



**AGENDA  
CITY OF LAKE WORTH  
CITY COMMISSION MEETING  
CITY HALL COMMISSION CHAMBER  
TUESDAY, APRIL 05, 2016 - 6:00 PM**

- 1. ROLL CALL:**
- 2. INVOCATION OR MOMENT OF SILENCE:** Offered by Pastor Quesnel Delvard, Sacred Heart Church, on behalf of Vice Mayor Maxwell
- 3. PLEDGE OF ALLEGIANCE:** Led by Commissioner Christopher McVoy
- 4. AGENDA - Additions/Deletions/Reordering:**
- 5. PRESENTATIONS:** (there is no public comment on Presentation items)
  - A. City Tree Board update
  - B. Palm Beach County School District and PBSO-Breaking the Cycle of Gang Recruitment.
  - C. Downtown Jewel Neighborhood Association update
  - D. Proclamation declaring April 10-17, 2016 as National Volunteer Week
  - E. Proclamation declaring April 10-16, 2016 as National Library week
  - F. Proclamation declaring April 22, 2016 as Earth Day
- 6. COMMISSION LIAISON REPORTS AND COMMENTS:**
- 7. PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
- 8. APPROVAL OF MINUTES:**
  - A. City Commission Special Meeting 3/18/16.
  - B. City Commission 3/22/16

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

- A. Amendment to the Memorandum of Understanding (MOU) with Palm Beach County regarding the EDA Grant.
- B. Monument Sign Access and Easement Agreement for the Woodspring Suites West Palm Beach Florida South Lake Worth, LLC.
- C. Approval of Contract For Sale and Purchase of 628 South K Street
- D. Approval of Contract For Sale and Purchase of 431 North L Street
- E. Approval of construction contract with One Call Property Services, Inc. for \$133,892.68
- F. Approve inter-local agreement with Drowning Prevention Coalition of Palm Beach County for swimming lesson vouchers

**10. PUBLIC HEARINGS:**

- A. Ordinance No. 2016-11 - Second Reading - Small Scale Future Land Use Map Amendment
- B. Ordinance No. 2016-12 - Second Reading - rezone property located at the northeast corner of Lucerne Avenue and North F Street
- C. Ordinance No. 2016-13 - First Reading and First Public Hearing - amend various sections and tables in the City's Land Development Regulations and schedule the second public hearing date for April 19, 2016
- D. Ordinance No. 2016-14 - Second Reading - Revise the code enforcement lien reduction procedure
- E. Resolution No. 17-2016 - Abandon 25 ft. ROW Fun Depot

**11. UNFINISHED BUSINESS:**

**12. NEW BUSINESS:**

- A. Resolution No 18-2016 Support for baseball team in South Central Palm Beach County
- B. Fiscal Year 2016-2017 Community Development Block Grant application for funding

- C. Approval of Interlocal Agreement with the County for Annexation of Enclave

**13. LAKE WORTH ELECTRIC UTILITY:**

- A. **PRESENTATION:** (there is no public comment on Presentation items)
- 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. Discussion about staff action with regard to Atlanta Braves

**16. ADJOURNMENT:**

- 17. 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:** April 5, 2016, Regular Meeting

**DEPARTMENT:** City Clerk

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**EXECUTIVE BRIEF**

**TITLE:**

City Tree Board update

**SUMMARY:**

Mr. Richard Stowe, Board Chair, will update the Commission on activities that have taken place over the past several months.

**BACKGROUND AND JUSTIFICATION:**

The Board members establish policy and provide standards within the City landscape ordinance for tree preservation and protection, both public and private. The policy would include, but not be limited to providing educational materials on proper planting, pruning techniques and insect and disease control; planting native species; inventory existing trees; permit guidelines, including rules for tree removal; opportunities for citizen involvement; and City tree sales. The members should recommend the planting of trees, which would provide a continuing shade canopy into the future. The last update from the City Tree Board was on April 7, 2015.

**MOTION:**

Not applicable

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable



**AGENDA DATE:** April 5, 2016, Regular Meeting

**DEPARTMENT:** City Clerk

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**EXECUTIVE BRIEF**

**TITLE:**

Downtown Jewel Neighborhood Association update

**SUMMARY:**

Mr. Jon Faust, Downtown Jewel 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 Downtown Jewel Neighborhood Association was on August 18, 2015.

