



CITY OF LAKE WORTH

7 North Dixie Highway · Lake Worth, Florida 33460 · Phone: 561-586-1600 · Fax: 561-586-1750

**AGENDA
CITY OF LAKE WORTH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, JUNE 21, 2016 - 6:00 PM**

1. **ROLL CALL:**
2. **INVOCATION OR MOMENT OF SILENCE:** Dr. Rev. Leah Brown from MCC Church#
on behalf of Commissioner Amoroso
3. **PLEDGE OF ALLEGIANCE:** Led by Commissioner Maier
4. **AGENDA - Additions/Deletions/Reordering:**
5. **PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. Proclamation declaring June 27, 2016 as National HIV Testing Day
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**
 - A. June 7, 2016 Closed door session
 - B. June 7, 2016 RM
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
 - A. Resolution No. 32-2016 - application for FY 2016 Edward Byrne Memorial Justice Assistance Grant funding
 - B. Ratify a board member to the City Tree board
10. **PUBLIC HEARINGS:**
11. **UNFINISHED BUSINESS:**

12. NEW BUSINESS:

- A. Interlocal Agreement between the City and the Lake Worth Community Redevelopment Agency to establish the Residential Conservation and Rehabilitation Program
- B. Ordinance 2016-22 first reading establishing an Arts Advisory Council.
- C. Ordinance 2016-21 first reading establishing an Education Advisory Council.
- D. Resolution No. 33-2016- Directing the development of a preliminary assessment roll for non-ad valorem assessments levied for the costs of unpaid lot clearing, board and secure, and demolition special assessments and the establishing of the date and time of a public hearing to adopt the final assessment roll.
- E. Ordinance No. 2016-19 - First Reading - Small Scale Future Land use Map Amendment and schedule the public hearing date for July 19, 2016.
- F. Ordinance No. 2016-20 - First Reading - rezone property and schedule the public hearing date for July 19, 2016.
- G. Follow Up Discussion of City's Surplus Properties Disposition

13. LAKE WORTH ELECTRIC UTILITY:

- A. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
- B. **PUBLIC HEARING:**
- C. **NEW BUSINESS:**

14. CITY ATTORNEY'S REPORT:

15. CITY MANAGER'S REPORT:

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.

**MINUTES
CITY OF LAKE WORTH
CITY COMMISSION SPECIAL MEETING
JUNE 7, 2016 – 5:00 PM**

The meeting was called to order by Mayor Triolo on the above date at 5:02 PM in the City Manager's Office, located at 7 North Dixie Highway, Lake Worth, Florida.

1. ROLL CALL:

Present were Mayor Pam Triolo, Vice Mayor Scott Maxwell, Commissioners Christopher McVoy and Ryan Maier. Commissioner Andy Amoroso was absent. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia. Attorneys Brian Bolves and Bill Billenky called in by phone to this meeting, and Records and Information Manager Deborah M. Andrea.

2. CITY ATTORNEY ANNOUNCEMENT:

City Attorney Torcivia announced that, pursuant to Section 286.011(8) Florida Statutes, he desired advice concerning pending litigation in the case of Lake Osborne Waterworks, Inc. versus City of Lake Worth, Case No. 502014CA08137XXXMBAL.

He announced the following individuals would be in attendance: Mayor, Vice Mayor, 2 City Commissioners, City Manager, 2 Attorneys by phone, and a Court Reporter.

3. MAYOR ANNOUNCEMENT:

Mayor Triolo announced that pursuant to Section 286.011(8) Florida Statutes, the City Commission was commencing a closed door attorney-client session for the purpose of discussing the pending litigation. The estimated length of the session was approximately 45 minutes.

4. RECESS:

Mayor Triolo recessed the meeting at 5:06 PM.

5. RECONVENE:

Mayor Triolo reconvened the meeting at 6:03 PM.

6. ADJOURNMENT:

Action: Motion made by Commissioner McVoy and seconded by Commissioner Maier to adjourn the meeting at 6:03 PM.

Vote: Voice vote showed: AYES: Mayor Pam Triolo, Vice Mayor Maxwell, and Commissioners McVoy and Maier. NAYS: None.

PAM TRIOLO, MAYOR

ATTEST:

Deborah M. Andrea, Records and Information Manager

Minutes Approved: June 21, 2016

**MINUTES
CITY OF LAKE WORTH
REGULAR MEETING OF THE CITY COMMISSION
JUNE 7, 2016 – 6:00 PM**

The meeting was called to order by Mayor Triolo on the above date at 6:00 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth, Florida.

1. ROLL CALL:

Present were Mayor Pam Triolo; Vice Mayor Scott Maxwell; and Commissioners Christopher McVoy and Ryan Maier (Andy Amoroso was absent). Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia, and Records and Information Manager, Deborah Andrea.

2. INVOCATION OR MOMENT OF SILENCE:

Invocation was offered by Pastor Tony Cato on behalf of Commissioner McVoy.

3. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner McVoy. After the pledge, Heather James, a student at Dreyfoos School of the Arts entertained the Chamber with the playing of the Star Spangled Banner on flute.

4. AGENDA - Additions/Deletions/Reordering:

Commissioner McVoy asked that the consent agenda be changed to move Items D & E to new business.

Action: Motion by Commissioner Maier seconded by Commissioner McVoy to make this change.

Vote: Voice vote showed: Mayor Triolo; and Commissioners McVoy, and Maier
AYES: and Vice Mayor Maxwell NAY

5. PRESENTATIONS:

A. Eden Place Neighborhood Association

Tara Macklin the secretary spoke about Eden Place in the area of College Park and they hold meetings at First Congregational United Church and thank them for allowing them to hold meetings there. Top concerns, potholes and street maintenance; sidewalks and driveway issues, sober houses and the need for more social events. They have developed a business directory and have a welcome program to give new neighbors

flower pots and seeds. They participate in community events including the raft race. They have been given a grant to start a neighborhood crime watch.

B. Employee Pension Plan

Presentation was moved to another meeting.

6. COMMISSION LIAISON REPORTS AND COMMENTS:

Commissioner Maier: On May 30 he met with the Treasure Coast Regional Planning Council, the standout issue is water and having enough in South Florida. There was a presentation about the Everglades Restoration Project to get water going south. The return of natural grasses slows the flow of water. The St. Johns River has a red algae bloom and the Corps does not know why. Sister City board meeting is Monday and he encourages everyone to attend. Memorial Day he attended the Garden Club who restored a park and they had a service at Pinecrest. He attended a meeting at the Quaker Meeting House about Islam, the group laid out the tenants of Islam about woman and terrorism. It is a humility based religion. Friday the Lake Worth alumnae association had a hat contest for fundraiser and one entire scholarship was raised. Light up Lake Worth, the quote one the page says we will be lighting but prevent spilling into residents windows. When a light was switched out, the ones painted half black should still be painted and he hopes the city will. Ridges of Lake Worth will have a meeting at 5 at Southgrade Elementary School. He is having his little free library beginning this week.

Commissioner McVoy: The City manager has followed up with the All-Aboard Florida group about the train horns. They cannot do anything until all the gates are safe but he will be pushing to get this fixed. He was dissatisfied with the code meeting, but wants "worst first" issues to be handled first such as life safety, sober homes and crime issues. Regarding light pollution, there is a technical challenge and there is health effects with light in the window. Light up Lake Worth, pay attention to the light pollution. LDRs say we have to do light pollution on new buildings.

Vice Mayor Maxwell: Wants to create an agenda item about the lighting issue with Siemens, the lights are not as bright and/or effective. City Manager said he will do an agenda item but the intent of the process was to put lights on the streets and with some changes. He believes this might be an additional piece. He asked if there was going to be a Budget Workshop in July. At the Code workshop he asked staff for an overview of the meeting and he is still waiting. Regarding the traffic calming at 6th Ave So. he asked if there some way we can put reflective stripes or signs about traffic calming ahead. He received feedback from downtown merchants and wants changes in number of deputies, task force of local business

owners with the police to get a better level of service, Mike is speaking with Captain Baer but is not ready to speak about it. Vice Mayor hears about an overdose every day, and he knows the term sober home should not be used and asked the City Attorney if there a different term, Mr. Torcivia said half-way house but the comments made were not just because of calling them sober homes, but what you say about them. He wants to come up with a way of dealing with it and bring in other partners like to Tourism Development Board. Mr. Torcivia said there is a task force including Palm Beach County Fire Rescue and PBSO including second in command, Michael Gauger, and he will let you know when they are going to meet again.

Mayor Triolo: She attended the Pinecrest ceremony it was great and she wants to see more people next year, she wants to reach out and get the veterans parade bigger and better and wants support. She was at Sacred Heart graduation and it was incredible. Lake Worth High School alumnae association luncheon was great and Lynn Anderson had a great hat. The lighting issue when we were dealing in the past we agreed not to impact the residents and we were going to bring in shields and adjustments can be made. She is disappointed in the Code Enforcement meeting and she has had more complaints since that meeting, she has asked the tree board to be a help the woman with the dead grass. She is frustrated with inconsistency, sober homes, potholes and crime, they are going to make some serious decisions to come to consensus about how to fix the problems. She mentioned some residents who passed away recently and had a moment of silence for them.

Commissioner McVoy wants to get information about potholes, could we get what is the limiting cause for doing potholes, staff, costs?

7. PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

The following individuals spoke on various issues:

Michael Chase Fox would like a change to the city charter to a strong Mayor with two commissioners north and south and also would like to see a change in the animosity he is seeing at meetings.

Mary Lindsey said the Eden Place Association is very exciting, next Tuesday June 14 is Flag Day and there will be an event at Bryant Park band shell, the Masons will give a short presentation. She hopes the commissioners and Mayer attend at 6:30 and it will be a 45 minute ceremony.

Katie McGivern next weekend is mango festival at cultural plaza at 9:00 am, she would like to see more regular pool hours and on the weekend longer

hours. She would like to see when the Palm Beach Post writes about when a crime is committed outside our City limits they don't write about the crime happening in Lake Worth.

Maryann Polizzi, the PBSO is doing a good job handing out mugs for people crossing within the crosswalks, but she sees people still walking across the street in the middle of the streets. She spoke about two sober homes in her neighborhood.

Peggy Fisher last meeting the LDR's were revised, we shouldn't do anything without letting everyone know. Workshops and information should be given before making changes.

Anna Maria W Hunt- 406 So C St. is being worked on and she has gone to magistrate hearing and no one has resolved anything, William Waters said it will be handled by May, but now it is June. Dead body was found there.

Greg Rice thanked commissioners for coming out to the cemetery, let's get as many people out there as we can. Regarding Vice Mayor Maxwell's comments about signs on 6th Ave So., do we have to have signs to remind people what they need to do?

Joseph Torres thanks for shutting down the license bureau on Dixie, he is here because of individuals in Sunoco station for loitering, past Saturday morning, 12 rounds of gun fire, fighting, these girls are not just prostitutes they are drug dealers and 4th and H are drug houses.

Karen Ryan of North J Street in Eden Place said the neighbors are concerned about a half-way house, the residents know nothing about what is going on and they are concerned.

8. APPROVAL OF MINUTES:

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

- A. City Commission Meeting – May 3, 2016**
- B. City Commission Work Session - May 10, 2016**
- C. City Commission Meeting – May 17, 2016**

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy and Maier. NAYS: None.

9. CONSENT AGENDA:

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

- A. Two year Renewal Contract with Oceanside Beach Services for beach equipment concession rentals at the municipal beach.**
- B. Agreement with Aquifer Maintenance & Performance Systems, Inc. for Wellfield Performance Maintenance & Rehabilitation Services.**
- C. Purchase of compact rear loader Refuse truck**
- D. Moved to New Business B.**
- E. Moved to New Business C.**
- F. Purchase of okonite copper underground cable from Stuart Irby**
- G. Purchase of four (4) new 55' Material Handling Bucket Trucks for the Electric Utility**
- H. Settlements with Pierre-Rich Jeudy, Michele Leger Jeudy and Progressive Insurance Company**
- I. Settlement with Roman and Elyssa Torres**
- J. Contract with Foster Marine Contractors, Inc. for the Water & Sewer Improvements in the alley from 5th to 6th Avenue South between E & F Street**
- K. Utility Easement Amendment by and between Palm Beach County and the City of Lake Worth**
- L. Pineapple Ridge Settlement Agreement**
- M. Resolution 31-2016 Repealing Resolution No. 67-2015 to correctly abandon six utility easements**

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy and Maier. NAYS: None.

10. PUBLIC HEARINGS:

- A. Ordinance No. 2016-18 Second Reading for Changes to Parking Regulations.**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to approve Ordinance 2016-18.

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy and Maier. NAYS: None.

11. UNFINISHED BUSINESS:

There was no unfinished business

12. NEW BUSINESS:

A. Resolution 30-2016 to approve new fee schedule for Lake Worth Beach Parking

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve Resolution 30-2016.

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy, and Maier. NAYS: None.

B. Moved from Consent D. Interlocal Agreement with Palm Beach County regarding the one cent sales tax. Commissioner McVoy thinks we should talk about this because of the financial consequences and have some input about this because of the impact to the community. Mayor thinks this has changed because of the cultural element being taken out, we have major problems, and as much as she doesn't like new taxes it does give us funding to fix our infrastructure, if we don't approve it but we have to pay to get the streets fixed somehow and our visitors will help to pay for our streets. Vice Mayor wants to break this down, it is a County initiative and the voters will have to decide if we want to do this, he doesn't see it as a regressive tax, but if the voters reject the sales tax the County may have to go out for a bond and the taxes will go up. He thinks this is the cheaper way out. Infrastructure needs to be paid for. Commissioner McVoy appreciates that we are discussing this the issue of regressive taxes looks at how the burden is distributed, running pipes and roads out west we have to pay for development that may not be in our best interest.

Peggy Fisher the vote we took previously did not vote to let the public vote in a referendum.

Mark Easten he heard this at several meetings, Lake Worth's share would be about 24 million, other city have opted in. If we opt not to approve it we won't get funds if it passes, bond issue for County projects and Lake Worth would not benefit but we would pay for it without benefit. We should opt in then we support the County to support the voters.

Greg Rice hopes they have consensus hopes they approve this tonight agricultural, tourism and construction. When construction is doing well the

economy is doing well let's do this.

C. Moved from Consent E. First amendments to the contracts for Annual Paving, Concrete Work, Striping and Signage, and Related Services.

Commissioner McVoy pulled this item because of the comments from the Secretary from Eden Place and comments he has gotten regarding potholes. If we are approving a continuing contract we should spell it out to citizens, does this cover potholes? Should we consider changing this? The Mayor asked about hot patch and cold patch, why is that not being used on all potholes. Jamie Brown, Director of Public Services stated that this item is not relating to potholes, these contracts are for emergency situations for something too large to get the work done quickly such as a large section of sidewalk we need these contractors for emergency situations. The City Manager states that we have a pothole requests on our website and staff works potholes across the City. The Mayor asked why we didn't call it "potholes" instead of roadway issue, she would like it to be in red.

LAKE WORTH ELECTRIC UTILITY:

A. CONSENT AGENDA:

There were no items on the agenda.

B. PUBLIC HEARING:

There were no items on the agenda.

C. NEW BUSINESS:

There were no items on the agenda.

14. CITY ATTORNEY'S REPORT:

City Attorney Torcivia provided a report regarding REG architects and Morganti. There is a period of time for statute of limitations tomorrow the clock will start ticking again. Morganti is here tonight, they are testing the doorways, and they are asking to extend the tolling agreement. If in 6 weeks you think no action has been taken, we can bring it up and we can go forward with this. Maxwell asked when we took action and it was in March, then it was extended to June 7th. Robert Carlton represents Morganti, there were a number of issues and they have had numerous things that have been done, two test procedures on the doors there needs to be a protocol, his clients are ready willing and able to go out but they want testing criteria, The Vice Mayor said nothing has happened, they have brought some tiles, this issue has gone on much longer than it was to fix

the entire building. A change during the construction about ADA by the City and thresholds more complicated but better system functionality, they think this will give a better look. The CEO said they are trying to solve the problem, the city retained an expert, this is a complex issue, the assurance that we have to let you know there meeting with everyone, he gets the frustration, he is not walking away he is trying to fix this. Maxwell asked Morganti about his experience with coastal construction and this is the only one he is aware of that has taken this long Maxwell didn't think it could be done but thinks they should stop what they are doing and just get this done, it is a priority. They are proud of this building, Commissioner McVoy hears the Vice Mayor's frustration and he said thank you for REG and Morganti for being here, but he thinks he hears that it is moving forward. He is in favor of extending the tolling agreement and he is confident that they are moving forward. The only items still open are tile color and testing specifications and they have been in negotiations today. Commissioner McVoy thinks it has to come up with a reasonable solution. Commissioner Maier said that he was one of the more sympathetic but he is a business owner and there is a way to make customers happy and he has gotten feedback that we need to be made more comfortable that we are he will vote for the tolling agreement but wants to make the customers more comfortable. Mortanti will find out if we have done something to offend anyone he apologizes and he would like to find out about this. Mayor said everyone will always find the time to get something done, if it was important to them they would get it done. They are a well-respected group and she wants to get this done. Maxwell it just occurred to him that with the field tests, but Morganti said this is being done for our project. Manager said we are not engineers, he wants them to give him a final offer to design this don't ask us to design the door, we don't know this, you should fix this and bring us your offer. Glen wants to give them 4 months from now

Vote: showed: AYES: Mayor Triolo; and Commissioners McVoy, and Maier and NAY Vice Mayor Maxwell.

15. CITY MANAGER'S REPORT

A. June 21, 2016 – draft Commission agenda

City Manager Bornstein did not provide a report.

16. ADJOURNMENT:

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to adjourn the meeting at 8:19 PM.

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy and Maier. NAYS: None.

PAM TRIOLO, MAYOR

ATTEST:

Deborah Andrea, Records and Information Manager

Minutes Approved: June 21, 2016

A digital audio recording of this meeting will be available in the Office of the City Clerk.



AGENDA DATE: June 21, 2016, Regular Meeting

DEPARTMENT: Leisure Services

EXECUTIVE BRIEF

TITLE:

Resolution No. 32-2016 - application for FY 2016 Edward Byrne Memorial Justice Assistance Grant funding

SUMMARY:

The Resolution authorizes the submission of an application to the Bureau of Justice Assistance for the City's Fiscal Year 2016 Justice Assistance Grant formula award of \$34,437. The City intends to use these funds to retain the Recreation Leader position to continue the provision of individual case management for at-risk youth participating in after-school education and crime prevention programs at the City's two Youth Empowerment Centers. The term of the award is from October 1, 2015 through September 30, 2019.

BACKGROUND AND JUSTIFICATION:

The Department of Justice, Bureau of Justice Assistance has recently notified the City of its eligibility for Fiscal Year 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) funding under the Local JAG solicitation in the amount of \$34,437. These funds are made available to the City for eligible local initiatives and activities that include law enforcement programs, prosecution and court programs, prevention and education programs, corrections and community corrections programs, drug treatment and enforcement programs, planning, evaluation and technology programs, and crime victim and witness programs. The term of the award is from October 1, 2015 through September 30, 2019.

As expressed at a public meeting that was held on June 9, 2016, the City proposes to utilize this allocation of Fiscal Year 2016 JAG Program funding to retain the Recreation Leader position. The Recreation Leader is responsible for the coordination of participating youth and City staff, parents, school, juvenile justice system personnel and other service providers involved in ongoing programs and activities at the City's two Youth Empowerment Centers. This is an eligible prevention and education program under the JAG Program. No match is required of the City for this funding. Those in attendance at the public meeting expressed support of the City's proposed activity.

The City's application is available for public review and comment in the City Manager's Office, City Hall, 7 North Dixie Highway, Lake Worth, FL 33460 during normal business hours through July 26, 2015. Any public comment received will be submitted to the Bureau of Justice Assistance.

MOTION:

I move to approve/ not approve Resolution No. 32-2016 to apply for and accept an award of \$34,437 under the FY 2016 JAG Program.

