



**AGENDA  
CITY OF LAKE WORTH  
CITY COMMISSION MEETING  
CITY HALL COMMISSION CHAMBER  
TUESDAY, AUGUST 16, 2016 - 6:00 PM**

- 1. ROLL CALL:**
- 2. INVOCATION OR MOMENT OF SILENCE:** On behalf of Mayor Pam Triolo
- 3. PLEDGE OF ALLEGIANCE:** Led by Commissioner Christopher McVoy
- 4. AGENDA - Additions/Deletions/Reordering:**
- 5. PRESENTATIONS:** (there is no public comment on Presentation items)
  - A. Bryant Park Living Shorelines project
  - B. Proclamation declaring August 31, 2016 as Overdose Awareness Day
- 6. COMMISSION LIAISON REPORTS AND COMMENTS:**
- 7. PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
- 8. APPROVAL OF MINUTES:**
  - A. City Commission Budget Work Session - July 26, 2016
  - B. City Commission Meeting - August 2, 2016
- 9. CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
  - A. Agreement for Right of Way Dedication and the Granting of a Permanent Easement for the widening and construction of Boutwell Road improvements
  - B. Resolution No. 39-2016 - authorize the Fiscal Year 2016-2017 State Aid to Libraries Grant Agreement
  - C. Lake Worth Public Library Annual Plan of Service for Fiscal Year 2016-2017

D. First Amendment to an Agreement with E.R. Bradley's Triple Crown Club L.W., LLC dba E.R. Bradley's Lagoon Saloon

E. Ratify appointments and reappointments to the various city advisory boards

**10. PUBLIC HEARINGS:**

A. Resolution No. 40-2016 - Adopt the final assessment roll for non-ad valorem assessment of unpaid lot clearing, board and secure, and demolition special assessments

**11. UNFINISHED BUSINESS:**

**12. NEW BUSINESS:**

A. Ordinance No. 2016-24 - First Reading - regulate balloons and sky lanterns on City property and schedule the public hearing date for September 6, 2016

B. Discuss authorizing funds for the Lake Worth "Dollars for Scholars" program

C. Discuss the City Manager's annual evaluation

**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:**

A. September 6, 2016 - draft Commission agenda

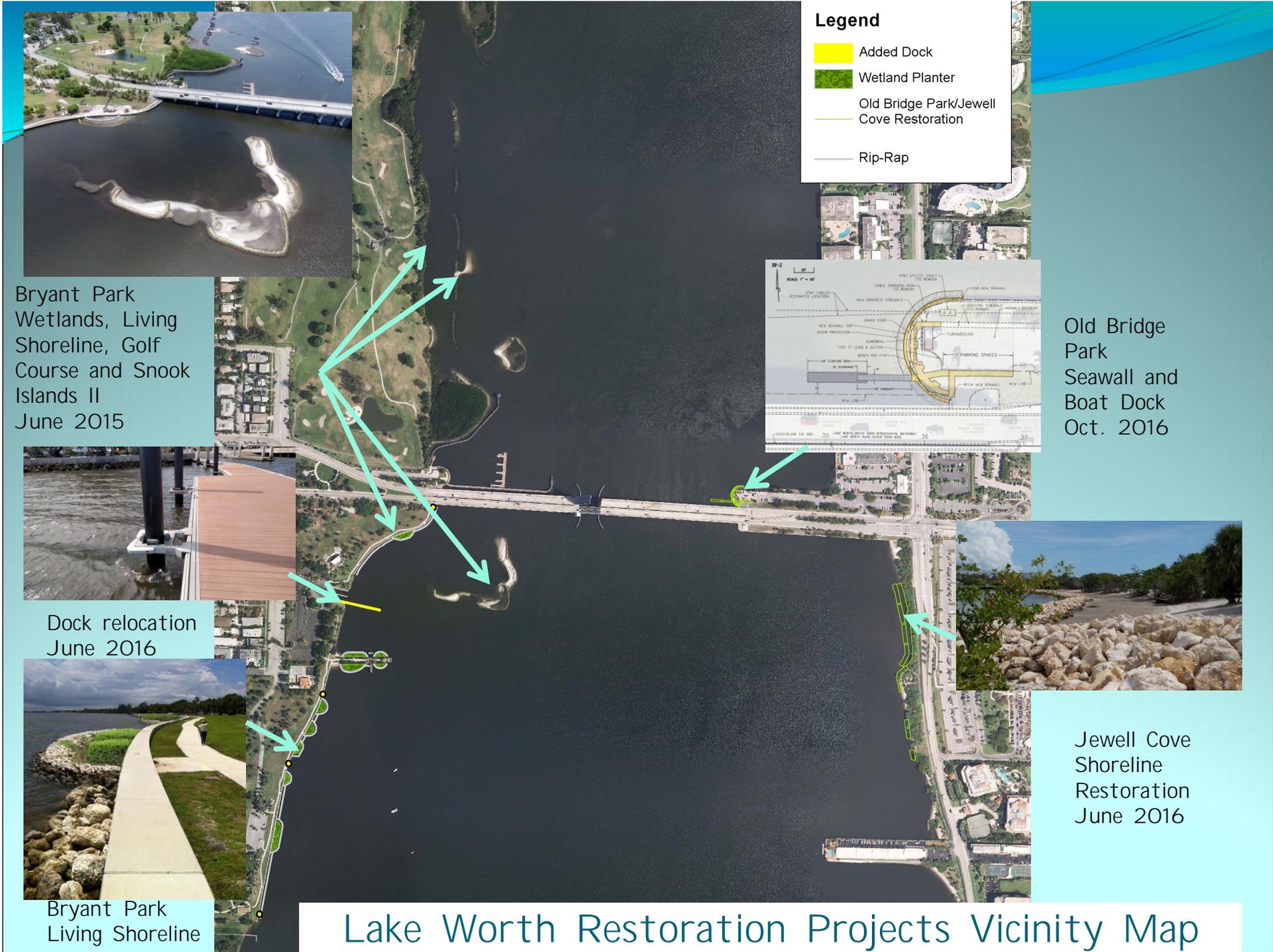
**16. ADJOURNMENT:**

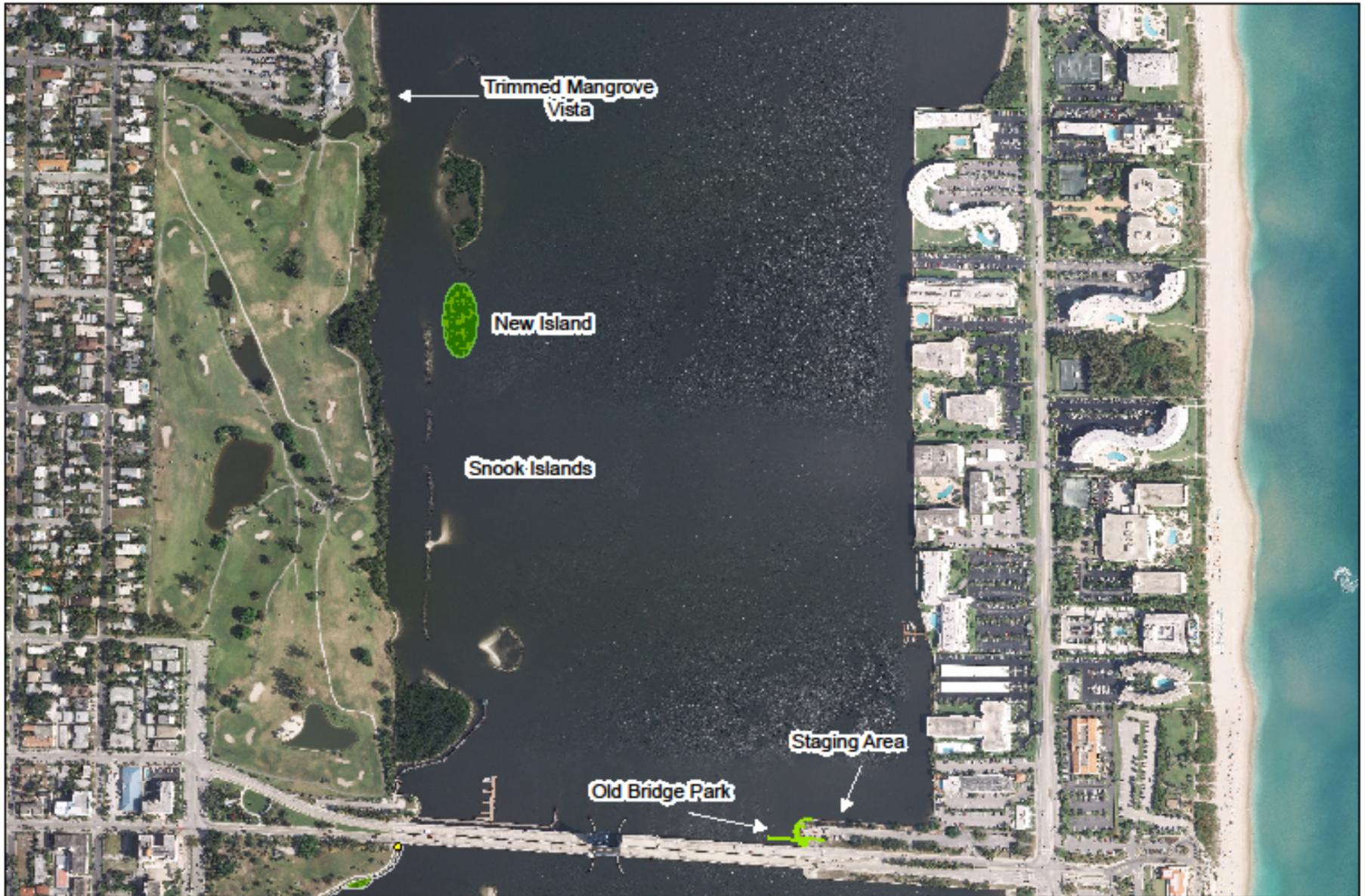
If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

NOTE: ONE OR MORE MEMBERS OF ANY BOARD, AUTHORITY OR COMMISSION MAY ATTEND AND SPEAK AT ANY MEETING OF ANOTHER CITY BOARD, AUTHORITY OR COMMISSION.



*City of Lake Worth  
Environmental  
Restoration Projects*





Palm Beach County Department of Environmental Resources Management  
2300 North Jog Road, 4th Floor  
West Palm Beach, Florida 33411-2741  
(561) 233-2400



### Lake Worth Restoration Projects

Updated August 2, 2016

0 255 510 1,020 Feet





Palm Beach County Department of  
Environmental Resources Management  
2300 North Jog Road, 4th Floor  
West Palm Beach, Florida 33411-2741  
(561) 233-2400

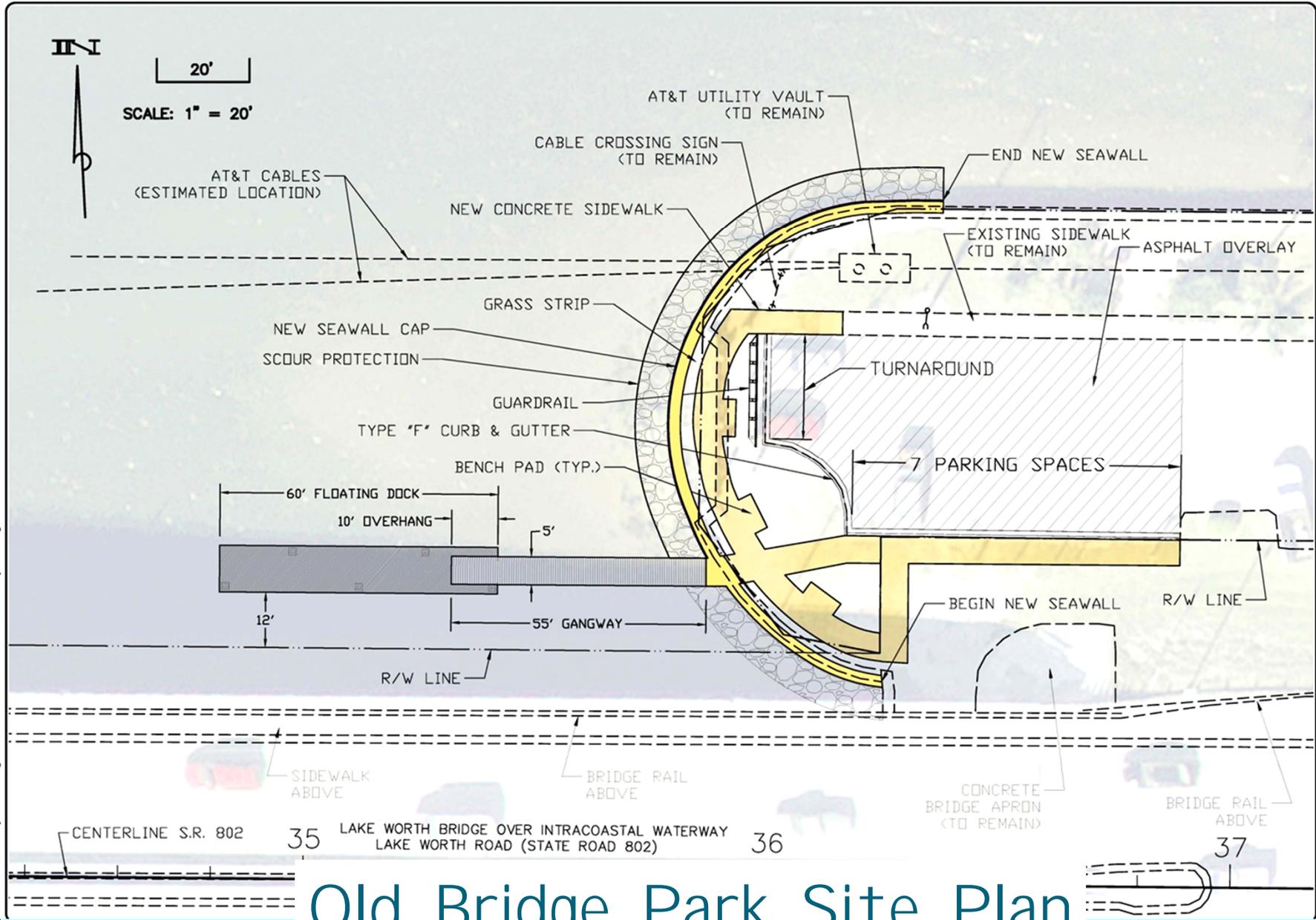


Lake Worth  
Restoration Projects

Updated  
August 2, 2016

0 255 510 1,020 Feet





# Old Bridge Park Site Plan

Slated to begin construction Mid-October 2016

PALM BEACH COUNTY  
 DEPARTMENT OF  
 ENVIRONMENTAL RESOURCES MANAGEMENT  
 2500 NORTH JOG ROAD, 4th FLOOR  
 WEST PALM BEACH, FLORIDA 33411  
 (561) 233-2400

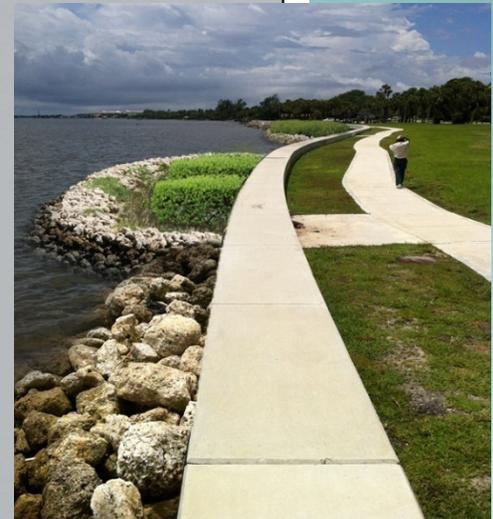
SOIL  
 MICHAEL EVANS  
 FL PE 040 8470

SCALE: AS NOTED  
 APPROVED: CB ME CT  
 DRAWN: O-RECORDED  
 DATE: 4/27/2016



PROJECT: OLD BRIDGE PARK  
 PUBLIC USE FACILITIES  
 SITE PLAN

SHEET:  
 3 of 8



# Bryant Park Living Shoreline Redesign

# Old Bridge Park/Jewell Cove Shoreline Before and After



Before



After



# Jewell Cove Planting Workday, July 27, 2016

Volunteers helped the Palm Beach County Department of Environmental Resources Management plant 250 red mangroves and 1,500 grasses at this wetland restoration area in the Lake Worth Lagoon. **Total volunteer hours = 17.5**



**Palm Beach County ERM Volunteer Program Update**



Palm Beach County Board of County Commissioners  
Department of Environmental Resources Management



Bryant Park Boat Ramp  
Relocated the Dock from Snook PUF

# Window Trimming Mangroves



Before



After



Shoreline along Lake Worth Golf Course  
cut back mangroves and planted spartina

**MINUTES  
CITY OF LAKE WORTH  
CITY COMMISSION  
BUDGET WORK SESSION NO. 2  
JULY 26, 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 7 North Dixie Highway, Lake Worth, Florida.

**1. ROLL CALL:**

Present were Mayor Pam Triolo; Vice Mayor Scott Maxwell; and Commissioners Christopher McVoy, Andy Amoroso, and Ryan Maier. Also present were City Manager Michael Bornstein and City Clerk Pamela Lopez.

**2. PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Commissioner Ryan Maier.

**3. UPDATES/FUTURE ACTION/DIRECTION:**

**A. Presentation of the proposed Fiscal Year 2017 budget**

City Manager Bornstein advised that this was a follow-up to the July 12, 2016, budget work session.

**General Fund**

Marie Elianor, Finance Director, said the Fiscal Year 2017's General Fund revenues and expenditures totaled \$32,804,532. She advised that the General Fund's estimated fund balance through September 30, 2016, was \$4,043,984.

Lengthy discussion ensued regarding past fiscal year trends.

Jamie Brown, Public Services Director, explained in detail the recommended personnel and road material changes to the proposed Fiscal Year 2017 budget discussed during the July 12, 2016, budget work session. He announced that the cost for those changes was \$565,785.

He said, with the additional personnel and equipment changes, staff's productivity on road maintenance could increase 2.5 times more than the in the current fiscal year.

Lengthy discussion ensued regarding budgeted road maintenance funds; increasing budgeted funds for road maintenance to approximately \$700,000 and where the increased cost amount for road material was in the budget.

City Manager Bornstein stated that staff was working on road maintenance performance measures. Those measurements would then equate into the cost for roadway per length or cost for each pothole repair.

### **Informational Technology Fund**

Marie Elianor, Finance Director, explained that the proposed balanced budget for the Information Technology Fund was \$1,362,139, which was a reduction from Fiscal Year 2016.

### **Fleet Management Fund**

Marie Elianor, Finance Director, explained that the proposed balanced budget for the Fleet Management Fund was \$1,020,702, which was a reduction from Fiscal Year 2016.

Jamie Brown, Public Services Director, announced that all fleet vehicles were on a replacement schedule.

### **Self-Insurance Fund**

Marie Elianor, Finance Director, explained that the proposed balanced budget for the Self-Insurance Fund was \$12,291,495, which included \$9,513,146 in the reserve fund.

### **Employee Benefits Fund**

Marie Elianor, Finance Director, explained that the proposed balanced budget for the Employee Benefits Fund was \$8,087,357, which was a reduction from Fiscal Year 2016.

Germaine English, Human Resources Director, announced that the City's medical insurance cost would increase by 9.3%.

### **Capital Improvement Plan (CIP)**

Marie Elianor, Finance Director, explained that the CIP items to be discussed only impacted the General Fund. She said that other CIP projects, which did not impact the General Fund, would be discussed at future budget work sessions.

### **Public Services Department**

Jamie Brown, Public Services Director, explained in detail the Road Improvement/Streets Maintenance 2017 CIP items, which totaled \$1,298,181. He also explained in detail the Garage/Fleet 2017 CIP items,

which totaled \$125,000.

Lengthy discussion ensued regarding the definition of roadway rehab and the amount of money budgeted for the 5<sup>th</sup> Avenue South bikeway project.

Marie Elianor, Finance Director, explained that an addendum to the Fiscal Year 2017 capital projects, which impacted the General Fund, totaled \$414,000. She advised that the addendum costs were pending inclusion in the CIP. She commented that \$100,000 of that cost would be funded in Fiscal Year 2016.

Lengthy discussion ensued regarding the purpose of the equipment, setting up a location on City property to dump bulk mulch and mowing/maintenance of alleyways.

Comments/requests summaries:

1. Vice Mayor Maxwell asked if an estimated cost of \$100,000 for Code Compliance was included in the proposed budget.
2. Vice Mayor Maxwell asked if \$25,000 for a Lake Worth High School scholarship program was included in the proposed budget.

City Manager Bornstein replied that he would check if the \$25,000 was included in the proposed budget.

3. Mayor Triolo commented that, during last year's budget work sessions, staff kept track of all requested budget changes. The Commission made no changes to the budget until they reviewed the entire budget.

Ms. Elianor replied that budget change discussions would be scheduled during the August 23, 2016, budget wrap-up work session.

Mr. Brown explained that the amended capital projects, if approved, included a potable irrigation well conversion project, which totaled \$96,000.

Lengthy discussion ensued regarding water discoloration staining buildings and sidewalks and if the potable irrigation project was discussed with the South Florida Water Management District.

Comments/requests summaries:

4. City Manager Bornstein commented that the potable irrigation project would pay for itself due to a reduction in water usage expenditures.

5. Commissioner Amoroso requested the Communication Specialist prepare an explanation of the maintenance responsibilities of property owners who live adjacent to alleyway and easement areas and the reason why the City's tree trimming companies were clearing alleyways and easements.

Commissioner McVoy replied that clarification was needed regarding the City's responsibilities and the responsibilities of the property owner.

City Manager Bornstein replied that clearing up illegal dumping was the responsibility of property owners living adjacent to alleyways and easements

Mayor Triolo announced the next budget work session was scheduled on August 9, 2016.

**4. ADJOURNMENT:**

Consensus: To adjourn the meeting at 6:57 PM.

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PAM TRIOLO, MAYOR

ATTEST:

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PAMELA J. LOPEZ, CITY CLERK

Minutes Approved: August 16, 2016

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

**MINUTES  
CITY OF LAKE WORTH  
REGULAR MEETING OF THE CITY COMMISSION  
AUGUST 2, 2016 – 6:00 PM**

The meeting was called to order by Mayor Triolo on the above date at 6:03 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, Andy Amoroso, and Ryan Maier. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia, and City Clerk Pamela Lopez.

**2. INVOCATION OR MOMENT OF SILENCE:**

The invocation was offered by Commissioner Christopher McVoy.

**3. PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Commissioner Ryan Maier.

**4. AGENDA - Additions/Deletions/Reordering:**

Action: Motion made by Commissioner Maier and seconded by Commissioner McVoy to waive the rules to:

- Delete Consent Agenda, Item C – Resolution No. 38-2016 – implement a solution to long standing water discharge issues plaguing the City; and
- Approve the agenda as amended.

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

**5. PRESENTATIONS:**

**A. Neighborhood Association Presidents Council update**

Greg Rice and Mary Lindsey, representing the Neighborhood Association Presidents Council, provided an update on the 2016 Raft Race. They thanked everyone for participating in the event, thanked the business partners for contributing to the event, announced the winners, and offered their special gratitude to a local artist for designing the artwork.

**6. COMMISSION LIAISON REPORTS AND COMMENTS:**

Commissioner Maier: announced that the Homeless Coalition of Palm Beach County partnered with Veterans Affairs to put on a “Homeless Stand Down” event. He said 162 homeless or at-risk of being homeless individuals were served during the event. He commented that 77 individuals used bus passes, donated to the Homeless Coalition, to attend the event. He announced that four individuals chose to take steps to end their homelessness, which made the event special. This event was the only one held that offered individuals steps to end homelessness. He announced the next Sister City Board meeting was on August 8, 2016.

Commissioner Amoroso: offered no comments.

Commissioner McVoy: announced that the Zika Virus, which was transmitted by mosquitos, was in South Florida and that the Miami-Dade and Broward County blood banks were shut down. He asked everyone to dump containers that held standing water. He commented that it was discouraging to read about the number of drug overdose cases in the daily released Sheriff Office incident reports. He said drug overdose cases put a drain on resources and were associated with crime. He said he hoped the City would continue to actively pursue getting rental properties documented and continue to put pressure on State and Federal legislators. He commented that an item on the agenda regarding algae bloom and poor water quality was deleted because the resolution did not include specific solutions to the problem. He advised that the issue would be revisited.

Vice Mayor Maxwell: offered no comments.

Mayor Triolo: thanked everyone for attending the County League of Cities meeting hosted by the City. She said close to 200 people attended. She also thanked City staff for putting on a lovely event and The Cottages of Lake Worth for their involvement. She asked for a Lake Worth “Pop Up” event next year to coincide with The Cottages of Lake Worth’s book release. She announced the Second Annual Putting for Patients fund raiser event would be coming soon. She said crime and drug activities recently going on in the Poinciana Park area and that the Sheriff’s Office was aware of the activities. As Mayor of the City, she said she was concerned that people were sending their children with drug problems to this area for help, but the children were ending up dead from overdoses. Addicts needed help and there was a need to stand together as a community.

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

Mike Ramer spoke on various issue; however, he did not write anything on his comment card.

The following individual spoke on issues written on her comment card:

Monica Bilotti commented that she saw someone, who was wearing goggles, spraying chemicals along the Federal Highway sidewalks. She also commented about a bright street light shining outside her bedroom window. She said she was told that the street lights had shades and asked the City to install the shades.

**8. APPROVAL OF MINUTES:**

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

- A. City Commission Work Session Meeting – July 7, 2016**
- B. City Commission Budget Work Session – July 12, 2016**
- C. City Commission Meeting – July 19, 2016**

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

**9. CONSENT AGENDA:**

Action: Motion made by Commissioner Maier and seconded by Commissioner McVoy to approve the Consent Agenda, less Item C.

- A. Resolution No. 36-2016 – agreement with the County for Domino Park pavilion improvements**

City Attorney Torcivia did not read the following resolution by title only:

RESOLUTION NO. 36-2016 OF THE CITY OF LAKE WORTH, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY IN THE AMOUNT OF \$34,813 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE DOMINO PARK IMPROVEMENTS PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE PROJECT INTERLOCAL AGREEMENT AND ALL RELATED DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- B. Resolution No. 37-2016 – agreement with the State for Historic Preservation Survey funds**

City Attorney Torcivia did not read the following resolution by title only:

RESOLUTION NO. 37-2016 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE ACCEPTANCE OF AN AWARD FROM THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF HISTORICAL

RESOURCES FOR GRANT FUNDS PROVIDED THROUGH THE FISCAL YEAR 2016-2017 SMALL MATCHING HISTORIC PRESERVATION GRANTS PROGRAM IN THE AMOUNT OF \$25,000; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES FOR THIS PURPOSE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**C. (Deleted) Resolution No. 38-2016 – implement a solution to long standing water discharge issues plaguing the City**

City Attorney Torcivia did not read the following resolution by title only:

RESOLUTION NO. 38-2016 OF THE CITY OF LAKE WORTH, FLORIDA URGING THE UNITED STATES OF AMERICA AND STATE OF FLORIDA TO IMPLEMENT SOLUTIONS AND FIX PROBLEMS OF WATER DISCHARGE FROM KISSIMMEE RIVER VALLEY, LAKE OKEECHOBEE, AND AREAS WEST OF THE CITY OF LAKE WORTH INTO THE C-51 CANAL; PROVIDING FOR TRANSMITTAL; PROVIDING FOR AN EFFECTIVE DATE.

**D. First amendment to an agreement with Wantman, Inc. fka Bridge Design Associates, Inc. for professional services**

**E. First amendment to an agreement with Craven Thompson & Associates for additional professional services**

**F. Ratify the appointment and reappointment of board members to the Recreation Advisory and Sister City boards**

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

**10. PUBLIC HEARINGS:**

There were no Public Hearings items on the agenda.

**11. UNFINISHED BUSINESS:**

There were no Unfinished Business items on the agenda.

**12. NEW BUSINESS:**

There were no New Business items on the agenda.

**13. LAKE WORTH ELECTRIC UTILITY:**

**A. PRESENTATION:**

**1) Update on the electric utility system**

No update was provided.

**B. CONSENT AGENDA:**

There were no Lake Worth Electric Utility Consent items on the agenda.

**C. PUBLIC HEARING:**

There were no Lake Worth Electric Utility Public Hearing items on the agenda.

**D. NEW BUSINESS:**

**1) Agreement with Exceleron Software, LLC for prepaid account management system software**

Joel Rutsky, Revenue Protection Supervisor, explained that the agreement with Exceleron Software, LLC provided for a prepaid billing software to allow customers to prepay their electric, water, and sewer usage. He cited examples of utility deposit amounts and listed other companies using prepaid services. He explained the various payment channels, ease in processing disconnect and reconnect service, mobile application availability, customer usage monitoring, and debt recovery. He said the City budgeted \$500,000 per year for bad debt and, in the past 36 months, sent \$1.5 million worth of debt to a collection agency. He explained in detail the cost for this service.

Comments/requests summaries:

1. Vice Mayor Maxwell suggested this item be scheduled to a work session. He commented that he was not ready to make a decision on this issue and cited his concerns for wanting to have additional discussion.
2. Commissioner Maier commented that offering prepaid service was an obvious direction for the City to move towards and that many companies were also moving towards that service. He commented that this agreement would provide a service to a whole new customer base of individuals with bad or no credit.

3. Commissioner Maier asked how this service would work with the current Siemens project.

Mr. Rutsky replied that Siemens included the cost of a prepaid service portal in their project. The cost difference would be reimbursed to the City.

4. Commissioner Amoroso commented that he liked the idea because it would fill a gap. People were looking for ways to reduce their utility bills.
5. Vice Mayor Maxwell commented that this service may attract a larger poverty demographic to the City. He said he hoped this item would be scheduled to a work session.
6. Mayor Triolo commented that there would be a benefit to scheduling this item to a work session. She said she understood Vice Mayor Maxwell's concerns, but the City was also losing money. She commented that she was concerned about customers, with low technical skills, being able to access the service.
7. Commissioner McVoy requested staff include debt receivable number information to the work session.
8. Vice Mayor Maxwell requested the following information be presented at the work session: the legality and process of disconnecting electric and water, what it took for a landlord to evict a tenant, and whether the deposit amount would decrease if the billing cycle was changed.

Consensus: To schedule discussion regarding an agreement with Exceleron Software, LLC for prepaid account management system software to a work session.

**2) Agreement with S.T. Utility Consulting, LLC for power plant management**

Jack Borsch, Electric Utility Director, explained that the department was in need of extensive professional services at the Tom G. Smith Power Plant due to the recent retirement of the City's Power Plant Manager. He announced that Scott Trantham, owner of S.T. Utility Consulting, would act as the temporary Power Plant Manager and report directly to the Electric Utility Director.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to approve a professional service agreement with S.T. Utility Consulting, LLC for power plant management services in an amount not to exceed \$33,187.50.

Mayor Triolo announced that this was the time for public comment. No one from the public commented.

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

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

City Attorney Torcivia announced that the Court ruled in the City's favor in the Viera et al. versus City of Lake Worth lawsuit.

Comment/request summary:

1. Commissioner Amoroso commented that he attended the Court hearing and watched the City Attorney defend the City. He said it was great to watch what went on during a trial.

**15. CITY MANAGER'S REPORT**

**A. August 16, 2016 – draft Commission agenda**

City Manager Bornstein did not provide a report.

**16. ADJOURNMENT:**

Action: Motion made by Commissioner Maier and seconded by Commissioner McVoy to adjourn the meeting at 7:32 PM.

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

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PAM TRIOLO, MAYOR

ATTEST:

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PAMELA J. LOPEZ, CITY CLERK

Minutes Approved: August 16, 2016

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



**AGENDA DATE:** August 16, 2016, Regular Meeting    **DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Agreement with Boynton Holdings, LLC for right of way dedication and permanent easement on Boutwell Road

**SUMMARY:**

The Agreement provides for the widening and construction of Boutwell Road infrastructure improvements.

**BACKGROUND AND JUSTIFICATION:**

The Owner is currently pursuing development of its property adjacent to Boutwell Road (the “Venetian Complex” project). The City and Owner have discussed the Owner dedicating certain land to the City for right-of-way purposes and granting an easement for landscaping and utility purposes. The City’s desired dedication and easement are needed for the City’s infrastructure improvements at Boutwell Road and as part of the City’s required due diligence for the Economic Development Administration (EDA) grant. The City and Owner have formalized their discussions in the attached Agreement for Right of Way Dedication and the Granting of a Permanent Easement (“Agreement”).