**MOTION:**

Not applicable

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable



**AGENDA DATE:** April 5, 2016

**DEPARTMENT:** Economic Development

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**EXECUTIVE BRIEF**

**TITLE:**

Amendment to the Memorandum of Understanding (MOU) with Palm Beach County regarding the EDA Grant.

**SUMMARY:**

The City Commission approved Resolution No. 14-2015 authorizing the execution of a Memorandum of Understanding (MOU) between Palm Beach County and City of Lake Worth to submit a grant application to the U.S. Department of Commerce, Economic Development Administration (EDA) for infrastructure improvements in the Lake Worth Park of Commerce. The EDA has since awarded monies for the execution for those improvements. The amendment to the MOU clarifies the roles and responsibilities of each party.

**BACKGROUND AND JUSTIFICATION:**

The City and County submitted a joint grant application to the US Economic Development Administration for infrastructure improvements in the Lake Worth Park of Commerce. On February 12, 2016, final award documents were issued by the EDA in the amount of \$1,389,100.

The amendment to the original MOU outlines the roles, responsibilities and compensation of each party during the award period. Palm Beach County, Department of Community Sustainability, will be responsible for grant administration and reporting to the EDA. This includes submission of quarterly and semi-annual project performance reports; semi-annual federal financial reports; and processing reimbursement requests consistent with federal requirements. The EDA-approved budget reflects \$20,000 of grant administration services. However, the City of Lake Worth will receive funds from the EDA directly and therefore will need to make payments to the County from that particular line item.

**MOTION:**

I move to approve / disapprove the amendment to the Memorandum of Understanding between Palm Beach County and City of Lake Worth.

**ATTACHMENT(S):**

Amendment to Memorandum of Understanding  
Resolution No. 14-2015



**AGENDA DATE:** April 5, 2016

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Monument Sign Access and Easement Agreement for the Woodspring Suites West Palm Beach Florida South Lake Worth, LLC.

**SUMMARY:**

Pursuant to the conditions of approval for the development approval of the Value Place Hotel project, Woodspring Suites West Palm Beach Florida South Lake Worth LLC is dedicating a monument sign access and easement to the City for the placement of a Park of Commerce sign.

**BACKGROUND AND JUSTIFICATION:**

Woodspring Suites West Palm Beach Florida South Lake Worth LLC recently constructed the Value Place Hotel project located at 2171 10<sup>th</sup> Avenue North. As a condition of approval, the project, was required to provide a monument sign easement at the ingress and egress point along the Boutwell Road. The property that the monument sign is built on is fee simple owned by Woodspring Suites West Palm Beach Florida South Lake Worth, LLC and this agreement between the City and Woodspring Suites West Palm Beach Florida South Lake Worth, LLC provides for the access and easement agreement terms.

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

**MOTION:**

I motion to approve/disapprove the Monument Sign Access and Easement Agreement with Woodspring Suites West Palm Beach Florida South Lake Worth, LLC.

**ATTACHMENT(S):**

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



**AGENDA DATE:** April 5, 2016

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Approval of Contract For Sale and Purchase of 628 North K Street

**SUMMARY:**

Sale of city surplus vacant lot located at 628 North K Street, PCN 38-43-44-21-15-176-0140, to Alicia J. Heine and Frederick P. Lummis for Fifty Thousand, Ten dollars (\$50,010.00). Contract includes a Quit Claim Deed and Historic Preservation Covenant.

**BACKGROUND AND JUSTIFICATION:**

Per City Commission direction and approval, the City's surplus vacant properties were approved for sale through a formal Request for Proposal (RFP) process. City Staff prepared RFP 15-207, which closed on November 5, 2015. The RFP included nineteen (19) vacant parcels for sale. The minimum required proposal sales price for the lot located at 628 North K Street per the 2015 Tax Roll was \$45,158. The City received one (1) proposal for the property from Alicia J. Heine and Frederick P. Lummis in the amount of \$50,010.

Based on the single proposal received, City Staff evaluated the proposal and determined that it met the minimum requirements for sale and the City Attorney's office prepared a Contract for Sale and Purchase (Contract) a Quit Claim Deed (Deed) and a Historic Preservation Covenant (Covenant). Both the Contract and Covenant have been signed by the proposed buyers as well as a one thousand dollar (\$1,000.00) deposit in the form of a cashier's check has been deposited with the City.

Should the City Commission approve the sale, a closing date will be scheduled with the buyers. All closing costs and other fees related to the sale will be the responsibility of the buyers.

**MOTION:**

I move to approve/not approve the contract for sale and purchase including historic preservation covenant for the vacant lot located at 628 North K Street in the amount of \$50,010.00.