ATTACHMENT(S):
Fiscal Impact Analysis
Resolution

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	4,400	30,037	0	0
External Revenues	0	4,400	30,037	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:

JAG funding in the amount of \$34,437 will be utilized to maintain the City's Recreation Leader position to provide individual case management for "at-risk" youth participating in the afterschool education and crime prevention programs at the City's Youth Empowerment Centers. No local cost share is required of the City for these grant funds.

C. Department Fiscal Review: _____

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RESOLUTION NO. 32-2016 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE FOR GRANT FUNDS PROVIDED THROUGH THE FISCAL YEAR 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$34,437; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City has received notification from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance of its eligibility to apply for assistance under the Fiscal Year 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program via its Local JAG Program solicitation; and

WHEREAS, the Fiscal Year 2016 JAG Program allocation for the City has been established by formula in the amount of \$34,437 for eligible local initiatives and activities; and

WHEREAS, the provision of afterschool and crime prevention programs at the Youth Empowerment Centers is an eligible prevention and education activity under JAG Program guidelines; and

WHEREAS, the City desires to apply for Fiscal Year 2016 JAG Program funds to support the continued staffing of the Recreation Leader position at the City's Youth Empowerment Centers to provide individual case management for at-risk youth participating in the afterschool and crime prevention programs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WORTH, FLORIDA, that:

SECTION 1: The City Commission of the City of Lake Worth, Florida, hereby authorizes the submission of an application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for grant funds made available through the Fiscal Year 2016 Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$34,437 for the continued staffing of the Recreation Leader position to provide individual case management for at-risk youth participating in the afterschool and crime prevention programs at the City's Youth Empowerment Centers.

SECTION 2: The City Commission of the City of Lake Worth, Florida, hereby authorizes the acceptance of these funds, if awarded, for this purpose.

SECTION 3: The City Commission of the City of Lake Worth, Florida, hereby authorizes the City Manager to execute all related programmatic documents for this purpose.

50 SECTION 4: Upon execution of the Resolution, one copy shall be forwarded to
51 the Leisure Services Director. The fully executed original shall be maintained
52 by the City Clerk as a public record of the City.

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54 SECTION 5: This Resolution shall become effective upon adoption.

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56
57 The passage of this Resolution was moved by Commissioner _____,
58 seconded by Commissioner _____, and upon being put to a
59 vote, the vote was as follows:

- 60 Mayor Pam Triolo
- 61 Vice Mayor Scott Maxwell
- 62 Commissioner Christopher McVoy
- 63 Commissioner Andy Amoroso
- 64 Commissioner Ryan Maier

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66 Mayor Pam Triolo thereupon declared this Resolution duly passed and
67 adopted on the 21th day of June, 2016.

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LAKE WORTH CITY COMMISSION

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By: _____
Pam Triolo, Mayor

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75 ATTEST:

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Pamela J. Lopez, City Clerk

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AGENDA DATE: June 21, 2016 – Regular Meeting

DEPARTMENT: City Commission

EXECUTIVE BRIEF

TITLE:

Ratify a board member to the City Tree board

SUMMARY:

This item is to ratify the appointment of Monica Bilotti to the City Tree board.

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. It also provides for the next elected official responsible for an appointment to make it.

The following appointment is requested to be ratified:

City Tree Board:

Commissioner McVoy's appointment of Monica Bilotti to the City Tree Board to fill an unexpired term ending on July 31, 2018. This was District 3 appointment; however, Commissioner District 3 waived his right to this appointment to the Commission.

MOTION:

I move to ratify Commissioner McVoy's appointment of Monica Bilotti to the City Tree Board to fill an unexpired term ending on July 31, 2018.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable
City Advisory Board Applications
City Advisory Board Membership Logs



Epines 4/15/17

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APPLICANT'S NAME: Monica Bilotti
(Print name)

VOLUNTEER ADVISORY BOARD APPLICATION

THIS APPLICATION IS VALID FOR ONLY ONE (1) YEAR FROM THE DATE ENTERED ON PAGE 5.

Thank you for your interest in serving the City of Lake Worth. The City Commission recognizes that volunteering is important, and your contribution is what makes Lake Worth a great community. Completion of this application is necessary so that the members of the City Commission can thoroughly review each application as part of their consideration for your appointment.

If applying for more than one Board/Committee, please number in order of preference. If you have previously submitted an application, it will be removed from our files unless you mark the board(s) previously applied for on this application. Please choose no more than three Boards/Committees for which you wish to apply. When selecting, indicate your first, second, and third preference. **You may not serve on two of the following boards/committees at one time: Construction Board of Adjustments and Appeals, Community Redevelopment Agency, Historic Resources Preservation, or Planning & Zoning Boards.**

- Board of Trustees Employees' Retirement System *
- Board of Trustees Police Retirement System *
- Board of Trustees Firefighters' Pension Trust Fund *
- Board of Trustees Firefighters' Pension Trust Fund – Division II *
- City Recreation Advisory Board
- City Tree Board
- Community Redevelopment Agency *
- Construction Board of Adjustments and Appeals **
- Electric Utility Advisory Board
- Finance Advisory Board
- Historic Resources Preservation Board **
- Library Board
- Planning & Zoning Board * **
- Sister City Board



* Requires that appointee fill out an annual financial disclosure form to be filed with the Supervisor of Elections Office

** Certain skill-set disciplines required

ALL BOARD/COMMITTEES ARE SUBJECT TO THE SUNSHINE LAW

1. PERSONAL

Name: Mr./Mrs./Ms. (circle one) Monica Bilotti

Residence: 915 N. Palmway (print)

City: Lake Worth State: FL ZIP Code: 33460

Proof of residency attached: Lake Worth Utility Bill

Mailing Address: (if different from residence)

City: _____ State: _____ ZIP Code: _____

Home Phone: (____) _____ Business Phone: (____) _____

Cell Phone: (908) 692-0093 Email Address: Yoganidra13@icloud.com

Are you a citizen of the United States? yes

Are you a registered Palm Beach County voter? yes

Are you a registered Lake Worth voter? yes

How long have you been a resident of Lake Worth? 8 years

List all properties owned and/or business interests in Lake Worth? Residence

What is your occupation? Yoga instructor, interior designer

Employer? _____

Business Address: (CRA board only) _____

Are you currently serving on any City advisory Board? NO

If so, which board? _____

Have you ever served on a City of Lake Worth board? NO

If so, when and which board(s)? _____

Do you serve on any boards in Florida, or are you an elected or appointed state, county, or municipal office holder, or Palm Beach County employee? NO

If yes, please name the board, position, etc. _____

2. EDUCATION

High School: Howell High Date of Graduation: 2002

College: Design Institute of Degree: BA Date of Graduation: 2008

Resume attached? yes no

3. WORK EXPERIENCE

Intern Interior Designer
Yoga instructor

4. INTEREST/ACTIVITIES

Gardening
Yoga
Medicinal Plants/Permaculture Design

5. COMMUNITY INVOLVEMENT

Organized and implemented a community awareness activity during the 2015 street painting festival. Handed out chalk and literature to the importance of natural mangrove stands in Lake Worth.

6. Why do you desire to serve on this board (first preference)

This position would allow me to share my knowledge ^{and passion} with ^{other} Lake Worth residents. Trees are vital for shade, providing food for native birds and animals (and people), as well as keeping the city aesthetically pleasing.

6. Why do you desire to serve on this board (second preference)

6. Why do you desire to serve on this board (third preference)

I understand the responsibilities associated with being a board/committee member, and I have adequate time to serve if appointed.

I have read Ordinance No. 2010-29 and Article XIII (Palm Beach County) Code of Ethics attached hereto, and understand the policy on the City of Lake Worth's Code of Ethics. Within 30 days after appointment, I understand that I am required to participate in Ethics Training and submit an Acknowledgement of Receipt form to the City Clerk's Office in order to continue to serve on my appointed board.



Signature

PLEASE INITIAL MB
4-15-2016
Date

THIS APPLICATION IS VALID FOR ONLY ONE (1) YEAR FROM THE DATE SIGNED ABOVE.

NOTE: Information regarding the duties and responsibilities of any board/committee can be found by visiting our website at www.lakeworth.org then select Residents/Volunteer and select the Volunteer Advisory Board application. If you need additional information, please contact the Volunteer Coordinator at sdonaldson@lakeworth.org or by calling 561-586-1730.

EMAIL APPLICATION TO: sdonaldson@lakeworth.org (preferred method)

or

FAX APPLICATION TO: Volunteer Coordinator (561) 586-1750

or

RETURN APPLICATION TO: Volunteer Coordinator
Lake Worth City Hall
7 North Dixie Highway
Lake Worth, FL 33460

SUNSHINE LAW: The primary purpose of government in the Sunshine Law is to assure public access to the decision making processes of public boards and committees. The Sunshine Law extends to discussions and deliberations as well as to formal actions taken by boards and committees.

Florida *The Sunshine State*
DRIVER LICENSE CLASS E
[REDACTED] 761-0

MONICA DANIELLE PIA
BILOTTI
915 N PALMWAY
LAKE WORTH, FL 33460-0000
DOB: [REDACTED]
ISSUED: 12-19-2011 HGT: 5-06
EXPIRES: 07-21-2020
REST:
ENDORSE:
[REDACTED]

M. PIA

Operation of a motor vehicle constitutes consent to any sobriety test required by law.

CITY TREE BOARD
THREE-YEAR TERMS

MEMBERS	APPOINTED		ETHICS TRAINING	EXPIRES
Susan Mason 806 North M Street Susanmason88@rocketmail.com (Vice Mayor's Appointment)	05/20/14	H: 561-927-6334	YES	07/31/2016
Christian Minaya proalfst@yahoo.com 1225 16 th Avenue N (District 4 Appointment)	05/17/16	C: 561-541-7049	YES	07/31/2016 (07/31/2019)
Caneste Succe 1310 South Federal Highway, Apt 22 scaneste@yahoo.com (Vice Mayor's District 1 Appointment)	03/01/16	C: 561-667-8375	YES	07/31/2016 (07/31/2019)
VACANT (District 3 Appointment)		C:	NA	07/31/2018
Jeannie Fernsworth 214 South M Street fernsouth@bellsouth.net (Mayor's Appointment)	07/16/13	C: 561-424-1499	YES	07/31/2017
Katherine Curtis 219 South L Street (Mayor's Appointment)	09/01/15	C: 571-274-5157	YES	07/31/2016
Richard Stowe - CHAIR 414 N. Federal Highway richstowe@gmail.com (District 2 Appointment)	04/23/13	H: 561-231-3509	YES	7/31/2018

ADVISOR

David McGrew (Parks Department)	W: 561-586-1677	YES
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The purpose of the board is to 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, insect and disease control; planting of native species; inventory of existing trees; permit guidelines including rules for tree removal; opportunities for citizen involvement; and City tree sales. The board would recommend the planting of trees which would provide a continuing shade canopy into the future.

Ord. No. 2014-07, effective 02/11/14, the Tree Board has been amended to reinsert the provision for electing officers, including a secretary, for a term of one year.

** Ord. No. 2011-03 approved Feb. 1, 2011 – effective July 31, 2013, two resident members shall be appointed for one year terms, two members shall be appointed for two year terms, and three resident members shall be appointed for three year terms; thereafter all succeeding members shall serve three year terms

Ord. No. 2008-14, effective 7/10/08, amended attendance requirements: a member who fails to attend three consecutive regularly scheduled meetings or 20% of regularly scheduled meetings held within a 12-month period shall have his/her seat declared vacant by the City Clerk and the City Commission shall promptly fill such vacancy.

Ord. No. 2007-42, effective 10/02/07, increased membership from five to seven resident members and eliminated the alternate member.

Ord. No. 2005-17, effective 06/17/05, increased membership from four to five resident members

Ord. No. 2004-48, effective 12/17/04, changed makeup of Board to four resident members, plus one alternate. City Horticulturist shall be the advisor to the Board.

Ord. No. 2003-25, enacted 8/5/03, established attendance requirements: a member who fails to attend three consecutive regularly scheduled meetings or 25% of all meetings held within a 12-month period shall have his/her seat declared vacant by the City Clerk and the City Commission shall promptly fill such vacancy.

Ord. No. 98-11, effective 4/19/98, reduced members of Board; requiring two members from Parks Department, one from Golf Course, the City Projects Manager, and at least two resident representatives.

FINANCIAL DISCLOSURE FORMS ARE NOT REQUIRED.

Meetings: Second Thursday of each month at 5:30 PM.

Recording Secretary: David McGrew, Parks Department



AGENDA DATE: June 21, 2016, Regular Meeting

DEPARTMENT: City Manager's Office

EXECUTIVE BRIEF

TITLE:

Interlocal Agreement between the City and the Lake Worth Community Redevelopment Agency to establish the Residential Conservation and Rehabilitation Program

SUMMARY:

The Interlocal Agreement between the City of Lake Worth and the Lake Worth Community Redevelopment Agency ("CRA") sets forth the terms and conditions for the residential conservation and rehabilitation program for improvements to owner occupied residential structures that are primarily related to energy conservation. This program will be administered by a consortium of representatives from the City, the CRA and several non-profit organizations.

BACKGROUND AND JUSTIFICATION:

In fiscal Year 2015, the CRA in partnership with Community Partners, was awarded a grant from Neighborworks America, a national non-profit focused on community development. The CRA utilized these funds to support several programs, including the resumption of its residential rehabilitation program. The CRA utilized the services of Community Partners to assist homeowners with the application process for housing rehabilitation assistance, along with referrals to other necessary social services. A total of five grants were awarded to qualified households in the City for this purpose.

There remains a tremendous need and demand for a local housing rehabilitation program. Such a program must also contain an educational component that focuses on energy conservation. This can be evidenced by the large number of households, especially those headed by seniors, which have required financial assistance with their electric bills that has been provided by Community Partners and Adopt-A-Family.

The City's Electric Utility Department has begun performing Conservation Audit reports and forwarding these reports to the CRA along with a referral for assistance. In many instances, it has become apparent that the homeowner's bill was excessive due to a lack of understanding of ways to conserve energy, as well as the failure to perform maintenance on their equipment and/or structure.

Accordingly, the Residential Conservation and Rehabilitation Program has been proposed as a strategy to blend energy conservation, emergency assistance and housing rehabilitation. This program will be administered by the a consortium consisting of the City, the CRA, Community Partners and Adopt-A-Family, along with other non-profit partners that wish to participate. Such a partnership will effectively serve to not only assail the problem but also the underlying issues that contribute to the instability of lower-income households. The CRA will enter

into a Memorandum of Understanding with each participating partner that sets forth the responsibilities of each entity.

As proposed, participating homeowners will receive the following assistance:

- a free conservation audit report after completion of a home inspection;
- a referral to the Housing Conservation and Rehabilitation Program after initial screening;
- assistance with overdue electric bills;
- if qualified, assistance with home repairs and conservation enhancements;
- if requested, access to social services and referrals to social services programs; and
- education on energy conservation through the Lake Worth Utilities Conservation Training Program.

In order to fund the program, both the City and the CRA will devote annual funding. This funding will be supplemented by other grants and programs, along with possible donations. On occasion, households might be directed to established weatherization programs that have dedicated sources of funding.

The City's Electric Utilities Department currently has \$75,000 budgeted for the energy conservation component of this program. Further funding will be budgeted annually for this purpose.

Eligible participants must be owner occupants whose household income does not exceed one hundred twenty percent (120%) of area median income, as adjusted annually. The property must be homesteaded as the owner's primary and only residence.

Eligible repairs will be limited to essential property improvements to make homes safe, sanitary and secure. Such improvements include electrical, plumbing and structural repairs necessary to meet City code, including improvements for accessibility. Cosmetic repairs, such as new cabinetry, fences, additions, new flooring, etc., will not be eligible under this program.

A mortgage will be recorded on the property for this assistance and will be secured by a promissory note in the name of either the City or the CRA. The loan will be ten (10) year forgivable note that will decrease by twenty percent (20%) annually after year five (5) of the loan, zeroing out after the tenth year, provided the homeowner remains in the house for the full ten (10) years. If a house is sold prior to the end of the tenth year, the remaining balance of the loan must be repaid to the granting agency and returned to the program.

The Interlocal Agreement sets forth the terms and conditions for the use of these funds and delineates the specific responsibilities of each entity as described in the Program Policies and Procedures.

This agenda item was reviewed by the EUAB and CRA board on April 12, 2016.

MOTION:

I move to approve/ not approve this Interlocal Agreement and to approve the annual funding in the amount of \$75,000.

ATTACHMENT(S):

Fiscal Impact Analysis

Interlocal Agreement

Program Policies and Procedures

Memorandum of Understanding with Community Partners

Memorandum of Understanding with Adopt-A-Family

City of Lake Worth Utilities Conservation Training Program

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	75,000	75,000	75,000	75,000
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:

Electric						
Account Number (s)	Account Description	Project #	FY 2016 Budget	Available Balance	Agenda Expense	Balance
401-6010-531-4800	Promotional Activities	N/A	75,000	75,000	(75,000)	0

C. Department Fiscal Review: John Borsch, Electric Director

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF LAKE WORTH AND THE
LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY FOR
THE RESIDENTIAL CONSERVATION AND REHABILITATION PROGRAM**

THIS INTERLOCAL AGREEMENT (“Agreement”) is made this _____ day of _____, 2016 by and between the **CITY OF LAKE WORTH**, a Florida municipal corporation (“City”), and the **LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY**, a Florida public agency created pursuant to Chapter 163, Florida Statutes (“CRA”).

WITNESSETH:

WHEREAS, the CRA desires to partner with the City for the development and execution of a residential conservation and rehabilitation program which will address making improvements to owner occupied residential structures primarily related to energy conservation; and

WHEREAS, pursuant to Section 163.01, Florida Statutes, the CITY and the CRA may enter into an Interlocal Agreement to provide for services and programs that will benefit the citizens and residents of the City of Lake Worth; and

WHEREAS, the City and CRA desire to create a consortium of entities for the purposes of administering, managing and executing a thorough Home Owner Conservation and Rehabilitation Program (“Program”) for qualified property owners; and

WHEREAS, the Program will assist the City and the CRA in addressing slum and blighted conditions in the residential areas within the City, including the Community Redevelopment Area, consistent with the requirements of Chapter 163, Part III, Florida Statutes; and

WHEREAS, the Program will be administered by a consortium of entities consisting of the City, CRA and several non-profit organizations including Adopt-a-Family of the Palm Beaches Inc. and Community Partners (“Consortium”); and

WHEREAS, in administering the Program, the Consortium will work in cooperation with the City’s Utility Department, the CRA, and related case management services to provide technical and financial assistance to qualified property owners (with residential structures containing one detached dwelling unit) for the purpose of addressing residential energy analyses and possibly urgent/emergency conditions to meet applicable housing and building code standards; and

WHEREAS, as part of the Program, the City will also provide homeowners with free Conservation Audit Reports, access to funding for weatherization, housing rehabilitation and when needed, to social service programs; and

WHEREAS, the City and the CRA find that the Program is consistent with the City’s Community Redevelopment Plan, serves a municipal and public purpose, and is in the best interest of the health, safety, and welfare of the citizens and residents of the City of Lake Worth.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties hereby agree as follows:

1. The recitations set forth above are hereby incorporated herein by reference.

2. The City and CRA by entering into this Agreement establish the Program to address energy conservation, and related improvements in residential dwellings within the municipal boundaries of the City of Lake Worth, including the Lake Worth Community Redevelopment Area. The Program will include, but not be limited to having the City's Utility Department perform a Conservation Audit and provide a Conservation Audit Report at no charge to the homeowner who is the occupant of the residential dwelling located within the City boundaries. Energy efficiency measures/recommendations will be provided as part of the Conservation Audit Report to as many homeowner occupied residential dwellings in the City as feasible.

3. The City and CRA agree that it is to their mutual benefit and interest to work cooperatively to achieve this collective mission and their individual mission pursuant to the terms and conditions of this Agreement. Both parties agree that the Program goals and actions are aligned with each organization's mission. Furthermore, the City and CRA agree to coordinate priorities, actions and resources for the greater good of the community and to require the same of the other Consortium members.