The estimated value of the dedicated land and easement rights is \$152,920. If the Agreement is approved, the City will apply this amount as a credit towards the City’s required Sustainable Bonus Program. The development rights (regarding FAR and lot coverages) will also be vested based on the total area of the property prior to the dedication and grant of easement.

**MOTION:**

I move to approve/disapprove the Agreement for Right of Way Dedication and the Granting of a Permanent Easement.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Agreement

**AGREEMENT FOR RIGHT OF WAY DEDICATION AND THE GRANTING OF A  
PERMANENT EASEMENT**

THIS AGREEMENT entered into this 10 day of AUGUST, 2016, by and between the **CITY OF LAKE WORTH**, a Florida municipal corporation, (hereinafter referred to as City) and **BOYNTON HOLDINGS, LLC** (hereinafter referred to as Owner), provides as follows:

**WHEREAS**, a project called the “**The Venetian Complex**” is being developed along the west side of Boutwell Road, at the intersection of 10<sup>th</sup> Avenue North and Boutwell Road; and

**WHEREAS**, Owner agrees to dedicate certain land, for right-of-way purposes to the City as shown on Exhibit “A”, attached hereto and incorporated herein; and

**WHEREAS**, Owner agrees to grant the City a permanent easement over certain land as shown on Exhibit “B”, attached hereto and incorporated herein, for the installation and maintenance of landscaping, a bioswale and irrigation lines/equipment, public utilities and public pedestrian and vehicular access; and

**NOW, THEREFORE**, in consideration of the mutual covenants and undertakings set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Owner and City hereby agree as follows:

1. **Incorporation of Recitals.** The above-stated recitals are incorporated as if fully set forth herein.
2. **Dedication.** Owner agrees to dedicate property, as shown on Exhibit “A”, to the City for right of way purposes. Owner shall execute the right of way deed, attached hereto as Exhibit “C”, and provide such executed copy to the City within five days of the approval of this Agreement by the City Commission.
3. **Easement.** Owner agrees to grant a permanent easement, as shown on Exhibit “B” to the City for the installation of landscaping, a bioswale and irrigation lines/equipment as needed, utilities, including transformer boxes, and public pedestrian and vehicular access. Owner shall execute the easement agreement, attached hereto as Exhibit “D”, and provide such executed copy to the City within five days of the approval of this Agreement by the City Commission. The City shall maintain the landscaping, bioswale, irrigation lines/equipment and utilities provided by the City, located in the easement at no cost to the Owner.

4. **Sustainable Bonus Credit.** The value of the property dedicated to the City for right of way purposes and the value of the permanent easement are \$152,920.00, which shall be applied to the City's required Sustainable Bonus Program.

5. **Project Vesting.** The development rights regarding FAR and lot coverages will be vested based on the total area of the property prior to the right of way dedication and the granting of the easement. If the project under consideration at this time is delayed or is not constructed, the values toward the Sustainable Bonus Program would be vested as well as the development rights of the lands dedicated.

6. **Delay of Project.** In the event the City's installation of landscaping, a bioswale and irrigation line/equipment or utilities is not completed at or prior to Owner's request for a Certificate of Occupancy, then the City's issuance of a Certificate of Occupancy shall not be withheld as a result thereof, so long as Owner has fine graded and installed bahia sod in the Easement Area.

7. **Governing Law; Venue.** Any claims, lawsuits or disputes that may arise under this Agreement shall be governed by the Laws of Florida, with venue in Palm Beach County, Florida.

8. **Public Records.** The Owner shall comply with Florida's Public Records Act, Chapter 119, Florida Statutes, and, if determined to be acting on behalf of the City as provided under section 119.011(2), Florida Statutes, specifically agrees to:

- (a) Keep and maintain public records required by the City to perform the service.
- (b) Upon request from the City's custodian of public records or designee, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of this Agreement and following completion of this Agreement if the Owner does not transfer the records to the City.

(d) Upon completion of this Agreement, transfer, at no cost, to the City all public records in possession of the Owner or keep and maintain public records required by the City to perform the service. If the Owner transfers all public records to the City upon completion of the Agreement, the Owner shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Owner keeps and maintains public records upon completion of the Agreement, the Owner shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City's custodian of public records or designee, in a format that is compatible with the information technology systems of the City.

**IF THE OWNER HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE OWNER'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS OR DESIGNEE AT: ATTENTION DEBBIE ANDREA, (561) 586-1660 OR DANDREA@LAKEWORTH.ORG OR 7 NORTH DIXIE HIGHWAY, LAKE WORTH, FL 33460.**

9. **Palm Beach County IG.** In accordance with Palm Beach County ordinance number 2011-009, the Owner acknowledges that this Agreement may be subject to investigation and/or audit by the Palm Beach County Inspector General. The Owner has reviewed Palm Beach County ordinance number 2011-009 and is aware of its rights and/or obligations under such ordinance.

IN WITNESS WHEREOF, the City and Owner have caused this Agreement to be executed the day and year shown above.

**CITY OF LAKE WORTH, FLORIDA**

By: \_\_\_\_\_  
Pam Triolo, Mayor

ATTEST

\_\_\_\_\_  
Pamela J. Lopez, City Clerk

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Glen J. Torcivia, City Attorney

OWNER:

**BOYNTON HOLDINGS, LLC**

By: HSibia

Print Name: Hardial Sibia

Title: Manager

[Corporate Seal]

STATE OF FLORIDA )  
COUNTY OF Palm Beach )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of August, 2016 by Hardial Sibia, as Manager of Boynton Holdings, LLC, a corporation authorized to do business in the State of Florida, and who is personally known to me or who has produced the following Florida driver license as identification.

Notary Public

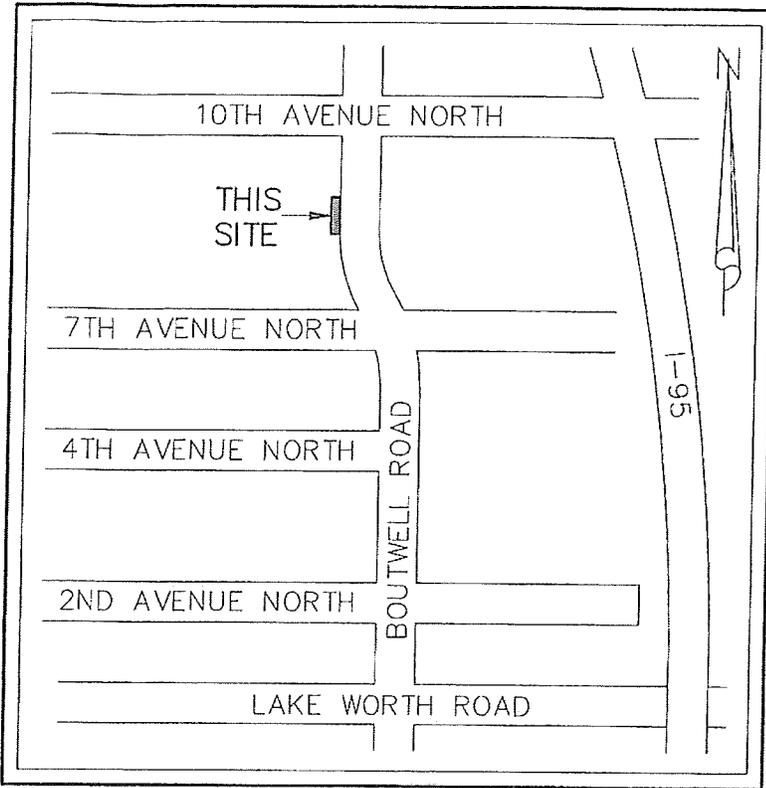
[Signature]

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_



EXHIBIT "A"



LOCATION MAP  
NOT TO SCALE

DAVID A. BOWER  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA  
CERTIFICATE NO. LS 5888

SURVEYOR'S NOTES:

1. THIS INSTRUMENT NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
3. THE LICENSED BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599, THE CERTIFYING SURVEYORS LICENSE NUMBER IS LS #5888.
4. THIS IS NOT A SURVEY.
5. BEARINGS DEPICTED HEREON ARE BASED UPON THE SOUTH LINE OF TRACT 34, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 5, PAGE 79, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE HAVING AN ASSUMED BEARING OF NORTH 88°08'01" WEST.

**Dennis J. Leavy & Associates, Inc.**  
Land Surveyors \* Mappers  
460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/14/15
CHK: AC	JOB#13-099 14 R	SHEET: 1 OF 3

**DESCRIPTION:**

A parcel of land being a portion of Tract 34, Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida, as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

COMMENCING at the Southeast corner of said Tract 34; thence North 88°08'01" West (as a basis of bearings) along the South line of said Tract 34, a distance of 25.00 feet to a point being on a line lying 25.00 feet West of and parallel with (as measured at right angles) the East line of said Tract 34 and the POINT OF BEGINNING; thence North 01°24'25" East along said parallel line, a distance of 429.13 feet to a point being on the South line of the North 227.5 feet of said Tract 34; thence North 88°08'47" West along said South line, a distance of 30.00 feet to a point being on a line lying 55.00 feet West of and parallel with (as measured at right angles) the East line of said Tract 34; thence South 01°24'25" West along said parallel line, a distance of 167.16 feet; thence South 00°10'59" West, a distance of 168.96 feet to the point of curvature of a circular curve to the left; thence Southerly and Easterly along the arc of said curve having a radius of 1,183.50 feet, a central angle of 04°31'04" for a distance of 93.32 feet to a point being on the South line of said Tract 34; thence South 88°08'01" East along said South line, a distance of 20.73 feet to the POINT OF BEGINNING.

Containing 12,027 square feet more or less.

**LEGEND:**

- D.B. = DEED BOOK
- D = CENTRAL ANGLE
- L = ARC LENGTH
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- P.B.C.R. = PALM BEACH COUNTY RECORDS
- PCN = PARCEL CONTROL NUMBER
- PG. = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- (P) = PER THE PLAT OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA (P.B. 5, PG. 79, P.B.C.R.)
- R = RADIUS
- ± = MORE OR LESS

**Dennis J. Leavy & Associates, Inc.**  
Land Surveyors \* Mappers

460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/14/15
CHK: AC	JOB#13-099 14 R	SHEET: 2 OF 3

TRACT 34(P)  
PCN: 38434420010340010

SOUTH LINE OF THE  
NORTH 227.5'  
OF TRACT 34(P)

N 88°08'47" W  
30.00'

167.16'

429.13'

55.00'

S 01°24'25" W

168.96'

S 00°10'59" W

DESCRIBED AREA: 12,027 SQUARE FEET±

25.0'  
(D.B. 975,  
PG. 42, P.B.C.R.)

25.0'  
(D.B. 975,  
PG. 586, P.B.C.R.)

EAST LINE  
OF TRACT 34(P)

BOUTWELL ROAD

TRACT 33(P)

60' 30' 0 60'



GRAPHIC SCALE IN FEET  
SCALE: 1" = 60'

90.°

90.°

25.00'

N 01°24'25" E

R= 1,183.50'  
D= 04°31'04"  
L= 93.32'

P.O.C.  
SOUTHEAST CORNER  
OF TRACT 34(P)

SOUTH LINE  
OF TRACT 34(P)  
(BASIS OF BEARINGS)

10' U.E. S 88°08'01" E 20.73'

LOT 4, BOUTWELL  
INDUSTRIAL PARK  
(P.B. 106,  
PG. 182, P.B.C.R.)

P.O.B.

N 88°08'01" W  
25.00'

Dennis J. Leavy & Associates, Inc.  
Land Surveyors \* Mappers

460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB

SCALE: 1"=60'

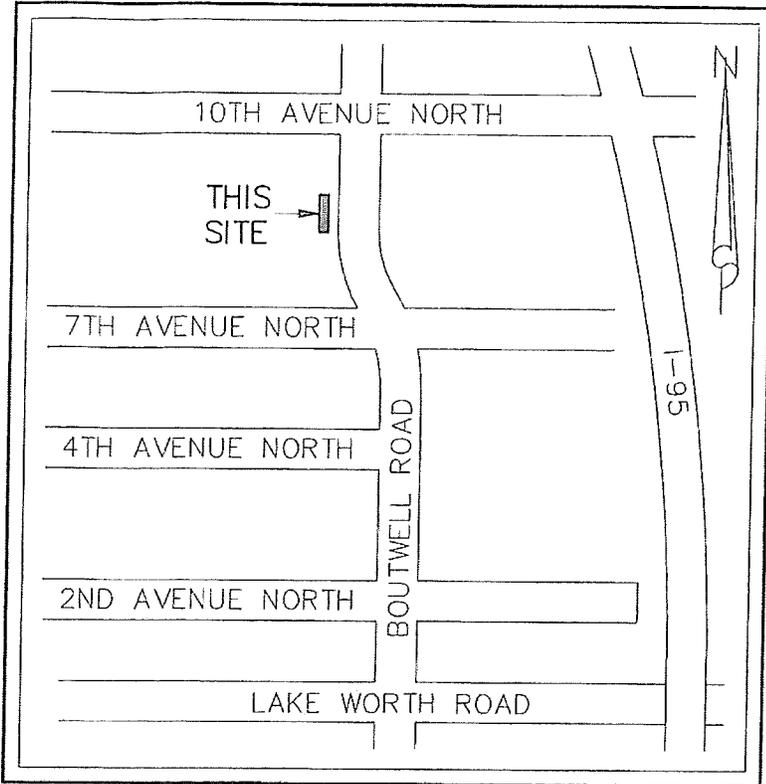
DATE: 09/14/15

CHK: AC

JOB#13-099 14 R

SHEET: 3 OF 3

EXHIBIT "B"



LOCATION MAP  
NOT TO SCALE

DAVID A. BOWER  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA  
CERTIFICATE NO. LS 5888

SURVEYOR'S NOTES:

1. THIS INSTRUMENT NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
3. THE LICENSED BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599, THE CERTIFYING SURVEYORS LICENSE NUMBER IS LS #5888.
4. THIS IS NOT A SURVEY.
5. BEARINGS DEPICTED HEREON ARE BASED UPON THE SOUTH LINE OF TRACT 34, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 5, PAGE 79, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE HAVING AN ASSUMED BEARING OF NORTH 88°08'01" WEST.

**Dennis J. Leavy & Associates, Inc.**  
Land Surveyors \* Mappers  
460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/14/15
CHK: AC	JOB#13-099 14 B	SHEET: 1 OF 3

**DESCRIPTION:**

A 10.00 foot wide strip of land being a portion of Tract 34, Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida, as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

COMMENCING at the Southeast corner of said Tract 34; thence North 88°08'01" West (as a basis of bearings) along the South line of said Tract 34, a distance of 45.73 feet to a point being on the arc of a circular curve whose radius point bears North 85°39'55" East from said point, and the POINT OF BEGINNING; thence Northerly and Westerly along the arc of said curve having a radius of 1,183.50 feet, a central angle of 04°31'04" for a distance of 93.32 feet; thence North 00°10'59" East, a distance of 168.96 feet; thence North 01°24'25" East, a distance of 167.16 feet to a point being on the South line of the North 227.5 feet of said Tract 34; thence North 88°08'47" West along said South line, a distance of 10.00 feet; thence South 01°24'25" West, a distance of 167.34 feet; thence South 00°10'59" West, a distance of 169.07 feet to the point of curvature of a circular curve to the left; thence Southerly and Easterly along the arc of said curve having a radius of 1,193.50 feet, a central angle of 04°27'56" for a distance of 93.02 feet to a point being on the South line of said Tract 34; thence South 88°08'01" East along said South line, a distance of 10.06 feet to the POINT OF BEGINNING.

Containing 4,294 square feet more or less.

**LEGEND:**

- D.B. = DEED BOOK
- D = CENTRAL ANGLE
- L = ARC LENGTH
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- P.B.C.R. = PALM BEACH COUNTY RECORDS
- PCN = PARCEL CONTROL NUMBER
- PG. = PAGE
- P.O.B. = POINT OF BEGINNING
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- (P) = PER THE PLAT OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA (P.B. 5, PG. 79, P.B.C.R.)
- R = RADIUS
- ± = MORE OR LESS

**Dennis J. Leavy & Associates, Inc.**  
 Land Surveyors \* Mappers  
 460 Business Park Way \* Suite B  
 Royal Palm Beach, Florida 33411  
 Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/14/15
CHK: AC	JOB# 13-099 14 B	SHEET: 2 OF 3

TRACT 34(P)  
PCN: 38434420010340010

SOUTH LINE OF THE  
NORTH 227.5'  
OF TRACT 34(P)

N 88°08'47" W  
10.00'

167.34'  
167.16'



55.00'  
10.00'

S 01°24'25" W  
N 01°24'25" E

25.0'  
(D.B. 975,  
PG. 42, P.B.C.R.)

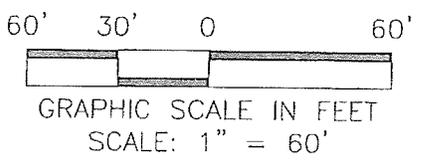
25.0'  
(D.B. 975,  
PG. 586, P.B.C.R.)

169.07'  
168.96'

EAST LINE  
OF TRACT 34(P)

DESCRIBED AREA:  
4,294 SQUARE FEET±

TRACT 34(P)  
PCN: 38434420010340040



S 00°10'59" W  
N 00°10'59" E

BOUTWELL ROAD

TRACT 33(P)

R= 1,183.50'  
D= 04°31'04"  
L= 93.32'

R= 1,193.50'  
D= 04°27'56"  
L= 93.02'

SOUTH LINE  
OF TRACT 34(P)  
(BASIS OF BEARINGS)

P.O.C.  
SOUTHEAST CORNER  
OF TRACT 34(P)

N 85°39'55" E  
(TO RADIUS POINT)

10' U.E. S 88°08'01" E 10.06'

LOT 4, BOUTWELL  
INDUSTRIAL PARK  
(P.B. 106,  
PG. 182, P.B.C.R.)

P.O.B.

N 88°08'01" W  
45.73'

Dennis J. Leavy & Associates, Inc.  
Land Surveyors \* Mappers  
460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: 1"=60'	DATE: 09/14/15
CHK: AC	JOB#13-099 14 B	SHEET: 3 OF 3

Prepared by: RETURN:  
**Torcivia, Donlon, Goddeau & Ansay, P.A.**  
701 Northpoint Parkway, Suite 209  
West Palm Beach, FL 33407

---

**RIGHT-OF-WAY DEED**

THIS INDENTURE made this 10 day of AUGUST, 2016 between **BOYNTON HOLDINGS, LLC** with a mailing address of 17825 Field Brook Circle West, Boca Raton, FL 33496 as party of the first part and **CITY OF LAKE WORTH, FLORIDA**, a Florida municipal corporation with a mailing address of 7 North Dixie Highway, Lake Worth, Florida 33460, as party of the second part.

WITNESSETH:

That said party of the first part, for and in consideration of the mutual promises herein contained and other good and valuable consideration, does hereby grant, remise, release, quit claim and convey unto the party of the second part, its successors and assigns, all right, title, interest, claim and demand which the party of the first part has in and to the following-described land, situate, lying and being in the County of Palm Beach, State of Florida, to-wit:

See Exhibit "A" attached hereto.

This Deed is made for the purpose of giving and granting to the party of the second part, its successors and assigns, a right-of-way and easement in and to said lands for public highway, street, and public utility purposes; and is made, executed and delivered with the express understanding and condition that should the same ever be discontinued or abandoned as a public highway or street, the title to same shall thereupon revert to and revest in the party of the first part or assigns.

That this right-of-way shall be subject only to those easements, restrictions, and reservations of record. The party of the first part agrees to provide for the release of any and all mortgages or liens encumbering this right-of-way. The party of the first part also agrees to erect no building or effect any other kind of construction or improvements upon the above-described property.

Party of the first part does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it

has good right and lawful authority to grant the above-described right-of-way and that the same is unencumbered. Where the context of this Right-of-Way Deed allows or permits, the same shall include the successors or assigns of the parties.

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereto belonging or in anywise incident or appertaining, and all the estate, right, title, interest, and claim whatsoever of the said party of the first part, in law or in equity to the only proper use, benefit, and behalf of the said party of the second part, its successors and assigns.

IN WITNESS WHEREOF, said party of the first part has hereunto set their hand and seal the date first above written.

Signed, sealed and delivered  
in the presence of:

[Signature]  
WILLIAM WATERS  
(Name printed or typed)

[Signature]  
FRED G. GRIFFIN  
(Name printed or typed)

PARTY OF THE FIRST PART  
**BOYNTON HOLDINGS, LLC**

By: [Signature]  
HARDIAL SIBIA  
(Name printed or typed)

17825 FIELDBROOK CIR. W.  
(Address) BOEYRATON,  
FLORIDA  
33496

STATE OF Florida

COUNTY OF Palm Beach

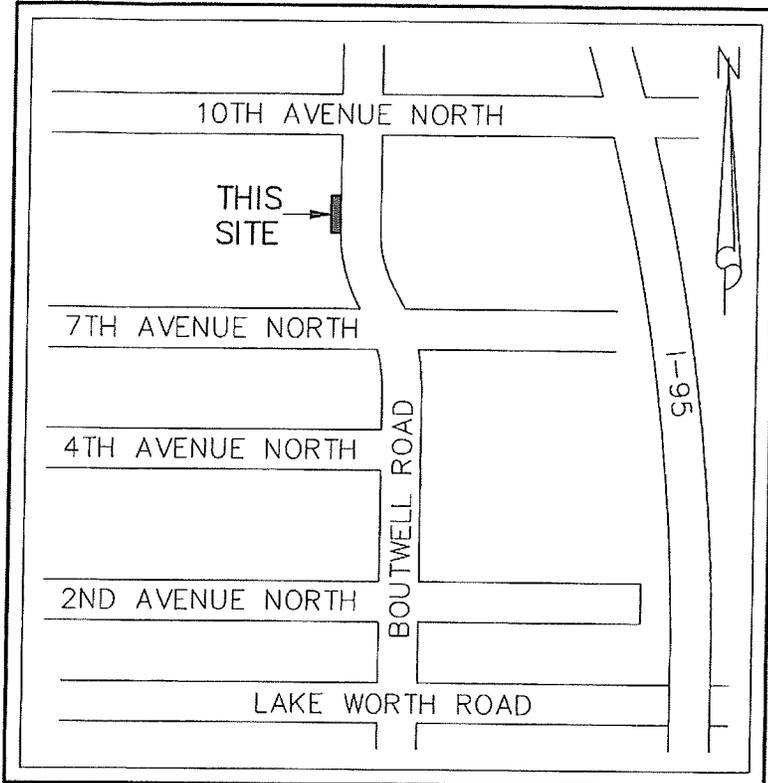
The foregoing instrument was acknowledged before me this 10th day of August, 2016, by Hardial Sibia who is personally known to me or has produced Florida Driver's License as identification.

[Signature]  
Signature of Notary Public -  
State of Florida



**EXHIBIT "A" TO ROW DEED**

EXHIBIT "A" TO ROW DEED



LOCATION MAP  
NOT TO SCALE

DAVID A. BOWER  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA  
CERTIFICATE NO. LS 5888

SURVEYOR'S NOTES:

1. THIS INSTRUMENT NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
3. THE LICENSED BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599, THE CERTIFYING SURVEYORS LICENSE NUMBER IS LS #5888.
4. THIS IS NOT A SURVEY.
5. BEARINGS DEPICTED HEREON ARE BASED UPON THE SOUTH LINE OF TRACT 34, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 5, PAGE 79, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE HAVING AN ASSUMED BEARING OF NORTH 88°08'01" WEST.

Dennis J. Leavy & Associates, Inc.  
Land Surveyors \* Mappers

460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/14/15
CHK: AC	JOB# 13-099 14 R	SHEET: 1 OF 3

**DESCRIPTION:**

A parcel of land being a portion of Tract 34, Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida, as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

COMMENCING at the Southeast corner of said Tract 34; thence North 88°08'01" West (as a basis of bearings) along the South line of said Tract 34, a distance of 25.00 feet to a point being on a line lying 25.00 feet West of and parallel with (as measured at right angles) the East line of said Tract 34 and the POINT OF BEGINNING; thence North 01°24'25" East along said parallel line, a distance of 429.13 feet to a point being on the South line of the North 227.5 feet of said Tract 34; thence North 88°08'47" West along said South line, a distance of 30.00 feet to a point being on a line lying 55.00 feet West of and parallel with (as measured at right angles) the East line of said Tract 34; thence South 01°24'25" West along said parallel line, a distance of 167.16 feet; thence South 00°10'59" West, a distance of 168.96 feet to the point of curvature of a circular curve to the left; thence Southerly and Easterly along the arc of said curve having a radius of 1,183.50 feet, a central angle of 04°31'04" for a distance of 93.32 feet to a point being on the South line of said Tract 34; thence South 88°08'01" East along said South line, a distance of 20.73 feet to the POINT OF BEGINNING.

Containing 12,027 square feet more or less.

**LEGEND:**

- D.B. = DEED BOOK
- D = CENTRAL ANGLE
- L = ARC LENGTH
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
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**Dennis J. Leavy & Associates, Inc.**  
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**SKETCH & DESCRIPTION**  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/14/15
CHK: AC	JOB#13-099 14 R	SHEET: 2 OF 3

TRACT 34(P)  
PCN: 38434420010340010

SOUTH LINE OF THE  
NORTH 227.5'  
OF TRACT 34(P)

N 88°08'47" W  
30.00'

167.16'

429.13'

55.00'

S 01°24'25" W

168.96'

S 00°10'59" W

DESCRIBED AREA: 12,027 SQUARE FEET±

25.0'  
(D.B. 975,  
PG. 42, P.B.C.R.)

25.0'  
(D.B. 975,  
PG. 586, P.B.C.R.)

EAST LINE  
OF TRACT 34(P)

TRACT 33(P)

BOUTWELL ROAD

25.00'

N 01°24'25" E

P.O.C.  
SOUTHEAST CORNER  
OF TRACT 34(P)

R= 1,183.50'  
D= 04°31'04"  
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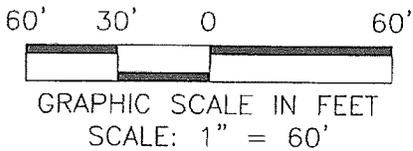
SOUTH LINE  
OF TRACT 34(P)  
(BASIS OF BEARINGS)

10' U.E. S 88°08'01" E 20.73'

LOT 4, BOUTWELL  
INDUSTRIAL PARK  
(P.B. 106,  
PG. 182, P.B.C.R.)

P.O.B.

N 88°08'01" W  
25.00'



TRACT 34(P)  
PCN: 38434420010340040

Dennis J. Leavy & Associates, Inc.  
Land Surveyors \* Mappers

460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: 1"=60'	DATE: 09/14/15
CHK: AC	JOB#13-099 14 R	SHEET: 3 OF 3

Prepared by: RETURN:  
Torcivia, Donlon, Goddeau & Ansay, P.A.  
701 Northpoint Parkway, Suite 209  
West Palm Beach, FL 33407

---

EASEMENT DEED

THIS INDENTURE, made this 10 day of AUGUST, 2016 by and between **BOYNTON HOLDINGS, LLC**, with a mailing address of 17825 Field Brook Circle West, Boca Raton, FL 33496, party of the first part, and the **CITY OF LAKE WORTH**, with a mailing address of 7 North Dixie Highway, Lake Worth, Florida 33460, a municipal corporation in Palm Beach County, State of Florida, party of the second part:

**WITNESSETH:** That the party of the first part, for and in consideration of the mutual promises herein contained and other good and valuable considerations, does hereby grant, bargain, sell and release unto the party of the second part, its successors and assigns, a right of way and perpetual easement for the purpose of public pedestrian and vehicular access, the construction and maintenance of landscaping, a bioswale and associated irrigation lines/equipment if needed, public utilities, including electric utility lines and transformer cabinets with full and free right, liberty, and authority to enter upon and to install and maintain such items across, above, under, through and upon or within the property described in Exhibit "A", attached hereto and incorporated herein.

Concomitant and coextensive with this right is the further right in the party of the second party, its successors and assigns, of ingress and egress over and on that portion of land described above, to effect the purposes of the easement, as expressed hereinafter.

That this easement shall be subject only to those easements, restrictions, conditions and reservations of record. That the party of the first part agrees to provide for the release or subordination of any and all mortgages or liens encumbering this easement. The party of the first part also agrees to erect no building or affect any other kind of construction or improvements upon the above-described property, other than driveways, parking and curbing over the west five (5) feet of the property described in Exhibit "A".

Party of the first part does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good right and lawful authority to grant the above-described easement and that the same is unencumbered except as provided above. Where the context of this Easement Deed allows or permits, the same shall include the successors or assigns of the parties.

IN WITNESS WHEREOF, the parties to this Easement Deed set their hands and seals the day and year first above written.

WITNESS #1:

William Cohen  
WILLIAM COHEN  
(name printed or typed)

PARTY OF THE FIRST PART:  
BOYNTON HOLDINGS, LLC

By: HSibia

WITNESS #2:

Fred Griffin  
FRED GRIFIN  
(name printed or typed)

STATE OF Florida  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 10th day of August, 2016 by Hardial Sibia, of Boynton Holdings, LLC (name of corporation), a \_\_\_\_\_ (State or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced Florida Driver's license (type of identification) as identification and did/did not take an oath.

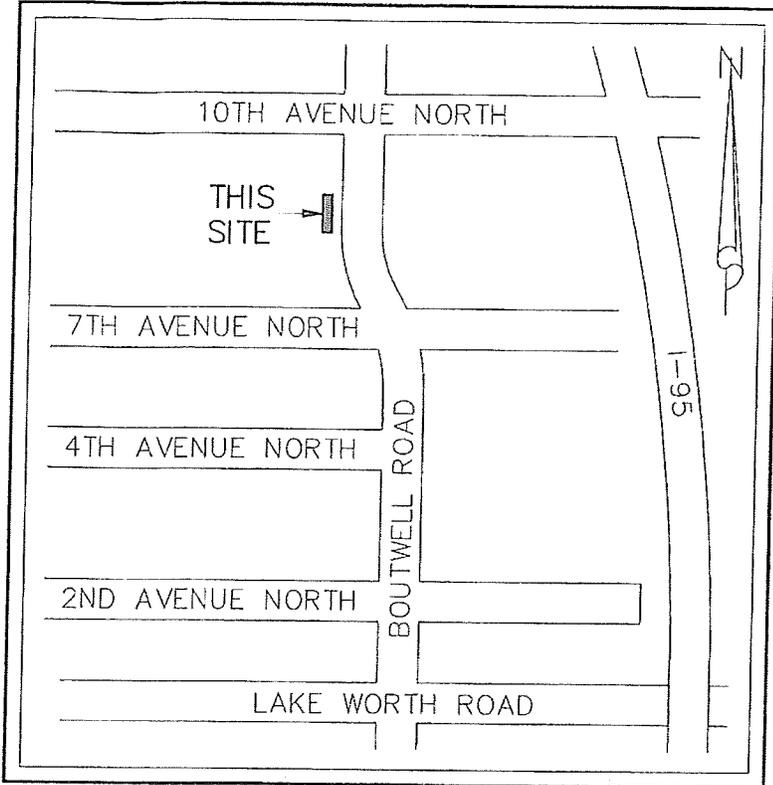
[Signature]  
Signature of Notary Public -  
State of Florida

(SEAL)



**EXHIBIT "A" TO EASEMENT DEED**

EXHIBIT "A" TO EASEMENT DEED



LOCATION MAP  
NOT TO SCALE

DAVID A. BOWER  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA  
CERTIFICATE NO. LS 5888

SURVEYOR'S NOTES:

1. THIS INSTRUMENT NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
3. THE LICENSED BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599, THE CERTIFYING SURVEYORS LICENSE NUMBER IS LS #5888.
4. THIS IS NOT A SURVEY.
5. BEARINGS DEPICTED HEREON ARE BASED UPON THE SOUTH LINE OF TRACT 34, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 5, PAGE 79, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE HAVING AN ASSUMED BEARING OF NORTH 88°08'01" WEST.