**ATTACHMENT(S):**

Fiscal Impact Analysis  
Signed Sales Contract and Preservation Covenant

**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	\$50,010	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	+\$50,010	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:

C.

Funds from the sale of the surplus property will be deposited in account 160-0000-369.90-28, which is a revenue account within the Remediation Fund program.

D. Department Fiscal Review: \_\_\_\_\_



**AGENDA DATE:** April 5, 2016

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Approval of Contract For Sale and Purchase of 431 North L Street

**SUMMARY:**

Sale of city surplus, historic structure located at 431 North L Street, PCN 38-43-44-21-15-112-0170, to Joseph and Gloria Ansaroff for One Hundred Forty Six Thousand dollars (\$146,000.00). Contract includes a Quit Claim Deed and Historic Preservation Covenant.

**BACKGROUND AND JUSTIFICATION:**

Per City Commission direction and approval, the City's surplus, historic structure located at 431 North L Street was approved for sale through a formal Invitation to Bid (IFB) process. City Staff prepared IFB 15-114, which closed on November 5, 2015. The minimum required bid sales price for the historic structure located at 431 North L Street per the 2015 Tax Roll was \$74,649. The City received two (2) bids for the property. One bid was for \$146,000 with an anticipated renovation budget of an additional \$150,000. The second bid was for \$80,100 with an anticipated renovation budget of an additional \$300,000.

Based on the bids received and the scope of renovations outlined, City Staff evaluated the bids and determined that both met the minimum requirements for sale, but the higher bidder had a more realistic approach to the renovation. The City Attorney's office prepared a Contract for Sale and Purchase (Contract) a Quit Claim Deed (Deed) and a Historic Preservation Covenant (Covenant). Both the Contract and Covenant have been signed by the proposed buyers as well as a one thousand dollar (\$1,000.00) deposit in the form of a cashier's check has been deposited with the City.

Should the City Commission approve the sale, a closing date will be scheduled with the buyers. All closing costs and other fees related to the sale will be the responsibility of the buyers.

**MOTION:**

I move to approve/not approve the contract for sale and purchase including historic preservation covenant for the historic structure located at 431 North L Street in the amount of \$146,000.00.

**ATTACHMENT(S):**

Fiscal Impact Analysis  
Signed Sales Contract and Preservation Covenant

## **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	\$146,000	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	+\$146,000	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:

Funds from the sale of the surplus property will be deposited in account 160-0000-369.90-28, which is a revenue account within the Remediation Fund program.

### C. Department Fiscal Review:

- a. William Waters
- b. Marie Elianor



**AGENDA DATE:** April 5, 2016

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Approval of construction contract with One Call Property Services, Inc. for \$133,892.68

**SUMMARY:**

Award competitively bid construction contract to One Call Property Services, Inc. in the amount of \$133,892.68 for porch enclosure renovations at 1900 Second Avenue North.

**BACKGROUND AND JUSTIFICATION:**

The City Community Sustainability Department has grown in both programmatic responsibility and staff over the past four years. With the ever increasing demands on the services of the Department, additional staff and programs have been added to enhance customer service and service delivery. With these changes comes the need for additional office and file storage spaces. The proposed project will provide the necessary additional space to serve the immediate and short term future needs of the Department.

The construction agreement was competitively bid through IFB-16-107, and the bid tabulation is attached. City Staff is recommending contracting with the second lowest bidder as the lowest bid was determined to be incomplete and deficient in several areas.

The proposed project will provide approximately 1,750 sq. ft. of additional office space for the Building Division staff of the Community Sustainability Department. In addition, the City's building files, which are housing in the basement of City Hall, will be moved to the new space. The relocation of the Building Division Staff and building files will greatly enhance customer service and resource efficiencies. The vacated space will be remodeled for the Planning & Preservation Division and Code Compliance Division. All Departmental records also will be relocated to conditioned, secured space within easy access of the Departmental offices.

**MOTION:**

I move to approve/disapprove award of contract with One Call Property Services, Inc. for \$133,892.68

**ATTACHMENT(S):**

Fiscal Impact Analysis  
Construction Contract  
Bid Tabulation  
Recommendation of Award

**FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	\$133,892.68	\$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	\$133,892.68	\$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:

Two capital improvement projects were approved as part of the Fiscal Year 2017 budget for the Building Division totaling \$217,500. The first project of \$180,000 was allocated for the renovation of the porch area of 1900 Second Avenue North, and the second project of \$37,500 was allocated for renovation of the customer service area of the Community Sustainability Department. The monies were budgeted in the Building/Improvements account 103-2020-515.62-10 of the Building Division.