4. In furtherance of the goals of the Program, the City agrees to allocate employees to provide assistance to the Consortium and the Program with respect to providing residential conservation or rehabilitation assistance for properties located outside of the boundaries of the City's Community Redevelopment Area. The CRA agrees to allocate CRA employees to provide assistance to the Consortium and the Program for properties located inside the City's Community Redevelopment Area boundaries.

5. The City and the CRA agree to appoint employees to serve on a committee that reviews funding recommendations for improvements to residential structures intended to benefit from the Program.

6. The City and CRA shall also provide funding in their annual budgets, in an amount to be determined, so that the CRA may establish an account, to be administered by the CRA, with regular reports given to all Consortium members regarding the use of the funding for the Program. No later than May 30th of each year of this Agreement, the City and CRA shall work with the other Consortium members to determine the amount and/or services each Consortium member will provide for the following fiscal year. The funding amounts shall tentatively be agreed to by the City and the CRA no later than June 15th of each calendar year so that the funds may be properly included in each entity's annual budget.

7. Both the City and the CRA agree that in the event either party's executive management elects not to recommend funding for the Program for the following fiscal year that it shall notify the other party, in writing, no later than July 15th of each year of this Agreement. Notwithstanding the foregoing, all funding to be provided by the City and CRA under this Agreement is subject to annual appropriations by their governing boards. If funding is not approved by the City and/or CRA's governing board, this Agreement may be terminate upon written notice to the other party.

8. Subject to any restrictions set forth by Florida law, any funds received from the Voluntary Utility Support Program called "Care to Share" shall be given to the Consortium to cover Emergency Residential Utility Costs.

9. The term of this Agreement is for a period of one (1) year from the date that this Agreement is signed by the City. The Agreement may be renewed for additional one (1) year terms upon the execution of a written amendment to this Agreement. The City and CRA shall review the Program on an annual basis in order to ensure that it is fulfilling its purpose and to make any necessary amendments to this Agreement, or to the Program. Except as otherwise provided in this Agreement for earlier termination, either party may terminate this Agreement upon thirty (30) days written notice without penalties or liabilities.

10. Notices required to be provided pursuant to this Agreement shall be mailed via certified mail (RRR), hand delivered with receipted thereof and/or faxed with fax confirmation respectively to:

CITY: Michael Bornstein, City Manager
City of Lake Worth
7 N. Dixie Highway
Lake Worth, FL 33460

CRA Joan Oliva, Executive Director
Lake Worth CRA
29 South "J" Street
Lake Worth, FL 33460

11. Notwithstanding any other provision in this Agreement, the City's and CRA's obligations under this Agreement are subject to annual budgeting and appropriation by the City Commission and the CRA Board of Commissioners.

12. This Interlocal Agreement shall be filed pursuant to the requirements of Section 163.01(11) of the Florida Statutes.

13. No prior or present agreements or representation with regard to any subject matter contained within this Agreement shall be binding on any party unless included expressly in this Agreement. Any modification to this Agreement shall be in writing and executed by the parties.

14. The validity of any portion, article, paragraph, provision, clause, or any portion thereof of this Agreement shall have no force and effect upon the validity of any other part of portion hereof.

15. This Agreement shall be governed by and in accordance with the Laws of Florida. The venue for any action arising from this Agreement shall be in Palm Beach County, Florida.

16. Neither the City nor the CRA shall assign or transfer any rights or interest in this Agreement.

17. There are no third party beneficiaries to this Agreement. Nothing in this Agreement shall be interpreted as a waiver of the parties' rights to sovereign immunity nor consent by either party to be sued.

18. This Agreement shall not be valid until signed by the Mayor and attested to by the City Clerk.

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed as of the day and year set forth above.

ATTEST:

CITY OF LAKE WORTH

Pamela Lopez, City Clerk

By: _____
Pam Triolo, Mayor

Approved as to legal sufficiency:

City Attorney

Dated: _____

ATTEST:

LAKE WORTH COMMUNITY
REDEVELOPMENT AGENCY

Joan Oliva, Executive Director

By: _____
Print Name: _____
Title: _____

Dated: _____

**RESIDENTIAL CONSERVATION &
REHABILITATION PROGRAM
(FOR SINGLE-FAMILY DETACHED DWELLING UNITS)**

**PROGRAM POLICIES & PROCEDURES
EFFECTIVE AS OF**

May 2016

**FOR USE IN THE CITY OF LAKE WORTH, COMMUNITY
REDEVELOPMENT AGENCY
HOUSING CONSERVATION & REHABILITATION PROGRAM**



INTRODUCTION

These policies establish the requirements and guidelines for administering and implementing the City of Lake Worth ("City") and Lake Worth Community Redevelopment Agency ("CRA") Housing Conservation & Rehabilitation Program (the "Program"). This Program was created by the City, CRA and Non-profit agencies, including Adopt-a-Family of the Palm Beaches and Community Partners Inc. to address utility conservation and housing needs within the City's Redevelopment Area and the City of Lake Worth. The Program will be administered by the newly formed CCA Consortium that includes the City, the CRA, and non-profit organizations including Adopt-a-Family of the Palm Beaches and Community Partners Inc. (the "CCA") The Program provides homeowners with free Conservation Audit Reports, access to funding for weatherization, housing rehabilitation, and access to social service programs. Services may also include referrals to mainstream resources, such as food stamps, childcare, health insurance, transportation, job search and placement activities, financial literacy classes and assistance. Services will be provided on an as-requested, as-needed basis.

The Program works in cooperation with the City of Lake Worth's Utility Department and Non-profit case management services to provide technical and financial assistance to qualified property owners (with residential structures containing one detached dwelling unit) for the purpose of addressing residential energy analyses and possibly urgent/emergency conditions to meet applicable housing and building code standards. In addition, the Program may also address issues related to household stability in an effort to reduce homelessness and promote self-sufficiency. Improvements may include: roofing, electrical, HVAC, plumbing and major structural repairs.

Property owners' applications under this Program are reviewed for various qualifying standards in the forefront of which is determining whether a home is owner-occupied, within the City limits, and if the household income falls within HUD guidelines for low to moderate income persons. Only primary homesteaded properties are eligible. An applicant may only own one residential property to qualify. All owner-occupied households that are homesteaded within the City limits may apply for a Conservation Audit Report and technical assistance while only households earning 120% or less of the Area Median Income (AMI) may be qualified to receive financial assistance and other services.

**Annual Income Limits for West Palm Beach and Boca Raton Metropolitan Statistical Area (MSA)
FY 2016 Median Family Income
(HOME up to 80%; State, SHIP, Workforce Housing up to 140%)
\$65,400**

Number of Persons in Household	Extremely Low Income (30%)	Very Low Income (50%)	Low Income (80%)	Moderate Income (120%)	Workforce Income (140%)
1	\$14,150.00	\$23,550.00	\$37,650.00	\$56,250.00	\$65,940.00
2	\$16,150.00	\$26,900.00	\$43,300.00	\$64,560.00	\$75,320.00
3	\$20,160.00	\$30,250.00	\$48,400.00	\$72,600.00	\$84,700.00
4	\$24,300.00	\$33,600.00	\$53,750.00	\$80,640.00	\$94,080.00
5	\$28,440.00	\$36,300.00	\$58,050.00	\$87,120.00	\$101,640.00
6	\$32,580.00	\$39,000.00	\$62,350.00	\$93,600.00	\$109,200.00
7	\$36,730.00	\$41,700.00	\$66,650.00	\$100,080.00	\$116,760.00
8	\$40,890.00	\$44,400.00	\$70,950.00	\$106,560.00	\$124,320.00

Housing rehabilitation may be offered to households that qualify under the Program requirements. Prerequisites to qualification under the Program requirements may include property inspection, work

write-up specification preparation, bid solicitation, construction payment review and processing, and any other staff assistance incidental to the processing and implementation of a conservation and/or rehabilitation project. Financial assistance, including the payment of rehabilitation construction costs, and incidental expenses regarded as eligible shall take the form of a deferred repayable loan. Other assistance through the CCA includes all-encompassing services to provide for a household's well-being. These services may include referral and linkage assistance with access to mainstream resources, financial literacy, mortgage assistance, utility assistance and other needed services. A needs assessment and thorough intake will be completed at program entry to identify barriers.

As a residential conservation, rehabilitation and neighborhood preservation program, activities are designed to assist low to moderate income homeowners in making necessary housing repairs that:

1. Help increase a home's energy efficiency and identify possible energy savings
2. Preserve and upgrade the existing housing stock and enhance the quality of neighborhoods
3. Promote decent, safe and sanitary housing conditions and eliminate blighted conditions
4. Enhance the aesthetic appeal of low income neighborhoods
5. Maintain or increase property values, and stabilize or augment the tax base

Services are provided to:

1. Make homes more energy efficient, thus decreasing homeowners utility bills
2. Provide much needed support to families that may be in risk of losing their homes
3. Act as a link to other assistance that may benefit the household or family
4. Provide access to counseling, classes and training to promote self-sufficiency
5. Eliminate termites and other wood destroying organisms
6. Removal of asbestos

CITY CONSERVATION AUDIT

A request from a homeowner must be made to the City Utility department in order for an energy audit to be conducted. A Utility department staff member will work with the customer and schedule the audit. When at the home, the Utility Staff member will review materials and appliances related to electricity and water. These may include, but are not limited to, A/C units, appliances, windows, doors, roofing and insulation. The conservation audit will also provide the customer with an electric and water consumption history.

A written recommendation for possible improvements will be given to the homeowner. These suggested improvements will be ranked based on the rate of return from the improvement. If the homeowner is in need of financial assistance, City Utility Staff MAY refer the home owner to the CCA for consideration in the rehabilitation program provided the home owner meets initial program criteria.

REHABILITATION PROCESS

The following comprise the main qualifying criteria under this program:

1. The applicant must be the owner of record of the property for at least one year at the time of application
2. The applicant must reside at the property, and have received a homestead exemption for the property at the time of application
3. The property must be substandard and must be located in the City of Lake Worth
4. The property must consist of no more than one detached dwelling unit and be entirely used for residential purposes
5. The applicant's property tax obligation must be current at the time of funding approval
6. The applicant's household, based on household income by household size, must be low to moderate or less than 120% of AMI
7. The rehabilitation of the property must be determined to be necessary and feasible and the cost of repairs must exceed \$1,000 per unit. Rehabilitation funding provided by the CCA shall not exceed \$20,000 (including associated soft costs which include, but are not limited to title search, lien search, intake fees, documentary stamps, recording costs, and survey costs - intake, counseling, processing etc.). The funding limit excludes any lead-based paint related expenditures provided as a separate grant in an amount not to exceed \$10,000

The Application Process:

At the initial stage, and after a conservation audit has been completed, an applicant submits a preliminary application form that will be reviewed by the CCA Staff to ensure the household meets the Program guidelines. Once eligibility has been verified, additional applications will be necessary depending on the needs of the household. The applicant will be required to provide documentation in support of the application, and sign certain release forms authorizing CCA to verify the application's content with third parties.

Property Rehabilitation:

During the initial interview, CCA Staff shall advise the applicant of the Program's objective and explain the type of work undertaken under the Program without specific reference to the applicant's property. Applicants shall be advised that the primary purpose of the Program is to address their property's deficiencies, and, to the extent practicable and feasible, how to bring the property up to current applicable housing and building code standards. Applicants shall be advised of the steps involved in the rehabilitation process and their role in the rehabilitation process. Applicants shall also be informed of the financing arrangements available under the Program. For the purposes of these policies, all owners of a property to be rehabilitated who reside at such property shall be considered applicants, and the term "applicant" shall also mean the plural term "applicants". CCA Staff or "representative" may contain Staff members from the City, CRA, Adopt-a-Family and Community Partners.

Initial Rehabilitation Inspection Process:

During this stage, an initial inspection of the property is completed by a CCA representative, with permission granted by the owner, and the feasibility of undertaking the rehabilitation is assessed. A lead-based paint inspection is also performed for properties built before 1978.

The Verification Process:

Information provided by the applicant is verified with the applicant's permission through outside parties and additional information (such as title information) is also obtained that is needed in reaching a decision on whether or not to proceed with the recommended improvements at the applicant's property.

The Work Write-Up Preparation Process:

This process entails the preparation of detailed construction specifications to address deficiencies identified at the property by the CCA's inspector, as well as specifications for lead-based paint abatement when such is determined necessary. The process incorporates the property owner's preferences on execution of the work intended to upgrade the property to applicable housing and building code standards.

The Construction Bidding Process:

The work write-up specifications prepared by the CCA's inspector are let for competitive bidding by contractors on a pre-screened list of bidders. Additionally, bids are let for extermination of termite or other wood destroying organisms where such infestation is found at the property. This process also includes a tabulation of bids received and an evaluation of the lowest, most responsive bid.

The Underwriting and Approval Process:

Once CCA Staff is given firm construction and extermination costs and requisite information necessary to underwrite a project, a recommendation for funding is made to the CCA Committee. Final approval of all applications and recommendations are made by the CCA Committee. A closing is conducted thereafter at which certain documents are executed.

The Construction Process:

Having received the necessary approvals, a project proceeds to the construction phase (including lead-based paint abatement where required) which implements the intent of the Program. Work is inspected by the CCA and approved for payment by the CCA and the property owner.

APPLICATION FOR ASSISTANCE**A. Needs Assessment:**

An interview shall be conducted with each applicant wishing to participate in the Program. An assessment will be conducted by a case manager from CCA. The initial assessment will deem whether or not the applicant meets the Program guidelines. In addition, the assessment will allow the CCA case manager to create custom case management action plans addressing potential barriers. Available programs and services provided by CCA will be explained as well as the process of receiving assistance from the CCA.

B. The Application

As a condition to processing an application under this program, a completed and signed application form must be on file with CCA for each property owner seeking assistance. The application form shall contain such information as:

- a. Name of applicant, co-applicant(s), and any other household members residing at the property (whether related to the property owner or not) and relationship to property owner(s) as well as contact telephone numbers.
- b. Address of the property, legal description and the Property Control Number and the length of time that home has been occupied by the owner of record, and certification of homestead status of property.
- c. Social security numbers, dates of birth of applicant(s) and ages of household members.
- d. Employment information on all household members (and if applicant is unemployed, date unemployment began and type of work done before).
- e. All other income for the household including: wages, salaries, bonuses, pensions, social security, disability, unemployment, self employment, rental income, interest, dividends, public assistance, alimony, child support, and income derived from assets.
- f. Information regarding mortgage and other debt against the property.
- g. Insurance information including name of insurer, agent, address, policy number, and type, amount, and dates of coverage.

The applicant shall provide documentation in support of the application such as copies of: deed, mortgage(s), pay stubs, driver's license, social security card, judgments, death certificates, and tax statements. Applicants will also be asked to provide a signed copy of their last IRS tax return (last two returns for self-employed persons) and copies of their insurance policies, as well as certifications regarding the receipt of any insurance or FEMA payments for damages to the property.

At the time of application submission, a preliminary review is made of the information provided and the applicant is requested to sign certain pertinent release forms that enable CCA to verify information in the application with outside parties. Other such forms may also be signed by the applicant at later times as the need arises in the process of reviewing the application. These release forms for example include: employment verification, social security benefits verification, and mortgage verification.

INITIAL PROPERTY INSPECTION

An initial inspection of the property shall be performed by a CCA inspector in order to assess conditions at the property and to determine if rehabilitation is necessary and feasible. An assessment of conditions at the property is intended to reveal deficiencies at the property that do not meet applicable housing and building codes. The initial inspection shall establish the presence of deficiencies in such areas as plumbing, electrical, roofing, structural, doors, windows, etc. The initial inspection shall examine the presence of un-permitted additions and enclosures at the property, and assess the feasibility and practicality of improving such additions or enclosures such that they comply with applicable codes (and in the alternative the removal of any such un-permitted additions or enclosures).

In addition to the above, the initial inspection shall also establish the necessity and feasibility of rehabilitation. Rehabilitation shall be deemed not necessary, when a property is found to be in conformance with existing codes, and no deficiencies are found, or when the deficiencies found at a

property are of a minor nature such that the cost of correction is \$1,000 or less (except for emergency conditions where there exists a danger to the health or safety of the occupants or the general public). It is recognized that this Program is not intended to assist in correcting minor deficiencies that arise from time to time in the life of a structure through ordinary wear and tear which can be addressed through routine maintenance.

Rehabilitation shall be deemed feasible when the cost of complying with the requirements of these policies can be achieved within the funding limits established for this Program. In order to be deemed "feasible," the cost of meeting the requirements of applicable code standards, lead-based paint remediation, handicap accessibility, etc. must be within the Program's funding limits. In the event that the cost of complying with the requirements of the guidelines exceeds the funding limits established for this Program, rehabilitation may still be deemed feasible if the sum of the amount funded through this Program plus amounts funded by the applicant are sufficient to meet the cost of complying with the requirements of these guidelines. Projects deemed not feasible shall be rejected through a written notice to the applicant.

VERIFICATION PROCESS

During the verification process, information provided by the applicant is verified with the applicant's permission through outside parties and additional information is also obtained that is necessary in reaching a decision on whether to proceed with the improvements at the applicant's property.

A. Income Verification

The applicant's household is verified in order to establish eligibility under the Program. A household is defined as follows: All persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements (See, 24 CFR Part 570). A household shall be regarded as being eligible to receive assistance under this Program if the projected prevailing rate of household annual income received from all sources by household size is at or below or 120% of the applicable median family income for the West Palm Beach-Boca Raton Metropolitan Statistical Area. The current median income and schedule of qualifying incomes by household size shall be as revised and published in the Federal Register by the United States Department of Housing and Urban Development ("HUD"), from time to time. The household annual income information to be used for eligibility determination under this program shall be that in effect on the date funding is approved for each applicant. Annual income of all household members shall be determined according to the following:

- (1) The full amount of wages and salaries, commissions, fees, tips, bonuses, and compensation for personal services, before any deductions for taxes, bonds, dues, payroll deductions, other items.
- (2) The net income after business expenses from operation of a non-farm business (or profession) and self-employment income (including proprietorships and partnerships).
- (3) Interest, dividends, net rental income or royalty income or income from estates and trusts (and any other net income of any kind from real or personal property);
- (4) Social Security or railroad retirement income.
- (5) Supplemental Security Income (SSI), Aid to Families with Dependent Children (AFDC), or

- other public assistance, or public welfare payments (including food stamps).
- (6) Retirement, survivor, or disability pensions (including annuities).
 - (7) Any other sources of income received regularly, including veterans (VA) payments, unemployment compensation, and child support, or alimony (and including regular overtime income, unemployment, workers compensation, severance pay, insurance payments, or regular contributions or gifts received from persons not residing in the dwelling).

Income shall be verified through use of verification forms signed by the pertinent household member authorizing verification by the source of income or by obtaining documentation produced by a third party that establishes income information. Verification forms may include forms such as:

- employment verification
- unemployment benefit verification
- pension benefit verification
- social security benefit verification
- disability benefit verification
- veteran's benefit verification
- interest income verification

Each income earning household member must provide a signed copy of their last IRS return including attachments (last 2 returns for a self-employed person). It is recognized that IRS rules do not require the filing of a return if a person's income is below a certain amount as established by the IRS and revised from time to time. In such instance where an income earning household member does not file a return, a notation shall be so indicated on the application form.

In the course of establishing and verifying household income for each applicant, CCA Staff may reconcile annual income information with annual household expenses reported by the applicant or determined by CCA. While reviewing this income and expense data, the CCA shall examine such data for consistency allowing for reasonable living expenses of the household (such as food, clothing, and transportation). Where annual obligations and other household expenses appear to constitute substantial portions of household income not allowing room for reasonable living expenses such as described above, CCA shall further investigate annual income and expense information with the applicant in order to resolve unreconciled differences between both. If resolution of such matters cannot be reached to the satisfaction of CCA, the applicant's request for assistance may be suspended until satisfactorily resolved or else may be rejected.