**Dennis J. Leavy & Associates, Inc.**  
Land Surveyors \* Mappers  
460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/14/15
CHK: AC	JOB#13-099 14 B	SHEET: 1 OF 3

DESCRIPTION:

A 10.00 foot wide strip of land being a portion of Tract 34, Model Land Company's Subdivision of Section 20, Township 44 South, Range 43 East, Palm Beach County, Florida, as recorded in Plat Book 5, Page 79 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

COMMENCING at the Southeast corner of said Tract 34; thence North 88°08'01" West (as a basis of bearings) along the South line of said Tract 34, a distance of 45.73 feet to a point being on the arc of a circular curve whose radius point bears North 85°39'55" East from said point, and the POINT OF BEGINNING; thence Northerly and Westerly along the arc of said curve having a radius of 1,183.50 feet, a central angle of 04°31'04" for a distance of 93.32 feet; thence North 00°10'59" East, a distance of 168.96 feet; thence North 01°24'25" East, a distance of 167.16 feet to a point being on the South line of the North 227.5 feet of said Tract 34; thence North 88°08'47" West along said South line, a distance of 10.00 feet; thence South 01°24'25" West, a distance of 167.34 feet; thence South 00°10'59" West, a distance of 169.07 feet to the point of curvature of a circular curve to the left; thence Southerly and Easterly along the arc of said curve having a radius of 1,193.50 feet, a central angle of 04°27'56" for a distance of 93.02 feet to a point being on the South line of said Tract 34; thence South 88°08'01" East along said South line, a distance of 10.06 feet to the POINT OF BEGINNING.

Containing 4,294 square feet more or less.

LEGEND:

- D.B. = DEED BOOK
- D = CENTRAL ANGLE
- L = ARC LENGTH
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- P.B.C.R. = PALM BEACH COUNTY RECORDS
- PCN = PARCEL CONTROL NUMBER
- PG. = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- (P) = PER THE PLAT OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA (P.B. 5, PG. 79, P.B.C.R.)
- R = RADIUS
- ± = MORE OR LESS

**Dennis J. Leavy & Associates, Inc.**  
 Land Surveyors \* Mappers  
 460 Business Park Way \* Suite B  
 Royal Palm Beach, Florida 33411  
 Phone: 561 753-0650 Fax: 561 753-0290

**SKETCH & DESCRIPTION**  
 For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/14/15
CHK: AC	JOB# 13-099 14 B	SHEET: 2 OF 3

TRACT 34(P)  
PCN: 38434420010340010

SOUTH LINE OF THE  
NORTH 227.5'  
OF TRACT 34(P)

N 88°08'47" W  
10.00'

167.34'

167.16'

55.00'  
10.00'

S 01°24'25" W 90.0'

N 01°24'25" E 90.0'

25.0'  
(D.B. 975,  
PG. 42, P.B.C.R.)

25.0'  
(D.B. 975,  
PG. 586, P.B.C.R.)

EAST LINE  
OF TRACT 34(P)

DESCRIBED AREA:  
4,294 SQUARE FEET±

TRACT 34(P)  
PCN: 38434420010340040

60' 30' 0 60'



GRAPHIC SCALE IN FEET  
SCALE: 1" = 60'

S 00°10'59" W

N 00°10'59" E

BOUTWELL ROAD

TRACT 33(P)

R= 1,183.50'  
D= 04°31'04"  
L= 93.32'

R= 1,193.50'  
D= 04°27'56"  
L= 93.02'

SOUTH LINE  
OF TRACT 34(P)  
(BASIS OF BEARINGS)

P.O.C.  
SOUTHEAST CORNER  
OF TRACT 34(P)

N 85°39'55" E  
(TO RADIUS POINT)

10' U.E. S 88°08'01" E 10.06'

LOT 4, BOUTWELL  
INDUSTRIAL PARK  
(P.B. 106,  
PG. 182, P.B.C.R.)

P.O.B.

N 88°08'01" W  
45.73'

Dennis J. Leavy & Associates, Inc.  
Land Surveyors \* Mappers

460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411

Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION  
For: THE CITY OF LAKE WORTH, FLORIDA

DRAWN: DB

SCALE: 1"=60'

DATE: 09/14/15

CHK: AC

JOB#13-099 14 B

SHEET: 3 OF 3



**AGENDA DATE:** August 16, 2016, Regular Meeting

**DEPARTMENT:** Leisure Services

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**EXECUTIVE BRIEF**

**TITLE:**

Resolution No. 39-2016 - authorize the Fiscal Year 2016-2017 State Aid to Libraries Grant Agreement

**SUMMARY:**

The Resolution authorizes an estimated \$13,394 grant agreement for funding assistance under the Fiscal Year 2016-2017 State Aid to Libraries Program to supplement the operating budget of the City's Public Library.

**BACKGROUND AND JUSTIFICATION:**

The City has recently been notified by the Florida Department of State, Division of Library and Information Services that it is eligible for a formula allocation of an estimated \$13,394 under the State Aid to Libraries Program to assist with the operation and maintenance of its Public Library for Fiscal Year 2016-2017. These funds cannot supplant existing local funds budgeted for the operation of the City's Public Library during this period. As an eligibility requirement, the City must have a single administrative head employed on a full-time basis with the responsibility of management and coordination of the operations of the library. The library must provide its services free to the public.

The executed agreement must be submitted electronically to the State on or before October 1, 2016. In addition, the City must submit its adopted annual plan of service and budget for Fiscal Year 2016-2017 by this date, and its annual statistical report for Fiscal Year 2015-2016 by December 1, 2016.

**MOTION:**

I move to approve/not approve Resolution No. 39-2016

**ATTACHMENT(S):**

Fiscal Impact Analysis  
Resolution  
Agreement  
Funding Estimates

**FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	0	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	13,394	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	13,394	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:

<b>Leisure Services</b>		<b>State Aid to Libraries</b>					
<b>Account Number (s)</b>	<b>Account Description</b>	<b>Project #</b>	<b>FY 2017 Budget</b>	<b>Available Balance</b>	<b>Agenda Expenses</b>	<b>Remaining Balance</b>	
<b>180-9720-572-52-00</b>	Library Aid	N/A	13,394	* 13,394	(13,394)	-	

\* Pending approval of FY 2017 Budget

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

1  
2  
3 RESOLUTION NO. 39-2016 OF THE CITY OF LAKE WORTH, FLORIDA,  
4 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE  
5 AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF STATE, DIVISION  
6 OF LIBRARY AND INFORMATION SERVICES AND THE CITY FOR GRANT  
7 FUNDS PROVIDED THROUGH THE FISCAL YEAR 2016-2017 STATE AID TO  
8 LIBRARIES PROGRAM IN THE ESTIMATED AMOUNT OF \$13,394;  
9 PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.  
10  
11

12 WHEREAS, the State Aid to Libraries Program ("Program") is  
13 administered by the Florida Department of State, Division of Library and  
14 Information Services ("Division") for the purpose of supplementing the operating  
15 budgets of eligible public libraries to encourage the development and provision  
16 of free public library service; and  
17

18 WHEREAS, Program funding allocations for a given fiscal year are  
19 determined by statutory formula based on the expenditure of local funds by  
20 eligible grantees for the maintenance and operation of their public libraries during  
21 the preceding fiscal year; and  
22

23 WHEREAS, grant funds made available to eligible grantees under the  
24 Program to supplement the operating budgets of eligible libraries to assist in  
25 maintaining and developing vital services for the public; and  
26

27 WHEREAS, the City of Lake Worth ("City") meets the basic eligibility  
28 requirements to receive a formula allocation estimated to be \$13,394 in Program  
29 funding to supplement the operating budget of its Public Library for Fiscal Year  
30 2016-2017; and  
31

32 WHEREAS, the City is not required to provide a matching cost share for  
33 these Program funds; and  
34

35 WHEREAS, the Division and the City both desire to enter into an  
36 agreement that sets forth the terms and conditions for the use of these Program  
37 funds.  
38

39 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE  
40 WORTH, FLORIDA, that:  
41

42 **SECTION 1:** The City Commission of the City of Lake Worth, Florida, hereby  
43 approves and authorizes the Mayor to execute the Grant Agreement between the  
44 Florida Department of State, Division of Library and Information Services and the  
45 City for grant funds made available through the Fiscal Year 2016-2017 State Aid  
46 to Libraries Program in the estimated amount of \$13,394 to assist with the  
47 operation of the Lake Worth Public Library.  
48

49 SECTION 2: The City Commission hereby authorizes Juan Ruiz, Leisure  
50 Services Director, or his designee, to serve in the capacity of Project Manager for  
51 this purpose.  
52

53 SECTION 3: Upon execution of the Resolution, one (1) copy shall be delivered  
54 to the Leisure Services Department Director and one (1) copy shall be delivered  
55 to the Library Services Supervisor. The fully executed original shall be  
56 maintained by the City Clerk as a public record of the City.  
57

58 SECTION 4: This Resolution shall become effective upon adoption.  
59  
60

61 The passage of this Resolution was moved by Commissioner \_\_\_\_\_,  
62 seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the  
63 vote was as follows:

64 Mayor Pam Triolo  
65 Vice Mayor Scott Maxwell  
66 Commissioner Christopher McVoy  
67 Commissioner Andy Amoroso  
68 Commissioner Ryan Maier  
69

70 Mayor Pam Triolo thereupon declared this Resolution duly passed and  
71 adopted on the 16<sup>th</sup> day of August, 2016.

72 LAKE WORTH CITY COMMISSION  
73  
74  
75

76 By: \_\_\_\_\_  
77 Pam Triolo, Mayor  
78

79 ATTEST:  
80  
81

82 \_\_\_\_\_  
83 Pamela J. Lopez, City Clerk

**STATE AID TO LIBRARIES GRANT  
AGREEMENT BETWEEN  
THE STATE OF FLORIDA, DEPARTMENT OF STATE  
AND  
City of Lake Worth  
for and on behalf of  
Lake Worth Public Library**

This Agreement is by and between the State of Florida, Department of State, Division of Library and Information Services, hereinafter referred to as the "Division," and the City of Lake Worth for and on behalf of Lake Worth Public Library, hereinafter referred to as the "Grantee."

The Grantee has submitted an application and has met all eligibility requirements and has been awarded a State Aid to Libraries Grant (CSFA 45.030) by the Division in the amount specified on the "Fiscal Year 2016-2017 State Aid to Libraries Final Grants" document (which is incorporated as part of this Agreement and entitled Attachment B). The Division has the authority to administer this grant in accordance with Section 257, *Florida Statutes*. By reference, the application and any approved revisions are hereby made a part of this agreement.

In consideration of the mutual covenants and promises contained herein, the parties agree as follows:

1. **Grant Purpose.** This grant shall be used exclusively for the "State Aid to Libraries Grant," the public purpose for which these funds were appropriated.
  - a) The Grantee shall perform the following **Scope of Work** as identified in Section 257.17, *Florida Statutes*:

Manage or coordinate free library service to the residents of its legal service area. The Grantee shall:

1. Have a single administrative head employed full time by the library's governing body;
2. Provide free library service, including loaning materials available for circulation free of charge and providing reference and information services free of charge;
3. Provide access to materials, information and services for all residents of the area served; and
4. Have at least one library, branch library or member library open 40 hours or more each week.

- b) The Grantee agrees to provide the following **Deliverables** related to the Scope of Work for payments to be awarded.

Payment 1, Deliverable/Task 1:

§ Payment will be a fixed price in the amount of 100% of the grant award. The Grantee will have at least one library, branch library or member library open 40 hours or more each week.

2. **Length of Agreement.** This Agreement shall begin the date the agreement is signed by both the Grantee's Governing Body and the Division and continue until all grant funds have been expended, unless terminated in accordance with the provisions of Section 28 of this Agreement.
3. **Expenditure of Grant Funds.** The Grantee cannot obligate or expend any grant funds before the Agreement has been signed by all parties. No costs incurred after termination of the Agreement shall be allowed unless specifically authorized by the Division.
4. **Contract Administration.** The parties are legally bound by the requirements of this agreement. Each party's contract manager, named below, will be responsible for monitoring its performance under this Agreement and will be the official contact for each party. Any notice(s) or other communications in regard to this agreement shall be directed to or delivered to the other party's contract manager by utilizing the information below. Any change in the contact information below should be submitted in writing to the contract manager within 10 days of the change.

**For the Division of Library and Information Services:**

Marian Deeney, Library Program Administrator  
Florida Department of State  
R.A. Gray Building  
Mail Station # 9D  
500 South Bronough Street  
Tallahassee, Florida 32399  
Phone: 850.245.6620  
Facsimile: 850.245.6643  
Email: marian.deeney@dos.myflorida.com

**For the Grantee:**

Vickie Joslin, Head Librarian  
15 North M Street  
Lake Worth, Florida 33460  
Phone: (561) 533-7354  
Facsimile:  
Email: vjoslin@lakeworth.org

5. **Grant Payments.** The total grant award shall not exceed the amount specified on the “Fiscal Year 2016-2017 State Aid to Libraries Final Grants” document (Attachment B), which shall be paid by the Division in consideration for the Grantee’s minimum performance as set forth by the terms and conditions of this Agreement. Payment will be a fixed price in the amount of 100% of the grant award as specified in Attachment B. Payment will be made in accordance with the completion of the Deliverables.
6. **Electronic Payments.** The Grantee can choose to use electronic funds transfer (EFT) to receive grant payments. All grantees wishing to receive their award through EFT must submit a Vendor Direct Deposit Authorization form to the Florida Department of Financial Services. If EFT has already been set up for your organization, you do not need to submit another authorization form unless you have changed bank accounts. To download this form visit [myfloridacfo.com/Division/AA/Forms/DFS-A1-26E.pdf](http://myfloridacfo.com/Division/AA/Forms/DFS-A1-26E.pdf). The form also includes tools and information that allow you to check on payments.
7. **Florida Substitute Form W-9.** A completed Substitute Form W-9 is required from any entity that receives a payment from the State of Florida that may be subject to 1099 reporting. The Department of Financial Services (DFS) must have the correct Taxpayer Identification Number (TIN) and other related information in order to report accurate tax information to the Internal Revenue Service (IRS). To register or access a Florida Substitute Form W-9 visit [flvendor.myfloridacfo.com/](http://flvendor.myfloridacfo.com/). **A copy of the Grantee’s Florida Substitute Form W-9 must be submitted by the Grantee to the Division with the executed Agreement.**
8. **Financial Consequences.** The Department shall apply the following financial consequences for failure to perform the minimum level of services required by this Agreement in accordance with Sections 215.971 and 287.058, *Florida Statutes*:

Should the library fail to provide free library service to the public or to be open for at least 40 hours per week, it will no longer be eligible to receive State Aid to Libraries grant funding, and its funding will be reduced to zero.

Payment will be withheld if Deliverables are not satisfactorily completed.

9. **Credit Line(s) to Acknowledge Grant Funding.** The Division requires public acknowledgement of State Aid to Libraries Grant funding for activities and publications supported by grant funds. Any announcements, information, press releases, publications, brochures, videos, web pages, programs, etc. created as part of a State Aid to Libraries Grant project must include an acknowledgment that State Aid to Libraries Grant funds were used to create them.

Use the following text:

“This project has been funded under the provisions of the State Aid to Libraries Grant program, administered by the Florida Department of State’s Division of Library and Information Services.”

**10. Non-allowable Grant Expenditures.** The Grantee agrees to expend all grant funds received under this agreement solely for the purposes for which they were authorized and appropriated. Expenditures shall be in compliance with the state guidelines for allowable project costs as outlined in the Department of Financial Services’ Reference Guide for State Expenditures, which are available online at [myfloridacfo.com/aadir/reference\\_guide/](http://myfloridacfo.com/aadir/reference_guide/).

Grant funds may not be used for the purchase or construction of a library building or library quarters.

**11. Travel Expenses.** The Subgrantee must pay any travel expenses, from grant or local matching funds, in accordance to the provisions of Section 112.061, *Florida Statutes*.

**12. Unobligated and Unearned Funds and Allowable Costs.** In accordance with Section 215.971, *Florida Statutes*, the Grantee shall refund to the State of Florida any balance of unobligated funds which has been advanced or paid to the Grantee. In addition, funds paid in excess of the amount to which the recipient is entitled under the terms and conditions of the agreement must be refunded to the state agency. Further, the recipient may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period. Expenditures of state financial assistance must be in compliance with the laws, rules and regulations applicable to expenditures of State funds, including, but not limited to, the *Reference Guide for State Expenditures*.

**13. Repayment.** All refunds or repayments to be made to the Department under this agreement are to be made payable to the order of “Department of State” and mailed directly to the following address: Florida Department of State, Attention: Marian Deeney, Division of Library and Information Services, 500 South Bronough Street, Mail Station #9D, Tallahassee, FL 32399. In accordance with Section 215.34(2), *Florida Statutes*, if a check or other draft is returned to the Department for collection, Recipient shall pay to the Department a service fee of \$15.00 or five percent (5%) of the face amount of the returned check or draft, whichever is greater.

**14. Single Audit Act.** Each grantee, other than a grantee that is a State agency, shall submit to an audit pursuant to Section 215.97, *Florida Statutes*. See Attachment A for additional information regarding this requirement. If a Grantee is not required by law to conduct an audit in accordance with the Florida Single Audit Act because it did not expend at least \$500,000 in state financial assistance, it must submit a Financial Report on its operations pursuant to Section 257.41(3), *Florida Statutes* within nine months of the close of its fiscal year.

**15. Retention of Accounting Records.** Financial records, supporting documents, statistical records and all other records, including electronic storage media pertinent to the Project, shall be retained for a period of five (5) fiscal years after the close out of the grant and release of the audit. If any litigation or audit is initiated or claim made before the expiration of the five-

year period, the records shall be retained for five fiscal years after the litigation, audit or claim has been resolved.

**16. Obligation to Provide State Access to Grant Records.** The Grantee must make all grant records of expenditures, copies of reports, books, and related documentation available to the Division or a duly authorized representative of the State of Florida for inspection at reasonable times for the purpose of making audits, examinations, excerpts and transcripts.

**17. Obligation to Provide Public Access to Grant Records.** The Division reserves the right to unilaterally cancel this Agreement in the event that the Grantee refuses public access to all documents or other materials made or received by the Grantee that are subject to the provisions of Chapter 119, *Florida Statutes*, known as the *Florida Public Records Act*. The Grantee must immediately contact the Division's Contract Manager for assistance if it receives a public records request related to this Agreement.

**18. Noncompliance.** Any Grantee that is not following Florida statutes or rules, the terms of the grant agreement, Florida Department of State policies and guidance, local policies, or other applicable law or that has not submitted required reports or satisfied other administrative requirements for other Division of Library and Information Services grants or grants from any other Office of Cultural, Historical, and Information Programs (OCHIP) Division will be in noncompliance status and subject to the OCHIP Grants Compliance Procedure. OCHIP Divisions include the Division of Cultural Affairs, the Division of Historical Resources, and the Division of Library and Information Services. Grant compliance issues must be resolved before a grant award agreement may be executed and before grant payments for any OCHIP grant may be released.

**19. Accounting Requirements.** The Grantee must maintain an accounting system that provides a complete record of the use of all grant funds as follows:

- a) The accounting system must be able to specifically identify and provide audit trails that trace the receipt, maintenance and expenditure of state funds;
- b) Accounting records must adequately identify the sources and application of funds for all grant activities and must classify and identify grant funds by using the same budget categories that were approved in the grant application. If Grantee's accounting system accumulates data in a different format than the one in the grant application, subsidiary records must document and reconcile the amounts shown in the Grantee's accounting records to those amounts reported to the Division;
- c) An interest-bearing checking account or accounts in a state or federally chartered institution may be used for revenues and expenses described in the Scope of Work and detailed in the Estimated Project Budget;
- d) The name of the account(s) must include the grant award number;

- e) The Grantee's accounting records must have effective control over and accountability for all funds, property and other assets; and
- f) Accounting records must be supported by source documentation and be in sufficient detail to allow for a proper pre-audit and post-audit (such as invoices, bills and canceled checks).

**20. Availability of State Funds.** The State of Florida's performance and obligation to pay under this Agreement are contingent upon an annual appropriation by the Florida Legislature. In the event that the state funds upon which this Agreement is dependent are withdrawn, this Agreement will be automatically terminated and the Division shall have no further liability to the Grantee beyond those amounts already expended prior to the termination date. Such termination will not affect the responsibility of the Grantee under this Agreement as to those funds previously distributed. In the event of a state revenue shortfall, the total grant may be reduced accordingly.

**21. Lobbying.** The Subgrantee will not use any grant funds for lobbying the state legislature, the state judicial branch or any state agency.

**22. Independent Contractor Status of Grantee.** The Grantee, if not a state agency, agrees that its officers, agents and employees, in performance of this Agreement, shall act in the capacity of independent contractors and not as officers, agents or employees of the state. The Grantee is not entitled to accrue any benefits of state employment, including retirement benefits and any other rights or privileges connected with employment by the State of Florida.

**23. Grantee's Subcontractors.** The Grantee shall be responsible for all work performed and all expenses incurred in connection with this Agreement. The Grantee may subcontract, as necessary, to perform the services and to provide commodities required by this Agreement. The Division shall not be liable to any subcontractor(s) for any expenses or liabilities incurred under the Grantee's subcontract(s), and the Grantee shall be solely liable to its subcontractor(s) for all expenses and liabilities incurred under its subcontract(s). The Grantee must take the necessary steps to ensure that each of its subcontractors will be deemed to be independent contractors and will not be considered or permitted to be agents, servants, joint venturers or partners of the Division.

**24. Liability.** The Division will not assume any liability for the acts, omissions to act or negligence of the Grantee, its agents, servants or employees; nor may the Grantee exclude liability for its own acts, omissions to act or negligence to the Division.

- a) The Grantee shall be responsible for claims of any nature, including but not limited to injury, death and property damage arising out of activities related to this Agreement by the Grantee, its agents, servants, employees and subcontractors. The Grantee shall indemnify and hold the Division harmless from any and all claims of any nature and shall investigate all such claims at its own expense. If the Grantee is governed by Section 768.28, *Florida Statutes*, it shall only be obligated in accordance with that Section.

- b) Neither the state nor any agency or subdivision of the state waives any defense of sovereign immunity or increases the limits of its liability by entering into this Agreement.
- c) The Division shall not be liable for attorney fees, interest, late charges or service fees, or cost of collection related to this Agreement.
- d) The Grantee shall be responsible for all work performed and all expenses incurred in connection with the project. The Grantee may subcontract as necessary to perform the services set forth in this Agreement, including entering into subcontracts with vendors for services and commodities, provided that such subcontract has been approved in writing by the Department prior to its execution and provided that it is understood by the Grantee that the Department shall not be liable to the subcontractor for any expenses or liabilities incurred under the subcontract and that the Grantee shall be solely liable to the subcontractor for all expenses and liabilities incurred under the subcontract.

**25. Strict Compliance with Laws.** The Grantee shall perform all acts required by this Agreement in strict conformity with all applicable laws and regulations of the local, state and federal law. For consequences of noncompliance, see Section 19 18, Noncompliance.

**26. No Discrimination.** The Grantee may not discriminate against any employee employed under this Agreement or against any applicant for employment because of race, color, religion, gender, national origin, age, handicap or marital status. The Grantee shall insert a similar provision in all of its subcontracts for services under this Agreement.

**27. Breach of Agreement.** The Division will demand the return of grant funds already received, will withhold subsequent payments and/or will terminate this agreement if the Grantee improperly expends and manages grant funds; fails to prepare, preserve or surrender records required by this Agreement; or otherwise violates this Agreement.

**28. Termination of Agreement.** The Division will terminate or end this Agreement if the Grantee fails to fulfill its obligations herein. In such event, the Division will provide the Grantee a notice of its violation by letter and shall give the Grantee fifteen (15) calendar days from the date of receipt to cure its violation. If the violation is not cured within the stated period, the Division will terminate this Agreement. The notice of violation letter shall be delivered to the Grantee's Contract Manager, personally, or mailed to his/her specified address by a method that provides proof of receipt. In the event that the Division terminates this Agreement, the Grantee will be compensated for any work completed in accordance with this Agreement prior to the notification of termination if the Division deems this reasonable under the circumstances. Grant funds previously advanced and not expended on work completed in accordance with this Agreement shall be returned to the Division, with interest, within thirty (30) days after termination of this Agreement. The Division does not waive any of its rights to additional damages if grant funds are returned under this Section.

**29. Preservation of Remedies.** No delay or omission to exercise any right, power or remedy accruing to either party upon breach or violation by either party under this Agreement shall

impair any such right, power or remedy of either party; nor shall such delay or omission be construed as a waiver of any such breach or default or any similar breach or default.

**30. Non-Assignment of Agreement.** The Grantee may not assign, sublicense or otherwise transfer its rights, duties or obligations under this Agreement without the prior written consent of the Division, which shall not unreasonably be withheld. The agreement transferee must demonstrate compliance with the requirements of the project. If the Division approves a transfer of the Grantee's obligations, the Grantee shall remain liable for all work performed and all expenses incurred in connection with this Agreement. In the event the Legislature transfers the rights, duties and obligations of the Division to another governmental entity, pursuant to Section 20.06, *Florida Statutes* or otherwise, the rights, duties and obligations under this Agreement shall be transferred to the succeeding governmental agency as if it was the original party to this Agreement.

**31. Required Procurement Procedures for Obtaining Goods and Services.** The Grantee shall provide maximum open competition when procuring goods and services related to the grant-assisted project in accordance with Section 287.057, *Florida Statutes*.

- a) Procurement of Goods and Services Not Exceeding \$35,000. The Grantee must use the applicable procurement method described below:
  1. Purchases Up to \$2,500: Procurement of goods and services where individual purchases do not exceed \$2,500 do not require competition and may be conducted at the Grantee's discretion.
  2. Purchases or Contract Amounts Between \$2,500 and \$35,000: Goods and services costing between \$2,500 and \$35,000 require informal competition and may be procured by purchase order, acceptance of vendor proposals or other appropriate procurement document.
- b) Procurement of Goods and Services Exceeding \$35,000. Goods and services costing over \$35,000 may be procured by either Formal Invitation to Bid, Request for Proposals or Invitation to Negotiate and may be procured by purchase order, acceptance of vendor proposals or other appropriate procurement document.

**32. Conflicts of Interest.** The Grantee hereby certifies that it is cognizant of the prohibition of conflicts of interest described in Sections 112.311 through 112.326, *Florida Statutes* and affirms that it will not enter into or maintain a business or other relationship with any employee of the Department of State that would violate those provisions. The Grantee further agrees to seek authorization from the General Counsel for the Department of State prior to entering into any business or other relationship with a Department of State Employee to avoid a potential violation of those statutes.

**33. Binding of Successors.** This Agreement shall bind the successors, assigns and legal representatives of the Grantee and of any legal entity that succeeds to the obligations of the Division of Library and Information Services.

**34. Employment of Unauthorized Aliens.** The employment of unauthorized aliens by the Grantee is considered a violation of Section 274A (a) of the Immigration and Nationality Act. If the Grantee knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of this Agreement.

**35. Severability.** If any term or provision of the Agreement is found to be illegal and unenforceable, the remainder will remain in full force and effect, and such term or provision shall be deemed stricken.

**36. Americans with Disabilities Act.** All programs and facilities related to this Agreement must meet the standards of Sections 553.501-553.513, *Florida Statutes* and the Americans with Disabilities Act of 1990.

**37. Governing Law.** This Agreement shall be construed, performed and enforced in all respects in accordance with the laws and rules of Florida. Venue or location for any legal action arising under this Agreement will be in Leon County, Florida.

**38. Entire Agreement.** The entire Agreement of the parties consists of the following documents:

- a) This Agreement
- b) Florida Single Audit Act Requirements (Attachment A)
- c) Fiscal Year 2016-2017 State Aid to Libraries Final Grants (Attachment B)

**The Grantee hereby certifies that they have read this entire Agreement and will comply with all of its requirements.**

Date of Agreement: \_\_\_\_\_

Grantee: \_\_\_\_\_

By: \_\_\_\_\_

Chair of Governing Body or  
Chief Executive Officer

\_\_\_\_\_  
Typed name and title

\_\_\_\_\_  
Clerk or Chief Financial Officer

\_\_\_\_\_  
Typed name and title

\_\_\_\_\_  
Date

Department of State:

By: \_\_\_\_\_

\_\_\_\_\_  
Typed name and title

\_\_\_\_\_  
Witness

**ATTACHMENT A**  
**FLORIDA SINGLE AUDIT ACT REQUIREMENTS**

**AUDIT REQUIREMENTS**

The administration of resources awarded by the Department of State to the Grantee may be subject to audits and/or monitoring by the Department of State as described in this Addendum to the Grant Agreement.

**MONITORING**

In addition to reviews of audits conducted in accordance with OMB Circular A-133 and Section 215.97, F.S., as revised (see “AUDITS” below), monitoring procedures may include, but not be limited to, on-site visits by Department of State staff, limited scope audits as defined by OMB Circular A-133, as revised, and/or other procedures. By entering into this agreement, the Recipient agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Department of State.” In the event the Department of State determines that a limited scope audit of the Recipient is appropriate, the Recipient agrees to comply with any additional instructions provided by the Department of State staff to the Recipient regarding such audit. The Recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer (CFO) or Auditor General.

**AUDITS**

**PART I: FEDERALLY FUNDED**

This part is applicable if the Recipient is a State or local government or a non-profit organization as defined in OMB Circular A-133, as revised.

1. In the event that the Recipient expends \$300,000 (*\$500,000 for fiscal years ending after December 31, 2003*) or more in Federal awards in its fiscal year, the Recipient must have a single or program-specific audit conducted in accordance with the provisions of OMB Circular A-133, as revised. EXHIBIT 1 to this agreement indicates Federal resources awarded through the Department of State by this agreement. In determining the Federal awards expended in its fiscal year, the Recipient shall consider all sources of Federal awards, including Federal resources received from the Department of State. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by OMB Circular A-133, as revised. An audit of the Recipient conducted by the Auditor General in accordance with the provisions OMB Circular A-133, as revised, will meet the requirements of this part.
2. In connection with the audit requirements addressed in Part I, paragraph 1, the Recipient shall fulfill the requirements relative to auditee responsibilities as provided in Subpart C of OMB Circular A-133, as revised.
3. If the Recipient expends less than \$300,000 (*\$500,000 for fiscal years ending after December 31, 2003*) in Federal awards in its fiscal year, an audit conducted in accordance with the provisions of OMB Circular A-133, as revised, is not required. In the event that the Recipient expends less than \$300,000 (*\$500,000 for fiscal years ending after December 31, 2003*) in Federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of OMB Circular A-133, as revised, the cost of the audit must be paid from non-Federal resources (i.e., the cost of such an audit must be paid from Recipient resources obtained from other than Federal entities).

## **PART II: STATE FUNDED**

This part is applicable if the Recipient is a nonstate entity as defined by Section 215.97(2), Florida Statutes.

1. In the event that the Recipient expends a total amount of state financial assistance equal to or in excess of \$500,000 in any fiscal year of such Recipient (for fiscal years ending September 30, 2004 or thereafter), the Recipient must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Department of Financial Services; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. EXHIBIT 1 to this agreement indicates state financial assistance awarded through the Department of State by this agreement. In determining the state financial assistance expended in its fiscal year, the Recipient shall consider all sources of state financial assistance, including state financial assistance received from the Department of State, other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.
2. In connection with the audit requirements addressed in Part II, paragraph 1, the Recipient shall ensure that the audit complies with the requirements of Section 215.97(8), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.
3. If the Recipient expends less than \$500,000 in state financial assistance in its fiscal year (for fiscal years ending September 30, 2004 or thereafter), an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. In the event that the Recipient expends less than \$500,000 in state financial assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the nonstate entity's resources (i.e., the cost of such an audit must be paid from the Recipient's resources obtained from other than State entities).

The Internet web addresses listed below will assist recipients in locating documents referenced in the text of this agreement and the interpretation of compliance issues.