Water & Sewer		Everglades Contracting				
Account Number (s)	Account Description	Project #	FY 2016 Budget	Balance	Agenda Expense	Balance
103-2020-515.62-10	Buildings/Improvements	1	\$217,500	\$217,500	(\$133,892.68)	\$83,607.32

C. Department Fiscal Review:

William Waters  
 Clyde Johnson  
 Marie Elianor



**AGENDA DATE:** April 5, 2016

**DEPARTMENT:** Leisure Services

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**EXECUTIVE BRIEF**

**TITLE:**

Approve Interlocal Agreement with Drowning Prevention Coalition of Palm Beach County for swimming lesson vouchers.

**SUMMARY:**

The Interlocal Agreement with Drowning Prevention Coalition of Palm Beach County will provide free swim lessons vouchers to participants ages six months and older.

**BACKGROUND AND JUSTIFICATION:**

The Leisure Services Department is requesting to enter into an inter-local agreement with Drowning Prevention Coalition of Palm Beach County to provide free learn to swim lessons to participants ages six months and older. The Palm Beach County Drowning Prevention Coalition's Learn to Swim Program distributes vouchers to Palm Beach County residents ages 6 months and older that can be redeemed for free swimming lessons up to \$50 held throughout Palm Beach County. Leisure Services Department will be responsible for submitting the monthly reimbursements to the County for payment of the vouchers submitted.

Through, Section 163.01, Florida Statutes, known as the "Florida Inter-local Cooperation Act of 1969," authorizes local government to make the most efficient use of their power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographical, economical, population and other factors influencing the needs and development of local communities". The Interlocal Agreement is effective April 1, 2016 and will remain in effect until September 30, 2016.

**MOTION:**

I MOVE TO APPROVE/DISAPPROVE THE INTERLOCAL AGREEMENT WITH THE DROWNING PREVENTION COALITION OF PALM BEACH COUNTY

**ATTACHMENT(S):**

Fiscal Impact Analysis



**AGENDA DATE:** April 5, 2016, Regular Meeting

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Ordinance No. 2016-11 - Second Reading - Small Scale Future Land Use Map Amendment

**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).

At its regular meeting of March 1, 2016, the City Commission voted 5-0 to approve the Ordinance and to schedule the second reading and public hearing.

**MOTION:**

I move to approve/disapprove Ordinance No. 2016-11 on second reading.

**ATTACHMENT(S):**

Ordinance  
PZB Staff Report including location map  
Justification Statement

## **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	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	0	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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

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



**AGENDA DATE:** April 5, 2016, Regular Meeting

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Ordinance No. 2016-12 - Second Reading - rezone property located at the northeast corner of Lucerne Avenue and North F Street

**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).

At its regular meeting of March 1, 2016, the City Commission voted 5-0 to approve the Ordinance and to schedule the second reading and public hearing.

**MOTION:**

I move to approve/disapprove Ordinance No. 2016-12 on second reading.

**ATTACHMENT(S):**

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

## **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	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	0	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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

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



**AGENDA DATE:** April 5, 2016, Regular Meeting

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Ordinance No. 2016-13 - First Reading and First Public Hearing - amend various sections and tables in the City's Land Development Regulations and schedule the second public hearing date for April 19, 2016

**SUMMARY:**

The Ordinance amends Chapter 23, Land Development Regulations, of the City's Code of Ordinances including six (6) articles of the Land Development Regulations: General Provisions, Administration, Zoning Districts, Development Standards, and Supplemental Regulations. The ordinance also revises the Land Development Regulation's permitted use table, and Environmental Regulations.

**BACKGROUND AND JUSTIFICATION:**

On August 6, 2013, the City of Lake Worth adopted Chapter 23, Land Development Regulations (LDRs), of the Code of Ordinances. The LDRs include six (6) articles governing all development within the City. As use of the adopted LDRs progress, some provisions require clarification and edits/additions to provide consistency, improve understanding and facilitate implementation as well as address issues that have arisen since adoption.

The proposed amendments provide clarification, edits and additions to the LDRs' definitions; notice requirements for public hearing; site plan review; zoning districts; development standards; off-street parking; sign code; and, landscape regulations.

On February 3, 2016, the Planning & Zoning Board, at its regularly scheduled meeting, discussed the proposed amendments to the LDRs and voted 7-0 to recommend approval to the City Commission.