B. Title Verification

The title to the property proposed for rehabilitation shall be verified through an Owner and Encumbrance Report. The Owner and Encumbrance Report is obtained in order to establish that the applicant is the fee simple title holder of record, to establish how title is held, and to establish whether there are any encumbrances on the property. An Ownership and Encumbrance Report and a tax and lien search shall include the following:

- a. The name (and address, if available) of the owner appearing on record.
- b. The legal description of the parcel as shown by the conveyance(s) by which the record owner acquired title.

- c. Identification of the conveyance(s) by which the present owner acquired title, including: the date of the conveyance(s); the date, book and page numbers, and place of recordation; the name (and the address, if available) of the grantor of such conveyance(s); the stated consideration.
- d. Identification of any mortgage, or encumbrances placed of record, their amounts, dates, book and page numbers, and dates of recordation; name of grantor, and grantee and any assignments.
- e. Identification of any liens and/or judgements, their type, amount, dates, book and page numbers, and dates of recordation, and from whom and against whom such were placed.
- f. Other pertinent information such as recorded death certificates or marriage certificates.
- g. Outstanding estates and other rights of interests of record, including easements, use restrictions, mineral rights, leases, and any known, but unrecorded, interest of other parties. Sufficient information shall be furnished to disclose the probable effect of such outstanding interests on the title of the record owner.
- h. Outstanding special assessments, if any, for public improvements such as streets, sidewalks, public utilities, and similar public facilities.
- i. The amount of real estate taxes for the current year and the assessed valuation.
- j. A tax/lien search showing all matters pertaining to but not limited to all tax certificates sold and delinquent taxes.

C. Lead-Based Paint Verification

All dwelling units built before January 1, 1978, shall be inspected for the presence of lead-based paint as required by applicable lead-based paint regulations. An EPA certified lead-based paint inspector, who is also an EPA certified lead-based paint risk assessor shall perform a surface-by-surface investigation (of interior and exterior painted, stained, varnished or shellacked surfaces) in order to determine the presence of lead-based paint, and shall submit to the CCA a report of the inspections findings. The report shall identify surfaces containing lead-based paint which are in a stable condition (regarded not to constitute a hazard), and surfaces which contain lead-based paint and are deteriorated or subjected to friction or impact (regarded to constitute a hazard). The findings of the report shall be used in preparing the work items intended to accomplish lead-based paint remediation, and shall be used for the preparation and provision of the Lead-based Paint Notice of Evaluation and/or Presumption as required by applicable regulations.

WORK WRITE-UP PREPARATION

If upon review of the information verified through the preceding process (particularly income, and property ownership), the applicant appears to be qualified, a work write-up is prepared by the CCA for the rehabilitation project. The work write-up shall be a detailed list of construction specifications, the execution of which will correct the deficiencies at the property and will upgrade the property to the extent practicable and feasible to applicable housing and building code standards. The work write-up shall also include work items that encompass lead-based paint remediation and hurricane protection, and may include energy efficiency and conservation items, work items for the removal of architectural barriers, and general property improvement items.

A. Hurricane Protection

The work write-up shall include work items that address hurricane protection as required by code. Additional hurricane protection measures not required by code may be included in the work write-up to

the extent practicable and feasible. The purchase or installation of hurricane shutters or panels is not allowed under this program.

B. Disability Accommodations

In the event that an applicant and/or a household member has a disability (such as a physical, neurological, mental, or emotional impairment) that comes to the attention of the CCA, an affidavit shall be obtained from the applicant/household member which contains remedies proposed by the affiant to accommodate the disability that can be undertaken through the program. When the disability is expected to be of long, continued, and indefinite duration, and if the disability substantially impedes the person's ability to live independently, and if the disabled person's ability to live independently can be improved by more suitable housing conditions, then the work write-up shall include such work items (remedies proposed by the affiant) that would accommodate the disability and that can be undertaken through the program.

C. Air Conditioning

Work write-ups may contain items that address air conditioning as follows:

- a. Existing faulty air conditioning equipment may be repaired or replaced (when repair is infeasible). Replacement may be effectuated with the same or similar equipment (e.g. replacement of a wall unit with a wall unit would be considered as the same equipment, replacement of a window unit with a wall unit is similar equipment).
- b. New air conditioning equipment may be provided if there is a compelling health reason justified by a doctor's medical report (medically necessary) and/or economically feasible.

D. Rehabilitation/Demolition of Un-Permitted Enclosures and Additions

The work write-up shall provide for the improvement of existing un-permitted additions and enclosures such that they comply with applicable codes if feasible and practical. Un-permitted additions and enclosures that are not feasible or practical to improve shall be demolished. Mortgagee/lien-holder consent to demolish shall be obtained when there are existing mortgages/liens on the property.

E. Lead-Based Paint Remediation

The work write-up shall include items that achieve remediation of surfaces which contain lead-based paint and which are expected to be disturbed during the process of rehabilitation construction, as well as items that achieve remediation of surfaces which contain lead-based paint and are deteriorated or subjected to friction or impact and regarded to constitute a hazard.

F. Asbestos Control Review

The work write-up shall be accompanied by a completed Asbestos Control Review form in compliance with applicable procedures provided herein. The purpose of this form is to establish if there are suspect asbestos containing materials and if there is a current or prior non-residential (commercial) use of the property (such occurrence would require follow-up action including an asbestos survey of the property and sample laboratory testing of building materials with asbestos abatement where necessary). Should asbestos be found (or assumed to be found) at the property applicable statutes, regulations, and guidelines shall be followed in connection with undertaking the rehabilitation construction work.

G. Applicant's Work Write-Up Review and Approval

Upon complete preparation of the work write-up, the applicant shall be asked to sign a review and

approval statement the intent of which is:

- a. To assure that the work write-up has been reviewed with the applicant.
- b. To assure that the applicant understands the specifications of the work to be performed on the applicant's property.
- c. To obtain the applicant's agreement that no changes to the work write-up specifications will occur except for items needed to meet housing or building code requirements.
- d. To secure the applicant's authorization allowing the CCA to obtain bids for the work contained in the work write-up.

H. Cost Estimate

The preparer of the work write-up shall also prepare a written itemized in-house cost estimate of the work contained in the work write-up. The cost estimate shall serve as a basis for evaluating bids received for the work.

BIDDING AND BID EVALUATION

Bids for the work detailed in the work write-up shall be solicited from contractors on the CCA's pre-qualified list. Contractors' names are placed on the bidder's list after each Contractor has submitted an application which has been reviewed in accordance with applicable procedures. The three primary requirements for contractors are:

- City of Lake Worth registration
- License (state or county)
- Insurance (general liability, auto liability, and worker's compensation)

Contractors are required to submit sealed bids for the work contained in the work write-up after visiting the applicant's property to acquaint themselves with existing conditions. Bids shall be submitted prior to the deadline for bid submissions, after which they are opened by a specified CCA representative. Bid openings are open to bidders, applicants, and the general public. At the bid opening the CCA's designated representative shall open the bids and announce the name of the Contractor and the bid amount. The announced bids shall be recorded on a bid spreadsheet showing each bidder's name and total amount bid.

After all bids are opened and announced, the CCA shall review all bids for completeness, and calculate the sum of all the individual items contained in each bid to check for discrepancies between such sum and the amount read at the bid opening. Where a discrepancy exists in a bid between the true and correct sum of itemized costs and the total announced at the bid opening, the true and correct mathematical sum of itemized costs shall prevail and the spreadsheet shall be noted accordingly.

Upon close examination of all bids, the CCA will make a determination on the lowest, most responsive, responsible bidder that best meets the terms, conditions, and specifications of the bid and that will result in the best interest of the applicant and the CCA.

The CCA shall evaluate the bids to establish whether the total bid is within the funding limit, and whether lead-based paint remediation items are within the allowable funding amount. Where the total cost bid exceeds the funding limit, CCA shall explore ways to adjust the scope of work to within such limit. Any

such changes to the scope of work shall be incorporated into a change order to be executed simultaneously with the construction contract after funding approval. The applicant shall also be provided an opportunity to provide any funds needed for the project above the funding limit.

The bidding process also includes obtaining bids for treatment of termite and other wood destroying organisms where such infestation is found at the property. Bids are obtained in like manner as described above and the lowest responsive bidder is determined. Funding is recommended for the lowest, most responsible, responsive bidder both for construction and extermination. Should the applicant wish to select another bidder, then the difference in cost between the lowest bidder and that selected by the applicant shall be funded by the applicant.

Final application reviews and bid recommendations will be forwarded to the CCA Committee who will make the final funding determination.

PROGRAM COSTS AND FUNDING LIMITS

A. Eligible Program Costs

The following expenses shall be regarded as eligible costs under this Program:

- a. Labor, materials, and other costs of rehabilitation of properties, including emergency type repairs directed toward a severe accumulation of deferred maintenance, removal of material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons, replacement of principal components of existing structures (electrical, plumbing and structural) and renovation through alterations, additions to, or enhancement of existing structures which may be undertaken singly, or in combination;
- b. Roofing repairs which entail work beyond shingle replacement;
- c. Plumbing repairs which entail work beyond cosmetic or fixture only replacement;
- d. Structural repairs which are approved by City of Lake Worth Code Compliance Standards;
- e. Connection of residential structures to water distribution lines or local sewer collection lines;
- f. Costs of inspecting, testing, and abatement of lead-based paint and asbestos containing materials pursuant to applicable regulations;
- g. Costs associated with the processing of rehabilitation applications such as a title search or state and local fees for recording documents prepared in conjunction with this program;
- h. Costs of obtaining construction related professional services including architectural, engineering, and surveying services, including the preparation of related technical documents, and inspections associated with execution of the content of such documents as pertains to the rehabilitation work;
- i. Costs of performing inspections of termite or other wood destroying organisms and extermination thereof;
- j. Construction contingency funds at an amount which is the lesser of five percent (5%) of the construction contract amount.
- k. Costs associated with asbestos containment or asbestos removal may be considered when necessary

B. Funding Limits

- a. Funding in the form of a loan shall be provided for the above stated eligible costs in the following

manner:

- (1) Maximum amount per project: \$20,000.
 - (2) Interest rate: Zero percent (0%).
 - (3) Term: Ten (10) years
 - (4) Security: A mortgage and promissory note (to be recorded in the public records).
 - (5) Repayment: No repayment during the ten (10) year term of the mortgage is due, except that the entire principal amount of this loan (and any other amounts required by the mortgage) shall be repaid by the applicant in the event of default as specified in the mortgage including the sale, transfer of title to, or disposition of, the mortgaged property. The amount owed to the CCA shall be reduced by 20% per year after the conclusion of the fifth year. After ten (10) years, if the conditions of the mortgage and promissory note have been met, the CCA shall issue a satisfaction of mortgage.
- b. Funding in the form of a grant up to \$10,000 for costs associated with lead-based paint for each qualified single family detached dwelling unit. These unsecured funds shall be over and above the Program funding limit established above for rehabilitation expenses. This amount includes costs such as inspection and risk assessment report fees, clearance testing, lead-based paint hazard reduction or control costs. Due to funding limits, up to three grants will be awarded per fiscal year unless otherwise voted by the CCA Committee.

PROJECT APPROVAL

Upon assurance of project compliance with Program guidelines, and the formulation of a funding recommendation which shall be included in a financial write-up of the project, the CCA Committee, is authorized to approve a project that is within the funding limits established herein.

Any project that requires approval with a waiver to these policies shall be submitted for consideration to the CCA Committee.

PROJECT CLOSING

Upon funding approval of the project, the CCA shall prepare certain project documents to be executed by the applicant at the closing which shall, to the extent possible, also be attended by the contractor who is to perform the rehabilitation work. As a pre-requisite to closing, the CCA shall conduct a pre-construction site conference with the applicant and the contractor to review the intended rehabilitation work, and shall obtain from the contractor evidence of insurance. At the closing, CCA staff shall review all documents with the applicant prior to execution. The documents to be executed by the applicant shall include:

- Mortgage (in favor of City or CRA depending upon location of Property)
- Promissory Note
- Notice of Commencement
- Contract for Exterminating Services (if necessary)
- Notice to Proceed
- Construction Contract (countersigned by the contractor)

Note: All owners of record (including the applicants who reside at the property and owners who reside elsewhere) must execute the mortgage and promissory note.

After the closing, the executed mortgage, promissory note, and notice of commencement shall be sent by the CCA for recording in the Palm Beach County Clerk of Courts public records department.

REHABILITATION CONSTRUCTION

The CCA shall inspect work in progress being performed by the contractor and review and approve all construction draws made against the contract. The applicant shall approve all work requested for payment. A five percent retainage shall be applied to each progress draw, with the accumulated retainage amount released in conjunction with final payment.

All lead-based paint remediation and rehabilitation construction activities, notifications, clearance testing, and related documentation shall be carried out in compliance with HUD lead-based paint regulations for projects funded under this program.

During construction, change orders for unforeseen code related work items necessitating an increase in the contract amount may be approved provided contingency funds are available. The applicant shall be given the opportunity to make up any contract short fall resulting from a change order.

Upon completion of the work, the contractor shall ensure that all work has been approved by the building department with jurisdiction over the project, and obtain the necessary permit approvals. The contractor shall request a final inspection by the CCA which shall be followed by the CCA providing the contractor with a punch list of deficiencies to be completed prior to final payment if such deficiencies exist.

When the work is fully completed, the CCA shall obtain the applicant's approval of final payment and make payment subject to receipt of approved building permits, contractor's release of lien and contractor's warranty. The warranty given by the contractor shall be for a one-year period from date of completion for all work except that all roof work shall be warranted for five years. The contractor shall also provide the applicant with manufacturers' warranties for equipment and appliances. Extermination, if necessary, shall be carried out after completion of construction.

LOAN CLOSEOUT

Loan closeout shall be performed after all project contracts, invoices, and expenses have been paid. A final itemized listing of all payments made shall be prepared after said reconciliation, which list shall also show any undisbursed funds and their disposition. This list, in the form of a Closeout Statement, shall be placed in the applicant's case file with a copy provided to the applicant.

OTHER RELATED MATTERS

- A. Funding Retained/Escrowed:** All funding approved under this Program shall be retained by the CCA for payment of goods and/or services intended for the benefit of the applicant. The CCA, as the applicant's disbursing agent, shall only make payment for costs regarded as eligible expenses

under this program where goods and/or services have been delivered, installed, and/or performed. In such cases where the applicant is providing a cash contribution to the project, payment of such contribution shall be made to the CCA and escrowed by the CCA for the intended purpose whereupon it shall be disbursed as specified above.

- B. Additional Funding:** Requests for additional funding in excess of amounts approved for a project may be approved by the CCA Committee provided that the sum of additional funding and original project funding does not exceed the funding limits established in these guidelines.
- C. Termination of Funding:** Termination of funding and acceleration of loan repayment may be undertaken by the CCA during the rehabilitation process if:
- (1) The applicant refuses or fails to allow the rehabilitation work to commence within thirty (30) days from contract award.
 - (2) The applicant refuses or fails to allow completion of rehabilitation after commencement.
 - (3) The applicant refuses to authorize payments associated with the project which have been deemed payable by CCA Staff.
 - (4) An event of default occurs as specified in the mortgage or promissory note.

Notice shall be given to the applicant of such termination and/or acceleration, as appropriate, with follow-up action by the CCA Attorney where necessary.

- D. Satisfaction of Mortgage:** A satisfaction of mortgage shall be processed by CCA when the applicant complies with all the terms and conditions contained in the mortgage and promissory note. Upon approval and issuance, a satisfaction of mortgage shall be recorded in the public records of Palm Beach County and the original shall be transmitted to the applicant. The original recorded satisfaction of mortgage document shall be accompanied by the original promissory note when transmitted to the applicant. Approval is hereby provided to the CCA Committee to execute satisfactions of mortgage when all the terms and conditions contained in the mortgage and promissory note have been complied.
- E. Assumption of Mortgage:** A mortgage granted to the CCA in exchange for rehabilitation funding assistance may be assumed for the remaining term of the mortgage in the event of the death of the surviving applicant that received such assistance provided that the person wishing to assume such mortgage:
- (1) Is a legally recognized beneficiary to the estate of the deceased surviving applicant who has been granted legal or equitable possession of the rehabilitated property by a court of competent jurisdiction, and
 - (2) Intends to occupy the property as his/her principal place of residence, and
 - (3) Submits proof of qualification of homestead for the property which is encumbered by the CCA's mortgage.

- F. Date Validity of Documents:** The below identified documents contained in applicant files at the time of funding approval under this Program shall be no more than six months old:

- Income verifications and income affidavits.

- Ownership and encumbrance report.
- Evidence of owner's funding.

Note: Construction and extermination contractors bid proposal validity date may be extended by a letter from the contractor.

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Memorandum of Understanding
Between
LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY
and
Community Partners

Regarding the Residential Conservation & Rehabilitation Program

This Memorandum of Understanding (MOU) establishes a joint collaboration between the LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY and Community Partners ("CP")

I. BACKGROUND

This Residential Conservation & Rehabilitation program was created by the City and CRA, to address conservation and housing needs within the Redevelopment area and City of Lake Worth. The program will be administered by the newly formed CCA Consortium that includes the City, the CRA and non-profit organizations including Adopt-a-Family of the Palm Beaches Inc. and Community Partners. The Program works in cooperation with the City's Utility Department, the CRA and case management services to provide technical and financial assistance to qualified property owners (with residential structures containing one detached dwelling unit) for the purpose of addressing residential energy analyses and possibly urgent/emergency conditions to meet applicable housing and building code standards. The program provides homeowners with free Conservation Audit Reports, access to funding for weatherization, housing rehabilitation and when needed, to social service programs.

II. PURPOSE

This MOU defines the relationship between the LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY and the roles each Party is expected to play. The goal of this partnership is to:

1. Help increase a home's efficiency and identify possible energy savings.
2. Preserve and upgrade the existing housing stock and enhance the quality of neighborhoods;
3. Promote decent, safe and sanitary housing conditions and eliminate blighted conditions;
4. Enhance the aesthetic appeal of low income neighborhoods;
5. Maintain or increase property values, and stabilize or augment the tax base.

The City Utility Department will be the first point of contact, providing a Home Conservation Audit for a Lake Worth home-owner. Once an audit is complete and if the program's initial criteria are met, the home owner and potential applicant will be referred to the Consortium for further review. Consortium members shall work together to insure that appropriate resources are provided to qualified house-holds in the City.

III. STATEMENT OF MUTUAL BENEFIT AND INTEREST

The parties to this MOU have separate missions for which they are committed; however, each party's individual mission hinges together with shared responsibility. These responsibilities include but are not limited to:

- Services through BRIDGES to include, financial education, coaching, home maintenance education and other services yet to be defined
- Securing capital, through Neighborworks or other funders, for use in the program

The above parties agree that it is to their mutual benefit and interest to work cooperatively to achieve this collective mission and their individual mission.

IV. DESCRIPTION OF PARTNER – Non-profit Organization

V. RESPONSIBILITIES

EACH PARTY SHALL:

- A. Agree that the Residential Conservation and Rehabilitation Program have goals, objectives, and actions that are aligned with each organization's mission.
- B. Agree to coordinate priorities, actions, and resources for the greater good of the communities.
- C. Recognize that other organizations may be involved, but are not listed as partners, and may be required to assist in endeavors critical to the purposes of this MOU under separate formal arrangements. Such assistance may include but not be limited to: managing funds, writing grant applications, professional services, providing consultation, education, and facilitation.

VI. TERMS OF UNDERSTANDING

The term of this MOU is for a period of 1 year from the effective date of this MOU and may be extended upon written mutual agreement. It shall be reviewed at least annually to ensure that it is fulfilling its purpose and to make any necessary revisions. Either party may terminate this MOU upon thirty (30) days written notice without penalties or liabilities.