State of Florida Department Financial Services (Chief Financial Officer)

[www.fldfs.com/](http://www.fldfs.com/)

State of Florida Legislature (Statutes, Legislation relating to the Florida Single Audit Act)

[www.leg.state.fl.us/](http://www.leg.state.fl.us/)

### **PART III: REPORT SUBMISSION**

1. Copies of reporting packages for audits conducted in accordance with OMB Circular A-133, as revised, and required by PART I of this agreement shall be submitted, when required by Section 320 (d), OMB Circular A-133, as revised, by or on behalf of the Recipient directly to each of the following:
  - A. The Department of State at each of the following addresses:

Department of State  
Office of Inspector General  
R.A. Gray Building, Room 114A  
500 S. Bronough St.  
Tallahassee, FL 32399-0250
  - B. The Federal Audit Clearinghouse designated in OMB Circular A-133, as revised (the number of copies required by Sections .320 (d)(1) and (2), OMB Circular A-133, as revised, should be submitted to the Federal Audit Clearinghouse), at the following address:

Federal Audit Clearinghouse  
Bureau of the Census  
1201 East 10<sup>th</sup> Street  
Jeffersonville, IN 47132
  - C. Other Federal agencies and pass-through entities in accordance with Sections .320 (e) and (f), OMB Circular A-133, as revised.
2. In the event that a copy of the reporting package for an audit required by PART I of this agreement and conducted in accordance with OMB Circular A-133, as revised, is not required to be submitted to the Department of State for the reasons pursuant to Section .320 (e)(2), OMB Circular A-133, as revised, the Recipient shall submit the required written notification pursuant to Section .320 (e)(2) and a copy of the Recipient's audited schedule of expenditures of Federal awards directly to each of the following:

Department of State  
Office of Inspector General  
R.A. Gray Building, Room 114A  
500 S. Bronough St.  
Tallahassee, FL 32399-0250
3. Copies of financial reporting packages required by PART II of this agreement shall be submitted by or on behalf of the Recipient directly to each of the following:
  - A. The Department of State at each of the following addresses:

Department of State  
Office of Inspector General  
R.A. Gray Building, Room 114A  
500 S. Bronough St.  
Tallahassee, FL 32399-0250

B. The Auditor General's Office at the following address:

Auditor General's Office  
Room 401, Pepper Building  
111 West Madison Street  
Tallahassee, Florida 32399-1450

4. Any reports, management letter, or other information required to be submitted to the Department of State pursuant to this agreement shall be submitted timely in accordance with OMB Circular A-133, Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.
5. Recipients, when submitting financial reporting packages to the Department of State for audits done in accordance with OMB Circular A-133 or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the Recipient in correspondence accompanying the reporting package.

#### **PART IV: RECORD RETENTION**

1. The Recipient shall retain sufficient records demonstrating its compliance with the terms of this agreement for a period of 5 years from the date the audit report is issued, and shall allow the Department of State, or its designee, CFO, or Auditor General access to such records upon request. The Recipient shall ensure that audit working papers are made available to the Department of State, or its designee, CFO, or Auditor General upon request for a period of 3 years from the date the audit report is issued, unless extended in writing by the Department of State. *NOTE: Records need to be retained for at least five years to comply with record retention requirements related to original vouchers prescribed by the Department of State, Division of Library and Information Services, Bureau of Archives and Records Management.*

## **EXHIBIT 1**

FEDERAL RESOURCES AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

Not Applicable.

COMPLIANCE REQUIREMENTS APPLICABLE TO THE FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

Not Applicable.

MATCHING RESOURCES FOR FEDERAL PROGRAMS:

Not Applicable.

STATE RESOURCES AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

SUBJECT TO SECTION 215.97, *FLORIDA STATUTES*:

Florida Department of State, State Aid to Library Grants, CSFA Number 45.030

Award Amount: Listed on Attachment B, Fiscal Year 2016-2017 State Aid to Libraries Final Grants

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

As contained in the Compliance Supplement to CSFA Number 45.030.

## **ATTACHMENT B**

[Fiscal Year 2016-2017 State Aid to Libraries Final Grants]

**Fiscal Year 2016-17 State Aid to Libraries  
Estimated Grants**

COUNTY/MUNICIPALITY	OPERATING GRANT	EQUALIZATION GRANT	TOTAL GRANT
ALACHUA	\$461,780		\$461,780
BAKER	\$4,039	\$48,057	\$52,097
BAY	\$61,899		\$61,899
BRADFORD	\$14,093	\$334,551	\$348,643
BREVARD	\$428,084		\$428,084
BROWARD	\$1,586,744		\$1,586,744
CALHOUN	\$8,400	\$201,667	\$210,066
CHARLOTTE	\$120,289		\$120,289
CITRUS	\$87,880		\$87,880
CLAY	\$71,967		\$71,967
COLLIER	\$222,978		\$222,978
COLUMBIA	\$27,224	\$560,047	\$587,272
DESOTO	\$5,202	\$60,906	\$66,107
DIXIE	\$3,184	\$38,114	\$41,298
DUVAL / JACKSONVILLE	\$872,672		\$872,672
ESCAMBIA	\$139,593		\$139,593
FLAGLER	\$29,946		\$29,946
FRANKLIN	\$6,384	\$74,413	\$80,797
GADSDEN	\$14,219	\$333,729	\$347,948
GILCHRIST	\$2,840	\$33,923	\$36,763
GLADES	\$1,492	\$17,839	\$19,331
GULF	\$4,432	\$51,933	\$56,366
HAMILTON	\$10,651	\$253,369	\$264,019
HARDEE	\$5,981	\$69,904	\$75,886
HENDRY	\$14,451	\$167,595	\$182,046
HERNANDO	\$65,194	\$560,047	\$625,241
HIGHLANDS	\$19,739	\$212,682	\$232,420
HILLSBOROUGH *	\$1,023,708		\$1,023,708
HOLMES	\$3,101	\$37,183	\$40,284
INDIAN RIVER	\$98,101		\$98,101
JACKSON	\$10,159	\$118,892	\$129,050
JEFFERSON	\$5,581	\$133,359	\$138,940
LAFAYETTE	\$3,652	\$87,972	\$91,624
LAKE	\$193,737		\$193,737
LEE	\$725,991		\$725,991

<b>COUNTY/MUNICIPALITY</b>	<b>OPERATING GRANT</b>	<b>EQUALIZATION GRANT</b>	<b>TOTAL GRANT</b>
<b>LEON</b>	\$182,831		\$182,831
<b>LEVY</b>	\$9,136	\$106,439	\$115,574
<b>LIBERTY</b>	\$2,294	\$55,299	\$57,593
<b>MADISON</b>	\$12,616	\$300,965	\$313,581
<b>MANATEE</b>	\$187,582		\$187,582
<b>MARION</b>	\$155,877		\$155,877
<b>MARTIN</b>	\$112,922		\$112,922
<b>MIAMI-DADE</b>	\$1,385,575		\$1,385,575
<b>MONROE</b>	\$80,449		\$80,449
<b>NASSAU</b>	\$28,517		\$28,517
<b>OKALOOSA</b>	\$19,599		\$19,599
<b>OKEECHOBEE</b>	\$7,988	\$93,221	\$101,210
<b>ORANGE</b>	\$986,676		\$986,676
<b>OSCEOLA</b>	\$183,512		\$183,512
<b>PALM BEACH</b>	\$1,172,663		\$1,172,663
<b>PASCO</b>	\$159,389		\$159,389
<b>PINELLAS</b>	\$809,423		\$809,423
<b>POLK</b>	\$303,488		\$303,488
<b>PUTNAM</b>	\$20,767	\$231,506	\$252,272
<b>SAINT JOHNS</b>	\$163,788		\$163,788
<b>SAINT LUCIE</b>	\$97,846		\$97,846
<b>SANTA ROSA</b>	\$56,734		\$56,734
<b>SARASOTA</b>	\$291,605		\$291,605
<b>SEMINOLE</b>	\$128,318		\$128,318
<b>SUMTER</b>	\$66,877	\$114,721	\$181,598
<b>SUWANNEE</b>	\$30,101	\$560,047	\$590,149
<b>TAYLOR</b>	\$6,356	\$74,724	\$81,080
<b>UNION</b>	\$3,461	\$83,386	\$86,846
<b>VOLUSIA</b>	\$448,648		\$448,648
<b>WAKULLA</b>	\$6,717	\$79,353	\$86,070
<b>WALTON</b>	\$22,339		\$22,339
<b>WASHINGTON</b>	\$8,511	\$202,122	\$210,633

COUNTY/MUNICIPALITY	OPERATING GRANT	EQUALIZATION GRANT	TOTAL GRANT
<b>ALTAMONTE SPRINGS</b>	\$12,082		\$12,082
<b>BOYNTON BEACH</b>	\$71,243		\$71,243
<b>DELRAY BEACH</b>	\$63,080		\$63,080
<b>FORT MYERS BEACH</b>	\$32,892		\$32,892
<b>HIALEAH</b>	\$46,329		\$46,329
<b>LAKE PARK</b>	\$7,196		\$7,196
<b>LAKE WORTH</b>	\$13,394		\$13,394
<b>LANTANA</b>	\$4,315		\$4,315
<b>MAITLAND</b>	\$16,681		\$16,681
<b>NEW PORT RICHEY</b>	\$32,898		\$32,898
<b>NORTH MIAMI</b>	\$26,109		\$26,109
<b>NORTH MIAMI BEACH</b>	\$19,374		\$19,374
<b>NORTH PALM BEACH</b>	\$21,141		\$21,141
<b>OAKLAND PARK</b>	\$17,081		\$17,081
<b>PALM SPRINGS</b>	\$21,141		\$21,141
<b>RIVIERA BEACH</b>	\$21,776		\$21,776
<b>SANIBEL</b>	\$52,665		\$52,665
<b>WEST PALM BEACH</b>	\$114,585		\$114,585
<b>WILTON MANORS</b>	\$19,848		\$19,848
<b>WINTER PARK</b>	\$80,146		\$80,146
<b>Total</b>	\$14,201,968	\$5,297,964	\$19,499,932
<b>Multicounty Grants</b>			
<b>HEARTLAND LIBRARY COOPERATIVE</b>			\$450,000
<b>NEW RIVER PUBLIC LIBRARY COOPERATIVE</b>			\$325,061
<b>NORTHWEST REGIONAL LIBRARY SYSTEM</b>			\$350,000
<b>PAL PUBLIC LIBRARY COOPERATIVE</b>			\$350,000
<b>PANHANDLE PUBLIC LIBRARY COOPERATIVE **</b>			\$325,293
<b>SUWANNEE RIVER REGIONAL LIBRARY SYSTEM</b>			\$350,000
<b>THREE RIVERS REGIONAL LIBRARY SYSTEM</b>			\$333,601
<b>WILDERNESS COAST PUBLIC LIBRARIES</b>			\$314,946
<b>Total</b>			\$2,798,902
<b>Grand Total</b>			\$22,298,834

\* Temple Terrace is expected to receive funding as a part of the Hillsborough County Library Cooperative.

\*\* In FY 2015-16, the Panhandle Public Library Cooperative had four member libraries. In FY2016-17, they will have three member libraries.



**AGENDA DATE:** August 16, 2016, Regular Meeting

**DEPARTMENT:** Leisure Services

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**EXECUTIVE BRIEF**

**TITLE:**

Lake Worth Public Library Annual Plan of Service for Fiscal Year 2016-2017

**SUMMARY:**

The Annual Plan of Service for Fiscal Year 2016-2017 describes the operation and services to be provided by the Lake Worth Public Library.

**BACKGROUND AND JUSTIFICATION:**

As a condition of the grant agreement between the Florida Department of State, Division of Library Services and Information Services (“Division”) and the City for an estimated \$13,394 in funding under the Fiscal Year 2016-2017 State Aid to Libraries Program, the City must submit an Annual Plan of Service for Fiscal Year 2016-2017 that includes the goals, objectives and activities that will be supported by the Lake Worth Public Library for the application year. This plans must be approved by the City Commission as the Library’s governing body.

The funding received under the Fiscal Year 2016-2017 State Aid to Libraries Program will be used to assist with the operation and maintenance of the Lake Worth Public Library. The initial phase of this process includes submission of the grant agreement certifying the expenditure of local funds under a single administrative head for the operation and maintenance of its Public Library during previous fiscal years, along with the aforementioned plan of service and requisite forms and certifications to the Division by its prescribed deadline of October 1, 2016. No match is required from the City for these funds.

**MOTION:**

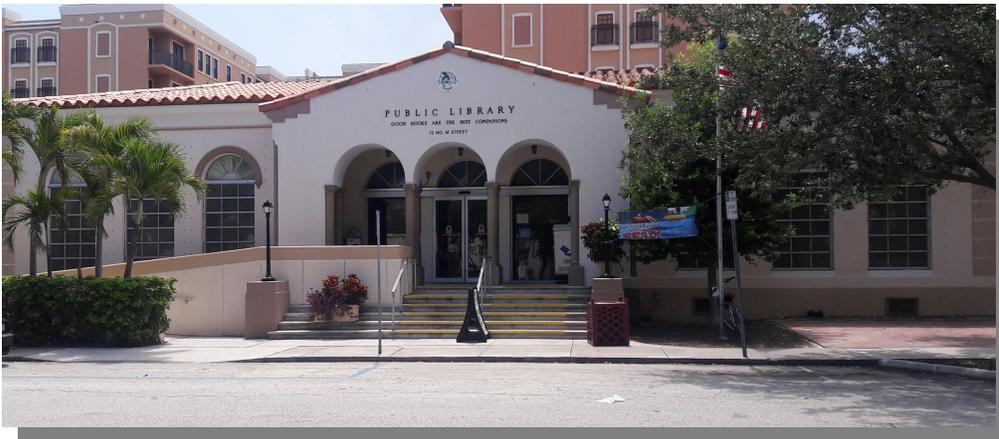
I move to approve/not approve the Annual Plan of Service for Fiscal for Fiscal Year 2016-2017.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Annual Plan of Service for FY 2016-2017



# *Lake Worth Public Library*



## **ANNUAL PLAN OF SERVICE Fiscal Year 2016 - 2017**

## Table of Contents

Mission Statement.....	2
Core Processes.....	2
I. Children’s Services.....	3
II. Adult Services.....	4
III. Circulation and Reference Services .....	4
IV. Support/Technical Services.....	5
VI. Administrative/Professional Services.....	5
VII. Support to City Departments .....	6
New Initiatives .....	<b>Error! Bookmark not defined.</b>
Goals and Objectives .....	6

## **Mission Statement:**

The library provides free access to information, resources, programs and technology to meet Lake Worth citizen's needs for recreational reading, research, Internet access, e-government services, cultural activities and lifelong learning.

## **Core Processes:**

The Lake Worth Library provides free access to information, resources, programs and technology to meet Lake Worth citizen's needs for Internet access, recreational reading, cultural activities and lifelong learning. The library does this through its circulation, reference, cataloging, children's services and administration. Library Staff work with the Library Board, Friends of the Library, the greater Lake Worth community and other City of Lake Worth Departments to ensure the best possible service to the citizens of Lake Worth.

In the coming year the Library will continue its 40 service week and focus on our core services (materials, reference service, and educational programs) to children, teens, and adults. The Library will continue to use technology in new ways to expand the resources available to the community. E-government services such as filing for unemployment or food stamps, job searching and online employment applications, and registering for INS services will continue to be an important part of library service. The Library will also seek to add afterschool activities and events for children.

Providing programs, especially children and teen programs, is not an inexpensive undertaking. The Library will continue to work closely with the Friends of the Library on funding for special programs and will be investigating any grant opportunities that may be available. In the past, the Friends have generously funded equipment purchases, program expenses, and Summer Reading Program projects and their commitment to the Library remains strong. The Library will continue to work closely with the other partners in the Leisure Services Department to combine program opportunities between units. Work with community groups and organizations to enhance services and funding for the library.

### ***I. Children's Services***

The primary goal of children's services is to encourage lifelong learning by providing programs and services that foster a love of reading and establish the practice of using the library. This will be accomplished by:

1. Provide programs for pre-school age children to help young patrons develop important skills and teach parents the importance of reading to their children from the earliest ages

2. Provide programs for middle school students to help them expand their reading skills and establish independent reading habits
3. Expand collections for Young Adults in several formats and provide programs to encourage them to share reading experiences
4. Continue outreach programs to local day care centers, and classes to help children develop listening skills
5. Continue to develop Spanish-language story-times.
6. Provide a quality Summer Reading Program that helps children maintain their reading skills over vacation
7. Provide reference and homework assistance at appropriate levels

## **II. Adult Services**

The primary goal of adult services is to provide for the information and recreational reading needs of the citizens of our service area. This will be accomplished by:

1. Providing a wide assortment of current materials in print, visual, and audio formats
2. Providing reader's advisory service to patrons
3. Providing efficient reference service via print, online databases, and Internet sources
4. Providing materials on controversial subjects that represent differing points of view
5. Continue empowerment of patrons by providing training for computer programs and for Internet searching
6. Host series of author appearances and informational seminars/workshops
7. Make additional downloadable e-book resources available to patrons

## **III. Circulation and Reference Services**

The primary goal of circulation services is to provide efficient, customer-friendly service to allow patrons to check out and reserve materials. The goal of reference service is to locate information for patrons or enable them to acquire the skills to find information for themselves. This will be accomplished by:

1. Develop additional online services for patrons (e.g. additional e-books and resources) to complement online renewals, reserves of materials, and interlibrary loan options
2. Provide a friendly, non-threatening atmosphere for all patrons
3. Increase patron registration from all eligible service areas in the City and the Library Cooperative
4. Actively solicit suggestions for library materials from patrons
5. Teach customers in use of library databases

6. Consider expansion of online resources and e-books when financially possible to expand collection within space limitations

#### **IV. Support/Technical Services**

The primary goal of support services is to acquire, process and maintain materials for patron use and physically maintain the library environment. This will be accomplished by:

1. Provide adequate numbers of materials in a timely manner to meet patron demand
2. Provide materials in a variety of formats including Large Print, audio, DVD, and e-book to address all customer's individual needs
3. Catalog materials and prepare them for patron use within shortest time frame possible
4. Preserve and restore damaged materials on-site or through bindery services
5. Expand use of online ordering whenever possible to expedite delivery of materials

#### **VI. Administrative/Professional Services**

The purpose of administrative and professional services is to study, recommend and implement new policies, procedures, and technologies to provide more efficient quality service to patrons. This will be accomplished by:

1. Direct operation of library to fulfill policy direction of Commission and City Manager
2. Work with Library Advisory Board on long-range planning
3. Lead update of library policies and procedures to insure they are customer centered
4. Ensure relevant staff training and educational opportunities
5. Coordinate functions of library service, library programs, and library personnel
6. Seek cost-effective ways to expand library services to patrons
7. Investigate new technologies that expand or enhance library service to patrons
8. Empower staff to develop ideas to improve customer service
9. Serve as liaison to the Friends of the Library and the Library Advisory Board
10. Participate in activities related to the Library Cooperative of the Palm Beaches including joint planning, cooperative resource sharing, and joint programs
11. Remain aware of government trends and economic issues that impact library services and report as indicated to City Manager and Library Board
12. Continue policies to provide opportunities for students to perform Community Service hours
13. Participate in Florida Library Association to address statewide issues

## **VII. Support to City Departments**

1. Provide reference information needed by departments in course of their work
2. Circulate lists of resources library makes available to other departments
3. Provide training in computer applications for department staff members

## **VIII. Lake Worth Historical Museum**

1. Volunteers provide access to the collections of historical significance to the community by maintaining open hours and providing tours.
2. Volunteers answers research questions relating to past events, people, and ethnic groups of the City.
3. Partner with non-profits and schools to bring groups to learn the history of the City.
4. Present programs related to City history, genealogy, and related topics.

## **New Initiatives**

1. Over the next 2 years the library will renovate the library's 1940 style restrooms.
2. Replace 1950's library furnishings to enhance the interior appeal of the library.
3. Over the next 2 years we will replace the library's 15 aging public access computers.

## **Goals and Objectives**

### **Goal # 1: Create a context for improved property values and quality of life.**

Objective: Continue to seek community partners for funding and support of library's children programming.

Objective: Working with computer partners the library will continue and expand its Early Literacy and Educational Programming with three programs

1. *1000 Books Before Kindergarten* – A program to teach parents how to read to and interact with their child to increase literacy for preschool children.
2. *Lego Technology Program* – Children will use Legos to learn and have fun building items with gears, cogs, moving parts, and even how to program small moving robots.
3. *Encouraging Literacy Through Art* – In cooperation with Community Partners the library will be bringing a book illustrator to our area to work with children.

**Goal #2: Recognize and protect our unique character.**

Objective: Work with volunteers to establish either a Friends of the Museum or a Historical Society 501c3 group to assist in the protection and preservation of the city's history.

**Goal #3: Provide effective and efficient services.**

Objective: Work with the Recreation Department to strengthen Literacy Programming at the Osborne Center and Gymnasium by developing a Reading Buddies Program and other literacy/reading based activities.



**AGENDA DATE:** August 16, 2016, Regular Meeting

**DEPARTMENT:** Leisure Services

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**EXECUTIVE BRIEF**

**TITLE:**

First Amendment to an Agreement with E.R. Bradley's Triple Crown Club L.W., LLC dba E.R. Bradley's Lagoon Saloon.

**SUMMARY:**

The Amendment provides for a 10 year agreement, increases the base rent, includes a 2% increase in years one through five, and includes vendor responsibilities.

**BACKGROUND AND JUSTIFICATION:**

On October 2<sup>nd</sup>, 2013, the City of Lake Worth awarded RFP #12-13-202 to ER Bradley's Beach Club with the food and beverage service agreement at the Lake Worth Golf Club. Open 7 days a week from 10:00 AM until 11:00 PM, The Beach Club is operating as a fully functioning restaurant and bar, which appeals to both golfers and local residents. The restaurant has made several improvements to the facility including the addition of a 1,000 square foot outdoor deck, over fifteen (15) new T.V.'s, four (4) arcade games, pool table, indoor/outdoor sound system, and outdoor lighting.

The first amendment to the food and beverage services agreement includes: an increase in monthly base rent to \$4,500 along with a 2% increase years one through five and capped in subsequent years. The Beach Club's monthly average utilities' cost has been approximately \$4,232 which includes: electricity, water, sewer and natural gas. The term of this Services Agreement shall be for a period of ten (10) years commencing on August 3, 2016, and expiring August 3, 2025, with the option for an additional renewal period subject to the written agreement of the City and The Beach Club. The City may however terminate the Services Agreement earlier subject to the provisions of Section 11 of the Services Agreement.

The Beach Club has also agreed to retain responsibility for monthly pest control service cost to the clubhouse, janitorial services for their operating space, monthly refuse service and any repair and maintenance needed to restaurant equipment. In addition, The Beach Club is responsible for annual property tax payment for the square footage associated with their operating space. The Beach Club has agreed to provide free usage of the restaurant lounge for City monthly neighborhood association meetings along with offering a 15% discount to golfers who purchase the new Golf Course Frequent Player card that goes into effect October 1.

**MOTION:**

I move to approve/deny the First Amendment to an Agreement with E.R. Bradley's Triple Crown Club L.W., LLC dba E.R. Bradley's Lagoon Saloon.

**ATTACHMENT(S):**

Fiscal Impact Analysis  
First Amendment  
Utilities Consumption  
Sketch

**FISCAL IMPACT ANALYSIS:**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2016	2017	2018
Capital Expenditures	0	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	45,000	54,000	55,080	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	0	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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

The revenues are recorded and accounted for in account # 404-0000-347-35-90 (Golf Fund).

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

**FIRST AMENDMENT TO FOOD AND BEVERAGE SERVICES AGREEMENT  
BETWEEN CITY OF LAKE WORTH AND E.R. BRADLEYS TRIPLE CROWN CLUB  
L.W., LLC, D/B/A E.R. BRADLEY'S LAGOON SALOON**

THIS FIRST AMENDMENT ("Amendment") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, between the City of Lake Worth, Florida, a municipal corporation (the "CITY"), and E.R. Bradley's Triple Crown Club L.W., LLC, d/b/a E.R. Bradley's Lagoon Saloon, a Florida corporation (the "TENANT").

**RECITALS**

WHEREAS, on October 2, 2013, the CITY and TENANT entered into a Food and Beverage Services Agreement for the lease of certain space located at the Lake Worth Municipal Golf Course and to engage the TENANT to operate a full scale restaurant at the Municipal Golf Course Lagoon Bar & Grill restaurant and banquet space and food and beverage services at the golf course concession (the "Services Agreement");

WHEREAS, the CITY and TENANT desire to amend the Services Agreement to address changes to the terms and conditions of the Agreement; and,

WHEREAS, the CITY finds amending the Services Agreement as set forth herein serves a valid public purpose.

NOW THEREFORE, the CITY and TENANT, in consideration of the mutual promises herein contained and contained in the Services Agreement, the sufficiency of which is hereby acknowledged by both parties, agree to amend the Services Agreement as follows:

**1. Section 2 of the Services Agreement, entitled "TERM", is deleted and replaced with the following:**

The term of this Services Agreement shall be for a period of ten (10) years commencing from August 3, 2016 through August 3, 2026 (the "Lease Term"), with option for an additional renewal period subject to the written agreement of the CITY and TENANT. The CITY, however, may terminate the Services Agreement subject to the provisions of Section 11 of this Services Agreement.

**2. Section 7 of the Services Agreement, entitled "FEE" is amended as follows:**

**Subsection 7.1 is deleted and replaced with the following:**

7.1 For use of the CITY's facilities and other services to be provided under this Services Agreement, the TENANT will pay rent to the CITY in the amount of \$4,500 (Four Thousand Five Hundred Dollars) (in U.S. Currency) per month ("Base Rent") commencing Sept 1, 2016 (the "Rent Commencement Date"). Should the CITY require additional services not included in this Services Agreement and/or referenced in Exhibit A, fees and payments for such services will be set forth in a separate Additional Services Addendum, as authorized by the CITY prior to any such additional services being performed by the TENANT.

  
7/19/16

Base Rent shall be payable in monthly installments, in advance, beginning on the Rent Commencement Date, and continuing on the first day of every calendar month thereafter during the Lease Term. The Base Rent shall increase each year of the Lease Term based on annual changes in the CIP for Palm Beach County. However, regardless of the annual changes in the CIP for Palm Beach County, the Base Rent shall increase two percent (2%) each year for the first five (5) years of the Lease Term. Other than the annual changes in the CIP for Palm Beach County, the Base Rent shall not increase during years six (6) through ten (10) of the Lease Term. The term "Rent" when used in this Services Agreement shall include Base Rent and all forms of additional rent. All Rent shall be paid to CITY without demand, setoff, or deduction whatsoever, except as specifically provided in this Services Agreement, at CITY's Notice Address, or at such other place at the CITY shall designate in writing to the TENANT. TENANT's obligations to pay Rent are covenants independent of the CITY's obligations under this Services Agreement.

In addition, TENANT shall pay monthly to CITY any sales, use, or other tax (excluding state and federal income tax), including property taxes as set forth in Section 37, now or hereafter imposed on any Rent or additional rent due under this Services Agreement.

Unless otherwise expressly provided, all monetary obligations of TENANT to CITY under this Service Agreement, of any nature, other than Base Rent, shall be denominated as additional Rent. Except as otherwise provided, all additional rent payments are due within thirty (30) days after receipt of an approved invoice from the CITY.

**3. Section 11 of the Services Agreement, entitled "TERMINATION OF AGREEMENT" is amended as follows:**

**Subsections 11.1 and 11.2 are deleted and replaced with the following:**

11.2 If the City Manager or designee deems that the TENANT is in default of any material term of this Services Agreement, including without limitation, for failure to supply an adequate working force or service of proper quality; for failure to pay Rent or other costs; for failure to satisfactorily perform the services specified in this Service Agreement; or, for failure to maintain all required licenses and/or insurance, the City Manager or designee may give written notice to the TENANT specifying default(s) to be remedied within thirty (30) days. Such notice shall set forth the basis for any dissatisfaction and suggest corrective measures. If the TENANT does not remedy the default(s) within thirty (30) days or promptly commence steps to remedy the default(s) to the reasonable satisfaction of the City Manager or designee, the CITY may: (A) remedy the default and charge the TENANT all reasonable costs and expense associated with such remedy including, without limitation, the CITY's reasonable attorney's fees related to or arising from such remedy and/or the CITY may withhold any money due or which may become due to the TENANT under this Services Agreement; and/or, (B) the CITY may elect to terminate this Service Agreement.

**4. Section 18 of the Services Agreement, entitled "CONTRACT ALTERATIONS" is amended as follows:**

**Subsection 18.1 is deleted and replaced with the following:**

18.1 The TENANT and CITY's Golf Course Managers with the concurrence of the CITY Manager may agree in writing to minor revisions to this Services Agreement; however, any changes to the Rent or Lease Term (including any renewals) require CITY Commission approval.

**5. Section 19 of the Services Agreement, entitled "ASSIGNMENT" is amended as follows:**

**Subsection 19.1 is deleted and replaced with the following:**

19.1 Nothing under this Service Agreement shall be construed to give any rights or benefits to any party other than the CITY and the TENANT. All duties and responsibilities under this Service Agreement shall be for the sole and exclusive benefit of the CITY and the TENANT, and not for the benefit of any other party. The TENANT shall not hereafter assign any right or interest in this Service Agreement, and shall not delegate any duty owed, without the CITY's prior written consent. For purposes of this Assignment provision, an assignment occurs if Mitchell Reale hereafter sells, transfers or assigns his interest in E.R. Bradley's Triple Crown Club LW, LLC. Notwithstanding the foregoing, the CITY acknowledges that the TENANT may perform its obligations and responsibilities under this Services Agreement as E.R. Bradley's Triple Crown Club LW, LLC, d/b/a Beach Club. Changes to the TENANT's fictitious registration name shall not trigger this Assignment provision.

The remainder of Section 19 (subsections 19.2 and 19.3) remains the same.

**6. Section 24 of the Services Agreement, entitled "NOTICES" is amended for notices to be sent to the TENANT as follows:**

E.R. BRADLEY'S TRIPLE CROWN CLUB L.W., LLC d/b/a BEACH CLUB  
c/o Mitchell Reale  
2154 Chagall Circle  
West Palm Beach, FL 33409

**7. Section 26 of the Services Agreement, entitled "PERMITS AND LICENSES" is amended as follows:**

**Subsections 26.1 and 26.2 are deleted and replaced with the following:**

26.1 TENANT shall maintain all required licenses and permits required for its services under this Services Agreement, including without limitation, a current permit/license for a concession operation and/or restaurant establishment operated by TENANT. The permit/license of any concession operation and/or restaurant establishment must be with the State of Florida Department of Business and Professional Regulation. A copy of the current permit/license for the concession type operation or food service establishment shall be provided to the CITY upon request and posted in accordance with any applicable laws. Failure to maintain current licenses and permits as require shall result in immediate cancellation, or suspension of service, as provided herein and/or termination of this Services Agreement by the CITY.

26.2 CITY shall be named as a PARTNER on the TENANTS retail beverage sales license, # BEV6013294, as required by the State of Florida, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco and maintain the same for the Lease Term. TENANT shall be responsible for all costs and expenses associated with renewing the CITY's retail beverage sales license.

**8. A new Section 43 is added to the Services Agreement as follows:**

43. PUBLIC RECORDS: Effective July 1, 2016, pursuant to section 119.0701, Florida Statutes, the TENANT shall comply with Florida's Public Records Act, Chapter 119, Florida Statutes, and, if determined to be acting on behalf of the CITY as provided under section 119.011(2), Florida Statutes, specifically agrees to:

- (a) Keep and maintain public records required by the CITY to perform the service.
- (b) Upon request from the CITY's custodian of public records or designee, provide the CITY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of this Agreement and following completion of this Agreement if the TENANT does not transfer the records to the CITY.
- (d) Upon completion of this Agreement, transfer, at no cost, to the CITY all public records in possession of the TENANT or keep and maintain public records required by the CITY to perform the service. If the TENANT transfers all public records to the CITY upon completion of the Agreement, the TENANT shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the VENDOR keeps and maintains public records upon completion of the Agreement, the TENANT shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the CITY, upon request from the CITY's custodian of public records or designee, in a format that is compatible with the information technology systems of the CITY.

**IF THE TENANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE TENANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS OR DESIGNEE AT: ATTENTION DEBBIE ANDREA, (561) 586-1660 OR DANDREA@LAKEWORTH.ORG OR 7 NORTH DIXIE HIGHWAY, LAKE WORTH, FL 33460.**

**9. Exhibit "A" to the Services Agreement is amended as follows:**

- A. The existing provision entitled "UTILITIES" shall be deleted and replaced with the following provision:

  
7/19/16

**UTILITIES**

Upon the CITY’s execution of this First Amendment, the CITY shall be solely responsible for only the following utility costs associated with the TENANT’s operations at the Premises: telephone, electricity, water, and sewer.

**B. The existing provision entitled “PEST CONTROL” shall be deleted and replaced with the following provision:**

**PEST CONTROL**

The TENANT shall be responsible for the cost of pest control/exterminating services, including but not limited to such services on, in and around the restaurant and concession areas which are subject to this Services Agreement and the remaining Clubhouse area including the Proshop. All pest control/exterminating services shall be on a regular basis.