On February 10, 2016, the Historic Resources Preservation Board, at its regularly scheduled meeting, discussed the proposed amendments to the LDRs and voted 5-0 to recommend approval to the City Commission.

**MOTION:**

I move to approve/disapprove Ordinance No. 2016-13 on first reading and first public hearing and schedule the second reading and second public hearing date for April 19, 2016.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
P&Z Board and HRPB Staff Reports  
Ordinance



**AGENDA DATE:** April 5, 2016

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Ordinance No. 2016-14 - Second Reading - Revise the code enforcement lien reduction procedure

**SUMMARY:**

The Ordinance requires an applicant for a lien reduction to, under certain circumstances, conduct a lien search to determine whether the applicant meets the criteria for a lien reduction and to clarify what is considered a documented expense.

**BACKGROUND AND JUSTIFICATION:**

Pursuant to section 2-69.3.1 "Lien reductions and release of liens" of the Code of Ordinances, an applicant may apply for a lien reduction hearing before the Special Magistrate if they meet several criteria. One of the criteria is that all applicant-owned properties located within the City of Lake Worth must not have any active code enforcement cases in process. To assist staff in making this determination, the Ordinance requires an applicant to submit with the application a list of all properties he or she owns within the City. The Ordinance also provides that if the list includes more than three properties, the City may now require the applicant to submit a lien search request through the City Clerk's Office to determine whether any code enforcement cases exist on the list of properties. Further, the current process provides that as part of the analysis of a proper reduction of a lien, the Special Magistrate may consider any documented expenses incurred by the applicant to bring the property into compliance. The Ordinance clarifies that documented expenses include the cost of any permit required to bring the property into compliance, but any government penalties or fines should not be included.

At its meeting of March 22, 2106, the City Commission voted 5-0 to approve the ordinance on first reading and to schedule the second reading and public hearing for April 5, 2016.

**MOTION:**

I move to approve / not approve Ordinance No. 2016-14 on second reading.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Ordinance

**ATTACHMENT(S):**

Fiscal Impact Analysis

## **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	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	0	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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

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



**AGENDA DATE:** April 5, 2016

**DEPARTMENT:** Public Services

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**EXECUTIVE BRIEF**

**TITLE:**

Resolution No. 17-2016 - Abandon 25 ft. ROW Fun Depot property.

**SUMMARY:** Pursuant to the adjacent property owner's and current Fun Depot owner's request, Three Palms Investment, LLC, staff recommends abandonment of a small portion of City owned right-of-way property.

**BACKGROUND AND JUSTIFICATION:** The Fun Depot property, located at 2003 10<sup>th</sup> Ave North, is undergoing future renovation work and additional amenities are being proposed by its current owner, Three Palms Investment, LLC. Three Palms Investment desires to include the south 25' x 143.24' of the property in the renovations. This portion of the property is currently owned by the City as right-of-way.

The right-of-way was privately owned by the Fun Depot's predecessor and deeded to the City of Lake Worth in 1988 for the purposes of a future roadway. Since that time, the City has not performed any roadway work nor has the City utilized the right of way for any public purpose, and there are no future plans to develop the parcel which is landlocked.

The Public Services Dept., Community Sustainability Dept., Water Utilities Dept., and the Electric Utilities Dept. have all reviewed the request and have no issue with said abandonment. There are no conflicts or utilities that will be affected by way of the abandonment.

Since the City owns the right-of-way outright, the abandonment of the same will result in the right-of-way reverting back to the Fun Depot current property owner, Three Palms Investment, LLC.

**MOTION:** I move to approve/disapprove the abandonment of the right of way located adjacent to the Fun Depot property.

**ATTACHMENT(S):**

Fiscal Impact Analysis – None

Letter from Applicant

Proposed Site Plan

Resolution

Right of Way Abandonment application



**AGENDA DATE:** April 5, 2016, Regular Meeting

**DEPARTMENT:** City Manager's Office

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**EXECUTIVE BRIEF**

**TITLE:**

Fiscal Year 2016-2017 Community Development Block Grant application for funding

**SUMMARY:**

As a participating jurisdiction in the Palm Beach County Urban County Program for Fiscal Years 2015, 2016 and 2017, the City will be provided with continued access to funding under Community Development Block Grant (CDBG) program as a part of the Palm Beach County Entitlement Jurisdiction. The County has notified the City of its FY 2016-2017 CDBG allocation in the estimated amount of \$256,726. The City's application for these funds must be submitted to the County by noon on April 8, 2016.