VII. AUTHORIZATION

The signing of this MOU is not a formal undertaking. It implies that the signatories will strive to reach, to the best of their ability, the objectives stated in the MOU. The individual signing below represents that they have the authority to sign on behalf of the MOU on behalf of its organization, and to contribute to its further development with respect to the Lake Worth Residential Conservation and Rehabilitation Program along with the City of Lake Worth Community Redevelopment Agency.

LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY

Signature _____
Joan C. Oliva, Executive Director

Signature
Community Partners , President and CEO

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Memorandum of Understanding
Between
LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY
and

Adopt-a-Family of the Palm Beaches, Inc.
Regarding the Residential Conservation & Rehabilitation Program

This Memorandum of Understanding (MOU) establishes a joint collaboration between the LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY ("CRA") and Adopt-a-Family of the Palm Beaches, Inc. ("AAF")

I. BACKGROUND

This Residential Conservation & Rehabilitation program was created by the City of Lake Worth ("City") and the CRA, to address conservation and housing needs within the Lake Worth Community Redevelopment Area and City of Lake Worth. The program will be administered by the newly formed CCA Consortium that includes the City, the CRA, non-profit organizations including Adopt-a-Family of the Palm Beaches Inc., and other Community Partners. The Program works in cooperation with the City's Utility Department, the CRA, and case management services to provide technical and financial assistance to qualified property owners, with residential structures containing one detached dwelling unit, for the purpose of addressing residential energy analyses and possibly urgent/emergency conditions to meet applicable housing and building code standards. The program provides qualified homeowners with free Conservation Audit Reports, access to funding for weatherization, housing rehabilitation and when needed, to social service programs.

II. PURPOSE

This MOU defines the partnership between the CRA and AAF. The goal of this partnership is to:

1. Help increase a home's efficiency and identify possible energy savings.
2. Preserve and upgrade the existing housing stock and enhance the quality of neighborhoods;
3. Promote decent, safe and sanitary housing conditions and eliminate blighted conditions;
4. Enhance the aesthetic appeal of low income neighborhoods;
5. Maintain or increase property values, and stabilize or augment the tax base.

The City Utility Department will be the first point of contact, providing a Home Conservation Audit for a qualified Lake Worth homeowner. Once an audit is complete, and if the program's initial criteria are met, the homeowner will be referred to the Consortium for further review. Consortium members shall work together to insure that appropriate resources are provided to qualified homeowners in the City who desire to participate in this Program.

III. STATEMENT OF MUTUAL BENEFIT AND INTEREST

The parties to this MOU have separate missions for which they are committed; however, each party's individual mission hinges together with shared responsibility. These responsibilities include but are not limited to the following:

1. Adopt-A-Family of the Palm Beaches, Inc. - Provide a case manager for the Residential Conservation and Rehabilitation Program ("Program"). This "CCA Case Manager" will complete an intake and assess potential program candidates at a maximum of five per month.
2. CCA Case Member ("CCA-CM") - Conduct a thorough needs assessment with the applicant. Factors contributing to the instability of the home will be explored. The CCA-CM and applicant will discuss the applicant's potential to qualify for mainstream benefits such as food stamps, Medicaid, and subsidized childcare.
3. The CCA-CM will offer referrals and linkage to community partners for beneficial services such as reduced rate bus passes, healthcare, job training programs, and therapeutic services. At the conclusion of the appointment, the CCA-CM will complete an Action Plan with the homeowner, both for the Program and linkage to community services. Following the completion of the intake appointment, the file will be transferred to the CRA for evaluation and possible program approval.

The above parties agree that it is to their mutual benefit and interest to work cooperatively to achieve this collective mission and their individual mission.

IV. DESCRIPTION OF PARTNERS - N/A

V. RESPONSIBILITIES

EACH PARTY SHALL:

1. Agree that the Residential Conservation and Rehabilitation Program have goals, objectives, and actions that are aligned with each organization's mission.
2. Agree to coordinate priorities, actions, and resources for the greater good of the communities.
3. Recognize that other organizations may be involved, but are not listed as partners, and may be required to assist in endeavors critical to the purposes of this MOU under separate formal arrangements. Such assistance may include but not be limited to: managing funds, writing grant applications, professional services, providing consultation, education, and facilitation.

VI. TERMS OF UNDERSTANDING

The term of this MOU is for a period of 1 year from the effective date of this MOU and may be extended upon written mutual agreement. It shall be reviewed at least annually to ensure that it is fulfilling its purpose and to make any necessary revisions. Either party may terminate this MOU upon thirty (30) days written notice without penalties or liabilities.

VII. AUTHORIZATION

The signing of this MOU is not a formal undertaking. It implies that the signatories will strive to reach, to the best of their ability, the objectives stated in the MOU. The individual signing below represents that they have the authority to sign on behalf of the MOU on behalf of its organization, and to contribute to its further development with respect to the Lake Worth Residential Conservation and Rehabilitation Program along with the City of Lake Worth Community Redevelopment Agency. Furthermore, the CRA's obligations are subject to specific budgeting appropriation approval by the CRA Board of Commissioners.

LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY

Signature _____
Joan C. Oliva, Executive Director

Signature _____, Director

DRAFT

CITY OF LAKE WORTH UTILITIES - CONSERVATION TRAINING PROGRAM

Sustainability is consciously working to have a desirable quality of life while at the same time remaining mindful of future generations' right to do the same thing. It is using resources today with an eye on making sure there will still be resources for others to use tomorrow. Conserving energy and water not only helps to reduce the need for non-renewable resources but also translates into financial savings.

Energy conservation means making an effort to reduce the consumption of natural energy sources like electricity and water. The City of Lake Worth Conservation Training Program is designed to educate our customers on the importance of conserving sustainable energy resources. This program is committed to helping citizens conserve precious resources and helping to save money on their monthly utility bills.



The program works in conjunction with the CCA's Conservation and Rehabilitation program process and it is offered not only to all accepted applicants of the Conservation and Rehabilitation program (CRP) but also to all City of Lake Worth utility customers. Training sessions are designed so customers can learn how to reduce utility costs by conserving both electric and water usage. The program will also serve to educate residents and businesses in new technologies to result in more energy efficient homes.

Learning will not be confined to just current customers however. Training will also be conducted off site and in schools and neighborhoods to teach residents and students about conservation, new technologies and careers in energy.

The Training Program will include:

- Professional classes for City Staff so new techniques and technologies are incorporated into the program
- Annual workshops for middle-to-high school students on energy literacy to include information about understanding the nature of energy in the world in their daily lives and also various careers in energy
- Energy audits on request
- Tours of "energy efficient" or "green" homes in the City
- Bi-annual public workshops on residential energy saving techniques and tools
- On demand meetings with businesses wishing to increase their energy savings
- The production of a "Green Guide" to help homeowners save money and maintain "green elements" that can/ have been installed in their homes
- The development of an on-line guide to help keep residents and businesses updated on the latest electric innovations available in the City and tips for energy savings
- Produce quarterly articles in the City's newsletter, titled "Worth Noting" to educate the public about not only the improvements here in the City but new energy advances and projects in other places

Funding for the program will also be used to continuously develop innovative, cost effective and energy savings solutions for residents and businesses. Learning materials will also be produced and updated for homeowners, renters, businesses and students. Innovations that promote sustainability are continually advancing. It is our goal to not only keep abreast of these innovations but to share and promote them to the people we serve.

DRAFT



AGENDA DATE: June 21, 2016

DEPARTMENT: City Manager's Office

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2016-22 establishing an Arts Advisory Council.

SUMMARY:

The proposed ordinance is to establish a seven member Arts Advisory Council to the City Manager and City Commission.

BACKGROUND AND JUSTIFICATION:

The City Commission directed staff to establish an Arts Advisory Council to assist the City in matters affecting all aspects of arts in the City of Lake Worth. Based on the Commission's direction, the attached draft ordinance is proposed to establish the Council.

The proposed Council structure is a seven (7) member council made up of members appointed by the Mayor and City Commissioners and two members nominated by the PBC Cultural Council and/or another non-profit organization established in Palm Beach County which is involved in the arts. The members' terms will be consistent with the term of who appointed them and otherwise not to exceed a three (3) year consecutive term (i.e., for the other appointed members). The council's duties are solely advisory.

MOTION:

I move to approve/not approve Ordinance No. 2016-22.

ATTACHMENT(S):

Ordinance No. 2016-22.

ORDINANCE NO. 2016-22 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING CHAPTER 2 "ADMINISTRATION", ARTICLE XXIII "ARTS ADVISORY COUNCIL"; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth, Florida (the "City") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and,

WHEREAS, the City Commission believes that the arts are an integral part of our community and when a municipality support the arts, it not only enhances the quality of life, but it also invests in its economic well-being; and

WHEREAS, to promote and advance the arts within the City, the Commission wishes to create an arts advisory council; and

WHEREAS, the City Commission finds that an arts advisory council serves a public purpose by promoting arts events and opportunities within the City and that such a council is in the best interest of the health, safety, and general welfare of the citizens of the City of Lake Worth.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. The foregoing "WHEREAS" clauses are true and correct and are hereby ratified and confirmed by the City Commission.

Section 2. Chapter 2 "Administration", Article XXIII "Arts Advisory Council" is hereby adopted as follows:

ARTICLE XXIII. – ARTS ADVISORY COUNCIL

Sec. 2-270. – Arts advisory council created; advisory function.

(a) There is hereby created and established an arts advisory council to serve in an advisory capacity to the city commission and the city manager. The council shall consult with and advise the city manager and the city commission in matters affecting the promotion of arts in the city.

(b) The recommendations of the arts advisory council shall be advisory only.

Sec. 2-271. – Membership; terms; organization; meetings.

- (a) Membership. The council shall consist of seven (7) resident members. Each commissioner shall appoint one member and the mayor shall appoint one member. Two (2) members shall be nominated by the Palm Beach County Cultural Council and/or other arts-related non-profit organization established in Palm Beach County which is involved in the arts. The nominated two (2) members shall be submitted to the City Commission for review. Members shall be selected based upon their interest in and concern for raising the profile of the arts in the city and shall provide a diversity of viewpoints and a pool of expertise in the arts, as well as business. Each member of the council shall serve without compensation and at the pleasure of the city commission.
- (b) Terms. Each member appointed shall serve a term consistent with the duration of the term of the appointing commissioner or mayor.
- (c) Organization. The arts advisory council shall elect its officers, as set forth below, for a term of one year, or until a successor is elected and qualified.
- (1) Chairperson. The chairperson shall preside at each meeting of the council and make presentations, written and oral, on behalf of the council to the city commission and the city manager.
- (2) Vice-chairperson. The vice-chairperson shall perform the duties of the chair in his/her absence.
- (3) Secretary. The secretary shall record the minutes and attendance at each meeting.
- (d) Meetings. The arts advisory council shall meet at least quarterly or as otherwise requested by the city commission or the city manager. Three members shall constitute a quorum. If any member of the council shall fail to be present from three (3) consecutive meetings or from twenty-five percent (25%) of all meetings of the council held within any twelve-month period, the city clerk shall declare the member's office vacant, and the city commissioner or mayor who appointed such member shall appoint a replacement.

Sec. 2-272. – Purpose; duties.

- (a) Purpose. The arts advisory council shall identify and create policies and action plans that pertain to the enhancement of a vibrant, engaged arts community as an economic development strategy, and to this end, shall promote art events, projects, initiatives and collaborations within the city.
- (b) Duties. The duties of the arts advisory council may include, but are not limited to, the following:
- (1) To explore and recommend to the city commission ways to further the development of, and interest in, the arts.
 - (2) To propose to the city commission policies relevant to arts in the city reflecting the following two priorities:
 - a. Community accessibility to the arts; and
 - b. Opportunities for collaboration and partnerships.
 - (3) To propose to the city commission an annual public arts action plan that identifies specific goals for the year, means of achievement, schedule of execution, necessary resources and responsibilities and an implementation plan to address the goals.
 - (4) To identify and advise the city on ways to seek funding including donations, grants and other support to further expand public arts events and programs.
 - (5) To take such other actions as the city commission or city manager may direct from time to time.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 6. Effective Date. This Ordinance shall become effective on ten (10) days after passage.

The passage of this Ordinance on first reading was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	_____
Vice Mayor Scott Maxwell	_____
Commissioner Christopher McVoy	_____
Commissioner Andy Amoroso	_____
Commissioner Ryan Maier	_____

The Mayor thereupon declared this Ordinance duly passed on first reading on the ___ day of _____, 2016.

The passage of this Ordinance on second reading was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	_____
Vice Mayor Scott Maxwell	_____
Commissioner Christopher McVoy	_____
Commissioner Andy Amoroso	_____
Commissioner Ryan Maier	_____

The Mayor thereupon declared this Ordinance duly passed and enacted on the ___ day of _____, 2016.

LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, City Clerk



AGENDA DATE: June 21, 2016

DEPARTMENT: City Manager

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2016-21 establishing an Education Advisory Council.

SUMMARY:

The proposed ordinance is to establish an Education Advisory Council to the City Manager and City Commission.

BACKGROUND AND JUSTIFICATION:

The City Commission directed staff to establish an Education Advisory Council to advise the City in matters affecting education in the City of Lake Worth. Based on the Commission's direction, the attached draft ordinance is proposed to establish the Council.

The proposed Council structure is a council made up of the Mayor; the principals or designee of the educational institutions in the City (e.g., Lake Worth High School; Lake Worth Middle School; and, Barton, Highland, North Grade and South Grade Elementary Schools); and, the president or designee of Palm Beach State College. A PBC School Board member may also serve on the council in an *ex officio* capacity. The members' terms will be consistent with the duration of their term as Mayor, principal, president or School Board membership. The council's duties are solely advisory.

MOTION:

I move to approve/not approve Ordinance No. 2016-21.

ATTACHMENT(S):

Ordinance No. 2016-21.

ORDINANCE NO. 2016-21 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING CHAPTER 2 "ADMINISTRATION", ARTICLE XXIV "EDUCATION ADVISORY COUNCIL"; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth, Florida (the "City") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and,

WHEREAS, the City Commission wishes to improve the quality of education in the City of Lake Worth and to strengthen the relationship and communication between the City and those schools located within its boundaries; and

WHEREAS, to coordinate and advance education within the City, the Commission wishes to create an education advisory council; and

WHEREAS, the City Commission finds that an education advisory council serves a public purpose by advancing education within the City and that such a council is in the best interest of the health, safety, and general welfare of the citizens of the City of Lake Worth.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. The foregoing "WHEREAS" clauses are true and correct and are hereby ratified and confirmed by the City Commission.

Section 2. Chapter 2 "Administration", Article XXIV "Education Advisory Council" is hereby adopted as follows:

ARTICLE XXIV. – EDUCATION ADVISORY COUNCIL

Sec. 2-280. – Education advisory council created; advisory function.

(a) There is hereby created and established an education advisory council to serve in an advisory capacity to the city commission and the city manager. The council shall consult with and advise the city manager and the city commission in matters affecting the quality of education in the city.

(b) The recommendations of the arts advisory council shall be advisory only.

Sec. 2-281. – Membership; terms; organization; meetings.

(a) Membership. The council shall consist of nine members, five who shall be voting members and four ex-officio members who shall be designated as follows: one

ex-officio non-voting student member, one ex-officio non-voting resident parent of school aged child(ren), one ex-officio non-voting school district administration representative; and one ex-officio non-voting school district teacher representative. The city manager shall appoint the four ex-officio non-voting members. Each commissioner shall appoint one voting member and the mayor shall appoint one voting member. Voting members shall be at least 18 years of age and shall be a resident of the city, own real property in the city, or work or maintain a business in the city. Each member of the council shall serve without compensation and at the pleasure of the city commission.

(b) Terms. Each voting member shall serve a term consistent with the duration of the term of the appointing commissioner or mayor. Ex-officio non-voting members shall serve a two year term.

(c) Organization. The education advisory council shall elect its officers, as set forth below, for a term of one year, or until a successor is elected and qualified.

(1) Chairperson. The chairperson shall preside at each meeting of the council and make presentations, written and oral, on behalf of the council to the city commission and the city manager.

(2) Vice-chairperson. The vice-chairperson shall perform the duties of the chair in his/her absence.

(3) Secretary. The secretary shall record the minutes and attendance at each meeting.

(d) Meetings. The education advisory council shall meet at least quarterly or as otherwise requested by the city commission or the city manager. Three voting members shall constitute a quorum. If any member of the council shall fail to be present from three (3) consecutive meetings or from twenty-five percent (25%) of all meetings of the council held within any twelve-month period, the city clerk shall declare the member's office vacant, and the city commissioner or mayor who appointed such member shall appoint a replacement.

Sec. 2-282. – Purpose; duties.

(a) Purpose. The education advisory council shall identify and create policies and action plans that pertain to the quality of education within the city; make

recommendations to improve communications between schools and the city; and advise the city commission and city manager of health, safety, transportation and quality of life issues that affect students.

(b) Duties. The duties of the education advisory council may include, but are not limited to, the following:

(1) To explore and recommend to the city commission ways to improve the quality of education within the city.

(2) To communicate with the administration of each school within the city.

(3) To serve as liaison between the city and Palm Beach County public schools.

(4) To serve as liaison among the city's residents, neighborhood associations, local businesses and the city on educational issues.

(5) To coordinate activities of the city with those activities of the local public schools, colleges, and universities to promote educational opportunities for residents of the city.

(6) To propose to the city commission an annual education action plan that identifies specific goals for the year, means of achievement, schedule of execution, necessary resources and responsibilities and an implementation plan to address the goals.

(7) To identify and advise the city on ways to attract state and federal programs and grants to support schools within the city.

(8) To take such other actions as the city commission or city manager may direct from time to time.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish

such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 6. Effective Date. This Ordinance shall become effective on ten (10) days after passage.

The passage of this Ordinance on first reading was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	_____
Vice Mayor Scott Maxwell	_____
Commissioner Christopher McVoy	_____
Commissioner Andy Amoroso	_____
Commissioner Ryan Maier	_____

The Mayor thereupon declared this Ordinance duly passed on first reading on the ___ day of _____, 2016.

The passage of this Ordinance on second reading was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	_____
Vice Mayor Scott Maxwell	_____
Commissioner Christopher McVoy	_____
Commissioner Andy Amoroso	_____
Commissioner Ryan Maier	_____

The Mayor thereupon declared this Ordinance duly passed and enacted on the ___ day of _____, 2016.

LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, City Clerk



AGENDA DATE: June 21, 2016

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Resolution No. 33-2016 Directing the development of a preliminary assessment roll for non-ad valorem assessments levied for the costs of unpaid lot clearing, board and secure, and demolition special assessments and the establishing of the date and time of a public hearing to adopt the final assessment roll.

SUMMARY:

In accordance with the uniform method set forth in sec. 197.3632, Fla. Stat., and chapter 2, Article XIX, Division 2 “Levy and Collection of Non-Ad Valorem Assessments”, this Resolution directs the Finance Director to prepare an initial Chronic Nuisance Services Assessment Roll based on the chronic nuisance service costs, which are defined to include all nuisance violation abatement costs such as lot clearing, board and secure and demolition costs, that remain delinquent and unpaid as of June 1, 2016, and to establish the date and time of the public hearing to receive comments and to consider the adoption of the final Chronic Nuisance Services Assessment Roll.

BACKGROUND AND JUSTIFICATION:

Pursuant to the provisions of sections 12-38 through 12-42 of the Code of Ordinances (the “Lot Clearing Ordinance”), sections 2-75.2 through 2-75.2.7 of the Code of Ordinances (the “Board and Secure Ordinance”), and 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 a public nuisance on their respective properties. Certain owners failed to abate such nuisances and the City or its contractor, in accordance with the procedures set forth in the respective ordinances, have abated said nuisances by clearing the offending lots, boarding and securing the exposed structures or demolishing the unsafe structures. In accordance with section 12-42, section 2-75.2.7, and 9-2.2(q), the costs incurred by the City to abate said nuisances were assessed against each property as special assessment liens, and these liens were documented by the City Commission through the adoption of resolutions acknowledging the same. These liens were then recorded in the public records and a copy was sent to each affected property owner. Some property owners have failed to pay the special assessment liens. Chapter 2, Article XIX, Division 2 “Levy and Collection of Non-Ad Valorem Assessments” of the City’s Code of Ordinances provides that in order to include the special assessments for unpaid chronic nuisance services costs on the property tax bills to be issued in November, 2016, the Finance Director is required to prepare a preliminary assessment roll; schedule the date, time, and place of a public hearing to receive and consider comments from the public and consider the adoption of the chronic nuisance service roll for 2016; and to provide notice by publication and first class mail to those property owners listed on the preliminary assessment roll.