**C. A new provision entitled “GENERAL MAINTENANCE AND REPAIRS OF PREMISES” shall be added to the Scope of Services as follows:**

**GENERAL MAINTENANCE AND REPAIRS OF PREMISES**

The CITY shall repair and maintain in good order and condition, ordinary wear and tear excepted, only the roof, the outside walls (excluding any storefronts), the structural portions of the Premises (exclusive of any structural elements constructed by TENANT), and the HVAC system. However, TENANT shall pay the cost of any such repairs or maintenance resulting from acts or omissions of TENANT, its employees, agents, or contractors.

Except to the extent the CITY is obligated to repair and maintain the Premises as provided under the Lease, TENANT shall, at its sole cost, repair, replace, and maintain the Premises (including, but not limited to the walls, storefronts, ceilings, and floors in the Premises and electrical, plumbing (including grease traps), mechanical, fire protection, life safety, sprinklers, and all equipment servicing the Premises), in a clean, attractive, first-class condition. All replacements shall be of equal quality and class to the original items replaced. TENANT shall not commit or allow to be committed any waste on any portion of the Premises.

10. COUNTERPARTS: This First Amendment to the Services Agreement may be executed in counterparts, each of which shall be an original, but all of which shall constitute one and the same document. Each of the parties shall sign a sufficient number of counterparts, so that each party will receive a fully executed original of this First Amendment.

11. ENTIRE AGREEMENT: This First Amendment is intended to amend the Services Agreement as specified herein and shall take precedence over the Services Agreement. All other terms of the Services Agreement that are not amended by this First Amendment shall remain in full force and effect. No other agreements, statement, or promise relating to the subject matter of this First Amendment and the Services Agreement which are not contained herein or therein shall be valid or binding.

*LM*  
7/19/16

IN WITNESS WHEREOF the parties hereto have made and executed this First Amendment to the Services Agreement on the day and year first above written.

Witnesses (two for each):

CITY OF LAKE WORTH, FLORIDA

Signature

By: Pam Triolo, Mayor

Print Name

Signature

Print Name

ATTEST:

Approved as to form and legal sufficiency:

Pamela J. Lopez, City Clerk

Glen J. Torcivia, City Attorney

Witnesses (two):

TENANT: TRIPLE CROWN CLUB L.W., LLC.  
d/b/a/ E.R. BRADLEY'S LAGOON SALOON

Jenna Bergin  
Signature  
Jenna Bergin  
Print Name

By: Mitchell Reale  
Print Name: Mitchell Reale  
Title: Managing Member

Breanna McDaniel  
Signature  
Breanna McDaniel  
Print Name

STATE OF FLORIDA )  
COUNTY OF Palm Beach ) ss

The foregoing instrument was acknowledged before me this 19th day of July, 2016, by Mitchell Reale, as the Managing Member (title) of Triple Crown Club L.W., LLC, and who is personally known to me or who has produced the following FDL as identification.



SARA MURPHY  
MY COMMISSION # FF 039528  
EXPIRES: July 24, 2017  
Bonded Thru Budget Notary Services

Notary Public  
Sara Murphy  
Print name: Sara Murphy  
My commission expires: 7/24/17

M  
7/19/16

<b>Month:</b>	<b>Electric</b>	<b>Sewer</b>	<b>Water</b>	<b>Natural Gas</b>	<b>Total</b>
January	\$ 5,262.72	\$ 794.54	\$ 1,612.47	\$ 917.74	\$ 8,587.47
February	\$ 4,523.42	\$ 757.39	\$ 1,446.61	\$ 1,052.29	\$ 7,779.71
March	\$ 5,569.18	\$ 569.04	\$ 843.44	\$ 1,016.67	\$ 7,998.33
April	\$ 6,757.63	\$ 555.78	\$ 839.44	\$ 1,023.74	\$ 9,176.59
May	\$ 5,938.62	\$ 520.40	\$ 789.86	\$ 1,077.99	\$ 8,326.87
June	\$ 7,673.93	\$ 545.91	\$ 885.55	\$ 1,173.76	\$ 10,279.15
July	\$ 7,956.44	\$ 544.10	\$ 825.97	\$ 1,088.35	\$ 10,414.86
August	\$ 6,697.41	\$ 422.63	\$ 680.96	\$ 1,138.67	\$ 8,939.67
September	\$ 6,101.00	\$ 462.15	\$ 767.39	\$ 1,006.75	\$ 8,337.29
October	\$ 5,659.73	\$ 524.75	\$ 856.22	\$ 1,099.98	\$ 8,140.68
November	\$ 6,535.53	\$ 498.47	\$ 752.38	\$ 1,106.69	\$ 8,893.07
December	\$ 5,676.62	\$ 591.55	\$ 952.84	\$ 1,010.29	\$ 8,231.30
<b>Totals:</b>	<b>\$ 74,352.23</b>	<b>\$ 6,786.71</b>	<b>\$ 11,253.13</b>	<b>\$ 12,712.92</b>	<b>\$ 105,104.99</b>

**Total under air square footage** 8714

ER Bradley's Occupies: 4211

**Formula for utilities cost per square foot:**

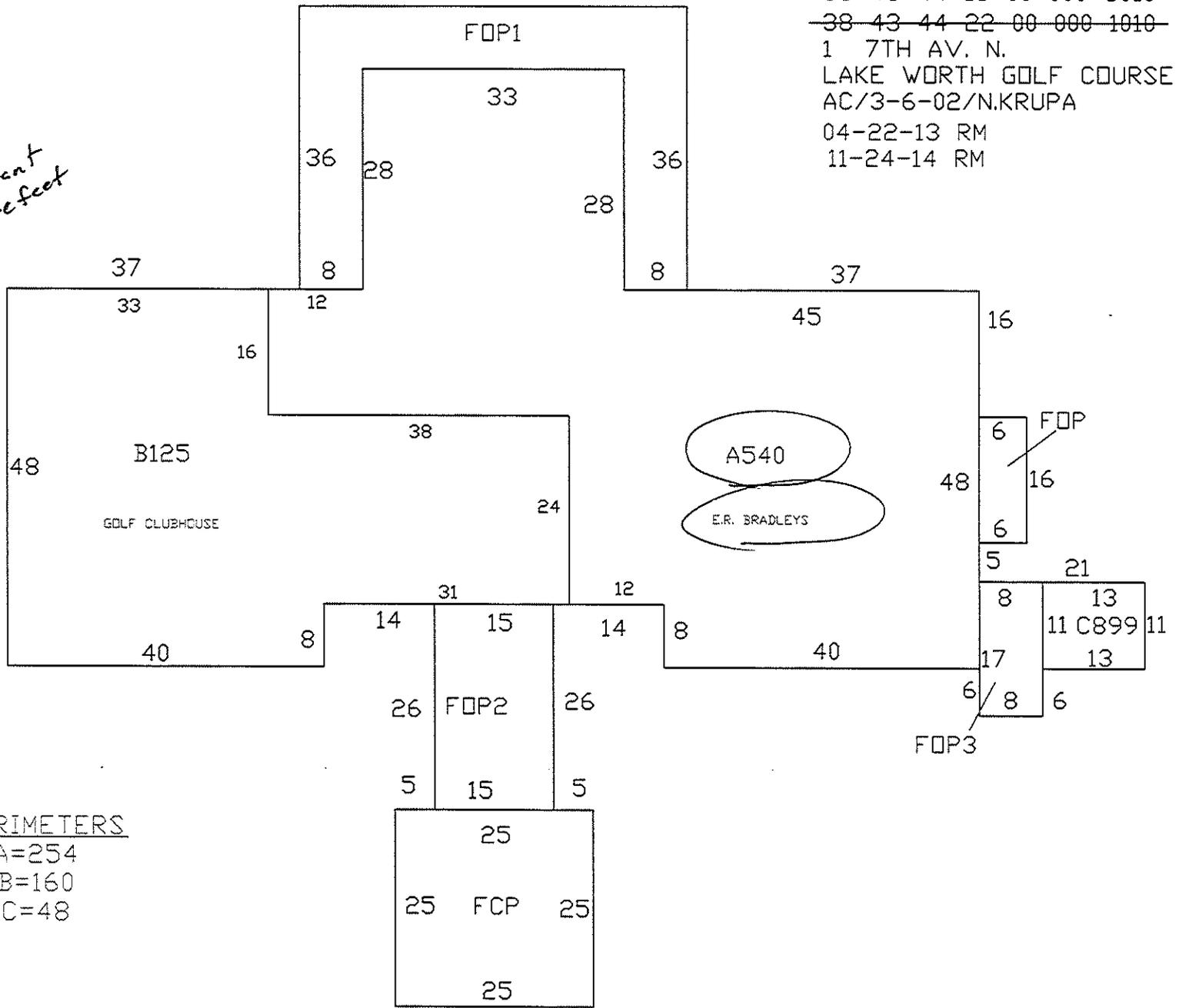
**Total Utilities Cost for the month / Total Under Air Square Feet = Amount Per Square Foot x 4211 (ER Bradley's Occupies)**

105,104.99	year total
8714	total sq ft
<hr/>	
12.06	Per sq ft
X 4211	beach club sq ft
<hr/>	
\$ 50,784.66	Total
\$ 4,232.05	monthly avg

# CARD 4

38 43 44 15 16 049 0012  
~~38 43 44 15 00 000 5010~~  
~~38 43 44 22 00 000 1010~~  
 1 7TH AV. N.  
 LAKE WORTH GOLF COURSE  
 AC/3-6-02/N.KRUPA  
 04-22-13 RM  
 11-24-14 RM

*Restaurant  
Square feet*



A540=3932

B125=2552

C899=143

FCP=625

FOP=96

FOP1=840

FOP2=390

FOP3=136

1462

TOTAL=8714

PERIMETERS

A=254

B=160

C=48



**AGENDA DATE:** August 16, 2016, Regular Meeting

**DEPARTMENT:** City Commission

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**EXECUTIVE BRIEF**

**TITLE:**

Ratify appointments and reappointments to the various city advisory boards

**SUMMARY:**

This item is to ratify the appointment and reappointments of members to the Electric Utility, Historic Resources Preservation, Recreation, Construction, Community Redevelopment Agency and City Tree Advisory Boards.

**BACKGROUND AND JUSTIFICATION:**

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

On November 4, 2014, the Commission adopted an ordinance to provide for an elected official to waive his or her right to make an appointment. It also provides for the next elected official responsible for an appointment to make it.

The following appointments and reappointment are requested to be ratified:

**Electric Utility Advisory Board:**

Mayor Triolo's reappointment of Noah Tennyson to the Electric Utility Advisory Board for a term ending on July 31, 2018.

Commissioner Amoroso's appointment of Stephanie Mayo to the Electric Utility Advisory Board for a term ending on July 31, 2018. This was a District 4 appointment; however, that Commissioner waived his right to make the appointment.

On July 28, 2016, the Village of Palm Springs Council reappointed Roger St. Martin to represent them as a member of the City's Electric Utility Advisory Board; therefore this is to ratify the Commission's reappointment of Village of Palm Springs member Roger St. Martin to the Electric Utility Advisory Board for a term ending on July 31, 2017.

**Historic Resources Preservation Board:**

Vice Mayor Maxwell's appointment of Robert D'Arinzo to the Historic Resources Preservation Board to fill an unexpired term ending on July 31, 2017.

**Recreation Advisory Board:**

Vice Mayor Maxwell's reappointment of Joseph Coicou to the Recreation Advisory Board for a term ending on July 31, 2019.

**Construction Board of Adjustment and Appeals:**

Commissioner Amoroso's reappointment of Ben Ellis, Jr. to the Construction Board of Adjustment and Appeals for a term ending on July 31, 2020.

**Community Redevelopment Agency:**

Vice Mayor Maxwell's appointment of Christopher Pettit to the Community Redevelopment Agency to fill an unexpired term ending on August 21, 2018. This was District 2 appointment; however, that Commissioner waived his right to make the appointment.

**City Tree Board:**

Vice Mayor Maxwell's appointment of William Joseph to the City Tree Board for a term ending on July 31, 2019.

**MOTION:**

I move to ratify the Mayor Triolo's reappointment of Noah Tennyson to the Electric Utility Advisory Board for a term ending on July 31, 2018, Vice Mayor Maxwell's appointment of Robert D'Arinzo to the Historic Resources Preservation Board to fill an unexpired term ending on July 31, 2017, Vice Mayor Maxwell's reappointment of Joseph Coicou to the Recreation Advisory Board for a term ending on July 31, 2019, Vice Mayor Maxwell's appointment of Christopher Pettit to the Community Redevelopment Agency to fill an unexpired term ending on August 21, 2018, Vice Mayor Maxwell's appointment of William Joseph to the City Tree Board for a term ending on July 31, 2019, Commissioner Amoroso's appointment of Stephanie Mayo to the Electric Utility Advisory Board for a term ending on July 31, 2018, Commissioner Amoroso's reappointment of Ben Ellis, Jr. to the Construction Board of Adjustment and Appeals for a term ending on July 31, 2020, and the Commission's reappointment of Roger St. Martin to the Electric Utility Advisory Board for a term ending on July 31, 2017.

**ATTACHMENT(S):**

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

**ELECTRIC UTILITY ADVISORY BOARD**

ONE, TWO, AND THREE-YEAR TERMS

<b>MEMBERS</b>	<b>APPOINTED</b>		<b>ETHICS TRAINING</b>	<b>EXPIRES</b>
<p>Lisa Maxwell (Chair)                      24 Yale Drive  <a href="mailto:Lobbyist1@aol.com">Lobbyist1@aol.com</a>                      (3-year term)  <b>(Commissioner District 3 Appointee)</b></p>	05/15/2012	C: 954 830-3466	YES	07/31/2018
<p>Peggy Fisher (Secretary)                      508 N. A St.  <a href="mailto:Gt72089@ymail.com">Gt72089@ymail.com</a>                      (3-year term)  <b>(Vice Mayor / Commissioner District 1 Appointee)</b></p>	05/15/2012	H: 582-0125 W: 357-4106 C: 385-1130	YES	07/31/2018
<p>Noah Tennyson                      28 Wellesley Drive  <a href="mailto:ntennyson@nasonyeager.com">ntennyson@nasonyeager.com</a>                      (2-year term)  <b>(At-large member)</b>  <b>(Mayor's Appointee)</b></p>	05/05/15	W: 561-471-3523	YES	07/31/2016
<p>Ibrahim Chalhoub                      2 Lakeside Palms Ct.  <a href="mailto:ichalhoub@bellsouth.net">ichalhoub@bellsouth.net</a>                      (3-year term)  <b>(Commissioner District 2 Appointee)</b></p>	10/20/15	C: 561-762-9178	YES	07/31/2018
<p>VACANT                      (3-year term)  <b>(Commissioner District 4 Appointee)</b></p>		C:	NA	07/31/2018
<p>Caroline Clore                      6570 High Ridge Rd. 33462  <a href="mailto:Cbc6570@yahoo.com">Cbc6570@yahoo.com</a>                      (2-year term)  <b>(At-large business owner)</b>  <b>(Commission's Appointee)</b></p>	05/15/2012	H: 586-4042 W: 588-6533 C: 801-2304	YES	07/31/2016
<p>Roger St. Martin                      3760 Kenyon Rd.  <a href="mailto:daddysaint@comcast.net">daddysaint@comcast.net</a>                      (1-year term)  <b>(At-large utility service area)</b>  <b>(Commission's Appointee)</b></p>	10/06/215	C: 561-312-6035	YES	07/31/2016
<p><b>BOARD LIAISON</b>                      Jack Borsch (Electric Utility Director)                      1900 2<sup>nd</sup> Avenue North  <a href="mailto:jborsch@lakeworth.org">jborsch@lakeworth.org</a></p>		W: 561-586-1670	YES	

The purpose is to advise the City Commission, on behalf of and for the benefit of the citizens and residents of the City of Lake Worth, on electric utilities policies, plans and programs. The Board will advise the City Commission on the establishment of fair and equitable policies, plans and programs that are consistent with customer needs, legal mandates, public policy, operational requirements and the long-term financial stability and viability of the electric utilities.

Ord. No. 2012-22 – effective May 25, 2012, created a seven member board composed of at-large appointments by each of the four District Commissioners, for a term of 3 years; two at-large members, one appointed by the Mayor and one business owner, whose business is located in the City, appointed by the City Commission, for a term of 2 years; one at-large member appointed by the City Commission representing the utility service areas of or in a portion of the Village of Palm Springs and unincorporated Palm Beach County, for a term of 1 year.

The powers and duties shall include the following:

(a) Serve as a channel of communications between the City Commission, utility department staff, and the citizens of the City of Lake Worth and the business owners of Lake Worth, in order to understand and solve the many complex problems relating to water, sewer and electric utilities;

(b) Promote public access to information on the city facilities, services, policies and programs concerning the future energy needs of the community with respect to the electric utilities;

(c) To review:

(1) existing and proposed policies, plans and programs of the City of Lake Worth Utilities Department for electric utilities;

(2) proposed capital improvement plans and programs of the Utilities Department for the electric utilities and electric power plant;

(3) existing or proposed electric rate changes, electric rate structures, and the electric utilities portion of the annual budget of the Utilities Department;

(d) Assist utility staff by suggesting and reviewing policies affecting programs and services that affect acquisition, delivery or utilization of electric utility resources within the community;

(e) Perform any other duties which may be within the purview of the committee which may be assigned by the City Commission.

The City Commission shall appoint the chairperson of the initial board for a one year term; thereafter, the members shall select its own chairperson for a one year term at an election held at the first meeting of the board and annually thereafter.

The board shall meet at least once a month. The chair shall have the power to schedule special meetings or cancel regularly scheduled meetings as the workload of the board requires.

If any member fails to be present at three (3) consecutive regularly scheduled meetings or at twenty (20) percent of the regularly scheduled meetings of the Board held within any 12-month period, the city clerk shall declare the member's office vacant, and the City Commission shall promptly fill such vacancy.

**FINANCIAL DISCLOSURE FORMS ARE NOT REQUIRED.**

**Meetings:** First Wednesday every month in City Hall Conference Room

**Secretary:** Board member

**CITY RECREATION ADVISORY BOARD**  
THREE-YEAR TERMS

<b>MEMBERS</b>	<b>APPOINTED</b>		<b>ETHICS TRAINING</b>	<b>EXPIRES</b>
Paul Pierre 22 South D Street <a href="mailto:p.hubert.pierre@gmail.com">p.hubert.pierre@gmail.com</a> <b>(Mayor's Appointment)</b>	09/01/2015	C: 561-452-4259	YES	07/31/2018
Maryann Polizzi 1529 S. Palmway <a href="mailto:Poli510@bellsouth.net">Poli510@bellsouth.net</a> <b>(District 4 Appointee)</b>	05/17/2016	C: 561-685-6010	YES	07/31/2018
Erica Cooper-Hadden 1413 South H Street <a href="mailto:coopehadd@aol.com">coopehadd@aol.com</a> <b>(District 2 Appointee)</b>	03/01/2016	C: 561-577-2631	YES	07/31/2017
Faith Watson 921 N. Lakeside Dr. <a href="mailto:F2watson@gmail.com">F2watson@gmail.com</a> <b>(Mayor's Appointee)</b>	5/05/2015	C: 561-306-1398	YES	07/31/2017
Linnea Rickard 229 N. K Street #201 <a href="mailto:Linnea1216@gmail.com">Linnea1216@gmail.com</a> <b>(District 3 Appointee)</b>	5/05/2015	H: 352-206-0424	YES	07/31/2016
Joseph Coicou 19 South C Street <a href="mailto:josephcoicouusa@gmail.com">josephcoicouusa@gmail.com</a> <b>(Vice Mayor's Appointee - District 1)</b>	02/17/2015	C: 561-320-1675	YES	07/31/2016
Kermit Parris <b>701 Snowden Drive</b> <a href="mailto:Parrisdp@comcast.net">Parrisdp@comcast.net</a> <b>(Vice Mayor's Appointee- District 1)</b>	08/02/2016	C: 561-866-3229	by 9/4/16	07/31/2019

**ADVISOR**

Stephen Haughn (Recreation Department)	W: 561-533-7363	YES
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The purpose of the Board is to assist in promoting community awareness and involvement in recreation programs and initiatives and to assist the City in planning for future facility and program needs. The Board shall consult with and advise the City Manager, Recreation Manager, and the City Commission in matters affecting recreation policies, programs, finances and future land or facility capital projects related to the total community recreation program and to its long-range plans.

Revised: August 3, 2016

Ord. No. 2013-24 effective March 29, 2013, the Student board member has been replaced by a resident board member, with a three-year term.

\*\* Ord. No. 2011-02 approved on Feb. 1, 2011 – effective July 31, 2012, two resident members shall serve for one year term, two resident members for two year terms, and two resident members for three year terms; thereafter all succeeding members shall be appointed for three year terms. The student member shall serve a 1 year term.

Established by Ordinance No. 2005-36, effective 10/28/05, comprised of six resident members appointed by the City Commission and one student member appointed by the Lake Worth Teen Advisory Council.

Ord. No. 2006-26, effective 9/29/06, designated Recreation Manager as staff liaison.

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. 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.

During Recreation Advisory board meeting held on 6/17/15, members changed the meeting date from every second Wednesday of each month at 6:30 pm to every third Wednesday of each month at 6:15 pm.

Meetings: Third Wednesday of each month at 6:15 pm as decided during the June 17, 2015 regular board meeting.

**SECRETARY:** Board member

**CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**  
**FOUR-YEAR TERMS**

<b>MEMBERS</b>	<b>APPOINTED</b>	<b>ETHICS TRAINING</b>	<b>EXPIRES</b>
Ben Ellis, Jr. 189 Harvard Drive <a href="mailto:bellis@ellisgritter.com">bellis@ellisgritter.com</a> (Engineer)	07/23/2012 W: 561-370-3300 C: 561-254-3805	YES	07/31/2016
Robert Thompson, Jr. 2002 N. Lakeside Dr. <a href="mailto:rtteepe@gmail.com">rtteepe@gmail.com</a> (Engineer)	07/23/2012 C: 561-779-6362	YES	07/31/2016
Mark Szafaryn 1103 South "N" Street (Plumbing Contractor) <a href="mailto:gszafaryn@bellsouth.net">gszafaryn@bellsouth.net</a> <b>(Vice Mayor's Appointee)</b>	02/20/1996 H: 561-586-1288 W: 561-586-7063	YES	07/31/2017
Ibrahim Chalhoub 2 Lakeside Palms Court (General Contractor) <a href="mailto:ichalhoub@bellsouth.net">ichalhoub@bellsouth.net</a> <b>(Mayor's Appointee)</b>	03/25/10 H: 561-588-5417 W: 561-588-4088 C: 561-762-9178	YES	07/31/2017
Ryan Paplow 131 PH North Golfview Road (Sr. Mechanical Engineer) <a href="mailto:Ryan.I.paplow@live.com">Ryan.I.paplow@live.com</a> <b>(District 4 Appointee)</b>	07/19/16 H: 561-317-2166	by 8/26/16	07/31/2020
<b>VACANT</b>	H:	NA	07/31/2018
<b>VACANT</b>	H:	NA	07/31/2018

The Board shall consist of seven members who either are residents of, or have a business located in the City.

Membership: Board members shall be composed of individuals with knowledge and experience in the technical codes to include, to the greatest extent possible, an architect, engineer, general contractor, electrical contractor, HVAC contractor, plumbing contractor, and any other contractor licensed category. A board member shall not act in a case in which he has a personal or financial interest.

The terms of office of the board members shall be staggered so no more than one-third of the board is appointed or replaced in any 12-month period. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Three absences of any member from required meetings of the board shall in a 12 month period, at the discretion of the applicable governing body, render any such member subject to immediate removal from office.

Powers: The Construction Board of Adjustments and Appeals shall have the power, as further defined in 116.4, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes.

Board meets on an as needed basis; **Financial Disclosure Forms are required; City residency required. (Ordinance No. 92-11).**

Enabling Ord.No.75-29; Amending Ord.Nos.88-42, 89-32; Ord.No.95-18, enacted 7/18/95, established attendance requirement. Ord.No.96-24 requires Board members to seek excused absences from meetings from the Board Chairman; lacking an excused absence, a member who fails to attend three consecutive regularly scheduled meetings, (or 25% of all meetings held within a 12-month period), without cause or without prior approval of the chairman, shall have his/her seat declared vacant by the board and the City Commission shall promptly fill such vacancy. The reason for absence from meetings shall be noted in the minutes, as well as whether or not the absence was excused by the Chairman.

ORDINANCE NO.93-22 transferred Fire/Housing Board of Adjustments and Appeals duties and responsibilities to this Board, EFFECTIVE 10/1/93.

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. 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. 2012-31, effective 9/28/12, adopted new Building code, including new compositions and requirements for the board members and added a "four-year" term of office, which was mistakenly omitted in Ord. No. 2012-21.

**Secretary:** Beth Jones, 561-586-1644

**COMMUNITY REDEVELOPMENT AGENCY**  
(FOUR-YEAR TERMS)

<b>MEMBERS</b>	<b>APPOINTED</b>		<b>ETHICS TRAINING</b>	<b>EXPIRES</b>
Cary Sabol ( <b>Chair</b> ) 1532 North "O" Street <a href="mailto:csabol@lakeworthcra.org">csabol@lakeworthcra.org</a> ( <b>Vice Mayor's District 1 Appointee</b> )	08/31/09	<b>W:</b> 561-281-2744	YES	08/21/2017
Madlyn McKendry ( <b>Vice-Chair</b> ) 929 North Lakeside Dr. <a href="mailto:mmckendry@lakeworthcra.org">mmckendry@lakeworthcra.org</a> ( <b>Commissioner District 3 Appointee</b> )	06/16/11	<b>H:</b> 533-6751 <b>W:</b> 540-8979 <b>C:</b> 420-9913	YES	08/21/2017
Leah Foertsch 1421 N. O Street <a href="mailto:Leah.foertsch@gmail.com">Leah.foertsch@gmail.com</a> ( <b>Vice Mayor's District 1 Appointee</b> )	05/20/14	<b>C:</b> 305-299-3025	YES	08/21/2017
Bernard Guthrie 828 South Palmway <a href="mailto:bguthrie@lakeworthcra.org">bguthrie@lakeworthcra.org</a>	06/16/11	<b>H:</b> 586-2447 <b>W:</b> 582-0334	YES	08/21/2018
VACANT ( <b>Commissioner District 2 Appointee</b> )		<b>C:</b>	NA	08/21/2018
John Paxman 1832 N. Dixie Highway <a href="mailto:johnpaxman@aol.com">johnpaxman@aol.com</a> ( <b>Commissioner District 4 Appointee</b> )	3/18/14	<b>H:</b> 561-547-2424	YES	07/31/2016
Brendan Lynch 920 South Lakeside Drive <a href="mailto:blynch@plastridge.com">blynch@plastridge.com</a> ( <b>Mayor's Appointee</b> )	05/05/15	<b>C:</b> 561-386-1703	YES	08/21/2019
<u>Executive Director:</u> Joan Oliva <a href="mailto:joliva@lakeworth.org">joliva@lakeworth.org</a>		<b>W:</b> 493-2550	YES	NA
<u>Commission Liaison:</u> Commissioner Andy Amoroso <a href="mailto:aamoroso@lakeworth.org">aamoroso@lakeworth.org</a>	12/06/11	<b>W:</b> 586-1733	YES	NA

The Board is responsible for formulating and implementing projects that are consistent with the Lake Worth Redevelopment Plan to assist in revitalizing and redeveloping portions of the City of Lake Worth.

Established by Resolution No. 47-89, effective 7/3/89, declaring City Commission to be Community Redevelopment

Revised: May 27, 2015

## Page 2 - CRA

Agency, plus two additional citizen members.

Florida Statute 163.356 (3) (b), Any person may be appointed as commissioner if he or she resides or is engaged in business, which means owning a business, practicing a profession, or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged, within the area of operation of the agency, which shall be coterminous with the area of operation of the county or municipality, and is otherwise eligible for such appointment under this part.

Ordinance No. 93-2, effective 2/13/93, to consist of seven members appointed by City Commission.

Ordinance No. 97-18, enacted 8/5/97, with City Commissioners to serve, plus two citizen members.

Ordinance No. 2001-19, enacted 8/21/01, provided for seven member board appointed by City Commission.

Ordinance 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.

Ordinance No. 2008-14, effective 7/10/08, amended attendance requirements: if any member of the board shall fail to be present at three (3) consecutive regularly scheduled meetings or at twenty (20) percent of the regularly scheduled meetings of the board held within any 12-month period, the city clerk shall schedule the matter for hearing before the city commission.

**Meeting Schedule:** Second and Fourth Tuesday of every month in the Commission Meeting Room at 6:00 p.m.

Effective May 1, 2013, Chapter 2013-36 the CRA board members are required to file the Financial Disclosure Form (F1).  
**FINANCIAL DISCLOSURE FORMS ARE REQUIRED.**

**SECRETARY:** Emily Theodossakos, 561-493-2550



\*\* 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

Expires 7/7/17



APPLICANT'S NAME:

Noah Tennyson  
(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

Received 7/7/16  
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\* 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**

Mayor 2018

1. PERSONAL

Name: Mr./Mrs./Ms. (circle one) Noah Tennyson

Residence: 28 Wellesley Dr. (print)

City: Lake Worth State: FL ZIP Code: 33460

Proof of residency attached: \_\_\_\_\_

Mailing Address: (if different from residence)

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_

Cell Phone: (\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

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? 2 years

List all properties owned and/or business interests in Lake Worth? none other than residence

What is your occupation? attorney

Employer? Nason Yeager

Business Address: (CRA board only) \_\_\_\_\_

Are you currently serving on any City advisory Board? yes

If so, which board? EUAB

Have you ever served on a City of Lake Worth board? N/A

If so, when and which board(s)? N/A

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. N/A

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**2. EDUCATION**

High School: Atlantic Community Date of Graduation: 2001

College: Un. of Florida Degree: J.D. Date of Graduation: 2009

Resume attached? yes \_\_\_\_\_ no ✓

**3. WORK EXPERIENCE**

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**4. INTEREST/ACTIVITIES**

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**5. COMMUNITY INVOLVEMENT**

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

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

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

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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 NBT  
7/7/2010  
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](http://www.lakeworth.org) then select Residents/Volunteer and select the Volunteer Advisory Board application. If you need additional information, please contact Silvina Donaldson, Volunteer Coordinator at [sdonaldson@lakeworth.org](mailto:sdonaldson@lakeworth.org) or by calling 561-586-1730.

EMAIL APPLICATION TO: [sdonaldson@lakeworth.org](mailto: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.**



NOAH BEECHAM  
 TENNYSON  
 28 WELLESLEY DR  
 LAKE WORTH FL 33460-6302  
 ISSUED: 08-29-2009 HGT: 6-00  
 EXPIRES: 11-04-2018



OPERATION OF A MOTOR VEHICLE CONSTITUTES CONSENT TO ANY SOBRIETY TEST REQUIRED BY LAW.



Expires 5/12/17



APPLICANT'S NAME: Stephanie L. Mayo  
(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

*Received  
5/12/16*

\* 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) Steffanie L. Mayo (print)

Residence: 519 N. B St.

City: LW State: FL ZIP Code: 33460

Proof of residency attached: Drivers Lic.

Mailing Address: (if different from residence)

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_

Cell Phone: (561) 389-7685 Email Address: Steffaniemayo@yahoo.com

Are you a citizen of the United States? Y

Are you a registered Palm Beach County voter? Y

Are you a registered Lake Worth voter? Y

How long have you been a resident of Lake Worth? 20 yrs.

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

519 N. B St.

What is your occupation? Estate Manager

Employer? Gerald Schwartz

Business Address: (CRA board only) \_\_\_\_\_

Are you currently serving on any City advisory Board? N

If so, which board? \_\_\_\_\_

Have you ever served on a City of Lake Worth board? N

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? N

If yes, please name the board, position, etc. \_\_\_\_\_

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

to better understand our util. dept &  
to share that knowledge w/ my  
neighbors

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

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

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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 SLM

5-12-14  
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](http://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](mailto:sdonaldson@lakeworth.org) or by calling 561-586-1730.

EMAIL APPLICATION TO: [sdonaldson@lakeworth.org](mailto: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

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Florida The Sunshine State

DRIVER LICENSE CLASS E



STEFFANIE LEIGH  
MAYO

519 N B ST  
LAKE WORTH, FL 33460-2821

ISSUED: 03-11-2010  
EXPIRES: 03-14-2018

*Stylized Nick*



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



# Village of Palm Springs

## Executive Brief

**AGENDA DATE:** July 28, 2016

**DEPARTMENT:** Village Manager's Office

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**ITEM #2:** Re-appointment to the Lake Worth Electric Advisory Board

**SUMMARY:** The City of Lake Worth established the Electric Utility Advisory Board a few years ago to address fair and equitable policies, plans and programs that would be consistent with customer needs, legal mandates, public policy, operational requirements and long-term financial stability and viability of their electric utilities.