**BACKGROUND AND JUSTIFICATION:**

The Palm Beach County Entitlement Jurisdiction serves unincorporated areas and non-entitlement municipalities (those with populations under the 50,000 threshold) within Palm Beach County by providing the opportunity to access funding allocated by the U.S. Department of Housing and Urban Development (HUD) through its Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) programs. It further provides participants with access to economic stimulus and/or disaster recovery funding that is distributed to the County by HUD. At its meeting of June 17, 2014, the City Commission approved Resolution No. 31-2014 that authorized the City to enter into a cooperation agreement with Palm Beach County for participation in the Palm Beach County Urban County Program for the 2015, 2016 and 2017 fiscal years.

Pursuant to the aforementioned Interlocal Cooperation Agreement, the City is eligible for receipt of its portion of the formula allocation of CDBG funds that the County receives from HUD. The County has notified the City of its FY 2016-2017 CDBG allocation in the estimated amount of \$256,726. The City's application for these funds must be submitted to the County by noon on April 8, 2016. This funding is subject to availability from HUD and approval by the Board of County Commissioners.

Pursuant to the Interlocal Cooperation Agreement, the allocation of CDBG funds the City receives must be used for eligible activities pursuant to CDBG regulations in accordance with the County's CDBG program. Such eligible activities include the following:

- acquisition of real property;
- relocation and demolition;
- rehabilitation of residential and non-residential structures;

- construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers and the conversion of school buildings for eligible purposes;
- activities relating to energy conservation and renewable energy resources; and
- provision of assistance to profit motivated businesses to carry out economic development and job creation/retention activities.

The County's CDBG program does not permit the City to conduct public service, planning and administrative activities with its allocation of CDBG funds.

These eligible activities must address one of the three national objectives of the CDBG program as follows:

- benefit low and moderate income persons;
- aid in the prevention of slums or blight; or
- address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.

A public meeting to discuss possible uses of these funds was conducted on February 23, 2016. The following projects have been brought forward for further discussion:

- reconstruction of 2<sup>nd</sup> Avenue South from Dixie Highway to Federal Highway;
- clearance of derelict and substandard structures;
- acquisition of vacant property on 3<sup>rd</sup> Avenue South for development of a park; and
- reconstruction of the larger pavilion at the Osborne Community Center, including installation of benches, improved lighting, reconstruction of the rest rooms, restoration of the plaque, installation of bollards along the gravel road, etc.

Pursuant to the County's requirements the City can submit only one application for this funding. It is respectfully requested that direction be provided to staff by the City Commission regarding the specific project to be submitted by the County's deadline of April 8, 2016.

**MOTION:**

Not applicable – this is for informational purposes to obtain direction from the City Commission

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable



**AGENDA DATE:** April 5, 2016

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Approval of Interlocal Agreement with the County for Annexation of Enclave

**SUMMARY:**

Proposed Interlocal Agreement would facilitate the annexation of an enclave area including fourteen (14) properties on the west side of Boutwell Road north of 10<sup>th</sup> Avenue North.

**BACKGROUND AND JUSTIFICATION:**

At its meeting of July 14, 2015, the City Commission unanimously approved the Interlocal Service Area Boundary Agreement (ISBA), which was forwarded to the Palm Beach County Board of Commissioners (Board), which approved the ISBA at its September 22, 2015 meeting. The benefits of the City's ISBA are many but foremost is the ability for owners of individual parcels in the area to be annexed into the City from the County on an individual basis without the issues of creating enclaves.

The first voluntary annexation, Southport, under the City's approved ISBA was completed in February 19, 2016. The annexation created an enclave area to the east along Boutwell Road, and two outlying parcels were already enclaves prior to the annexation. The proposed agreement would facilitate these enclave areas being involuntarily annexed into the city. Both the county and city have been working together to regularize the city's boundaries and this first enclave agreement would facilitate the city's annexation of the northwest portion of the city's future annexation area.

Once the agreement is approved by the Board a formal annexation request including designation of future land uses and zoning classifications will be brought back before the City Commission. The Board hearing is tentatively scheduled for May 3, 2016.

Notices were sent both regular and certified mail as of March 22, 2016 to all of the property owners in the affected area.

**MOTION:**

I move to approve/not approve the proposed enclave agreement.

**ATTACHMENT(S):**

Fiscal Impact Analysis (N/A)

Agreement

County Review Letter