improve other than Build-Infrastructure	\$8,600	Not available	\$8,590,446	-\$8,600	\$8,581,846

D. Department Fiscal Review: Larry Johnson  
 Finance Review: Corinne Elliott



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** City Commission

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**EXECUTIVE BRIEF**

**TITLE:**

Ratify members to various City advisory boards

**SUMMARY:**

This item is to ratify the appointments and reappointments of members to the Library, Sister City, Finance, Tree and Recreation Advisory Boards.

**BACKGROUND AND JUSTIFICATION:**

On February 5, 2013, the Commission adopted an ordinance amending the board member appointment process to allow for the selection of board members by individual elected officials. In accordance with the ordinance, the board appointments would be effective upon ratification by the Commission as a whole.

On November 4, 2014, the Commission adopted an ordinance to provide for an elected official to waive his or her right to make an appointment after 30 days of being notified of the vacancy. It also provides for the next elected official responsible for an appointment to make it. In the event that there is no other elected official responsible for an appointment, then any member of the Commission can make an appointment on behalf of the elected official who waived his or her right.

The following appointments and reappointments are requested to be ratified:

**Library Board:**

Mayor's appointment of Dave Wilson to fill an unexpired term ending on July 31, 2018.

Commissioner Amoroso's appointment of Glen Scheiner to fill an unexpired term ending on July 31, 2016 and reappoint for a term ending on July 31, 2021. This appointment is assigned to District 2; however, the appointment was waived, which allowed for any member of the Commission to make an appointment on behalf of District 2.

**Sister City Board:**

Vice Mayor's appointment of Cynthia Brown to fill an unexpired term ending on July 31, 2017.

**Finance Advisory Board:**

Vice Mayor's appointment of Judith Just to fill an unexpired term ending on July 31, 2017. This appointment is assigned to District 2; however, the appointment was waived, which allowed for any member of the Commission to make an appointment on behalf of District 2.

**City Tree Board:**

Vice Mayor's appointment of Caneste Succe to fill an unexpired term ending on July 31, 2016 and reappoint for a term expiring on July 31, 2019.

**City Recreation Advisory Board:**

Vice Mayor's appointment of Erica Cooper-Hadden to fill an unexpired term ending on July 31, 2017. This appointment is assigned to District 2; however, the appointment was waived, which allowed for any member of the Commission to make an appointment on behalf of District 2.

**MOTION:**

I move to ratify Mayor Triolo's appointment of Dave Wilson to the Library Board to fill an unexpired term ending on July 31, 2018; the Vice Mayor Maxwell's appointment of Cynthia Brown to the Sister City Board to fill an unexpired term ending on July 31, 2017, the appointment of Judith Just to the Finance Advisory Board to fill an unexpired term ending on July 31, 2017 on behalf of District 2, the appointment of Caneste Succe to the City Tree Board to fill an unexpired term ending on July 31, 2016 and reappoint for a term ending on July 31, 2019, and the appointment of Erica Cooper-Hadden to the Recreation Advisory Board to fill an unexpired term ending on July 31, 2017 on behalf of District 2; and Commissioner Amoroso's appointment of Glen Scheiner to the Library Board to fill an unexpired term ending on July 31, 2016 and reappoint for a term ending on July 31, 2021.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Board Membership Applications  
Board Logs



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** City Attorney

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**EXECUTIVE BRIEF**

**TITLE:**

Declare REG Architects, Inc., The Morganti Group, Inc., and The Insurance Company of the State of Pennsylvania in default

**SUMMARY:**

This item seeks to declare the design and construction firms and the construction firm's surety in default of their respective contracts with the City regarding the Casino Building.

**BACKGROUND AND JUSTIFICATION:**

In June 2010, the City entered a professional services agreement with REG Architects, Inc. (REG) to design the new Casino Building. In November 2010 (and as amended in June 2011), the City entered into a construction agreement with The Morganti Group, Inc. (Morganti) to construct the new Casino Building. Morganti secured a Public Construction Bond for its work with The Insurance Company of the State of Pennsylvania (Surety).

During construction, the City notified REG and Morganti of various issues occurring at the Casino Building including, but not limited to, water intrusion through and/or around the doors on the second story (east elevation); water pooling on the second story deck; and, rusting surfaces. While some efforts were made to correct these issues, the City continued to experience the same and additional issues at the Casino.

In 2013, after both REG and Morganti applied for final payment (which was withheld), the City retained construction attorney Michael Kennedy of Ciklin, Lubitz, Martens & O'Connell, P.A., to assist in resolving the issues. After further attempts to resolve some of the issues failed, in November 2013, Mr. Kennedy notified REG, Morganti and the Surety of the continued issues. After a request by Morganti for more time, the City, REG and Morganti again attempted to amicably resolve the issues. The City met with representatives of REG and Morganti in August 2014 at the Casino to discuss solutions to the continued issues and some new issues. In September 2014, the City put REG and Morganti on notice that their proposed solutions to-date were unacceptable. In another effort to amicably resolve the issues, the City attended pre-suit mediation with representatives of REG and Morganti in May 2015. The mediation resulted in a Tolling Agreement to stay any applicable statute of limitations and to allow the parties one more attempt to resolve the issues without litigation.