Attached is the proposed Resolution directing staff to comply with section 197.3632, Fla. Stat. and chapter 2, Article XIX, Division 2 “Levy and Collection of Non-Ad Valorem Assessments” of the City’s Code of Ordinances.

MOTION:

I move to approve/disapprove Resolution No. 33-2016.

ATTACHMENT(S):
Resolution No. 33-2016

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33-2016

RESOLUTION NO. 33-2016 OF THE CITY OF LAKE WORTH, FLORIDA, DIRECTING THE DEVELOPMENT OF A PRELIMINARY ASSESSMENT ROLL FOR THOSE NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED FOR THE COSTS OF PROVIDING LOT CLEARING, BOARDING AND SECURING, AND DEMOLITION SERVICES TO ELIMINATE NUISANCE CONDITIONS ON PRIVATE REAL PROPERTY WITHIN THE INCORPORATED AREA OF THE CITY AND WHICH COSTS REMAIN DELINQUENT AND UNPAID AS OF JUNE 1, 2016; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, by sections 2-221, 2-75.2.7, 12-42, and 9-2.2(q) of the Code of Ordinances, the City Commission of the City of Lake Worth (the "City Commission"), declared that any chronic nuisance services costs, defined to include any nuisance violation abatement costs, including, but not limited to, lot clearing, board and secure, and demolition costs, that remain delinquent and unpaid as of June 1st of each year shall be a special assessment levied against the benefitted real property as a non-ad valorem assessment superior to all other private rights, interest, liens, encumbrances, titles and claims upon the benefitted real property and equal in rank and dignity with a lien for ad valorem taxes; and

WHEREAS, the City Commission adopted Resolution No. 49-2011 and Resolution No. 04-2016 regarding the City's intent to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for chronic nuisance services costs and nuisance violation abatement costs, including, but not limited to, lot clearing, board and secure, and demolition costs that remain unpaid; and

WHEREAS, section 2-222 of the City's Code of Ordinances provides that in order to include the special assessment for unpaid chronic nuisance services costs, which are defined to include all nuisance violation abatement costs, including but not limited to lot clearing, board and secure and demolition costs, on the property tax bills to be issued in November, 2016, the Finance Director shall prepare a preliminary assessment roll; schedule the date, time, and place of a public hearing to receive and consider comments from the public and consider the adoption of the chronic nuisance assessment roll for 2016; and provide notice by publication and first class mail to those property owners listed

47 on the preliminary assessment roll.
48
49

50 NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE
51 CITY OF LAKE WORTH, FLORIDA, that:
52

53 **Section 1.** The foregoing recitals are hereby ratified and confirmed as being true and
54 correct and are hereby made a specific part of this Resolution.
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56 **Section 2.** This Resolution is adopted pursuant to the provisions of ch. 2, article XIX,
57 division II of the Code of Ordinances, secs. 2-75.2.7, 12-42, and 9-2.2(q) of the Code of
58 Ordinances, article 8, sec. 2(b) of the Florida Constitution, F.S. § 166.021, F.S. § 166.041,
59 and F.S. § 197.3632.
60

61 **Section 3. Assessment Roll.** The Finance Director is hereby directed to prepare an
62 initial Chronic Nuisance Services Assessment Roll based on the chronic nuisance service
63 costs, which are defined to include nuisance violation abatement costs, including, but not
64 limited to, demolition, board and secure, and lot clearing costs, that remain delinquent
65 and unpaid as of June 1, 2016. Said Chronic Nuisance Services Assessment Roll shall
66 contain at least the following information:
67

- 68 (1) A summary description of each real property with such delinquent costs,
69 conforming to the description contained on the ad valorem tax roll;
70 (2) The name of the owner of the real property as listed on the ad valorem tax roll
71 and maintained on the property appraiser's system;
72 (3) The amount of the costs to be assessed against each parcel of benefited real
73 property; and
74 (4) The type of such costs.
75

76 The initial assessment roll shall be retained by the City Clerk and shall be open to public
77 inspection. The foregoing shall not be construed to require that the assessment roll be in
78 printed form if the amount of the assessment for each parcel of benefited real property
79 can be determined by use of a computer terminal available to the public.
80

81 A copy of the initial assessment roll shall be provided to the property appraiser and
82 included as a part of the notice of proposed property taxes under F.S. § 200.069, the
83 truth-in-millage notification.
84

85 **Section 4. Public Hearing.** The City Commission will hold a public hearing to receive
86 and consider comments from affected property owners and consider the adoption of the
87 Chronic Nuisance Services Assessment Roll on August 16th, 2016, at 7 p.m. or as
88 soon thereafter and can be heard, in Commission Chambers at City Hall, 7 N. Dixie
89 Highway, Lake Worth, Florida 33460.
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91 **Section 5. Notice.** The Finance Director shall cause notice of the public hearing on the
92 Chronic Nuisance Services Assessment Roll to be given as follows:

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(a) Notice by mail. Written notice by first class mail shall be sent to each person owning property listed on the preliminary Chronic Nuisance Services Assessment Roll, at the address listed by the property appraiser and shall include the following information:

- (1) the purpose of the assessment;
- (2) the total amount to be levied against each parcel of assessed real property;
- (3) a statement that the failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title;
- (4) a statement that all affected property owners have a right to appear at the public hearing and to file written objections with the City Commission within twenty days of the date of the notice; and
- (5) the date, time, and place of the public hearing.

Notice shall be mailed at least twenty (20) calendar days prior to the public hearing.

(b) Notice by publication. At least twenty (20) calendar days prior to the public hearing, the public hearing shall be noticed by publication in a newspaper generally circulated within the county and shall contain at least the following information:

- (1) identifying the city commission;
- (2) a geographic depiction of the city boundaries subject to the assessment;
- (3) a brief and general description of the chronic nuisance services provided;
- (4) the fact that the assessment will be collected by the tax collector;
- (5) a statement that all affected property owners have the right to appear at the public hearing and the right to file written objections within twenty (20) days of the publication of the notice; and
- (6) a statement that the initial assessment roll is available for inspection at the office of the City Clerk and that all interested persons may ascertain the amount to be assessed against a parcel of assessed real property at the office of the City Clerk.

Section 6. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

Section 7. If any provision of this resolution or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application and to this end the provisions of this Resolution are declared severable.

Section 8. This Resolution shall take effect upon adoption.



AGENDA DATE: June 21, 2016

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2016-19 - First Reading - Small Scale Future Land use Map Amendment and schedule the public hearing date for July 19, 2016..

SUMMARY:

The Ordinance amends the City's Future Land Use Map, including a small scale amendment to its Comprehensive Plan as part of the annexation of an enclave consisting of 14 parcels totaling 8.19 acres pursuant to the Interlocal Agreement adopted by the City of Lake Worth on April 5, 2016, and subsequently adopted by Palm Beach County on May 3, 2016.

BACKGROUND AND JUSTIFICATION:

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

The agreement enables this enclave area, approximately 8.19 acres, to be involuntarily annexed into the city. The request for Future Land Use Map amendment falls within the scope of a small-scale comprehensive plan amendment. The parcels are located in Palm Beach County fronting on Boutwell Road and 10th Ave North and lay along the northwestern border of the City's Mixed Use - West (MU-W) zoning district. Currently, the parcels have a Palm Beach County zoning designation of Commercial High Intensity (CH)/8 dwelling units per acre and Commercial Low Intensity/8 dwelling units per acre. 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, eating and drinking establishments, and hotel/motel and medium-density multiple family residential development.

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

At its meeting of June 1, 2016, the City's Planning and Zoning Board voted unanimously to recommend approval to the City Commission PZB 16-00300003, 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-XX on first reading and schedule the public hearing date for July 19, 2016.

ATTACHMENT(S):

Fiscal Impact Analysis – not applicable

Ordinance

PZB Staff Report including location map

ORDINANCE NO. 2016-19 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY PROVIDING A SMALL SCALE AMENDMENT CHANGE TO THE FUTURE LAND USE MAP OF CERTAIN PROPERTIES MORE FULLY DESCRIBED IN EXHIBIT "A" FROM A COUNTY LAND USE DESIGNATION OF COMMERCIAL HIGH INTENSITY/8 DWELLING UNITS PER ACRE AND COMMERCIAL LOW INTENSITY/8 DWELLING UNITS PER ACRE (CH/8;CL/8) TO A CITY OF LAKE WORTH LAND USE DESIGNATION OF MIXED USE WEST (MU-W); PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City staff has prepared and reviewed an amendment to the Future Land Use Map of the City's Comprehensive Plan to change the land use designation of the properties described below from a County land use designation of Commercial High Intensity/8 dwelling units per acre and Commercial Low Intensity/8 dwelling units per acre to a City land use designation of Mixed Use West (MU-W); and

WHEREAS, on June 1, 2016, the City Planning and Zoning Board, sitting as the duly constituted Local Planning Agency for the City, recommended approval of the Future Land Use Map Amendment to the Comprehensive Plan of the City; and

WHEREAS, The City Commission finds that the Future Land Use Map Amendment is consistent with Sections 163.3184 and 163.3187, Florida Statutes; and

WHEREAS, the City Commission acknowledges that this Future Land Use Map Amendment is subject to the provisions of Section 163.3184(9), and 163.3189, Florida Statutes, and that the City shall maintain compliance with all

WHEREAS, the City has received public input and participation through hearings before the Local Planning Agency and the City Commission in accordance with Section 163.3181, Florida Statutes; and

WHEREAS, the City Commission has determined that the adoption of this Ordinance is in the best interest of the citizens and residents of the City of Lake Worth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The parcel of land more particularly described in Exhibit "A" is hereby designated Mixed Use West (MU-W) on the City's Future Land Use Map.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable,

Section 5. The effective date of this Future Land Use Map amendment shall be thirty-one (31) days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), Florida Statutes. If challenged, the effective date of this amendment shall be the date a final order is issued by the state land planning agency, or the Administration Commission, finding the amendment in compliance with Section 163.3184, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the state land planning agency or Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Community Planning, Caldwell Building, 107 East Madison Street, MSC 160, Tallahassee, Florida 32399-6545.

The passage of this Ordinance was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	_____
Vice Mayor Scott Maxwell	_____
Commissioner Andy Amoroso	_____
Commissioner Christopher McVoy	_____
Commissioner Ryan Maier	_____

Mayor Pam Triolo thereupon declared this Ordinance duly passed on first reading on the _____ of _____, 2016.

The passage of this Ordinance on second reading was moved by Commissioner _____, seconded by Commissioner _____

_____, as amended and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	_____
Vice Mayor Scott Maxwell	_____
Commissioner Christopher McVoy	_____
Commissioner Andy Amoroso	_____
Commissioner Ryan Maier	_____

Mayor Pam Triolo thereupon declared this Ordinance duly passed and enacted on the ____ day of _____, 2016.

LAKE WORTH CITY COMMISSION

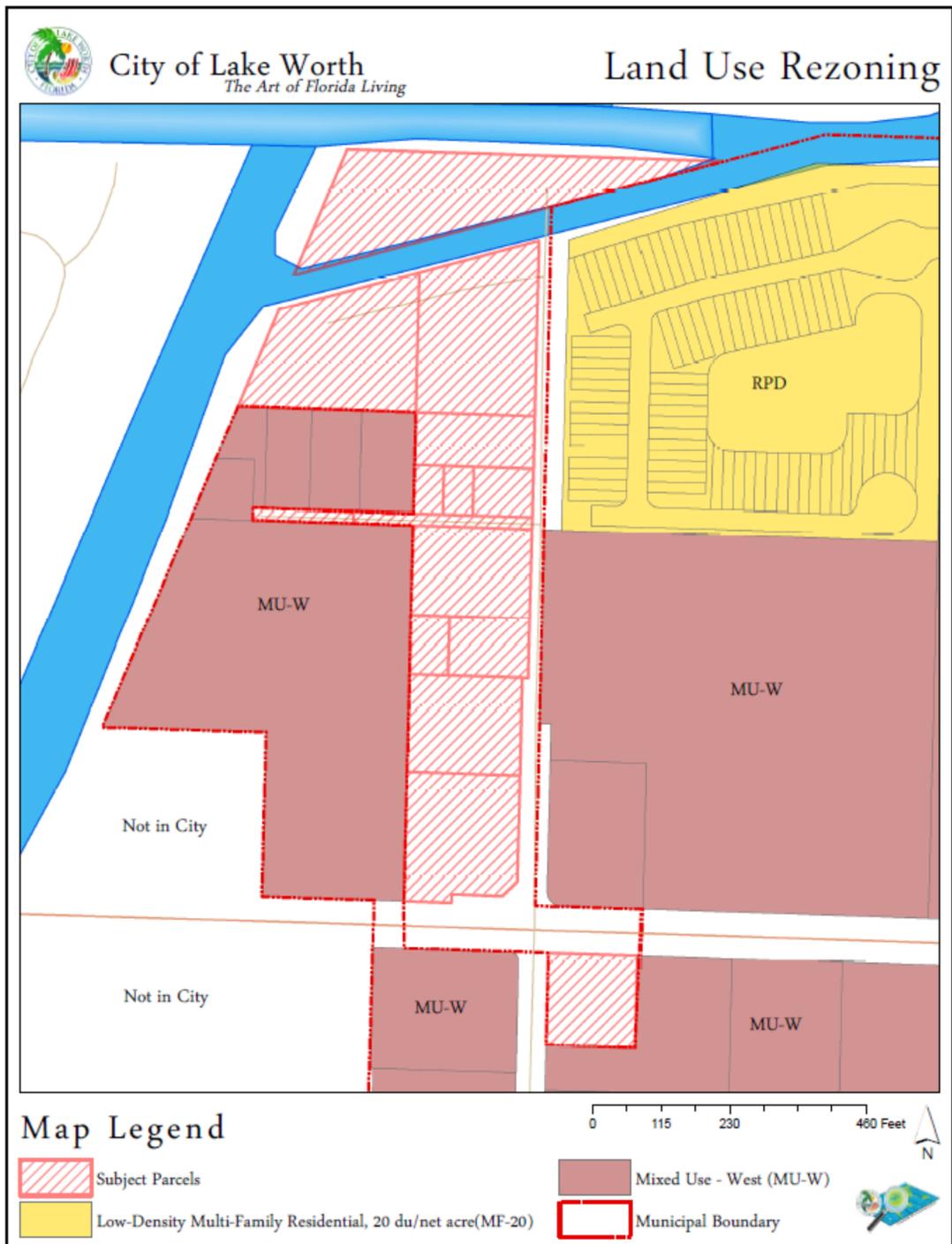
By:

Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, City Clerk

Exhibit A





DATE: May 17, 2016

TO: Members of the Planning & Zoning Board

FROM: Maxime Ducoste, Assistant Director for Planning and Preservation
Curt Thompson, Senior Community Planner

SUBJECT: PZB Project Numbers 16-00300003 and 16-01300002, Consideration of:

- A recommendation to the Planning & Zoning Board on a request for a **Small Scale Future Land Use Map Amendment** from the Palm Beach County Land Use designation of Commercial High Intensity/8 dwelling units per acre and Commercial Low Intensity/8 dwelling units per acre to a City of Lake Worth Future Land Use designation of Mixed Use West (MU-W);
- A recommendation to the Planning & Zoning Board on a request for a **Zoning Map Amendment** from the Palm Beach County Multi Family Residential (RH)/Commercial Zoning District to the City of Lake Worth Mixed Use – West (MU – W) Zoning District.

P&ZB Meeting Date: June 1, 2016

BACKGROUND/ PROPOSAL:

The City of Lake Worth adopted an inter-local agreement on April 5, 2016 for the annexation of an enclave consisting of 14 parcels totaling 8.19 acres, identified in Exhibit A of the Inter-local Agreement. This enclave is within the Municipal Service Area as defined by the Inter-local Service Boundary Agreement (ISBA) adopted by the City of Lake Worth and the Board of County Commissioners on October 6, 2015. Per Chapter 171, Part II, F.S, the ISBA establishes the planning, service delivery, and boundary adjustments and identified this area as Zone 8 of the Municipal Service Area. This enclave Inter-local Agreement provides for the annexation of the right-of-way segments identified in Exhibit B. There are no right-of-way segments for which ownership and maintenance will be transferred as shown in Exhibit C. The City has provided written notice to all owners of real property located within the enclave, as shown at the end of this staff report. The annexation has been processed through the County's review departments, including Fire Rescue, Engineering, Planning Zoning and Building, Environmental Resources Management, Parks and Recreation, Water Utilities, County Attorney, Property and Real Estate Management, Sheriff's Office and the Office of Financial Management and Budget and no issues were identified on the annexation.

Florida Statutes: Chapter 171 of the Florida Statutes establishes the annexation procedures for adjusting the boundaries of municipalities, determining when annexations may take place so as to ensure sound urban development, ensure the efficient provision of urban services to areas that become urban in character, and ensure that areas are not annexed unless municipal services can be provided to those areas. The Florida Statutes allows annexation of enclaves less than 10 acres through an Inter-local Agreement between the annexing municipality

and the County. The Statutes also allows for Inter-local Service Boundary Agreements to promote sensible boundaries that reduce the costs of local governments, avoid duplicating local services, and Increase political transparency and accountability.

Lake Worth Study: Per recommendations of the 2005 Lake Worth Annexation study, adopted by the City of Lake Worth and accepted by the Board of County Commissioners, the City and the County agreed to explore and initiate inter-local agreements for enclave annexations. The Board of County Commissioners directed County Planning staff to participate with the City to develop agreements for the unincorporated land within the City's Future Annexation Area.

ANALYSIS:

The table provided in this staff report indicates that each parcel meets the criteria definition of an enclave, pursuant to the Definitions Section of Chapter 171.031 of the Florida Statutes. A description is included to indicate that the enclave is (a) bounded and surrounded on all sides by the City of Lake Worth, or (b) bounded and surrounded on one or more sides by the City of lake Worth and on one or more sides by a natural or manmade obstacle that allows the passage of vehicular traffic to the unincorporated area only through the City. A map created by County staff of the area is also included in this staff report. The boundary lines are drawn according to the legal description of the City. The enclaves depicted on the map show the municipal boundaries either surrounding the enclave or depicting the vehicular traffic to the unincorporated area only through the City. The annexation of Boutwell Road from its northern terminus to 10th Avenue North and the annexation of 10th Avenue North from I-95 to Boutwell Road occurred on June 28,2007 through an Inter-local Agreement_between the City of lake Worth (Ord. 2007-50) and Palm Beach County (R-2007-1047).

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.

->Section 23.2-36: Rezoning of Land and Future Land Use Map (FLUM) amendments:

An amendment to the official zoning map processed with the FLUM amendment shall be reviewed based on the following factors:

- a. Consistency. Whether the proposed FLUM amendment would be consistent with the purpose and intent of the applicable Comprehensive Plan policies, Redevelopment Plans, and Land Development Regulations. Approvals of a request to rezone to a planned zoning district may include limitations or requirements imposed on the master plan in order to maintain such consistency.

Staff Response: While no formal site plan has been submitted as part of the land use change and rezoning, the surrounding area within the City Limits has a designation of Mixed Use West, and the proposed land use amendment would be consistent with the area and parcels in proximity to the site.



- b. Land Use Pattern. Whether the proposed FLUM amendment would be contrary to the established land use pattern, or would create an isolated land use classification unrelated to adjacent and nearby classifications, or would constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare. This factor is not intended to exclude FLUM amendments that would result in more desirable and sustainable growth for the community.