Additionally, residents within the portion of Palm Springs that are located in the Lake Worth Electric Service Area formed an ad hoc committee to have their concerns heard by both the Village Council and the Lake Worth City Commission. At that time, the City of Lake Worth offered to add a member seat to their Advisory Board that would represent Palm Springs interests. Council Member Joni Brinkman held this seat until she resigned as a result of an appointment to the board of another organization to avoid a potential conflict. Further, the Council made another appointment in November 2014, however, the nominee has not attended the meetings.

Mr. Roger St. Martin was appointed to serve on the Lake Worth Electric Utility Advisory Board by Village Council in October 2015 for the remainder of the vacated three (3) year term. His term expires on July 31, 2016.

It is requested that Council re-appoint Roger St. Martin to the Lake Worth Utility Advisory Board for a three (3) year term.

**FISCAL IMPACT:**

There is no fiscal impact for the Village; however, a Palm Springs voice on this Advisory Board would give those residents in this service area an opportunity to be a part of the solutions for future consistency and equitable electric rates.

**ATTACHMENTS:**

1. Application – Roger St. Martin, Kenyon Road, Palm Springs

VILLAGE OF PALM SPRINGS  
APPLICATION FOR APPOINTMENT  
TO VILLAGE COUNCIL ADVISORY BOARDS

NAME: Roger R. St. Martin HOME PHONE: (561) 967-6104

ADDRESS: 3760 Kenyon Rd Lake Worth, FL 33461

EMAIL ADDRESS: daddysaint@comcast.net CELL PHONE: (561) 312-6035

OCCUPATION: Retired

BUSINESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

BRIEF DESCRIPTION OF EDUCATION/EXPERIENCE: Former Painting & Paperhanging Contr.

Have served in various Military, Social, Fraternal organizations as Secretary, Treasurer, Finance Officer, Adjutant, Trustee, Chaplain.

One (1)yr College. Six (6) yrs - Army. Former Sgt Major.

Are you a registered voter? Yes  No

Do you currently serve on a board? Yes  No

If yes, which one?

Please indicate on which board you wish to serve. If more than one, number for preference.

- Library Board
- Land Development Board
- Leisure Services Board
- Police Employees Pension Board of Trustees
- General Employees' Pension Board of Trustees
- Construction Board of Adjustment and Appeals
- Grievance Board
- Lake Worth Utilities Board

Why are you interested in serving on this board? Having viewed this aging service as a subscriber for forty (40) yrs, a new (?) set of eyes could help.

Signature: Roger R. St. Martin Date: 9-2-15

For further information call the Village Clerk at 965-4010. Fax 965-0899



APPLICANT'S NAME: ST. MARTIN, ROGER R.  
(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) ST. MARTIN, ROGER B.

Residence: 3760 KENYON RD

City: PALM SPRINGS State: FL ZIP Code: 33461

Proof of residency attached: \_\_\_\_\_

Mailing Address: (if different from residence)

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Home Phone: (561) 967-6104 Business Phone: (\_\_\_\_) \_\_\_\_\_

Cell Phone: (\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

Are you a citizen of the United States? X

Are you a registered Palm Beach County voter? X

Are you a registered Lake Worth voter? \_\_\_\_\_

How long have you been a resident of Lake Worth? \_\_\_\_\_

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

What is your occupation? RETIRED

Employer? \_\_\_\_\_

Business Address: (CRA board only) \_\_\_\_\_

Are you currently serving on any City advisory Board? YES

If so, which board? LWVA

Have you ever served on a City of Lake Worth board? \_\_\_\_\_

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? \_\_\_\_\_

If yes, please name the board, position, etc. \_\_\_\_\_

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**2. EDUCATION**

High School: PALM BEACH HIGH Date of Graduation: 6-3-57

College: \_\_\_\_\_ Degree: \_\_\_\_\_ Date of Graduation: \_\_\_\_\_

Resume attached? yes \_\_\_\_\_ no \_\_\_\_\_

**3. WORK EXPERIENCE**

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**4. INTEREST/ACTIVITIES**

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**5. COMMUNITY INVOLVEMENT**

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

CIVIC INTEREST

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

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

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**AGENDA  
VILLAGE COUNCIL MEETING  
VILLAGE HALL COMMUNITY ROOM  
226 CYPRESS LANE  
JULY 28, 2016  
6:30 P.M.**

**COUNCIL**

- Mayor Bev Smith
- Council Member Doug Gunther
- Mayor Pro Tem Patti Waller
- Vice Mayor Joni Brinkman
- Council Member Liz Shields

**ADMINISTRATION**

- Village Manager Richard Reade
- Village Clerk Susan Caljean
- Village Attorney Glen Torcivia

**CALL TO ORDER**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA**

Motion	Second	Vote
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**CONSENT AGENDA**

(Public Comment on Consent Agenda Items is permissible prior to voting)

1. Minutes of Regular Council Meeting on June 23, 2016  
Staff: Susan Caljean, Village Clerk
2. Appointment to the Lake Worth Electric Utility Advisory Board  
Staff: Susan Caljean, Village Clerk
3. Appointment to Leisure Services Board  
Staff: Bill Golson, Director of Leisure Services
4. Approve Contract Award - Lime Slaker and Ammoniator Repair Services –  
Public Service Department  
Staff: David Harden, Acting Director of Public Services
5. Approve Task Order #207 - Professional Engineering Services - Supervisory Control and Data Acquisition (SCADA) System Improvements Design Engineering Services –

Staff: David Harden, Acting Director of Public Services

- 6. Resolution No. 2016- 63 – Amendment to the Schedule of Fees

Staff: Richard Reade, Village Manager

- 7. Void Previously Awarded Independent Auditing Services Recommendation, Proposal and Agreement – (RFP #2016R-004)

Staff: Rebecca Morse, Director of Finance

- 8. Appointment of Audit Selection Committee Members – Independent Auditing Services Request for Proposals (RFP #2016R-006)

Staff: Rebecca Morse, Director of Finance

- 9. Resolution No. 2016-59 – Public Nuisance Abatement Program – Record Special Assessment Liens (Village Abatement Costs)

Staff: Rebecca Morse, Director of Finance

End of Consent Agenda.....

Motion	Second	Vote
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**PRESENTATIONS**

- 10. Proclamation – Retirement of Mike Snook

- 11. Award of Property Improvement Program (PIP) Matching Grant Monies

**PUBLIC COMMENT** (Three minute limit)

**PUBLIC HEARINGS**

- 12. RESOLUTION No. 2016-58 – FY 2016 Preliminary Millage Rates - Operating & Debt Service

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, TENTATIVELY ESTABLISHING A MILLAGE RATE FOR THE 2016-2017 FISCAL YEAR; SETTING REQUIRED PUBLIC HEARINGS; AND PROVIDING AN EFFECTIVE DATE.

Staff: Rebecca Morse, Finance Director

Motion	Second	Vote
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- 13. ORDINANCE No. 2016-12 – (First Reading) Comprehensive Plan Text Amendment –

“College-Hospital Overlay” (CHO) District - South Congress Avenue

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF PALM SPRINGS, IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3161, et. seq., FLORIDA STATUTES, PROVIDING FOR THE AMENDMENT TO THE TEXT OF THE VILLAGE’S FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO CREATE A “COLLEGE-HOSPITAL OVERLAY”, WHICH AMENDMENT IS MORE FULLY DESCRIBED IN EXHIBIT “a” ATTACHED HERETO; PROVIDING FOR DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERALBILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR OTHER PURPOSES.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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14.RESOLUTION No. 2016-60 – Site Plan Amendment (SPR16-05) and Special Exception (PSSE16-05) – Equity One – 1710 South Congress Avenue (Greenwood Plaza)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, (APPROVING/DENYING), WITH CONDITIONS, A SITE PLAN AMENDMENT (SPR16-05) SUBMITTED BY KEVIN MCGINLEY, ON BEHALF OF EQUITY ONE, TO DEMONSTRATE THAT THERE WILL BE ADEQUATE PARKING FOR ALL THE USES WITHIN THE PLAZA AND A SPECIAL EXCEPTION USE (PSSE16-05) FOR APPROVAL OF A 2,856 SQUARE FOOT (150) RESTAURANT WITHIN GREEN WOOD PLAZA, FOR THE PROPERTY LOCATED AT, GREENWOOD SHOPPING PLAZA, 1710 SOUTH CONGRESS AVENUE,; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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15.RESOLUTION No. 2016-61 – Preliminary Plat – Water’s Edge Dermatology - 2669 Forest Hill Boulevard (Lakeshore Center)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE PRELIMINARY PLAT FOR WATER’S EDGE DERMATOLOGY, SUBMITTED BY KEVIN MCGINLEY, LOCATED AT 2685 FOREST HILL BOULEVARD, IN THE LAKESHORE CENTER; AND PROVIDING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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RESOLUTION No. 2016-62 – Abandonment of Right-of-Way - Portion of Childs Street  
(South of Lake Worth Road)

16. Abandonment of Right-of-Way - Portion of Childs Street

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, FOR ABANDONMENT OF A PORTION OF CHILDS STREET, SOUTH OF LAKE WORTH ROAD. CHILDS STREET IS AN UNIMPROVED RIGHT-OF-WAY, UPON ABANDONMENT OF THE PUBLIC INTEREST, HALF OF THE INTEREST OR TITLE (AT CENTERLINE) WILL TRANSFER TO TULLER PROPERTIES AND HALF TO TACOS AL CARBON, OF WHICH BOTH PROPERTY OWNERS INTEND TO UTILIZE THE LAND ARE IN REDEVELOPMENT PLANS, THIS 50' WIDE RIGHT-OF-WAY IS DEDICATED TO THE PUBLIC VIA THE PLANT NO. 1 OF GREENACRES PLAT AND WHICH IS EVIDENCED BY THE RECORD PLAT, PLAT BOOK 12 AT PAGE 72, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS, PROVIDING FOR RECORDATION OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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ACTIONS AND REPORTS

- 17. Temporary License Agreement - Outdoor Vehicle Storage – Mathias & Rudolf Stemplinger and County Auto, Inc. – South Congress Avenue  
Staff: Kim Glas-Castro, Land Development Director

- VILLAGE MANAGER COMMENTS
- VILLAGE COUNCIL COMMENTS
- ADJOURNMENT

NEXT REGULAR MEETING:  
AUGUST 11, 2016 AT 6:30 P.M.

If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he 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. Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at 965-4010 at least 3 days prior to the meeting in order to request such assistance.



APPLICANT'S NAME: ROBERT D'ARINZO  
(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. Robert D'Arinzo

Residence: 531 North O St.

City: LAKE WORTH State: FL ZIP Code: 33460

Proof of residency attached: YES

Mailing Address: (if different from residence)

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_

Cell Phone: (\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

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? 23 years

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

531 N.O. ST. & 9 NORTH O ST.

What is your occupation? Realtor

Employer? REMAX PRESTIGE

Business Address: (CRA board only) 9 N.O. ST.

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? YES

If so, when and which board(s)? CODE BOARD

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. \_\_\_\_\_

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2. EDUCATION

High School: yes Date of Graduation: 1980

College: some Degree: no Date of Graduation: \_\_\_\_\_

Resume attached? yes \_\_\_\_\_ no ✓

3. WORK EXPERIENCE

Theater 23 years

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4. INTEREST/ACTIVITIES

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5. COMMUNITY INVOLVEMENT

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

HELP This City

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

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

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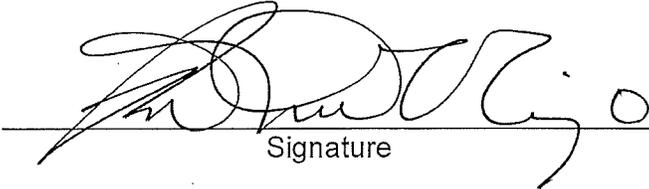
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I understand the responsibilities associated with being a board/committee member, and I have adequate time to serve if appointed.

*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   
7-14-16  
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](http://www.lakeworth.org) then select Residents/Volunteer and select the Volunteer Advisory Board application. If you need additional information, please contact Silvina Donaldson, Volunteer Coordinator at [sdonaldson@lakeworth.org](mailto:sdonaldson@lakeworth.org) or by calling 561-586-1730.

EMAIL APPLICATION TO: [sdonaldson@lakeworth.org](mailto: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 [REDACTED] 70-0

ROBERT  
D ARINZO JR  
531 N O ST  
LAKE WORTH, FL 33460-3154  
[REDACTED]

EXPIRES: 07-30-2020  
REST:  
ENDORSE:

*[Signature]*

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

The license features a color photograph of a man with short dark hair, a white shirt, and a light blue background. The text is printed in black and blue. There are several circular security features and a signature in the bottom left corner.

Expires 7/18/17



APPLICANT'S NAME: Joseph Coicou

(Print name)

**VOLUNTEER ADVISORY BOARD APPLICATION**

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- 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 — Jo



\* 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**

2. **EDUCATION** High School: Lake Worth High School Date of Graduation: 2001  
College: FAU Degree: BA Date of Graduation: 2006  
Resume attached? yes \_\_\_\_\_ no No

3. **WORK EXPERIENCE**  
College Professor  
Director for a Substance Abuse Treatment Facility  
Supervisor for a Community Mental Health Center

4. **INTEREST/ACTIVITIES**  
Charitable Organizations

5. **COMMUNITY INVOLVEMENT**  
Knights of Columbus charitable activities

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

I have already serve this position and was active in  
the planned activities.

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

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

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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 JC

07/14/2016

Date

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T-Mobile

Statement for  
JOSEPH COICOU

Account number

Bill close date  
Dec 27, 2014

**Balance**

Previous balance	
Payments received	
<b>Balance forward</b>	
Current charges	
<b>Total amount due by 01/20/15</b>	

Save valuable time each month by enrolling in EasyPay automatic payment. Set up is easy through your My T-Mobile account. Sign up at t-mobile.com/easypay.

JOSEPH COICOU  
19 S C ST  
LAKE WORTH FL 33460-3650

**Current charges**

Account and lines	Amount	Change from last month
Account		
<b>Total</b>		

**Bill highlights**

Follow numbers throughout bill.

- 1 [Redacted]
- 2 [Redacted]
- 3 [Redacted]

Visit my.t-mobile.com to pay your bill online, manage your account, get product support, and shop for the latest devices and accessories.

**Questions?** For more information visit my.t-mobile.com.

Please detach this portion and return with your payment. Please make sure address shows through window.

T-Mobile

Statement for: JOSEPH COICOU  
Account number: [Redacted]

Pay online: t-mobile.com/pay  
Pay by phone: \*PAY (\*729)



Total amount due  
by 01/20/15

Amount  
enclosed

Scan to pay

T-MOBILE  
PO BOX 790047  
ST. LOUIS MO 63179-0047

Sign up for EasyPay - Check box and complete reverse side.

If you changed your address - Check box and record new address on the reverse side



APPLICANT'S NAME: BEN ELLIS, JR.  
(Print name)

**VOLUNTEER ADVISORY BOARD APPLICATION**

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- 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. (circle one) BEN Ellis, Jr. (print)

Residence: 530 S. Federal Hwy #10

City: Lake Worth State: FL ZIP Code: 33460

Proof of residency attached: Dr. Lic. (scan)

Mailing Address: (if different from residence)

City: 1106 N. G. St. Ste B State: FL ZIP Code: 33460

Home Phone: ( ) \_\_\_\_\_ Business Phone: (561) 370-3300

Cell Phone: (561) 254 3805 Email Address: bellis@ellisgritter.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? Since 2003

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

Ellis + Gritter Consulting Engineers

What is your occupation? Engineer

Employer? Self

Business Address: (CRA board only) N/A

Are you currently serving on any City advisory Board? YES

If so, which board? Const. Board of Adjustments + Appeals

Have you ever served on a City of Lake Worth board? yes

If so, when and which board(s)? See Above

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. n/a

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2. EDUCATION

High School: Dreyfuss School of Arts Date of Graduation: 1994

College: Florida State Degree: BSME Date of Graduation: Spring 2003

Resume attached? yes X no \_\_\_\_\_

3. WORK EXPERIENCE

See Resume

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4. INTEREST/ACTIVITIES

Fishing, fooseball, building things, making things

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5. COMMUNITY INVOLVEMENT

LW Little Free Libraries, Bryant Park + Beach  
Clean ups, sponsor to some degree most local  
events (such as NAACP), Commission meeting  
attendance, etc.

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

My work experience is designing building systems that conform w/ the Building Code. My knowledge of the Code and Const. practices is extensive, and this board would serve to resolve disputes between contractors or owners w/ Code Interpretation by the LW Bldg. Dept. I have a good fit as a board member.

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

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

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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 BJE  
8/2/2016  
\_\_\_\_\_  
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](http://www.lakeworth.org) then select Residents/Volunteer and select the Volunteer Advisory Board application. If you need additional information, please contact Silvina Donaldson, Volunteer Coordinator at [sdonaldson@lakeworth.org](mailto:sdonaldson@lakeworth.org) or by calling 561-586-1730.

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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

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## **Curriculum Vitae for Ben J. Ellis, Jr., PE, LEED AP**

Mr. Ellis is a Mechanical Engineer with a Bachelor of Science degree in Mechanical Engineering from Florida State University and over twenty years of experience in the building and construction industry, both as a contractor as well on the design side. He is a Registered Professional Engineer in Florida, Massachusetts and Colorado.

Before co-founding Ellis Consulting Engineers, Inc. with his wife Natalie, Mr. Ellis was employed by DeRose Design Consultants. Mr. Ellis was a Project Manager responsible for projects with scope encompassing civil, structural, mechanical and electrical engineering services. Project scope ranged from condition assessments and feasibility studies to large scale renovations and new construction for clients in Commercial, Industrial, Manufacturing and Institutional fields.

Mr. Ellis has been a crew chief on construction projects, a service technician for ultra pure water treatment systems, a design engineer, served as a liaison between engineering and construction teams, and has been an owner's representative. Mr. Ellis' family background in design and construction, coupled with his experience as a PM at a multi disciplinary engineering firm coordinating all trades, has given him a well rounded and fundamental understanding of what is required to satisfactorily complete projects in the owner's interests.

As a LEED AP, Mr. Ellis has participated in multiple green building designs as both designer and as the project LEED Professional. He is well versed in the requirements for sustainable buildings, and uses his knowledge of these requirements as well as the impact to projects to help owners and architects determine not only what options and appurtenances are relevant and valuable to the project, but also when a project is not a good candidate for such systems or approaches.

Mr. Ellis has been involved with several forms of project delivery, from traditional Design/Bid/Build and CM at Risk to turnkey project delivery through the Design/Build method. He has experience implementing each of these methods on projects with a wide range of sizes, delivery schedules and staging requirements. Mr. Ellis also has considerable experience with Fast Track projects, and can assist an owner's design and construction team with achieving construction timelines that would traditionally be considered unworkable.

An active member of the American Society of Heating Refrigerating and Air-Conditioning Engineers, an international technical society, Mr. Ellis has been awarded multiple accolades for his work and has been a guest lecturer for both ASHRAE and AIA chapters.

- State of Florida Professional Engineer # 67568
- Commonwealth of Massachusetts Professional Engineer # 48749
- State of Colorado Professional Engineer # 44501
- NCEES Model Law Engineer # 40735
- ASHRAE Member, Gold Coast Chapter past President, Gulf Stream Section current President
- US Green Building Council Leadership in Energy & Environmental Design Accredited Professional (LEED AP)
- NSPE Member
- Florida Engineering Society Member

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

BEN JAY  
ELLIS JR  
530 S FEDERAL HWY UNIT # 10  
LAKE WORTH, FL 33460-4681  
[REDACTED]

ISSUED: 07-12-2011  
EXPIRES: 09-26-2019  
[REDACTED]

*[Signature]*  
[REDACTED]

REPLACED: 04-29-2016  
[REDACTED]

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



APPLICANT'S NAME: William Joseph  
(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) William Joseph  
(print)

Residence: 1717 3rd Ave N. # 12

City: LAKE WORTH State: FL ZIP Code: 33460

Proof of residency attached: \_\_\_\_\_

Mailing Address: (if different from residence)

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_

Cell Phone: (\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

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? since 1998

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

What is your occupation? Private investigator

Employer? Central investigation

Business Address: (CRA board only) \_\_\_\_\_

Are you currently serving on any City advisory Board? \_\_\_\_\_

If so, which board? \_\_\_\_\_

Have you ever served on a City of Lake Worth board? \_\_\_\_\_

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? yes

If yes, please name the board, position, etc. Republican Party

---

**2. EDUCATION**

High School: UNFORD ACADEMY Date of Graduation: 07/2002

College: \_\_\_\_\_ Degree: \_\_\_\_\_ Date of Graduation: \_\_\_\_\_

Resume attached? yes \_\_\_\_\_ no

**3. WORK EXPERIENCE**

Private investigator, Jail Recovery Agent  
Security Services instructor

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**4. INTEREST/ACTIVITIES**

To serve my city

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**5. COMMUNITY INVOLVEMENT**

I am always volunteer

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

more involve in the city activity

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

Because my community not involve in the city activities, cause I would love to be part of the activity

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

cause i am a volunteer and i need to get more involve

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 WJ

July 26  
Date

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**Florida** *The Sunshine State*  
**DRIVER LICENSE CLASS E**  
[REDACTED] 78-0

WILLIAM  
JOSEPH  
1717 3RD AVE N APT 12  
LAKE WORTH, FL 33460-3289

ISSUED: 06-10-2011  
EXPIRES: 05-18-2019

[REDACTED]  
REPLACED: 04-20-2016

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

**SECURITY OFFICER INSTRUCTOR LICENSE**  
**STATE OF FLORIDA**

LICENSE NUMBER  
[REDACTED]

JOSEPH, WILLIAM

BIRTH DATE [REDACTED]

ISSUED: 07/2/16 EXPIRES: 04/22/18

The above named individual is licensed by the Department of Agriculture & Consumer Services, Division of Licensing in accordance with Chapter 493, Florida Statutes.

*Adam H. Putnam*  
**ADAM H. PUTNAM**  
COMMISSIONER

**HISTORIC RESOURCES PRESERVATION BOARD**  
THREE-YEAR TERMS

<b>MEMBERS</b>	<b>APPOINTED</b>		<b>ETHICS TRAINING</b>	<b>EXPIRES</b>
Herman Robinson - CHAIR 114 Ocean Breeze (Construction) <a href="mailto:Hcrfla99@yahoo.com">Hcrfla99@yahoo.com</a> <b>(Mayor's Appointment)</b>	06/30/10	H: 561-586-4913 W: 561-352-4252 C: 561-352-4252	YES	7/31/2018
Erin Fitzhugh Sita 807 North O Street (Urban Planner) <a href="mailto:Erinf27@hotmail.com">Erinf27@hotmail.com</a> <b>(Commissioner District 3 Appointee)</b>	10/06/15	C: 561-596-4378	YES	7/31/2017
Darrin Engel - VICE CHAIR 313 South Lakeside Drive (Architecture) <b>(Commissioner District 4 Appointee)</b>	07/01/14	C: 414-403-2608	YES	7/31/2017
Judith Just 306 N. Lakeside Dr. <a href="mailto:Judithjust01@hotmail.com">Judithjust01@hotmail.com</a> (Law) <b>(Vice Mayor's District 1 Appointee)</b>	07/23/12	H: 561-202-8081 W: 561-547-0549 C: 561-379-5372	YES	7/31/2019
Thomas Norris 302 North K Street <a href="mailto:norrist@bellsouth.net">norrist@bellsouth.net</a> (Architecture) <b>(Commissioner District 2 Appointee)</b>	12/02/14	C: 561-329-1798	YES	7/31/2016
Madeleine Burnside 518 South L Street <a href="mailto:mhburnside1815@gmail.com">mhburnside1815@gmail.com</a> (Historian) <b>(Mayor's Appointee)</b>	03/22/16	C: 502-409-1601	YES	7/31/2017
VACANT (Citizen at large) <b>(Vice Mayor's District 1 Appointee)</b>		C:	NA	7/31/2017

**Meetings:** Second Wednesday of each month at 6:00 PM

The Board's function is to consider historic preservation issues and shall consist of five resident members plus two alternates appointed by the City Commission. Four members constitute a quorum. Initial appointments: one member to serve three years; two members to serve one year; two members for a term of two years; thereafter, all regular terms three years and alternate terms one year.

Ord. No. 2014-02 - Section 23.2-7 establishes that the historic resources preservation board shall consist of seven (7) members. All members of the board shall be residents of or property owners in the city. Members of the historic resources preservation board shall serve without compensation. The seven (7) members shall be appointed by the city commission. All members of the board shall be appointed for a term of three (3) years. If any member of the board shall fail to be present at three (3) consecutive regularly scheduled meetings or at twenty-five (25) percent of the public meetings of the board held within any twelve-month period, the city clerk shall declare the member's office vacant and the city commission shall promptly fill such vacancy. Vacancies in the board membership by resignation, illness or other causes shall be filled by the city commission for the unexpired term of the member involved. Members of the historic resources preservation board may be removed from office by the city commission at its discretion. The board shall select its own chairman and vice-chairman annually at the first meeting in January. The city's preservation planner shall serve as secretary and advisor to the board. The membership of the HRPB shall include, to the extent available, members from the disciplines of architecture, architectural history, planning, archeology or related fields. At least two (2) members of the HRPB shall be experienced in the areas of real estate sales, land development, banking or law. One (1) member shall be from a professional discipline as described above and one (1) member shall be a citizen at large. The city commission shall determine whether or not the existing members of the HRPB meet the requirements of the certified local government program and may appoint up to two (2) additional members to the HRPB, if needed. Whenever a new member is appointed to the HRPB, the city commission shall consider the professional requirements of the new member to ensure that the requirements of the certified local government program are met. When necessary, persons serving on the HRPB shall attend educational meetings to develop a special interest, expertise, experience or knowledge in history, architecture, or related disciplines.

Ord. 2013-34 - Section 23.2, effective August 16, 2013 deletes alternate members and increases membership to seven (7) board members and amends absentee policy to three (3) consecutive regularly scheduled meetings or at twenty five percent (25%) of the public meetings of the Board held within any 12-month period, the City clerk shall declare the member's office vacant and the City Commission shall promptly fill such vacancy.

Ord. No. 2012-17, effective 04/27/12, changed qualifications to include disciplines of architecture, architectural history, planning, archaeology, or related fields. At least (2) members shall be experienced in the areas of real estate sales, land development, banking or law. One (1) alternate shall be from a professional discipline, and one (1) alternate member shall be a citizen at large.

Ord. No. 2010-16, HRPB was created.

**Secretary:** Sherrie Coale

**HISTORIC RESOURCES PRESERVATION BOARD**  
THREE-YEAR TERMS

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Ord. No. 2010-16, HRPB was created.

**Secretary:** Sherrie Coale

Expires 5/31/17



APPLICANT'S NAME: Christopher Pettit  
(Print name)

**VOLUNTEER ADVISORY BOARD APPLICATION**

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- 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
- 1  Community Redevelopment Agency \*
- Construction Board of Adjustments and Appeals \*\*
- Electric Utility Advisory Board
- Finance Advisory Board
- 3  Historic Resources Preservation Board \*\*
- Library Board
- 2  Planning & Zoning Board \* \*\*
- Sister City Board



Received  
5/31/16

\* 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.) Christopher Pettit (print)

Residence: 531 S. Federal Hwy #15

City: Lake Worth State: FL ZIP Code: 33640

Proof of residency attached: \_\_\_\_\_

Mailing Address: (if different from residence)

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Home Phone: ( — ) — Business Phone: ( 561 ) 493 6009

Cell Phone: ( 941 ) 549 2088 Email Address: chrislpettit@hotmail.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? 3 years

List all properties owned and/or business interests in Lake Worth? None

What is your occupation? Policy + Legislation Manager (WUD)

Employer? Palm Beach County

Business Address: (CRA board only) 8100 Forest Hill Blvd. WPB 33413

Are you currently serving on any City advisory Board? No

If so, which board? N/A

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

If so, when and which board(s)? N/A

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? Yes

If yes, please name the board, position, etc. PBC employee

**2. EDUCATION**

High School: Sarasota H.S. Date of Graduation: 1995

College: New College Degree: BA+2 Date of Graduation: 2001

Resume attached? yes X no \_\_\_\_\_

**3. WORK EXPERIENCE**

Policy + Legislation Mgr. - PBC WUD  
Senior Attorney - SWFWMD  
Law + Policy Advisor - UF Water Institute  
Senior Attorney - SFWMD

**4. INTEREST/ACTIVITIES**

Surfing, boating, historic preservation  
environment, theatre, fine food  
craft beer

**5. COMMUNITY INVOLVEMENT**

Board Member - Florida Earth Foundation  
Certified Mediator  
LPBC 2016 Alumni

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

I live almost within the boundaries of the CRA and am enthusiastic about the continued revitalization of the areas in which my family spends a lot of its time. I feel as though my law and economics background, intimate ties in the municipal and County community, and commitment as someone hoping to raise a young family in Lake Worth would make me an asset to the CRA.

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

Growth Mgmt. is the life blood of quality growth + (re) development w/in a community. I previously practiced as an attorney in a land use firm and handled growth mgmt. matters for the SFWMD and JFWMD Offices of Counsel.

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

My wife and I have long had a passion for the preservation and restoration of historic properties. Lake Worth's reputation as an artisan beach community is dependent on preserving its character,

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 CP  
\_\_\_\_\_  
Date 5/31/16

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or

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CHRISTOPHER L. PETTIT – U.S. Resident / Selective Service  
531 S. Federal Hwy., Lake Worth, FL 33460  
chrislpettit@hotmail.com ♦ cpettit@pbwater.com ♦ Mobile: 941.549.2088

### Professional Associations

- Florida Bar (Identification #41885) - American Bar Association (Identification# 00816294)
- Northern, Middle and Southern Districts of Florida
- 11<sup>th</sup> Circuit Court of Appeals
- Florida Certified Civil Mediator (Identification #24960R)
- EPA Water Quality Standards Academy Certification
- Certificate – Harvard Negotiation Institute: Negotiation and Leadership Program
- Member – AWWA: National Policy Committee, NACWA: Law and Policy and Climate Change Committees

### RECENT PROFESSIONAL HISTORY

Feb. 2012 – Present      **POLICY AND LEGISLATION MANAGER** – Palm Beach County Utilities – West Palm Beach, FL

#### **Duties:**

Palm Beach County WUD liaison to state and federal regulatory agencies including FDEP, SFWMD, DOH, federal and state DOT, DOI, USACE, FEMA, NRC, the Florida PSC and EPA. Responsible for identifying, tracking and coordinating any water or environmental regulatory proposals or changes that may impact Palm Beach County. Responsible for the development and coordination of strategies, written materials and legal actions to mitigate impacts. Attend key regulatory and agency stakeholder meetings to represent Palm Beach County. Prepare and support any Freedom of Information Act requests made to federal agency staff in rulemaking and litigation efforts.

Work with County Lobbyist, lobby team and County Executive staff to identify water and environmentally related strategies for state and federal legislative sessions. Track key bills using legislative tracking tools and obtain input from key staff before and during Session. Support the County Lobbyist as required, including writing white papers and talk points to describe the County's position on an issue.

Act as liaison to the government affairs arm of state-wide and national water and environmentally related professional organizations to provide sound public policy associated with potable water, stormwater, wetlands, flood control, wastewater and reclaimed water, and clean air issues. Attend meetings as necessary and actively participate in regulatory/legislative committee work as appropriate.

Coordinate grant activity involving water and environmental projects between the administrative arm of the County's Department of Economic Sustainability and internal engineering and financial staff.

Coordinate Palm Beach County Water Utilities responses to requests made under Florida's public records law and train executives and staff on Sunshine Law requirements.

Coordinate special projects as needed - Projects have included negotiating FEMA flood control mapping and deobligation, Clean Water Act and Clear Air Act rulemaking, coastal projects, including the expansion of the Port of Palm Beach, ESA determinations, US Army Corps of Engineers dredging and beach re-nourishment projects, updates and amendments to the Utility and Natural Resources elements of the Palm Beach County Comprehensive Plan, and "Utility of the Future" strategic planning. Additional special project assignments include serving on the Finance and Governance Committee for a large scale regional water and environmental resource development project that will provide additional water supply for public water suppliers while reducing excess surface water impacts to estuary and coastal waters. Another project includes developing the regulatory and governance framework for the implementation of projects to eliminate ocean outfalls that previously discharged effluent into coastal waters of the state.