In late 2015, the parties again discussed resolution of the issues. When the City (and two hired consultants) pushed back on the latest proposed solutions, the City received little response from representatives of REG and Morganti. At this time, the issues at the Casino Building include, but are not be limited to:

- Water intrusion through the windows and operable doors along the east elevation;

- Failure of the second floor deck to drain;
- Water intrusion behind the stucco on the elevations of the building;
- Improper drainage design or construction which allows water to cascade off of the roof causing hazardous conditions on the paver deck below or mold growth on canopies;
- Rusting on arch supports; and
- Premature degradation of external surfaces.

The City along with Mr. Kennedy have worked for an extended period of time with representatives of REG and Morganti in an effort to resolve the issues without litigation. Since the tolling agreement expired in January 2016; REG and Morganti appear non-responsive to the City; and, the uncorrected issues with the Casino are a breach of REG's, Morganti's and the Surety's respective contracts/bonds, Mr. Kennedy recommends placing REG, Morganti and the Surety in default and proceeding with litigation without further delay. The City Attorney concurs with this recommendation.

If REG, Morganti and the Surety are declared in default, Mr. Kennedy and the City Attorney will notify them of the same and immediately proceed with filing a lawsuit.

On February 16, 2016, the City Commission took action to table this item for two weeks.

**MOTION:**

I move to declare REG Architects, Inc., The Morganti Group, Inc., and The Insurance Company of the State of Pennsylvania in default.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Ordinance No. 2016-11 - First Reading - Small Scale Future Land Use Map Amendment and schedule the public hearing date for April 5, 2016

**SUMMARY:**

The Ordinance amends the City's Future Land Use Map to change the designation of approximately .4646 acre, located on the northeast corner of Lucerne Avenue and North F Street, from the City's Public (P) to Mixed Use – E (MU-E).

**BACKGROUND AND JUSTIFICATION:**

**This is a companion item to Ordinance No. 2016-12 approving the Rezoning.**

The Applicant (property owner) is preparing applications to develop the approximate .4646 acre parcel of land as the second phase to the successful Urban Arts loft and proposes to change the Future Land Use designation.

The proposed Future Land Use designation of Mixed Use - E (MU-E) is appropriate for the site and is consistent with surrounding properties which front Lucerne Avenue within the City. The MU-E designation will encourage and allow mixed development of the property as a combination of residential and commercial uses, and, allow the artists to use a portion of their home for their occupation of producing and selling their work or services "by right". This ability of the artists to work out of their homes was an important decision factor for the phase 1 buyers and is a major selling point for phase 2. Increased commercial activity in the live-work properties and additional residents of the development will support other businesses already located in the City.

At its meeting of February 3, 2016, the City's Planning and Zoning Board voted unanimously to recommend approval to the City Commission PZB 16-00300001, which covers changing the Future Land Use designation from Public (P) to a City Future Land Use designation of Mixed-Use – East (MU-E).

**MOTION:**

I move to approve/disapprove Ordinance No. 2016-11 on first reading and schedule the public hearing date for April 5, 2016.

**ATTACHMENT(S):**

Ordinance

PZB Staff Report including location map

Justification Statement



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Ordinance No. 2016-12 - First Reading - rezone property located at the northeast corner of Lucerne Avenue and North F Street and schedule the public hearing date for April 5, 2016

**SUMMARY:**

The Ordinance will rezone approximately .4646 acre from City's Public (P) to the City's Mixed Use – East (MU-E) Zoning district.

**BACKGROUND AND JUSTIFICATION:**

**This is a companion item to Ordinance No. 2016-11 approving the Small Scale Future Land Use Map Amendment.**

The request falls within the scope of a small-scale comprehensive plan amendment. The parcel is located at the northeast corner of Lucerne Avenue and N F Street. Currently, the site has a City of Lake Worth Public (P) zoning designation and has a City Future Land use designation of Public (P). The Applicant (property owner) is preparing applications to develop the approximate .4646 acre parcel of land as the second phase to the successful Urban Arts loft.

The proposed zoning designation of Mixed Use - E (MU-E) is appropriate for the site and is consistent with surrounding properties which front Lucerne Avenue within the City. The MU-E designation will allow the development of the property as a combination of residential and commercial uses, and, allow the artists to use a portion of their home for their occupation of producing and selling their work or services "by right". This ability of the artists to work out of their homes was an important decision factor for the phase 1 buyers and is a major selling point for phase 2.