Staff Response: The proposed Future Land Use Map amendment rezone would not be contrary to the established land use pattern. The area surrounding the subject properties will be compatible to the existing land use and zoning because that area currently has a Mixed Use West Land Use and zoning designation. No special land use or zoning designation has been requested, and the approval of the Future Land Use Map amendment would not grant any special privilege or create an isolated land use classification. The larger area has been the subject of a long term concerted effort between the County and City as a joint planning area, and is consistent with the approved Inter-local Service Boundary Agreement (ISBA).

- c. Sustainability. Whether the proposed FLUM amendment would support the integration of a mix of land uses consistent with smart growth or sustainability initiatives, with an emphasis on 1) complementary land uses; 2) access to alternative modes of transportation; and 3) interconnectivity within the project and between adjacent properties.

Staff Response: The proposed FLUM amendment and rezoning would be the same as the existing land use and zoning that currently exist for the surrounding properties.

- d. Availability of Public Services/Infrastructure. Requests for rezoning to planned zoning districts shall be subject to review pursuant to Section 23.5-2.

Staff Response: The subject properties currently receive water, sewer and public service/infrastructure support from the City of Lake Worth.

- e. Compatibility. The application shall consider the following compatibility factor: Whether the proposed FLUM amendment would be compatible with the current and future use of adjacent and nearby properties, or would negatively affect the property values of adjacent and nearby properties.

Staff Response: The proposed FLUM is compatibility with the future uses of the surrounding properties, and will not negatively affect the property values of the adjacent properties.

- f. Economic Development Impact Determination for Conventional Zoning Districts. For FLUM amendments involving rezoning to a conventional zoning district, the review shall consider whether the proposal would further the City's Economic Development Program, and also determine whether the proposal would: 1) Represent a potential decrease in the possible intensity of development, given the uses permitted in the proposed land use category; and 2) Represent a potential decrease in the number of uses with high probable economic development benefits.

Staff Response: The proposed land use and zoning designations would further the City's Economic Development Program.

- g. Commercial and Industrial Land Supply. The review shall consider whether the proposed FLUM amendment would reduce the amount of land available for commercial/industrial development. If such determination is made, the approval can be recommended under the following conditions:

1) The size, shape, and/or location of the property makes it unsuitable for commercial/industrial development; or

(2) The proposed FLUM amendment provides substantiated evidence of satisfying at least four of the Direct Economic Development Benefits listed in subparagraph "g" above; and

(3) The proposed FLUM amendment would result in comparable or higher employment numbers, building size and valuation than the potential of existing land use designation.

Staff Response: The proposed FLUM amendment and rezoning does not reduce the amount of land available for commercial development, and industrial use is not permitted for the properties under the current Land Development Regulations.

CONSEQUENT ACTION:

The Planning and Zoning Board's recommendations will be forwarded to the City Commission for consideration at the next available regularly scheduled meeting.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board approve the following:

- Approval of the Small Scale Future Land Use Map Amendment to assign a Future Land Use designation of Mixed Use West (MU-W);
- Approval of the Zoning Map Amendment to assign an initial zoning of Mixed Use – West (MU - W) District.

POTENTIAL MOTIONS:

I MOVE THAT THE BOARD FORWARD TO THE CITY COMMISSION A RECOMMENDATION TO APPROVE/DISAPPROVE P&ZB Case No. 16-00300002 a Small Scale Future Land Use Map (FLUM) change from the County land use designation of Commercial High Intensity and Commercial Low Intensity/8 dwelling units per acre (CH/8 and CL/8) to the City of Lake Worth land use designation of Mixed Use West (MU-W).

I MOVE THAT THE BOARD FORWARD TO THE CITY COMMISSION A RECOMMENDATION TO APPROVE/DISAPPROVE P&ZB Case No. 16-01300002: Zoning Map Amendment from a Palm Beach County Zoning Designation of Residential High Intensity (RH)/Commercial to a City Zoning Designation of Mixed Use – West (MU-W).



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Department for Community Sustainability

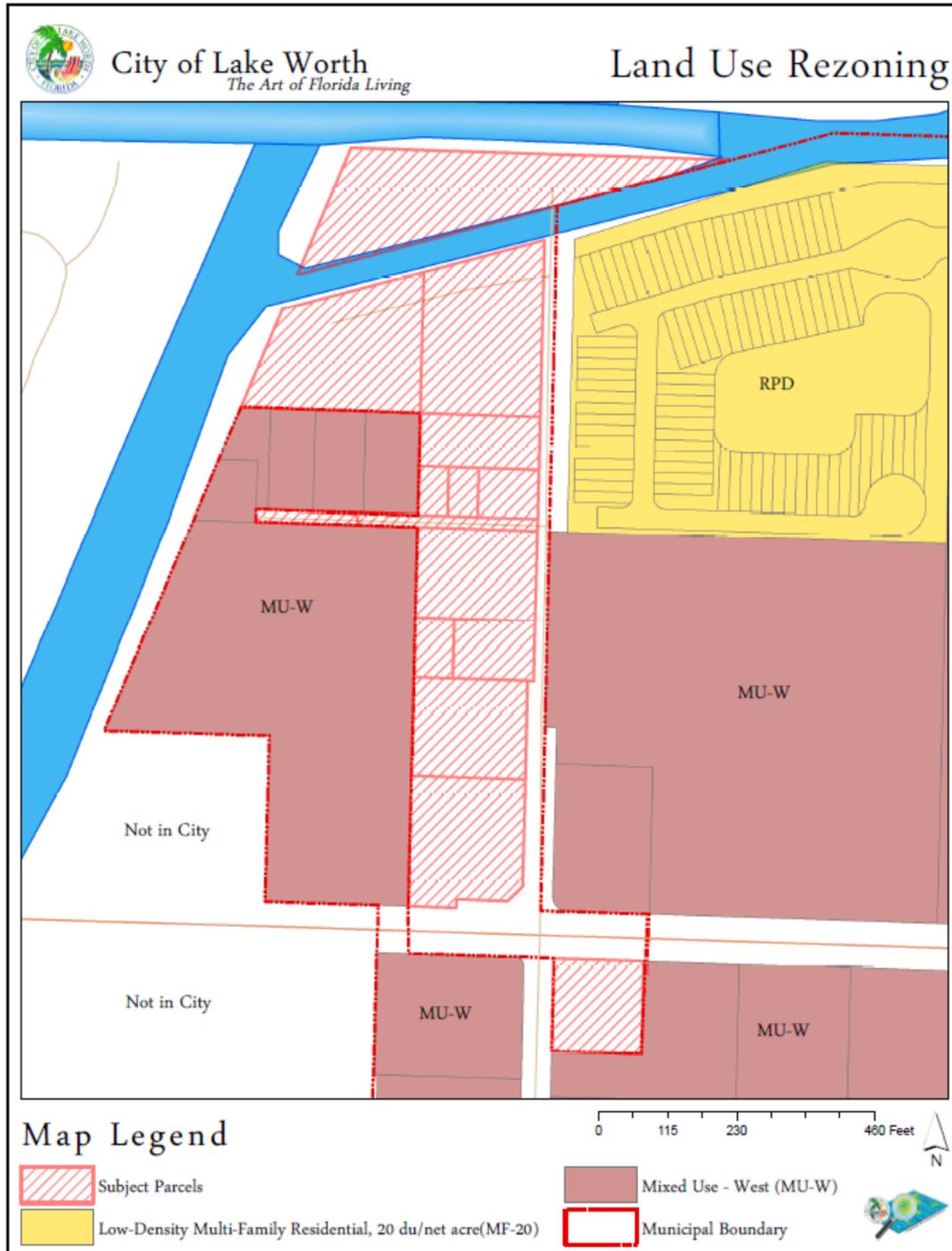
Planning & Zoning

1900 2nd Avenue North

Lake Worth, FL 33461

561.586.1687

LOCATION MAP





AGENDA DATE: June 21, 2016

DEPARTMENT:

EXECUTIVE BRIEF

TITLE:

Ordinance No. 2016-20 - First Reading - rezone property and schedule the public hearing date for July 19, 2016.

SUMMARY:

The Ordinance will rezone an enclave consisting of 14 parcels totaling 8.19 acres pursuant to the Interlocal Agreement adopted by the City of Lake Worth on April 5, 2016, and subsequently adopted by Palm Beach County on May 3, 2016.

BACKGROUND AND JUSTIFICATION:

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

The agreement enables this enclave areas, totaling 8.19 acres, to be involuntarily annexed into the city. The request for Future Land Use Map amendment falls within the scope of a small-scale comprehensive plan amendment. The parcels are located in Palm Beach County fronting on Boutwell Road and 10th Ave North and lay along the northwestern border of the City's Mixed Use - West (MU-W) zoning district. Currently, the parcels have a Palm Beach County zoning designation of Commercial High Intensity (CH)/8 dwelling units per acre and Commercial Low Intensity/8 dwelling units per acre. 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, eating and drinking establishments, and hotel/motel and medium-density multiple family residential development.

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

At its meeting of June 1, 2016, the City's Planning and Zoning Board voted unanimously to recommend approval to the City Commission PZB 16-01300002, which covers changing the zoning from Palm Beach County zoning classification of Commercial High Intensity (CH)/8 dwelling units per acre to a City zoning classification of Mixed-Use – West (MU-W).

MOTION:

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

ATTACHMENT(S):

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

ORDINANCE NO. 2016-20 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY PROVIDING A ZONING MAP AMENDMENT CHANGE TO REZONE CERTAIN PROPERTIES MORE FULLY DESCRIBED IN EXHIBIT A FROM A COUNTY MULTI FAMILY (RH)/COMMERCIAL ZONING DISTRICT TO A CITY OF LAKE WORTH ZONING DESIGNATION OF MIXED USE WEST (MU-W); PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City staff has prepared and reviewed an amendment to the Zoning Map of the City of Lake Worth to change the zoning designation of the properties described below from a County zoning designation of Multi Family Residential (RH)/Commercial to a City of Lake Worth zoning designation of Mixed Use West (MU-W); and

WHEREAS, on June 1, 2016, the City Planning and Zoning Board, sitting as the duly constituted Local Planning Agency for the City, recommended approval of the Zoning Map Amendment to the Zoning Map of the City of Lake Worth; and

WHEREAS, The City Commission finds that the Zoning Map Amendment is consistent with Sections 163.3184 and 163.3187, Florida Statutes; and

WHEREAS, the City Commission acknowledges that this Zoning Map Amendment is subject to the provisions of Section 163.3184(9), and 163.3189, Florida Statutes, and that the City shall maintain compliance with all;

WHEREAS, the City has received public input and participation through hearings before the Local Planning Agency and the City Commission in accordance with Section 163.3181, Florida Statutes; and

WHEREAS, the City Commission has determined that the adoption of this Ordinance is in the best interest of the citizens and residents of the City of Lake Worth.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The parcel of land more particularly described in Exhibit A is hereby designated Mixed Use West (MU-W) on the City's Zoning Map.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable,

Section 5. The effective date of this Zoning Map amendment shall be thirty-one (31) days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), Florida Statutes. If challenged, the effective date of this amendment shall be the date a final order is issued by the state land planning agency, or the Administration Commission, finding the amendment in compliance with Section 163.3184, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the state land planning agency or Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Bureau of Community Planning, Caldwell Building, 107 East Madison Street, MSC 160, Tallahassee, Florida 32399-6545.

The passage of this Ordinance was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	_____
Vice Mayor Scott Maxwell	_____
Commissioner Andy Amoroso	_____
Commissioner Christopher McVoy	_____
Commissioner Ryan Maier	_____

Mayor Pam Triolo thereupon declared this Ordinance duly passed on first reading on the _____ of _____, 2016.

The passage of this Ordinance on second reading was moved by Commissioner _____, seconded by Commissioner _____, as amended and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	_____
Vice Mayor Scott Maxwell	_____
Commissioner Christopher McVoy	_____
Commissioner Andy Amoroso	_____
Commissioner Ryan Maier	_____

Mayor Pam Triolo thereupon declared this Ordinance duly passed and enacted on the ____ day of _____, 2016.

LAKE WORTH CITY COMMISSION

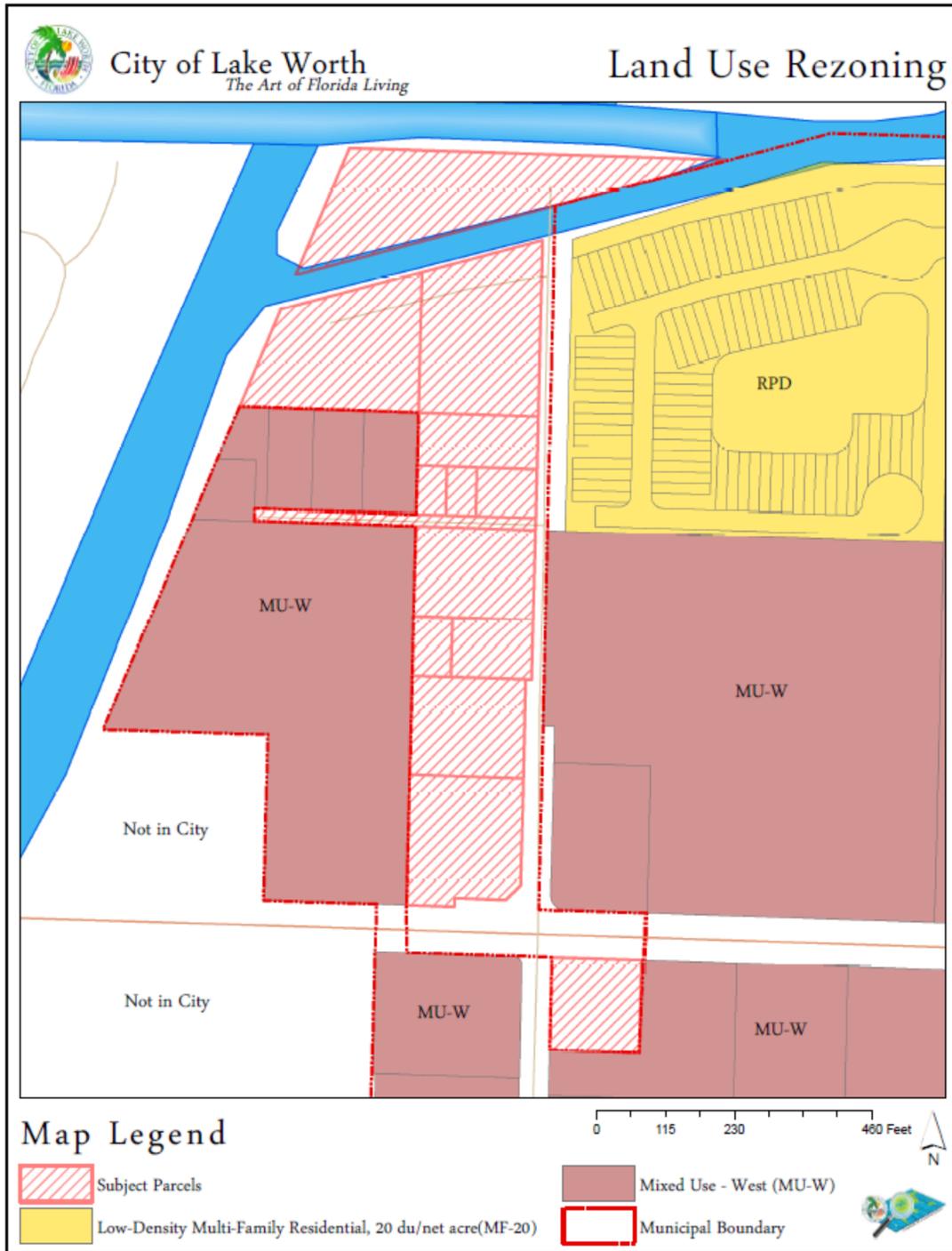
By:

Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, City Clerk

Exhibit A





DATE: May 17, 2016

TO: Members of the Planning & Zoning Board

FROM: Maxime Ducoste, Assistant Director for Planning and Preservation
Curt Thompson, Senior Community Planner

SUBJECT: PZB Project Numbers 16-00300003 and 16-01300002, Consideration of:

- A recommendation to the Planning & Zoning Board on a request for a **Small Scale Future Land Use Map Amendment** from the Palm Beach County Land Use designation of Commercial High Intensity/8 dwelling units per acre and Commercial Low Intensity/8 dwelling units per acre to a City of Lake Worth Future Land Use designation of Mixed Use West (MU-W);
- A recommendation to the Planning & Zoning Board on a request for a **Zoning Map Amendment** from the Palm Beach County Multi Family Residential (RH)/Commercial Zoning District to the City of Lake Worth Mixed Use – West (MU – W) Zoning District.

P&ZB Meeting Date: June 1, 2016

BACKGROUND/ PROPOSAL:

The City of Lake Worth adopted an inter-local agreement on April 5, 2016 for the annexation of an enclave consisting of 14 parcels totaling 8.19 acres, identified in Exhibit A of the Inter-local Agreement. This enclave is within the Municipal Service Area as defined by the Inter-local Service Boundary Agreement (ISBA) adopted by the City of Lake Worth and the Board of County Commissioners on October 6, 2015. Per Chapter 171, Part II, F.S., the ISBA establishes the planning, service delivery, and boundary adjustments and identified this area as Zone 8 of the Municipal Service Area. This enclave Inter-local Agreement provides for the annexation of the right-of-way segments identified in Exhibit B. There are no right-of-way segments for which ownership and maintenance will be transferred as shown in Exhibit C. The City has provided written notice to all owners of real property located within the enclave, as shown at the end of this staff report. The annexation has been processed through the County's review departments, including Fire Rescue, Engineering, Planning Zoning and Building, Environmental Resources Management, Parks and Recreation, Water Utilities, County Attorney, Property and Real Estate Management, Sheriff's Office and the Office of Financial Management and Budget and no issues were identified on the annexation.

Florida Statutes: Chapter 171 of the Florida Statutes establishes the annexation procedures for adjusting the boundaries of municipalities, determining when annexations may take place so as to ensure sound urban development, ensure the efficient provision of urban services to areas that become urban in character, and ensure that areas are not annexed unless municipal services can be provided to those areas. The Florida Statutes allows annexation of enclaves less than 10 acres through an Inter-local Agreement between the annexing municipality

and the County. The Statutes also allows for Inter-local Service Boundary Agreements to promote sensible boundaries that reduce the costs of local governments, avoid duplicating local services, and Increase political transparency and accountability.

Lake Worth Study: Per recommendations of the 2005 Lake Worth Annexation study, adopted by the City of Lake Worth and accepted by the Board of County Commissioners, the City and the County agreed to explore and initiate inter-local agreements for enclave annexations. The Board of County Commissioners directed County Planning staff to participate with the City to develop agreements for the unincorporated land within the City's Future Annexation Area.

ANALYSIS:

The table provided in this staff report indicates that each parcel meets the criteria definition of an enclave, pursuant to the Definitions Section of Chapter 171.031 of the Florida Statutes. A description is included to indicate that the enclave is (a) bounded and surrounded on all sides by the City of Lake Worth, or (b) bounded and surrounded on one or more sides by the City of lake Worth and on one or more sides by a natural or manmade obstacle that allows the passage of vehicular traffic to the unincorporated area only through the City. A map created by County staff of the area is also included in this staff report. The boundary lines are drawn according to the legal description of the City. The enclaves depicted on the map show the municipal boundaries either surrounding the enclave or depicting the vehicular traffic to the unincorporated area only through the City. The annexation of Boutwell Road from its northern terminus to 10th Avenue North and the annexation of 10th Avenue North from I-95 to Boutwell Road occurred on June 28,2007 through an Inter-local Agreement_between the City of lake Worth (Ord. 2007-50) and Palm Beach County (R-2007-1047).

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.

->Section 23.2-36: Rezoning of Land and Future Land Use Map (FLUM) amendments:

An amendment to the official zoning map processed with the FLUM amendment shall be reviewed based on the following factors:

- a. Consistency. Whether the proposed FLUM amendment would be consistent with the purpose and intent of the applicable Comprehensive Plan policies, Redevelopment Plans, and Land Development Regulations. Approvals of a request to rezone to a planned zoning district may include limitations or requirements imposed on the master plan in order to maintain such consistency.