Serve as member of Hurricane Team representing the Water Utilities Department at the County Emergency Operations Center during natural disasters and other emergencies, and serve on the Palm Beach County Water Resources Task Force supporting the County's Water Resources Director. Serve on the Strategic Planning Committee for the development of the latest 5 and 20 year Utility Strategic Plans.

Serve as Palm Beach County WUD attendee to the Southeast Climate Change Compact, a compact between Miami-Dade, Monroe, Broward and Palm Beach Counties to address the impacts of climate change on the natural resources and future development of the quad county area, as well as regional climate conferences and gatherings.

**Duties:**

District Counsel for rulemaking under the Florida Administrative Procedure Act (Chap. 120, Fla. Stat.). Rulemaking responsibilities include all areas of District authority, including water use and environmental resource permitting, protection of water and ecosystem resources, contracting, land use, real estate, right of way, water use and human resources. Responsibilities additionally include Office of Counsel representation on interdisciplinary teams responsible for the development of Minimum Flows and Levels to protect water supply and ecosystem health in Florida Waterways, including management of citizens advisory committees and peer review teams. Office of Counsel representative on joint water management district and Department of Environmental Protection teams negotiating complex issues with the Environmental Protection Agency, Army Corps of Engineers and US Fish and Wildlife Service arising from the administrative implementation of policies regarding the confluence of water quality and water supply governance. Development of rulemaking required interaction and negotiation with scientists, stakeholders, and policymakers, as well as an understanding of both the scientific and practical implications of any rule promulgated.

District Counsel responsible for educating and training staff on Sunshine and public records law, coordinating public records requests and devising and implementing internal operating procedures.

District Counsel in federal and appellate negotiations, rulemaking and litigation involving the Federal Administrative Procedure Act, Clean Water Act, Endangered Species Act, and other federal laws.

District Counsel in enforcement cases involving violations of Florida law regulating impacts to water and natural resources. Responsibilities included vetting possible litigation with regulatory staff and executive office representatives prior to assignment to Office of Counsel attorneys.

Responsibilities included coordination with regulatory staff regarding permitting of large scale phosphate mines, water resource development projects, large scale commercial and residential developments, and wetlands mitigation banks.

Responsibilities included the development and negotiation of proposed legislation, analysis of proposed legislation regarding the effects to District interests, preparation of inter-agency agreements and agency orders, and the negotiation of public private partnerships on water quality and water supply projects.

SWFWMD Office of Counsel representative to the Gulf of Mexico Alliance, a local and state government group addressing issues impacting the Gulf of Mexico, including water quality impacts, climate change and the BP oil spill.

District Counsel responsible for working with regulatory staff and management to create, edit, and revise Internal Operating Procedures (IOPs) and District Forms.

District Counsel responsible for negotiating and presenting interagency agreements and contracts with local governments and state agencies. Examples include the delegation of permitting responsibilities, cooperative funding projects for water resource development projects, right of way and land access contracts and agreements, and well construction and removal delegations

**July 2011 – January 2012 LAW AND POLICY FELLOW – University of Florida Water Institute – Gainesville, FL**

**Duties:**

Liaison for the Water Institute with stakeholders on both the state and federal government levels as well as private industry and NGOs; advise Institute staff and faculty on legal and policy issues regarding water and natural resources under both state and federal law; represent the Institute at state and federal rulemaking and policymaking meetings and hearings; assist in organizing speakers and conferences on behalf of the Institute; contribute to research and white papers developed by the Institute and its faculty addressing the Clean Water Act, integration of scientific knowledge into the framework of environmental law, the utilization of litigation to accomplish policy goals, the Endangered Species Act and its economic, social and political impacts, recent developments in Federal Administrative Law, and exploration into a universal framework of environmental law to update an increasingly inflexible and unworkable law and policy regime – work for the Water Institute involves interdisciplinary collaborations with numerous faculty from the Colleges of Law, Soil and Water Sciences, Engineering, Sociology, Political Science, Biology, Ecology, etc. Responsible for identifying and preparing grant opportunities and applications for projects involving water quality, water supply, ecohydrology, and interdisciplinary projects. Additionally responsible for implementing and tracking funded projects through completion to ensure that established benchmarks were met.

Areas of Practice:

District Counsel in Federal and Appellate litigation involving Federal Administrative Law, including cases involving the Administrative Procedure Act, Federal Advisory Committee Act, National Environmental Policy Act, Clean Water Act, Endangered Species Act Paperwork Reduction Act, Congressional Review Act, and Department Of Transportation Act, as well as cases invoking Constitutional Law Issues, including the Separation Of Powers And Equal Protection.

Counsel for District participation in Federal Rulemaking, including proposed Clean Water Act, Clean Air Act, and Climate Change related regulation, including the EPA's promulgation of numeric nutrient criteria for Florida's freshwaters and estuaries. As part of interdisciplinary team, undertook review of proposed EPA, DOT and USACE rules for compliance with the Paperwork Reduction Act, Congressional Review Act, and Data Quality Act. Prepared information requests and data quality correction requests under the Freedom Of Information Act and Data Quality Act.

Provided legal support for various Comprehensive Everglades Restoration Plan projects, including drafting and review of Project Implementation Reports for projects initiated under various Water Resource Development Acts. Support included ensuring compliance with the National Environmental Policy Act and generation of materials to support any future Administrative Record. Given the 50/50 cost share between the District and Army Corps of Engineers for Everglades restoration, these responsibilities also required intimate knowledge of Federal Appropriations Law and the negotiation of complex contracts and inter-agency agreements.

District Counsel responsible for educating and training staff on Sunshine and public records law, coordinating public records requests, implementing internal operating procedures, preparing power point presentations for Governing Board and Advisory Board presentations, advising new members of the Water Resources Advisory Commission of their Sunshine and public records law responsibilities, co-counsel on Sunshine and public records law litigation.

Office of Counsel representative responsible for negotiating with and working with agricultural interests to implement best management practices to achieve state water quality standards and restoration goals. Responsibilities involved outreach to agricultural stakeholders, implementation of Total Maximum Daily Loads and accompanying Basin Management Action Plans to rehabilitate impaired waters, implementation of programs to reduce agricultural water use, facilitating Works of the District Permits, and general educational presentations to inform agricultural interests and the public of changes in water supply and water quality planning and regulation.

As representative of a non-Federal local sponsor for Everglades Restoration, was actively involved in Federal Agency interaction with non-Federal partners under applicable laws and restrictions, including interaction with local governments, individual and industry stakeholders, as well as the Seminole and Miccosukee Tribes of Indians. Participation in EPA Rulemaking regarding the promulgation of numeric nutrient criteria for Florida also involved extensive interaction with scientists, engineers, and policymakers in an interdisciplinary environment. Responsible for negotiating and drafting various Memorandums Of Agreement with state and federal agencies, including re-negotiation of the Programmatic Regulations governing Comprehensive Everglades Restoration Plan projects. Prepared analyses involving the integration of diverse legal areas, including the complicated interaction between the Water Resource Development Acts, Clean Water Act, and Endangered Species Act. Negotiations required knowledge of complex issues and the ability to coordinate and reach agreement with several different state and federal agencies, as well as a myriad of diverse stakeholders from various disciplines

Provided transactional support regarding contracts involving construction, consulting, scientific research, and archaeological research. Served on the Office of Counsel team conducting due diligence on the proposed purchase of US Sugar assets that was eventually finalized after substantial negotiations and litigation.

Office of Counsel representative to the Water Resources Advisory Commission, an advisory body of 40+ stakeholders including utilities, environmental interests, agricultural interests, state and federal agencies, state and local political representatives, and District representatives. Responsibilities included mediating disputes between the members, providing counsel on the public records and sunshine law, apprising the members of District legal developments, and providing general legal support.

Responsible for Regulatory Environmental Enforcement under Florida State Law in Federal Court, State Circuit/County and Appellate Courts and Administrative proceedings. Required knowledge of applicable rules of Civil Procedure and Electronic Discovery. Required participation in numerous mediation sessions.

Office of Counsel representative on growth management and planning issues under Florida State growth management laws. Tasks involved high level interaction and coordination with local governments regarding water supply, water quality, impacts to natural resources, and consideration of the effects of climate change. For example, negotiations regarding the levels of protection needed to protect the greater Everglades while still allowing limestone mining that would also result in the development of reservoirs that would benefit both restoration and water supply.

Provided legislative commentary on pieces of proposed legislation at both the state and federal levels, including impacts on the District as well as possible solutions or additional language.

Office of Counsel representative on the District's Climate Change taskforce responsible for reporting to the District Leadership Team, Executive Office and Governing Board about the state of Climate Science and recommendations for shaping the District's response to the effects of Climate Change on areas within the District's jurisdiction. Co-authored a detailed climate change document detailing the effects of climate change on District operations and suggested changes to the current regulatory framework

Responsible for handling issues of Federal Cultural Resource/Indian Law, including issues arising under the National Historic Preservation Act and the Native American Graves Protection And Repatriation Act , as well as applicable state cultural resource laws. Included high level negotiations and litigation involving the Seminole and Miccosukee Tribes, as well as several federal agencies regarding cultural resource issues arising under Everglades restoration, DOT Act, NEPA, and state law. Successfully negotiated MOAs and POAs under the NHPA involving multiple parties, including the Army Corps of Engineers, Department of the Interior, Environmental Protection Agency, as well as involvement by the National Council for Historic Preservation

Continuing research project tracking the evolution of Federal Case Law involving all aspects of the Administrative Procedure Act and Federal Environmental Statues, including analysis of cases involving the Integration Of Diverse Legal Areas, such as the ongoing relationship and tension between the Endangered Species Act and National Environmental Policy Act in the Sacramento Delta of California.

Served as the District's legal representative on the State of Florida's issues team addressing questions of improved water governance and collaborative projects with the Florida Earth Foundation and University of Florida's Water Institute regarding the development of a new water ethic in the state.

**2007-2008 ATTORNEY - Office of Regional Conflict Counsel SARASOTA, FL**

Managed a felony docket of 70+ cases, Responsibilities include case development for trial, motion practice, discovery development, witness interviews, depositions, document production, records management, legal research, and trial advocacy.

**2006-2007 LEGAL FELLOW – Abel Band, Chtd. SARASOTA, FL**

Undertook legal research and drafted memoranda on land use/real estate projects, municipal and administrative law

**2006-2008 LAW AND POLICY ADJUNCT - Mote Marine Laboratories Marine Policy Institute SARASOTA, FL**

Drafted reports and analysis on environmental and water law issues affecting Florida, including various state and federal cases and legislation; prepared comparative analyses regarding institutional implementation of water law and policy on a state and federal level. – Included submitting requests under the Freedom Of Information Act and requests for correction under the Data Quality Act. Drafted Issue Briefs for Institute tracking of and involvement in cases involving water quality issues invoking both the Clean Water Act and Administrative Procedures Act. Responsible for identifying and preparing grant opportunities and applications for projects involving water quality, water supply, ecohydrology, and interdisciplinary projects. Additionally responsible for implementing and tracking funded projects through completion to ensure that established benchmarks were met.

2004-2007 **CONSULTANT AND POLICY ADVISOR - Association of Water And Rural Development (Award) UNESCO SOUTH AFRICA**

Conducted legal and policy research in the Limpopo and Mpumalanga Provinces to assess controlling water legislation and ascertain best practices in water management and land use; authored a compendium on water and land use in South African law (specifically the National Water Act and implementing regulations); conducted workshops in local communities; helped to author legislation governing water and land use and the articulation of guidelines to govern further land development; implemented institutional, municipal, and administrative frameworks at the catchment level; studied and explored public/private partnerships for the provision of water; and made presentations before the South African Parliament and the National Water Advisory Council. Residence in South Africa from July 2005 through March 2006. Responsibilities included organization and supervision of advisory groups and volunteer activities, including canvassing and scientific sampling. Responsible for identifying and preparing grant opportunities and applications from the Water Research Commission and United Nation grant program for projects involving water quality, water supply, ecohydrology, and interdisciplinary projects. Additionally responsible for implementing and tracking funded projects through completion to ensure that established benchmarks were met.

2005-Present **NEW COLLEGE OF FLORIDA, UNIV. OF SOUTH FLORIDA, FLORIDA ATLANTIC UNIVERSITY, UNIVERSITY OF CAPE TOWN, UNIV. OF FLORIDA**  
**Alumni Fellow/Adjunct Professor of Jurisprudence**

Classes Taught: Sustainable Development Law, Environmental Law and Policy, Theories of Law and Rights, Human Rights Law, Law of Water and Natural Resources, Human Rights and Islamic Law, Introduction to Criminal Law, US Constitutional Law

Lectured Undergraduate students on various aspects of Federal law, including Federal Government Administrative Law including the Administrative Procedure Act, Paperwork Reduction Act, and Congressional Review Act. Taught class sessions on Information Law, including the Freedom Of Information Act, Privacy Act and Federal Records Act; the Endangered Species Act; the Clean Water Act; interaction between Federal Agencies and Non-Federal Partners; Constitutional Law issues; and several other areas of Federal Environmental Law.

*\*\* Syllabi available upon request*

Education

- 2008-present **FLORIDA ATLANTIC UNIVERSITY / UNIVERSITY OF FLORIDA**  
PhD level classwork and research undertaken in the areas of Law and Economics, Public Administration, Ecohydrology, Limnology, Watershed Management, Wetlands and Water Quality, Environmental Governance, and Statistical Analytics
- 2005-2007 **UNIVERSITY OF LONDON, QUEEN MARY COLLEGE** **UNITED KINGDOM**  
Three years completed towards Doctor of Philosophy in The Institutional Implementation of Environmental and Water Law; thesis research included consultancies on the administrative implementation of law and policy in South Africa, Costa Rica, and Tanzania
- 2005 **UNIVERSITY OF CAPE TOWN** **SOUTH AFRICA**  
Master's of Law (LL.M) in International and Comparative Law; internship at White & Case, LLP in Johannesburg focused on international land use policy and development;  
Member: UCT Africa Moot Court  
(achieved 1<sup>st</sup> Place at All Africa competition in Tanzania, 2005)
- 2001-2004 **UNIVERSITY OF FLORIDA, COLLEGE OF LAW** **GAINESVILLE, FL**  
Juris Doctor, *cum laude* (emphasis in international law and policy); Dean's List: 2003-2004; Book Awards: International Law, Human Rights Law, International Organizations, Comparative Constitutionalism and Administrative Law. Member: International Law Society, International Law Students Association, Phi Alpha Delta; Research and Teaching Assistant to Professor Winston Nagan; participated in study abroad at the University of Cape Town (South Africa) and in Sri Lanka (practical internship)
- 1997-2001 **NEW COLLEGE OF FLORIDA** **SARASOTA, FL**  
Bachelor of Arts (Political History); Bachelor of Arts (Comparative Religion).

International Associations

- Fellow, Centre for International Sustainable Development Law (McGill University): 2005-Present
- Project Coordinator/Law Clerk, Judge C.G. Weeramantry (Colombo, Sri Lanka): 2004-2006

International Projects

- 2005-2006      **UNESCO WATER GOVERNANCE PROJECT**      **SOUTH AFRICA**  
Implementation of the National Water Act in coordination with the South African Department of Water Affairs and Forestry and Water Research Commission. Responsibilities included partnerships with local NGOs including the Association for Water and Rural Development to establish catchment management areas, implement administrative law and licensing schemes, establish governance and finance frameworks at the local and regional level, and public outreach.
- 2015-Present      **PAYMENT FOR ENVIRONMENTAL SERVICES PARTNERSHIP**      **SCOTLAND**  
Partnership with the UNESCO Water Institute at the University of Dundee regarding regional and transboundary water quality and quantity legal and policy challenges involving the implementation of market based payment for environmental services programs. Projects involve both academic studies and analyses as well as advising local, regional and national administrative bodies.
- 2015-Present      **USAID / WATERLINKS BE SECURE WATER AND CLIMATE CHANGE**      **PHILIPPINES**  
Development of Communities of Partnership between several Water Districts regarding water policy planning and challenges in responding to the impacts of climate change. Responsibilities included assisting the Water District's in the development of vulnerability assessments, business plans and emergency response plans. Additional efforts required advisement on governance issues such as silos in existing environmental regulatory regimes and rigidity in procurement policies. Future work involves working with the Department of Public Works and highways on governance issues to allow for flexibility in implementing integrated water management policies and programs.



3/25/2016

VOTER INFORMATION CARD • PALM BEACH COUNTY, FLORIDA  
TARJETA ELECTORAL, CONDADO DE PALM BEACH, FLORIDA

REGISTRATION NUMBER

Numero de Inscripcion

REGISTRATION DATE

Fecha de Inscripcion

PRECINCT

Distrito Electoral

[REDACTED]

09/26/96

[REDACTED]

PETTIT, CHRIS L

# 15

531 S FEDERAL HWY  
LAKE WORTH FL 33460

Signature of Voter

Firma de Votante

X

[Handwritten Signature]

[REDACTED]

FOLD HERE / DOBLE AQUI

YOUR PRECINCT NUMBER

Su Número de Distrito Electoral

[REDACTED]

YOUR POLLING LOCATION

Su Centro Electoral

[REDACTED] LAKE WORTH

YOU ARE ELIGIBLE TO VOTE FOR A REPRESENTATIVE IN EACH DISTRICT LISTED  
USTED PUEDE VOTAR POR UN REPRESENTANTE DE CADA DISTRITO NOMBRADO

US CONGRESS

STATE SENATE

STATE HOUSE

Congreso de los EE.UU

Senado del Estado

Cámara de Diputados del Estado

COUNTY COMMISSION

SCHOOL BOARD

MUNICIPALITY

Comisión del Condado

Junta Escolar

Municipalidad

LW

REGISTRATION NO ▶

[REDACTED]

◀ NUMERO DE INSCRIPCION

SUSAN BUCHER • SUPERVISOR OF ELECTIONS / SUPERVISOR DE ELECCIONES



**AGENDA DATE:** August 16, 2016, Regular Meeting

**DEPARTMENT:** Community Sustainability

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**EXECUTIVE BRIEF**

**TITLE:**

Resolution No. 40-2016 – Adopt the final assessment roll for non-ad valorem assessments levied for the costs of unpaid lot clearing, board and secure, and demolition special assessments

**SUMMARY:**

The Resolution provides for the adoption of the final 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 certify the final Chronic Nuisance Services Assessment Roll to the Tax Collector.

**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, failed to abate such nuisances and failed to pay the City for the costs the City incurred in the abatement of the nuisances. 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. The City has complied with the requirements of Chapter 2, Article XIX, Division 2 “Levy and Collection of Non-Ad Valorem Assessments” of the City’s Code of Ordinances 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 City Commission adopted Resolution No. 33-2016 which directed the creation of the preliminary Chronic Nuisance Services Assessment Roll; scheduled the date, time, and place of the August 16, 2016 public hearing to receive and consider comments from the public and consider the adoption of the chronic nuisance service roll for 2016; and provided notice by publication and first class mail to those property owners listed on the preliminary assessment roll. At the public hearing on August 16, 2016, the City Commission will receive any written objections to the assessment roll and shall hear testimony from all interested persons as required by section 197.3632, Florida Statutes, and, if appropriate, will adopt the final Chronic Nuisance Services Assessment Roll and direct the certification of the final roll to the Tax Collector. The adoption of the final roll shall constitute a legislative determination that all assessed parcels of real property derive a special benefit from the nuisance violation abatement services provided by the City, and a legal determination that the assessments are fairly and reasonably apportioned to the properties.

The total amount at this time being assessed is roughly \$153,568. Of that amount, it is estimated that approximately 50% will be collected in FY 2017 and the remaining will be collected over the next three fiscal years. Many of the properties involved have absent owners and collection of the assessments may involve tax deed sales, which will delay collection.

**MOTION:**

I move to approve / not approve Resolution No. 40-2016

**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	0	0	0	0
External Revenues	0	0	0	0	0
Program Income	0	\$76,784	\$25,594	\$25,594	\$25,594
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:

Monies collected will be placed in the Remediation Services Revenue Accounts - 160-0000-369.90-10 Boarding Income, 160-0000-369.90-20 Lot Clearing Income and 160.0000-369.90-26 Demolition Income for use in continuing to provide these services.

### C. Department Fiscal Review: WW

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40-2016

RESOLUTION NO. 40-2016 OF THE CITY OF LAKE WORTH, FLORIDA, RELATED TO THOSE NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED FOR THE COST 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; APPROVING THE ASSESSMENT ROLL FOR FISCAL YEAR 2015-2016; 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 1<sup>st</sup> 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, 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 on the property tax bills to be issued in November, 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 Services Assessment Roll for 2016; and provide notice by publication and first class mail to those property owners listed on the preliminary assessment roll; and

WHEREAS, the City Commission adopted Resolution No. 33-2016 (the "Initial Assessment Resolution") which directed the creation of the proposed Assessment Roll and notice to assessed property owners; and

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WHEREAS, the proposed Assessment Roll has been made available for inspection by the public; and

WHEREAS, notice of the public hearing has been published as required by the terms of the Ordinance; and

WHEREAS, notice of the public hearing was also mailed to each effected property owner as required by the Ordinance, providing notice of an opportunity to be heard; and an affidavit of the mailing of such notice is attached hereto as “**Exhibit A**”; and

WHEREAS, a public hearing was held on August 16, 2016, and comments and objections of all interested persons wishing to comment were heard and have been considered.

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

**Section 1.** The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

**Section 2.** This Resolution is adopted pursuant to the provisions of ch. 2, article XIX, division II of the Code of Ordinances, secs. 2-75.2.7, 12-42, and 9-2.2(q) of the Code of Ordinances, article 8, sec. 2(b) of the Florida Constitution, F.S. § 166.021, F.S. § 166.041, and F.S. § 197.3632.

**Section 3. Legislative Determinations.** It is hereby ascertained and declared that the chronic nuisance services costs, which are defined to include all nuisance violation abatement costs, including but not limited to lot clearing, boarding and securing, and demolition (collectively and individually, the “Chronic Nuisance Services Costs”), provided a special benefit to each parcel assessed, based upon the following legislative determinations:

(A) It is hereby ascertained, determined, and declared that each assessed parcel has benefitted by the City’s provision of nuisance abatement services, including, but not limited to lot clearing, boarding and securing, and demolition, in an amount not less than the amount of the Chronic Nuisance Services Costs imposed against each parcel.

(B) It is fair and reasonable to assess the Chronic Nuisance Services Costs in the amounts actually expended by the City to benefit each assessed parcel.

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97 **Section 4.** The proceeds of the Chronic Nuisance Services Costs are  
98 reimbursement to the City for funds previously expended to provide such  
99 services. A portion of the costs to continue to provide Chronic Nuisance Services  
100 may be funded from proceeds of the Chronic Nuisance Services Assessment.  
101 The remaining costs of providing Chronic Nuisance Services and related  
102 operating costs shall be funded by legally available City revenues other than  
103 Chronic Nuisance Services Assessment proceeds.  
104

105 **Section 5.** The Chronic Nuisance Services Assessment Roll for collection on  
106 the November 2016 tax bill, attached as “**Exhibit B,**” is hereby approved and  
107 incorporated herein by this reference. The Chronic Nuisance Services  
108 Assessments in the amount set forth in the Assessment Roll, as may be corrected  
109 and adjusted pursuant to the Ordinance, are hereby levied and imposed on all  
110 parcels described in the Chronic Nuisance Services Assessment Roll.  
111

112 **Section 6.** The Chronic Nuisance Services Assessment Roll shall constitute a  
113 lien upon the assessed parcels equal in rank and dignity with the liens of all state,  
114 county, district or municipal taxes and other non-ad valorem assessments.  
115 Except as otherwise provided by law, such liens shall be superior in dignity to all  
116 other liens, titles and claims, until paid.  
117

118 **Section 7.** The Chronic Nuisance Services Assessments for November 2016  
119 shall be collected and enforced pursuant to the Uniform Assessment Collection  
120 Act.  
121

122 **Section 8.** All Resolutions or parts of Resolutions in conflict herewith are  
123 hereby repealed.  
124

125 **Section 9.** If any provision of this resolution or the application thereof to any  
126 person or circumstances is held invalid, the invalidity shall not affect other  
127 provisions or applications of this Resolution which can be given effect without the  
128 invalid provision or application and to this end the provisions of this Resolution  
129 are declared severable.  
130

131 **Section 10.** This Resolution shall take effect upon adoption.  
132

133 The passage of this Resolution was moved by Commissioner  
134 \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and upon being  
135 put to a vote, the vote was as follows:  
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137 Mayor Pam Triolo  
138 Vice Mayor Scott Maxwell  
139 Commissioner Christopher McVoy  
140 Commissioner Andy Amoroso  
141 Commissioner Ryan Maier  
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The Mayor thereupon declared this Resolution duly passed and adopted on this 16<sup>th</sup> day of August, 2016.

LAKE WORTH CITY COMMISSION

By: \_\_\_\_\_  
Pam Triolo, Mayor

ATTEST:

\_\_\_\_\_  
Pamela J. Lopez, City Clerk

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Exhibit A



**AFFIDAVIT CONFIRMING MAILING OF NOTICES**

STATE OF FLORIDA)  
COUNTY OF PALM BEACH)

I, Corinne Elliott, being duly sworn, depose and say that:

1. I am a Asst. Finance Director for the City of Lake Worth.
2. I prepared the notices required pursuant to subsection 197.3632(4), Florida Statutes, for each effected property owner listed on the preliminary Chronic Nuisance Service Assessment Roll that was attached to Resolution No. 33-2016. The notices included all information required by subsection 197.3632(4) and the City's Code of Ordinances. I have personal knowledge that these notices were mailed by first-class U.S. Mail twenty (20) or more days prior to the August 16, 2016, public hearing scheduled before the City Commission, as required by law.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made above.

Corinne Elliott \_\_\_\_\_ 8/3/16 \_\_\_\_\_  
**Signature** **Date**

The foregoing instrument was acknowledged before me this 3rd day of August, 2016, by Corinne Elliott. She is personally known to me or has produced \_\_\_\_\_ as identification.

Melissa Ann Coyne \_\_\_\_\_  
 Notary Public, State of Florida  
 My Commission Expires:



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Exhibit B

**LOT CLEARINGS**

CASE #	Owner Name	Owner Address	PCN	Legal Description	Property Address	Date invoiced	Amount owed	Contr. Invoice	Finance Invoice	Invoice Status
15-1710	CHRISTOPHER HOUSE OF HOPE INC.	591 VILLAGE BLVD STE 905 WEST PALM BEACH FL 33409-1804	38-43-44-21-15-310-0090	TOWN OF LAKE WORTH LT 9 BLK 310	1031 N J St	11/19/2015	\$193.00	110915a	8576	11/13/2015
15-328	VARECHA JOSEPH EST	LAKE WORTH FL 33460-4046 105 S D ST	38-43-44-21-15-063-0190	TOWN OF LAKE WORTH LTS 19 & 20 BLK 63	105 S D St	4/13/2015	\$683.00	3304	7932	5/1/2015
15-671	VARECHA JOSEPH EST	LAKE WORTH FL 33460-4046 105 S D ST	38-43-44-21-15-063-0190	TOWN OF LAKE WORTH LTS 19 & 20 BLK 63	105 S D St	7/29/2015	\$803.00	3456	8128	8/24/2015
15-823	DEUTSCHE BANK NATIONAL TRUST COMPANY TR	6501 IRVINE CENTER DR IRVINE CA 92618-2133	38-43-44-21-15-002-0110	LAKE WORTH TOWN OF LT 11 BLK 2	107 N B St	7/29/2015	\$598.00	3457	8130	8/24/2015
14-2327	RAILROAD STATION ENTERPRISES INC	2800 N PATRICK CIR WEST PALM BEACH FL 33406 4457	38-43-44-21-15-011-0190	TOWN OF LAKE WORTH LT 19 BLK 11	1108 1st Ave S	11/18/2014	\$9,683.60	3149	7620	1/22/2015
15-98	PACHECO GENARO	LAKE WORTH FL 33460-4021 112 S E ST	38-43-44-21-15-059-0110	TOWN OF LAKE WORTH LT 11 BLK 59	112 S E St	3/18/2015	\$691.25	3275	7893	4/29/2015
15-1835	LOMBARDO ANTHONY JR	LAKE WORTH FL 33460-4125 126 S J ST	38-43-44-21-15-049-0031	TOWN OF LAKE WORTH N 1/2 OF LT 3 & LT 4 BLK 49	126 S J St	12/27/2015	\$2,768.00	122715A	8656	12/31/2015
15-191	LOMBARDO ANTHONY JR	LAKE WORTH FL 33460-4125 126 S J ST	38-43-44-21-15-049-0031	TOWN OF LAKE WORTH N 1/2 OF LT 3 & LT 4 BLK 49	126 S J St	4/13/2015	\$657.75	3305	7933	5/1/2015
15-1406	BRYANT TERRY	WEST PALM BEACH FL 33407-4011 915 39TH ST	38-43-44-27-01-064-0021	ADD 1 TO TOWN OF LAKE WORTH LT 2 / LESS 5 FT / BLK 64	1328 S LST	10/27/2015	\$693.00	102515E	8564	10/29/2015
14-1878	MENDELSON CRAIG & MENDELSON DAWN	LAKE WORTH FL 33460-5319 1414 S B ST	38-43-44-33-11-006-0150	WHISPERING PALMS NO 4 LT 15 BLK 6	1414 S B St	12/3/2014	\$1,098.56	3180	7602	1/22/2015
15-1497	MENDELSON CRAIG & MENDELSON DAWN	LAKE WORTH FL 33460-5319 937 39TH CT	38-43-44-33-11-006-0150	WHISPERING PALMS NO 4 LT 15 BLK 6	1414 S B St	10/27/2015	\$1,823.00	102515A	8572	10/29/2015
15-38	AFFORDABLE HOME COMPANY	WEST PALM BEACH FL 33407-4015	38-43-44-34-01-000-0460	OSBORNE ADD AMND LT 46	1614 S JOHNSON St	2/10/2015	\$915.00	3247	7721	3/12/2015
14-2289	DUQUETTE SARA	LAKE WORTH FL 33460-6614 1802 N LAKESIDE DR	38-43-44-15-16-053-0010	NORTH LAKE WORTH LT 1 BLK E	1802 N LAKESIDE DRIVE	2/18/2015	\$155.00	21815A	7717	3/12/2015

15-1263	DUQUETTE SARA	1802 N LAKESIDE DR LAKE WORTH FL 33460-6614	38-43-44-15-16-053-0010	NORTH LAKE WORTH LT 1 BLK E	1802 N LAKESIDE DRIVE	9/7/2015	\$463.00	9/1/2015B	8349	9/24/2015
13-1392	KLAUSMEYER HOLDINGS LLC	806 E WINWARD WAY PH 12 LAKE WORTH FL 33462-8016	38-43-44-21-15-066-0130	TOWN OF LAKE WORTH LT 13 BLK 66	215 N. C St	9/25/2012	\$93.00	9904b	7622	1/22/2015
14-064	MCCAIN GLORIA	18727 46TH CT LOXAHATCHEE FL 33470- 1809	38-43-44-21-15-062-0110	TOWN OF LAKE WORTH LT 13 BLK 66	222 N D St	7/25/2014	\$1,034.24	235	7623	1/22/2015
13-1426	ANICETTE BRADFORD	5005 NORTHERN LIGHTS DR LAKE WORTH FL 33463-5921	38-43-44-21-15-064-0110	TOWN OF LAKE WORTH LTS 11 TO 13 INC BLK 64	224 N. C St	9/25/2012	\$1,180.00	9904ad	7616	1/22/2015
15-1657	SHERIDAN SCOTT A TRUST	2614 LAKE OSBORNE DR LAKE WORTH FL 33461-5663	38-43-44-29-05-000-0930	LAKE OSBORNE TERRACE LT 93	2614 LAKE OSBORNE DR	10/27/2015	\$188.00	102515F	8570	10/29/2015
13-1069	NATIONWIDE INVESTMENT FIRM CORP	1375 GATEWAY BLVD BOYNTON BEACH FL 33426 8304	38-43-44-21-15-129-0090	TOWN OF LAKE WORTH LTS 9 & 10 BLK 129	314 South C St	10/23/2014	\$658.56	3072	7604	1/22/2015
15-1047	MAGNOT LINE LLC	320 E SEAVIEW DR MARATHON FL 33050-3820	38-43-44-21-15-151-0210	TOWN OF LAKE WORTH LT 21 BLK 151	409 S J St	9/30/2015	\$823.00	3551	8460	9/30/2015
15-566	CARR EDWARD	416 S J ST LAKE WORTH FL 33460-4544	38-43-44-21-15-153-0090	TOWN OF LAKE WORTH LT 9 BLK 153	416 S J St	6/29/2015	\$1,325.90	249	8026	6/30/2015
15-1301	PATINO FRANCISCO J	530 S I ST LAKE WORTH FL 33460-4518	38-43-44-21-15-174-0170	TOWN OF LAKE WORTH LTS 17 & 18 BLK 174	501 7th Ave N	9/30/2015	\$658.00	3552	8458	9/30/2015
15-326	PATINO FRANCISCO J	530 S I St LAKE WORTH FL 33460-4518	38-43-44-21-15-174-0170	TOWN OF LAKE WORTH LTS 17 & 18 BLK 174	501 7th Ave N	5/21/2015	\$368.00	52115A	7950	6/5/2015
15-1164	UNIVERSAL 21 HOTELS INC	ANTILLA MARTIN C/O C OLIVA 3 LOCAL N 32CENTRO FINDANDIA FUENGIROLA MALAGA 29640 SPAIN	38-43-44-27-01-003-0080	ADD 1 TO TOWN OF LAKE WORTH LT 8 BLK 3	508 S FEDERAL HWY	9/29/2015	\$1,023.00	3549	8462	9/30/2015
15-1166	FINN LION INC	ANTILLA MARTIN C/O C OLIVA 3 LOCAL N 32 CENTRO FINDANDIA FUENGIROLA MALAGA 29640 SPAIN	38-43-44-27-01-003-0070	ADD 1 TO TOWN OF LAKE WORTH LT 7 BLK 3	510 S FEDERAL HWY	9/29/2015	\$1,065.56	3550	8462	9/30/2015
14-1027	SIMON SUSAN J	PO BOX 385 LAKE WORTH FL 33460-0385	38-43-44-21-15-213-0072	TOWN OF LAKE WORTH W 45 FT OF E 90 FT OF N 20 FT OF LT 7 & W 45 FT OF E 90 FT OF LT 8 BLK 213	513 6th Ave S	12/16/2014	\$1,198.00	121614A	7619	1/22/2015