At its meeting of February 3, 2016, the City's Planning and Zoning Board voted unanimously to recommend approval to the City Commission PZB 16-01300001, which covers changing the zoning from zoning classification of Public (P) to a City zoning classification of Mixed-Use – East (MU-E).

**MOTION:**

I move to approve/disapprove Ordinance No. 2016-12 on first reading and schedule the public hearing date for April 5, 2016.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Justification Statement  
P&Z Staff Report including location map  
Ordinance



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Resolution No. 12-2016 - authorizing the levy of municipal special assessment liens totalling \$60,315.09 for unpaid lot clearing charges

**SUMMARY:**

The Resolution assesses the costs incurred by the City for lot clearing services and levies such costs as special assessment liens against the properties identified in the Resolution.

**BACKGROUND AND JUSTIFICATION:**

Pursuant to the provisions of sections 12-38 through 12-42 of the Code of Ordinances (the "Lot Clearing Ordinance"), the owners of certain parcels of real property were notified of the existence of debris, vegetation, tree or other matter thereon which were determined to create a hazard declared to be a public nuisance and a violation of the City's Lot Clearing Ordinance. Certain owners failed to abate such nuisances and the City or its contractor, in accordance with the procedures set forth in the Lot Clearing Ordinance, have abated said nuisances by clearing the offending lots. In accordance with section 12-42, the costs incurred by the City to abate said nuisances may be assessed against each property as a special assessment lien. The list of 56 properties to be assessed for unpaid lot clearing charges, along with the associated administrative costs, total \$60,315.09 and are attached to the Resolution as Exhibit "A". If not paid, these liens may be foreclosed by the City or they may be certified to the tax collector for collection pursuant to the uniform method provided in section 197.3632, Florida Statutes.

**MOTION:**

I move to approve / not approve Resolution No. 12-2016.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Resolution



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Resolution No. 13-2016 - authorizing the levy of municipal special assessment liens totalling \$78,107.62 for unpaid demolition charges

**SUMMARY:**

The Resolution assesses the costs incurred by the City for demolishing unsafe structures and levies such costs as special assessment liens against the properties identified in the Resolution.

**BACKGROUND AND JUSTIFICATION:**

Pursuant to the provisions of sections 9-2.2(a) through 9-2.2(t) of the Code of Ordinances (the “Unsafe Building Abatement Code”), the owners of certain parcels of real property were notified of the existence of an unsafe structure which was determined to create a hazard declared to be a public nuisance and a violation of the City’s Unsafe Building Abatement Code. Certain owners failed to abate such nuisances and the City or its contractor, in accordance with the procedures set forth in the Unsafe Building Abatement Code, have abated said nuisances by demolishing the unsafe structure. In accordance with section 9-2.2(q), the costs incurred by the City to abate said nuisances may be assessed against each property as a special assessment lien. The list of 9 properties to be assessed for demolition charges, along with the associated administrative costs, total \$78,107.62 and are attached to the Resolution as Exhibit “A”. If not paid, these liens may be foreclosed by the City or they may be certified to the tax collector for collection pursuant to the uniform method provided in section 197.3632, Florida Statutes.

**MOTION:**

I move to approve / not approve Resolution No. 13-2016.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Resolution



**AGENDA DATE:** March 1, 2016, Regular Meeting

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Resolution No. 14-2016 - authorizing the levy of municipal special assessment liens totalling \$52,326.45 for unpaid boarding and securing charges

**SUMMARY:**

The Resolution assesses the costs incurred by the City for boarding and securing services and levies such costs as special assessment liens against the properties identified in the Resolution.

**BACKGROUND AND JUSTIFICATION:**

Pursuant to the provisions of sections 2-75.2 through 2-75.2.7 of the Code of Ordinances (the “Board and Secure Ordinance”), the owners of certain parcels of real property were notified of the existence of a structure that allows access to its interior which is not boarded or secured and that does not have a certificate of boarding which were determined to create a hazard declared to be a public nuisance and a violation of the City’s Board and Secure Ordinance. Certain owners failed to abate such nuisances and the City or its contractor, in accordance with the procedures set forth in the Board and Secure Ordinance, have abated said nuisances by boarding and securing the structure. In accordance with section 2-75.2.7, the costs incurred by the City to abate said nuisances may be assessed against each property as a special assessment lien. The list of 31 properties to be assessed for unpaid boarding and securing charges, along with the associated administrative costs, total \$52,326.45 and are attached to the Resolution as Exhibit “A”. If not paid, these liens may be foreclosed by the City or they may be certified to the tax collector for collection pursuant to the uniform method provided in section 197.3632, Florida Statutes.

**MOTION:**

I move to approve / not approve Resolution No. 14-2016.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Resolution