Staff Response: While no formal site plan has been submitted as part of the land use change and rezoning, the surrounding area within the City Limits has a designation of Mixed Use West, and the proposed land use amendment would be consistent with the area and parcels in proximity to the site.



- b. Land Use Pattern. Whether the proposed FLUM amendment would be contrary to the established land use pattern, or would create an isolated land use classification unrelated to adjacent and nearby classifications, or would constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare. This factor is not intended to exclude FLUM amendments that would result in more desirable and sustainable growth for the community.

Staff Response: The proposed Future Land Use Map amendment rezone would not be contrary to the established land use pattern. The area surrounding the subject properties will be compatible to the existing land use and zoning because that area currently has a Mixed Use West Land Use and zoning designation. No special land use or zoning designation has been requested, and the approval of the Future Land Use Map amendment would not grant any special privilege or create an isolated land use classification. The larger area has been the subject of a long term concerted effort between the County and City as a joint planning area, and is consistent with the approved Inter-local Service Boundary Agreement (ISBA).

- c. Sustainability. Whether the proposed FLUM amendment would support the integration of a mix of land uses consistent with smart growth or sustainability initiatives, with an emphasis on 1) complementary land uses; 2) access to alternative modes of transportation; and 3) interconnectivity within the project and between adjacent properties.

Staff Response: The proposed FLUM amendment and rezoning would be the same as the existing land use and zoning that currently exist for the surrounding properties.

- d. Availability of Public Services/Infrastructure. Requests for rezoning to planned zoning districts shall be subject to review pursuant to Section 23.5-2.

Staff Response: The subject properties currently receive water, sewer and public service/infrastructure support from the City of Lake Worth.

- e. Compatibility. The application shall consider the following compatibility factor: Whether the proposed FLUM amendment would be compatible with the current and future use of adjacent and nearby properties, or would negatively affect the property values of adjacent and nearby properties.

Staff Response: The proposed FLUM is compatibility with the future uses of the surrounding properties, and will not negatively affect the property values of the adjacent properties.

- f. Economic Development Impact Determination for Conventional Zoning Districts. For FLUM amendments involving rezoning to a conventional zoning district, the review shall consider whether the proposal would further the City's Economic Development Program, and also determine whether the proposal would: 1) Represent a potential decrease in the possible intensity of development, given the uses permitted in the proposed land use category; and 2) Represent a potential decrease in the number of uses with high probable economic development benefits.

Staff Response: The proposed land use and zoning designations would further the City's Economic Development Program.

- g. Commercial and Industrial Land Supply. The review shall consider whether the proposed FLUM amendment would reduce the amount of land available for commercial/industrial development. If such determination is made, the approval can be recommended under the following conditions:

1) The size, shape, and/or location of the property makes it unsuitable for commercial/industrial development; or

(2) The proposed FLUM amendment provides substantiated evidence of satisfying at least four of the Direct Economic Development Benefits listed in subparagraph "g" above; and

(3) The proposed FLUM amendment would result in comparable or higher employment numbers, building size and valuation than the potential of existing land use designation.

Staff Response: The proposed FLUM amendment and rezoning does not reduce the amount of land available for commercial development, and industrial use is not permitted for the properties under the current Land Development Regulations.

CONSEQUENT ACTION:

The Planning and Zoning Board's recommendations will be forwarded to the City Commission for consideration at the next available regularly scheduled meeting.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board approve the following:

- Approval of the Small Scale Future Land Use Map Amendment to assign a Future Land Use designation of Mixed Use West (MU-W);
- Approval of the Zoning Map Amendment to assign an initial zoning of Mixed Use – West (MU - W) District.

POTENTIAL MOTIONS:

I MOVE THAT THE BOARD FORWARD TO THE CITY COMMISSION A RECOMMENDATION TO APPROVE/DISAPPROVE P&ZB Case No. 16-00300002 a Small Scale Future Land Use Map (FLUM) change from the County land use designation of Commercial High Intensity and Commercial Low Intensity/8 dwelling units per acre (CH/8 and CL/8) to the City of Lake Worth land use designation of Mixed Use West (MU-W).

I MOVE THAT THE BOARD FORWARD TO THE CITY COMMISSION A RECOMMENDATION TO APPROVE/DISAPPROVE P&ZB Case No. 16-01300002: Zoning Map Amendment from a Palm Beach County Zoning Designation of Residential High Intensity (RH)/Commercial to a City Zoning Designation of Mixed Use – West (MU-W).



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Department for Community Sustainability

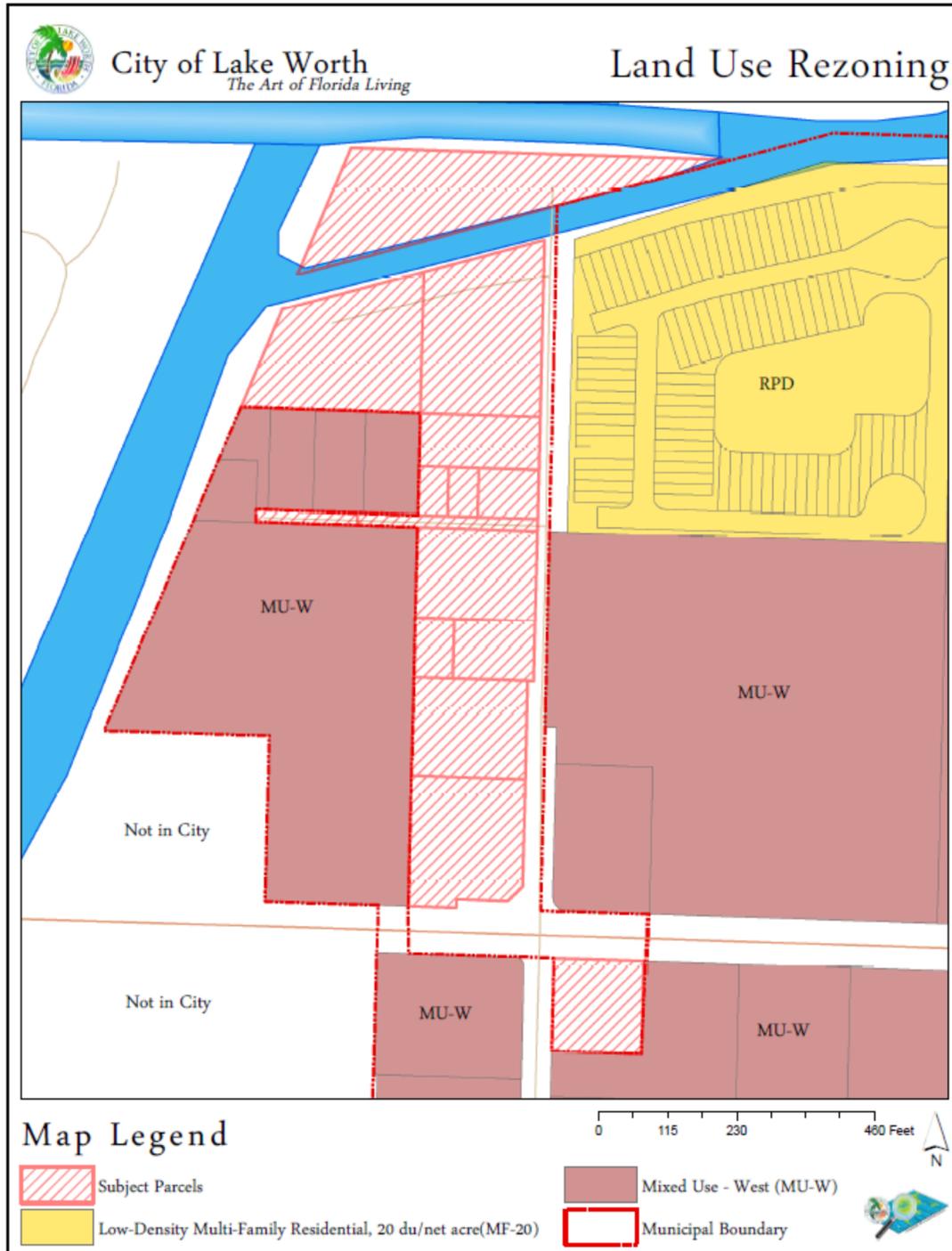
Planning & Zoning

1900 2nd Avenue North

Lake Worth, FL 33461

561.586.1687

LOCATION MAP





AGENDA DATE: June 21, 2016

DEPARTMENT: Community Sustainability

EXECUTIVE BRIEF

TITLE:

Follow Up Discussion of City's Surplus Properties Disposition

SUMMARY:

Discussion to reauthorize the disposition of the City's properties deemed surplus on May 5, 2015, which did not sell following the advertisement of both a Request for Proposal for nineteen (19) properties and Invitation to Bid for one (1) property. Six (6) properties of the twenty (20) advertised sold.

BACKGROUND AND JUSTIFICATION:

At its meeting of May 5, 2015, the City Commission approved Resolution No. 16-215, which authorized the sale of twenty (20) city properties either through a Request for Proposal (RFP) or an Invitation to Bid (IFB). The properties were duly advertised and the City received five (5) proposals for vacant lots and two (2) bids on one historic apartment building. Staff reviewed and evaluated the proposals and bids and brought to the Commission recommendations for approvals of sales agreements, which were approved on April 4, 2016 and April 19, 2016. Agreements were signed for the following properties – 431 North L Street (\$146,000), 628 North K Street (\$50,100), 416 3rd Avenue South (\$18,028), 629 South H Street (\$9,612), 1203 18th Avenue North (\$35,640) and 624 Highland Avenue (\$17,604). Closings for all of these sales are being scheduled.

With the sale of the six (6) parcels, fourteen (14) parcels remain, which staff is requested further direction on their disposition. The list of properties is outlined in the attached presentation. Neighborhood associations have voiced a desire for the City to retain ownership of 601 North E Street and 732 South C Street. The remaining parcels, which have already been deemed surplus, staff is requesting reauthorization to readvertise their being for sale through an RFP process. To improve the chances of offers and to better acquaint the public of the availability of the parcels, the RFP will be advertised in both The Palm Beach Post and the Lake Worth Herald as well as the City's website. Notices also will be sent to a list of interested parties.

The 2015 value of the parcels is \$253,757, which is the minimum bid required to purchase all of them.

MOTION:

I move to approve/not approve reauthorization of the sale of twelve (12) city surplus properties and to retain as City property 601 North E Street and 732 South C Street.

ATTACHMENT(S):

Surplus Property Presentation
Potential Fiscal Impact

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact: Potential revenue if all parcels sale at minimum price.

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	0	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	\$253,757	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	\$253,757	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

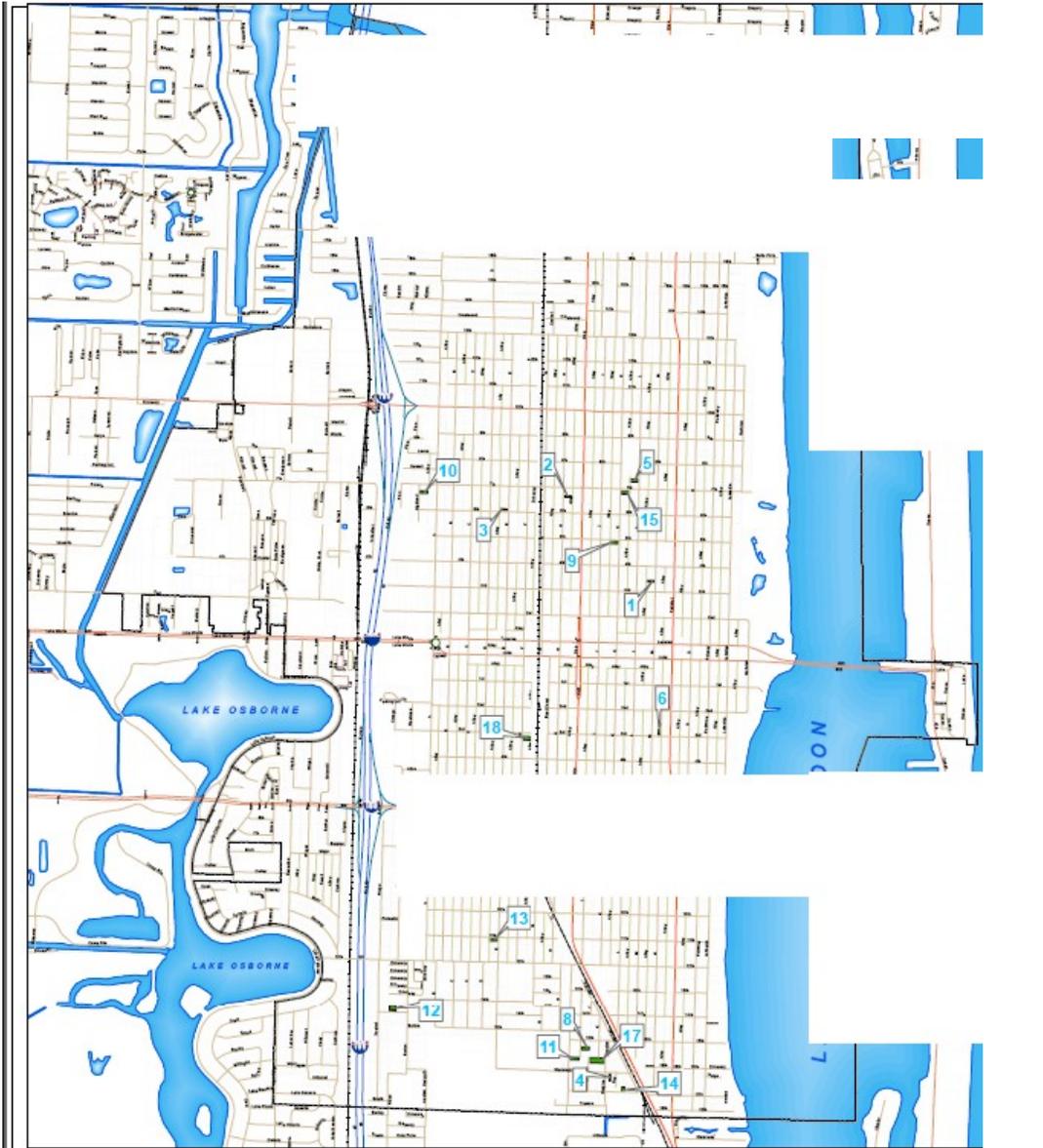
B. Recommended Sources of Funds/Summary of Fiscal Impact: If all twelve (12) parcels sell for the minimum required sales amount, the total revenue to be generated would be \$253,757. Sales proceeds of the parcels would be allocated to account 160-0000-369-90.28 to replenish funds for the City's Chronic Nuisance Remediation Program – lot clearings, board & secures, and demolitions.

C. Department Fiscal Review: WDW
Finance Review – CE



CITY OWNED PROPERTY RFP PROPERTY SHEETS June 21, 2016

Planning, Zoning & Preservation Division
Department for Community Sustainability



RFP Parcels Total 19

Parcels

NOTE:
 1. The parcel number information shown may be obtained from the Palm Beach County Property Appraiser's GIS Department web service.
 2. The City of Lake Worth does not warrant the accuracy of the information shown on this map.
 3. The City of Lake Worth does not warrant the accuracy of the information shown on this map, including the location, ownership or zoning information.
 4. The information shown on this map is for informational purposes only and should not be used for any other purpose.
 5. The information shown on this map is for informational purposes only and should not be used for any other purpose.
 6. The information shown on this map is for informational purposes only and should not be used for any other purpose.



City Owned Surplus Property - RFP



City Owned Surplus Property

RFP

313 North M Street

1



25' by 135'



RESIDENTIAL VACANT 25' x 135'
ZONING MF-20 Multifamily-20 units per acre
LAND USE MDR Medium Density Residential
HISTORIC C.O.A. Required prior to permitting
2015 VALUE \$22,579

City Owned Surplus Property

RFP

622 North H Street

(Located North adjacent lot to 620 North H St.)

2



MIXED-USE VACANT 25' x 135'
ZONING MU-DIXIE Mixed Use - Dixie Highway
LAND USE MU-E Mixed Use - East
2015 VALUE \$ 12,533



City Owned Surplus Property

RFP

601 North E Street

(Intersection of 6th Avenue North and E Street)

3



RESIDENTIAL
VACANT
25' x 135'

ZONING
SFTF-14
Single family
and Two family
14 units per
acre

LAND USE
MDR
Medium Density
Residential

2015 VALUE
\$8,927



City Owned Surplus Property

RFP

639 Washington Avenue

(Located two lots West of 633 Washington Ave.)

4



RESIDENTIAL
VACANT
25' x 125'

ZONING
SFTF-14
Single family
and Two family
14 units per
acre

LAND USE
MDR
Medium Density
Residential

2015 VALUE
\$ 9,333



City Owned Surplus Property

RFP
OUTSTANDING
MORTGAGE

711 North L Street

5



RESIDENTIAL
VACANT
50' x 135'

HISTORIC
C.O.A. Required
prior to
permitting

ZONING
SFTF-14
Single family
and Two family
14 units per
acre

LAND USE
MDR
Medium Density
Residential

2015 VALUE
\$ 33,093



City Owned Surplus Property

RFP

- 1506 South J Street
- (Located two lots South of 1502 South J St.)

8



RESIDENTIAL
VACANT
50' x 135'

ZONING
SFTF-14
Single family
and Two family
14 units per
acre

LAND USE
MDR
Medium Density
Residential

2015 VALUE
\$12,073



City Owned Surplus Property

RFP

431 North K Street

9



RESIDENTIAL
VACANT
50' x 135'

HISTORIC
C.O.A. Required
prior to
permitting

ZONING
SFTF-14
Single family
and Two family
14 units per
acre

LAND USE
MDR
Medium Density
Residential

2015 VALUE
\$42,660



City Owned Surplus Property

RFP

1526 Wingfield Street

RESIDENTIAL
VACANT
50' x 150'

ZONING
SFTF-14
Single family
and Two family
14 units per
acre

LAND USE
MDR
Medium Density
Residential

2015 VALUE
\$13,106

11



50' by 150'



City Owned Surplus Property

RFP

1756 14th Avenue South

(Located adjacent West lot to 1754 14th Avenue S.)

12



RESIDENTIAL VACANT 82' x 100'
ZONING SFR Single family Residential
LAND USE SFR Single Family Residential
2015 VALUE \$19,455



City Owned Surplus Property

RFP

1101 South E Street

13



RESIDENTIAL VACANT 50' x 135'
ZONING SFR Single family Residential
LAND USE SFR Single Family Residential
2015 VALUE \$22,997



City Owned Surplus Property

RFP

626 Latona Avenue

RESIDENTIAL
VACANT
40' x 70'

ZONING
SFTF-14
Single family
and Two family
14 units per
acre

LAND USE
MDR
Medium Density
Residential

2015 VALUE
\$7,000

14



40' by 70'



City Owned Surplus Property

RFP

1527 South Douglas Street

RESIDENTIAL
VACANT
95' x 250'

POTENTIAL FOR
MULTIPLE
PARCELS

ZONING
SFTF-14
Single family
and Two family
14 units per
acre

LAND USE
MDR
Medium Density
Residential

2015 VALUE
\$27,670

17



City Owned Surplus Property

RFP

304 South F Street

RESIDENTIAL
VACANT
60' x 135'

ZONING
SFTF-14
Single family
and Two family
14 units per
acre

LAND USE
MDR
Medium Density
Residential

2015 VALUE
\$31,258

18



City Owned Surplus Property

RFP

732 South C Street

(Located adjacent South lots to 724 South C St.)

RESIDENTIAL
VACANT 100'
x 135

POTENTIAL FOR
MULTIPLE
PARCELS

ZONING
SFR
Single family
Residential

LAND USE
SFR
Single Family
Residential

2015 VALUE
\$13,860

19