15-146	KOBLER SANDOR	1404 S N ST LAKE WORTH FL 33460-5728	38-43-44-21-15-148-0110	TOWN OF LAKE WORTH LTS 11 & 12 BLK 148	524 N H St	4/9/2015	\$2,013.00	41515a	7892	4/29/2015
15-1523	KOBLER SANDOR	1404 S N ST LAKE WORTH FL 33460-5728	38-43-44-21-15-148-0110	TOWN OF LAKE WORTH LTS 11 & 12 BLK 148	524 N H St	10/21/2015	\$562.80	3599	8563	10/29/2015
14-2209	FLORES JOSE, FLORES JOSE JR., FLORES NINFA & FLORES VALERIE J	527 N K ST LAKE WORTH FL 33460-3021	38-43-44-21-15-152-0180	TOWN OF LAKE WORTH LT 18 BLK 152	527 N K St	1/13/2015	\$526.75	3217	7645	1/22/2015
15-1173	FLORES JOSE, FLORES JOSE JR., FLORES NINFA, FLORES VALERIE J &	527 N K ST LAKE WORTH FL 33460-3021	38-43-44-21-15-152-0180	TOWN OF LAKE WORTH LT 18 BLK 152	527 N K St	9/8/2015	\$438.00	3498	8348	9/24/2015
14-611	TARPON IV LLC	400 AVENTURA FL 33160 2172	38-43-44-34-02-000-0030	AMENDED PL OF LATONA COURT LTS 3 & 4	610 Latona Avenue	11/5/2012	\$270.37	236	7606	1/22/2015
15-1307	CHILDERS WENDY J	610 N E ST LAKE WORTH FL 33460-2853	38-43-44-21-15-188-0050	TOWN OF LAKE WORTH LTS 5 & 6 BLK 188	610 N E St	10/27/2015	\$2,108.00	102515C	8565	10/29/2015
15-1155	OCHOA HILDA	608 1ST AVE S LAKE WORTH FL 33460-3833	38-43-44-21-15-176-0050	TOWN OF LAKE WORTH LT 5 BLK 176	610 N K St	9/8/2015	\$997.00	3499	8388	9/24/2015
15-1078	GOMEZ CARLOS RODRIGUEZ	616 S PINE ST LAKE WORTH FL 33460-4748	38-43-44-28-03-000-0280	ADD 1 TO LAKEVIEW HGTS LT 28	616 S PINE St	9/8/2015	\$560.00	3500	8376	9/24/2015
15-1987	GOMEZ CARLOS RODRIGUEZ	616 S PINE ST LAKE WORTH FL 33460-4748	38-43-44-28-03-000-0280	ADD 1 TO LAKEVIEW HGTS LT 28	616 S PINE St	12/27/2015	\$994.00	122715B	8657	12/31/2015
15-311	CABREJA GLENYS C	313 LAKE CIR # 312 NORTH PALM BEACH FL 33408-5230	38-43-44-34-01-000-0482	OSBORNE ADD AMIND LT 48 /LESS N 65 FT OF E 25 FT/	707 WASHINGTON AVE	4/5/2015	\$478.00	41515D	7898	4/29/2015
15-323	MULE PAUL	109 W MANGO RD LAKE WORTH FL 33467-4819	38-43-44-21-15-222-0140	TOWN OF LAKE WORTH LT 14 BLK 222	709 N Federal Hwy	5/13/2015	\$617.00	3334	7951	6/5/2015
15-1495	MUSGRAVE AMBER	718 S PINE ST LAKE WORTH FL 33460-4750	38-43-44-28-05-000-0201	LAKEVIEW HGTS ADD 3 N 25 FT OF LT 20 & S 25 FT OF LT 21	718 S PINE St	10/29/2015	\$1,866.50	3610	8571	10/29/2015
15-123	JENNE KENNETH C II	2601 W BROWARD BLVD FORT LAUDERDALE FL 33312 1308	38-43-44-21-15-242-0040	TOWN OF LAKE WORTH LT 4 BLK 242	814 N J St	3/5/2015	\$91.00	3915A	7739	3/20/2015
14-2369	BECKER DANIEL & DOTTER CHRISTINA	4130 SABAL LAKE RD DELRAY BEACH FL 33445 1219	38-43-44-21-15-241-0040	TOWN OF LAKE WORTH LT 4 BLK 241	814 S B St	12/3/2014	\$807.00	3179	7610	1/22/2015
14-2316	HUNTER MARY L & EMMETT HUNTER	817 TRUMAN ST LAKE WORTH FL 33460 5548	38-43-44-34-03-000-0210	PARKVIEW HEIGHTS LT 21	817 Truman Ave	12/4/2014	\$893.25	3181	7627	1/22/2015

15-1411	HUNTER MARY L & EMMETT HUNTER	817 TRUMAN ST LAKE WORTH FL 33460-5548	38-43-44-34-03-000-0210	PARKVIEW HEIGHTS LT 21	817 TRUMAN AVE	10/27/2015	\$128.00	102515B	8566	10/29/2015
15-281	BRAIDE JOAN	10213 NW 54TH PL POMPANO BEACH FL 33076-1775	38-43-44-21-15-247-0160	TOWN OF LAKE WORTH LT 16 BLK 247	831 S F St	4/9/2015	\$3,413.00	41515C	7900	4/29/2015
14-2382	BARRIOS CARLOS	2520 IDA WAY WEST PALM BEACH FL 33415-7402	38-43-44-27-01-026-0040	ADD 1 TO TOWN OF LAKE WORTH LT 4 BLK 26	920 S J St	12/16/2015	\$558.00	12164D	7609	1/22/2015
15-1549	ADAIR JOHN TRUST	100 WATERWAY DR # 210 LAKE WORTH FL 33462-1882	38-43-44-21-15-274-0040	TOWN OF LAKE WORTH LTS 4, 5 & 6 BLK 274	922 N G St	10/28/2015	\$653.00	102515G	8568	10/29/2015
						Total	\$48,815.09			

**BOARD AND SECURES**

CASE #	Owner Name	Owner Address	PCN	Legal Description	Property Address	Date Invoiced	Amount owed	Contr. Invoice	Finance Invoice	Invoice Status
14-1009	CHRISTOPHER HOUSE OF HOPE INC	931 VILLAGE BLVD STE 905 WEST PALM BEACH FL 33409 1804	38-43-44-21-15-310-0090	TOWN OF LAKE WORTH LT 9 BLK 310	1031 N J St	12/9/2014	\$2,659.95	2756	7632	1/22/2015
15-158	DEUTSCHE BANK NATIONAL TRUST COMPANY TR	6501 IRVINE CENTER DR IRVINE CA 92618-2133	38-43-44-21-15-002-0110	LAKE WORTH TOWN OF LT 11 BLK 2	107 N B St	6/23/2015	\$1,272.75	2855	8027	6/30/2015
15-136	MAY SCOTT	401 NE 6TH AVE DELRAY BEACH FL 33483-5607	38-43-44-21-15-063-0090	TOWN OF LAKE WORTH LT 9 BLK 63	116 S C St	4/16/2015	\$1,479.94	2821	7901	4/29/2015
15-650	LOMBARDO ANTHONY JR	126 S J ST LAKE WORTH FL 33460-4125	38-43-44-21-15-049-0031	TOWN OF LAKE WORTH N 1/2 OF LT 3 & LT 4 BLK 49	126 S J St	10/20/2015	\$2,773.37	2909	8472	10/30/2015
13-1492	BRYANT TERRY SANTIAGO NANCY	915 39TH ST WEST PALM BEACH FL 33407-4011	38-43-44-27-01-064-0021	ADD 1 TO TOWN OF LAKE WORTH LT 2 /LESS 5 5 FT/ BLK 64	1328 S L St	12/12/2014	\$1,503.58	2758	7600	1/22/2015
15-1679	SANTIAGO NANCY TR HLD R	1410 S H ST LAKE WORTH FL 33460 5463	38-43-44-33-12-012-0230	WHISPERING PALMS NO 5 LT 23 BLK 12	1410 S H St	12/26/2015	\$1,078.22	2944	8658	12/31/2015
15-212	JORDAN GARY & JORDAN VIRGINIA	266 S D ST LAKE WORTH FL 33460	38-43-44-21-15-075-0040	TOWN OF LAKE WORTH LT 13 BLK 62	226 S D St	9/5/2015	\$2,128.60	2892	8347	9/24/2015
15-294	BRYANT FAMILY TRUST NEW ADVENTURES INC TR	2122 UNION ST ROYAL PALM BEACH FL 33411-5757	38-43-44-21-15-066-0080	TOWN OF LAKE WORTH LT 8 BLK 66	230 N B St	8/15/2015	\$565.65	2880	8134	8/24/2015
14-2262	ROONEY GLORIA C	307 N F ST LAKE WORTH FL 33460-3339	38-43-44-21-15-078-0290	TOWN OF LAKE WORTH LT 29 BLK 78	307 N F St	1/19/2015	\$1,051.21	2780	7646	1/22/2015
15-50	NATIONWIDE INVESTMENT FIRM CORP	1375 GATEWAY BLVD BOYNTON BEACH FL 33426-8304	38-43-44-21-15-129-0090	TOWN OF LAKE WORTH LTS 9 & 10 BLK 129	314 S C St	4/15/2015	\$1,979.85	2820	7894	4/29/2015
14-2139	TAMAYO JUAN C	321 N E ST LAKE WORTH FL 33460-3333	38-43-44-21-15-076-0220	TOWN OF LAKE WORTH LT 22 BLK 76	321 N E St	1/5/2015	\$1,249.90	2770	7597	1/22/2015
14-133	REAL STRATEGIC CAPITAL LLC	7741 N MILITARY TRL STE 1 PALM BEACH GARDENS FL 33410-7431	38-43-44-21-15-074-0110	TOWN OF LAKE WORTH LT 11 & S 23 FT OF LT 12 BLK 74	322 N C St	4/29/2015	\$2,273.09	2827	7954	6/5/2015

15-369	MAGINOT LINE LLC	320 E SEAVIEW DR MARATHON FL 33050-3820	38-43-44-21-15-151-0210	TOWN OF LAKE WORTH LT 21 BLK 151	409 S J St	8/19/2015	\$2,282.85	2883	8344	8/31/2015
15-511	BECCERRA HENRY YANES LUIS &	411 S E ST LAKE WORTH FL 33460-4309	38-43-44-21-15-141-0220	TOWN OF LAKE WORTH LT 22 BLK 141	411 S E St	6/26/2015	\$1,207.52	2857	8028	6/30/2015
14-153	JOHNSON BRUCE	412 S B ST LAKE WORTH FL 33460-4338	38-43-44-21-15-137-0061	TOWN OF LAKE WORTH N 25 FT OF LT 6 BLK 137	412 S B St	8/10/2015	\$1,208.10	2881	8133	8/24/2015
15-145	KOBLER SANDOR	1404 S N ST LAKE WORTH FL 33460-5728	38-43-44-21-15-148-0110	TOWN OF LAKE WORTH LTS 11 & 12 BLK 148	524 N H St	5/19/2015	\$2,004.82	2836	7949	6/6/2015
15-1250	FLORES JOSE FLORES JOSE JR FLORES NINFA FLORES VALERIE J &	527 N K ST LAKE WORTH FL 33460-3021	38-43-44-21-15-152-0180	TOWN OF LAKE WORTH LT 18 BLK 152	527 N K St	11/20/2015	\$1,568.92	2923	8619	11/30/2015
14-2292	CHILDERS WENDY J	610 N E ST LAKE WORTH FL 33460-2853	38-43-44-21-15-188-0050	TOWN OF LAKE WORTH LTS 5 & 6 BLK 188	610 N E St	1/3/2015	\$1,238.24	2767	7601	1/22/2015
13-1480	HARRISON SHERYL L	2213 CARLISLE LN FORT MYERS FL 33917 1902 RONALD R WOLFE & ASSOLCS	38-43-44-21-15-198-0032	TOWN OF LAKE WORTH S 1/2 OF LT 3 BLK 198	718 N A St	9/6/2014	\$1,201.45	2725	7628	1/22/2015
15-261	J P MORGAN CHASE BANK NA	C/O 4919 MEMORIAL HWY STE 200 TAMPA FL 33634-7500	38-43-44-21-15-266-0010	TOWN OF LAKE WORTH LT 1 BLK 266	902 N C St	4/30/2015	\$3,174.11	2828	7979	6/5/2015
15-203	CANNON TODD	1464 S 50 W PAYSON UT 84651-3044	38-43-44-21-15-286-0040	TOWN OF LAKE WORTH LT 4 BLK 286	914 N M St	5/18/2015	\$139.50	2835	7955	6/5/2015
						Total	\$34,041.62			

**DEMOLITIONS**

CASE #	Owner Name	Owner Address	PCN	Legal Description	Property Address	Date invoiced	Amount owed	Contr. Invoice	Finance Invoice	Invoice Status
14-72	VARECHA JOSEPH EST	105 S D ST LAKE WORTH FL 33460 4046	38-43-44-21-15-063-0190	TOWN OF LAKE WORTH LTS 19 & 20 BLK 63	105 S D St	9/30/2014	\$7,901.00	1597-1	7441	10/15/2014
13-605	SCHMECKEBIER ELIZABETH	1517 W 29TH ST S WICHITA KS 67217- 2413	38-43-44-21-15-039-0030	TOWN OF LAKE WORTH LT 3 BLK 39	124 Ocean Breeze	9/18/2014	\$10,931.00	1595-1	7443	9/30/2014
14-73	GREELY EDITH ESTATE	HORRELL C/O 521 LAKE AVE # 7 LAKE WORTH FL 33460 3846	38-43-44-21-15-003-0010	LAKE WORTH TOWN OF LT 1 BLK 3	32 S B St	9/5/2014	\$7,190.00	CS11597	7465	9/30/2014
14-136	MALDONADO CELESTINA RIVASDARDAN AMANDA S	413 S D ST LAKE WORTH FL 33460- 4345	38-43-44-21-15-139-0240	TOWN OF LAKE WORTH LTS 24 & 25 BLK 139	417 S D St	9/18/2015	\$10,298.00	J000386	8520	9/30/2015
14-136	MALDONADO CELESTINA RIVASDARDAN AMANDA S	413 S D ST LAKE WORTH FL 33460- 4345	38-43-44-21-15-139-0240	TOWN OF LAKE WORTH LTS 24 & 25 BLK 139	417 S D St	9/19/2015	\$950.00	J000382	8520	9/30/2015
14-2535	SIMON SUSAN J	PO BOX 385 LAKE WORTH FL 33460 0385	38-43-44-21-15-213-0072	TOWN OF LAKE WORTH W 45 FT OF E 90 FT OF N 20 FT OF LT 7 & W 45 FT OF E 90 FT OF LT 8 BLK 213	513 6th Ave S	12/14/2016	\$11,927.00	15-0397	8668	12/31/2015
14-2601	TARPON IV LLC	18305 BISCAYNE BLVD SUITE 400 AVENTURA FL 33160-2172	38-43-44-21-15-225-0111	TOWN OF LAKE WORTH S 1/2 OF LT 11 BLK 225	711 S H St	7/22/2015	\$6,090.16	J000362	8131	8/24/2015
14-1910	TARPON IV LLC	18305 BISCAYNE BLVD SUITE 400 AVENTURA FL 33160-2172	38-43-44-21-15-225-0120	TOWN OF LAKE WORTH LT 12 BLK 225	715 S H St	7/17/2015	\$9,462.96	J000361	8131	8/24/2015
					<b>Total</b>		<b>\$64,750.12</b>			



**AGENDA DATE:** August 16, 2016, Regular Meeting

**DEPARTMENT:** Leisure Services

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**EXECUTIVE BRIEF**

**TITLE:**

Ordinance No. 2016-24 - First Reading – regulate balloons and sky lanterns on City property and schedule the public hearing date for September 6, 2016

**SUMMARY:**

The Ordinance provides for regulations to prevent the use and release of balloons and sky lanterns on City property.

**BACKGROUND AND JUSTIFICATION:**

Balloons and sky lanterns released into the atmosphere return to the earth as litter; and the release (accidental or intentional) of balloons and sky lanterns into the atmosphere poses a danger and nuisance to the environment and wildlife who may ingest this debris. The Florida's East Coast is home to some of the most densely utilized sea turtle nesting beaches in the country and other marine animals, such as sea turtles, mistake the remains from balloons as food which may potentially damage their digestive systems, lead to starvation and/or death. In addition even biodegradable balloons do not degrade quickly enough to avoid ingestion of the same by marine wildlife.

This regulation serves a public purpose and is in the best interest of the public health, safety and general welfare of the City, its residents and visitors.

**MOTION:**

I move to approve/deny Ordinance No. 2016-24 and schedule the public hearing date for September 6, 2016.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Ordinance

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ORDINANCE NO. 2016-24 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 7 "BEACHES, PARKS AND RECREATION", ARTICLE I "PARKS, RECREATIONAL FACILITIES AND PUBLIC PROPERTY", SECTION 7-1 "DEFINITIONS" AND SECTION 7-9 "REGULATION OF CONDUCT IN PARKS AND RECREATION AREAS AND ON PUBLIC PROPERTY" TO ADDRESS THE REGULATION OF BALLOONS AND SKY LANTERNS ON CITY PROPERTY; PROVIDING FOR SEVERABILITY, REPEAL OF LAWS IN CONFLICT, CODIFICATION, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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, balloons and sky lanterns released into the atmosphere return to the earth as litter; and

WHEREAS, the release (accidental or intentional) of balloons and sky lanterns into the atmosphere poses a danger and nuisance to the environment and to wildlife who may ingest this debris; and

WHEREAS, Florida's East Coast is home to some of the most densely utilized sea turtle nesting beaches in the country; and

WHEREAS, marine animals, such as sea turtles, mistake the remains of balloons as food which may potentially damage their digestive systems, lead to starvation and/or death; and

WHEREAS, even biodegradable balloons do not degrade quickly enough to avoid ingestion of the same by marine wildlife; and

WHEREAS, to limit the number of released balloons and sky lanterns within the City, the City Commission wishes to prohibit the same on City-owned property; and

WHEREAS, the City Commission has reviewed the recommended amendments and has determined that it serves a public purpose and is in the best interest of the public health, safety and general welfare of the City, its residents and visitors to adopt these amendments.

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.

48 Section 2. Chapter 7 “Beaches, Parks and Recreation”, Article I “Parks,  
49 Recreational Facilities and Public Property”, Section 7-1 “Definitions” is hereby  
50 amended to read as follows:

51

52 **Sec. 7- 1. – Definitions.**

53 For the purposes of this article, the following words shall have the  
54 meaning ascribed to them below:

55

56 *Park, park grounds or recreation facility or recreational facility area* shall  
57 mean a park, playground, gymnasium, athletic field or court, recreation center  
58 or any other area in the city owned by the city and devoted to active or passive  
59 recreation, but for purpose of this article shall not include the municipal beach  
60 area which is specifically regulated by chapter 7, article VI of this Code.

61

62 *Public property and public property grounds* shall mean all property  
63 owned by the city that has a zoning designation of "Public".

64

65 *Sky lantern* shall mean a device that requires a flame which produces  
66 heated air trapped in a balloon-type covering allowing the device to float in the  
67 air. Sky lanterns shall not include hot-air balloons used for transporting  
68 persons.

69

70 *Vehicle* shall mean any wheeled conveyance which is motor-powered,  
71 animal-drawn or self-propelled device designed and used for the purpose of  
72 transporting or moving any person or property from one place to another but not  
73 operated upon rails or guide ways, including but not limited to the following:  
74 automobiles, motorcycles, trucks, motorized scooter, mini bike, all-terrain  
75 vehicles (ATVs), golf carts, low-speed vehicle, moped scooter or other similar  
76 vehicle. The term shall include any trailer in tow of any size, kind or description.  
77 Exception is made for baby carriages and vehicles in service of the city or its  
78 authorized law enforcement and fire agency.

79

80 Section 3. Chapter 7 “Beaches, Parks and Recreation”, Article I “Parks,  
81 Recreational Facilities and Public Property”, Section 7-9 “Regulation of conduct  
82 in parks and recreation areas and on public property” is hereby amended to  
83 read as follows:

84

85 **Sec. 7-9. – Regulation of conduct in parks and recreation areas and on**  
86 **public property.**

87

88 In addition to the regulations contained in sections 7-1 through 7-7 of this  
89 article, the following regulations shall apply to all parks and recreation facilities  
90 and public property. Except as otherwise set forth herein, Cconduct relating  
91 specifically to the municipal beach area shall be proscribed by chapter 7, article  
92 VI of this Code.

93

94

95 (k) *Balloons and sky lanterns.*

96 (1) Within any park, recreational facility area, municipal beach,  
97 municipal beach area, or other public property, as these terms are  
98 defined in this chapter:

99 a. No person shall display, possess or release one (1) or  
100 more balloons inflated with a gas that is lighter than air; and

101 b. No person shall display, possess or release one (1) or  
102 more sky lanterns.

103 (2) This subsection does not prohibit the following:

104 a. Possession of balloons or sky lanterns where such items  
105 are moved from a vehicle or structure to another structure  
106 and where the resulting exposure of such items to the  
107 outdoors is de minimis;

108 b. Display, possession or release of balloons indoors;

109 c. Display or possession of sky lanterns indoors; or

110 d. Display, possession or release of balloons by a  
111 governmental agency for scientific or meteorological  
112 purposes.

113  
114 Section 4. Severability. If any section, subsection, sentence, clause, phrase or  
115 portion of this ordinance is for any reason held invalid or unconstitutional by any  
116 court of competent jurisdiction, such portion shall be deemed a separate,  
117 distinct, and independent provision, and such holding shall not affect the validity  
118 of the remaining portions thereof.

119  
120 Section 5. Repeal of Laws in Conflict. All ordinances or parts of ordinances in  
121 conflict herewith are hereby repealed to the extent of such conflict.

122  
123 Section 6. Codification. The sections of the ordinance may be made a part of  
124 the City Code of Laws and ordinances and may be re-numbered or re-lettered  
125 to accomplish such, and the word "ordinance" may be changed to "section",  
126 "division", or any other appropriate word.

127  
128 Section 7. Effective Date. This ordinance shall take effect ten (10) days after  
129 its adoption.

130  
131 The passage of this Ordinance on first reading was moved by  
132 Commissioner \_\_\_\_\_, seconded by Commissioner  
133 \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

- 134  
135 Mayor Pam Triolo  
136 Vice Mayor Scott Maxwell  
137 Commissioner Christopher McVoy  
138 Commissioner Andy Amoroso  
139 Commissioner Ryan Maier

140  
141 The Mayor thereupon declared this Ordinance duly passed on first  
142 reading on the 16<sup>th</sup> day of August, 2016.

143  
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170

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 6<sup>th</sup> day of September, 2016.

LAKE WORTH CITY COMMISSION

By: \_\_\_\_\_  
Pam Triolo, Mayor

ATTEST:

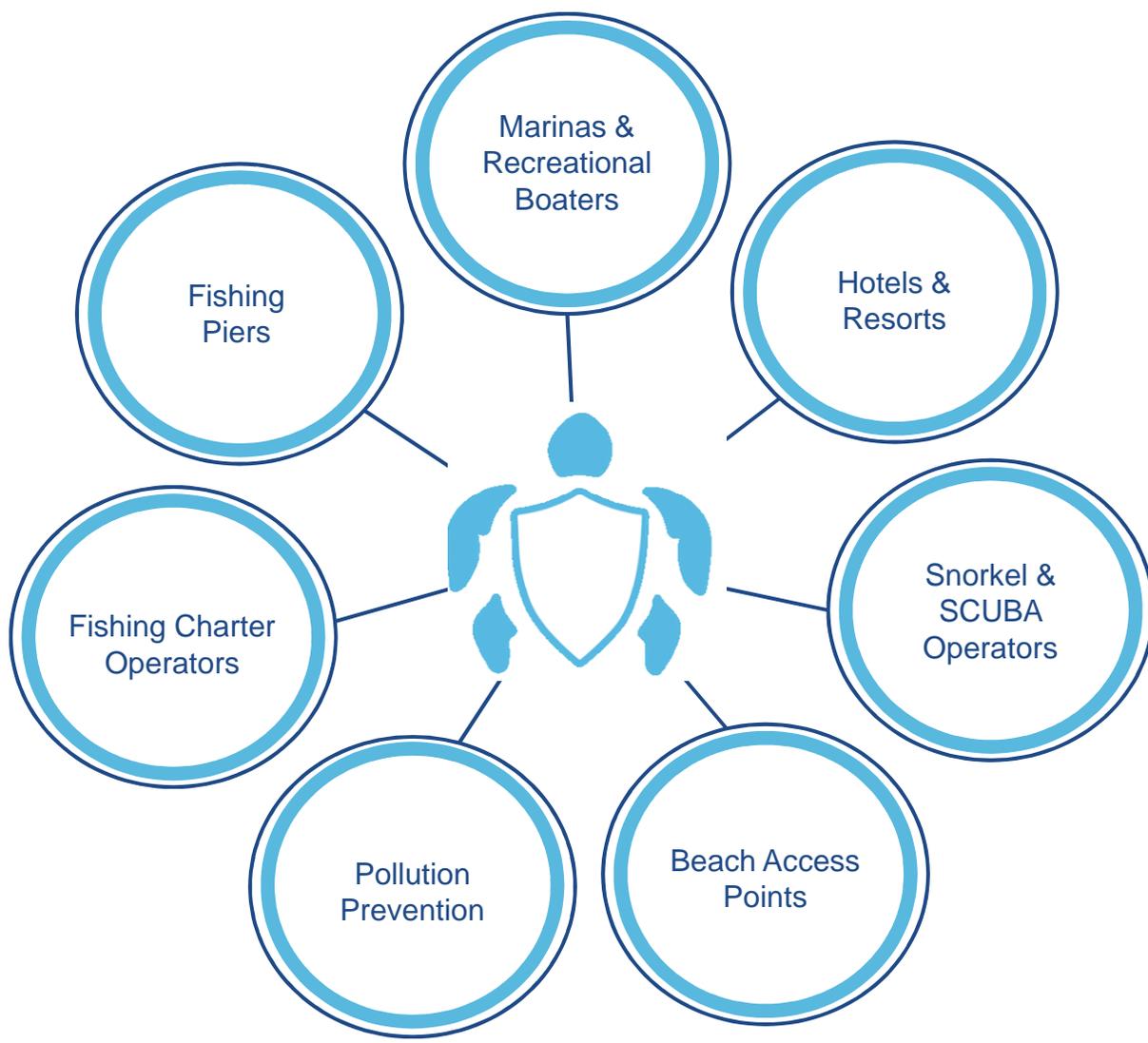
\_\_\_\_\_  
Pamela J. Lopez, City Clerk

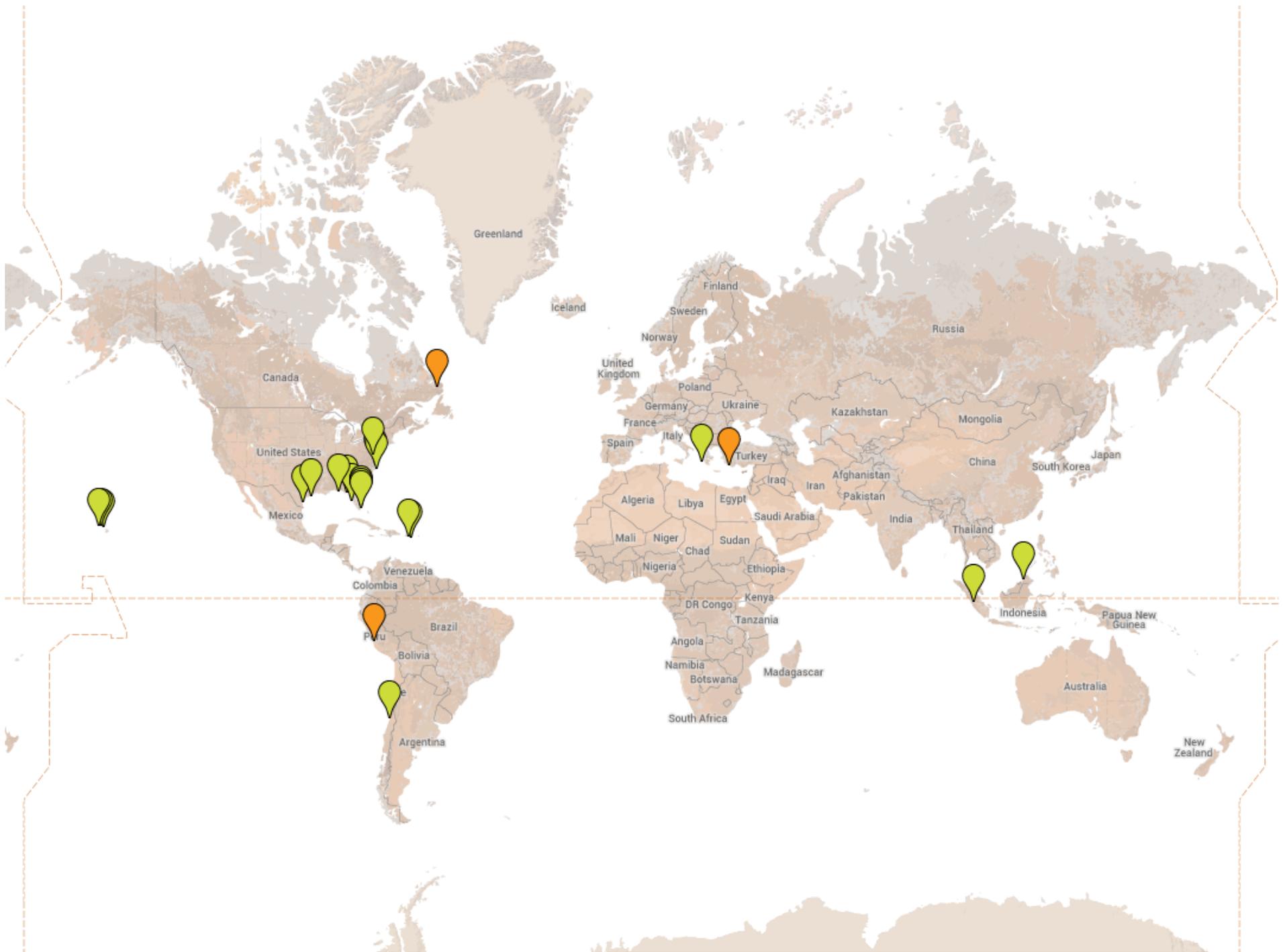


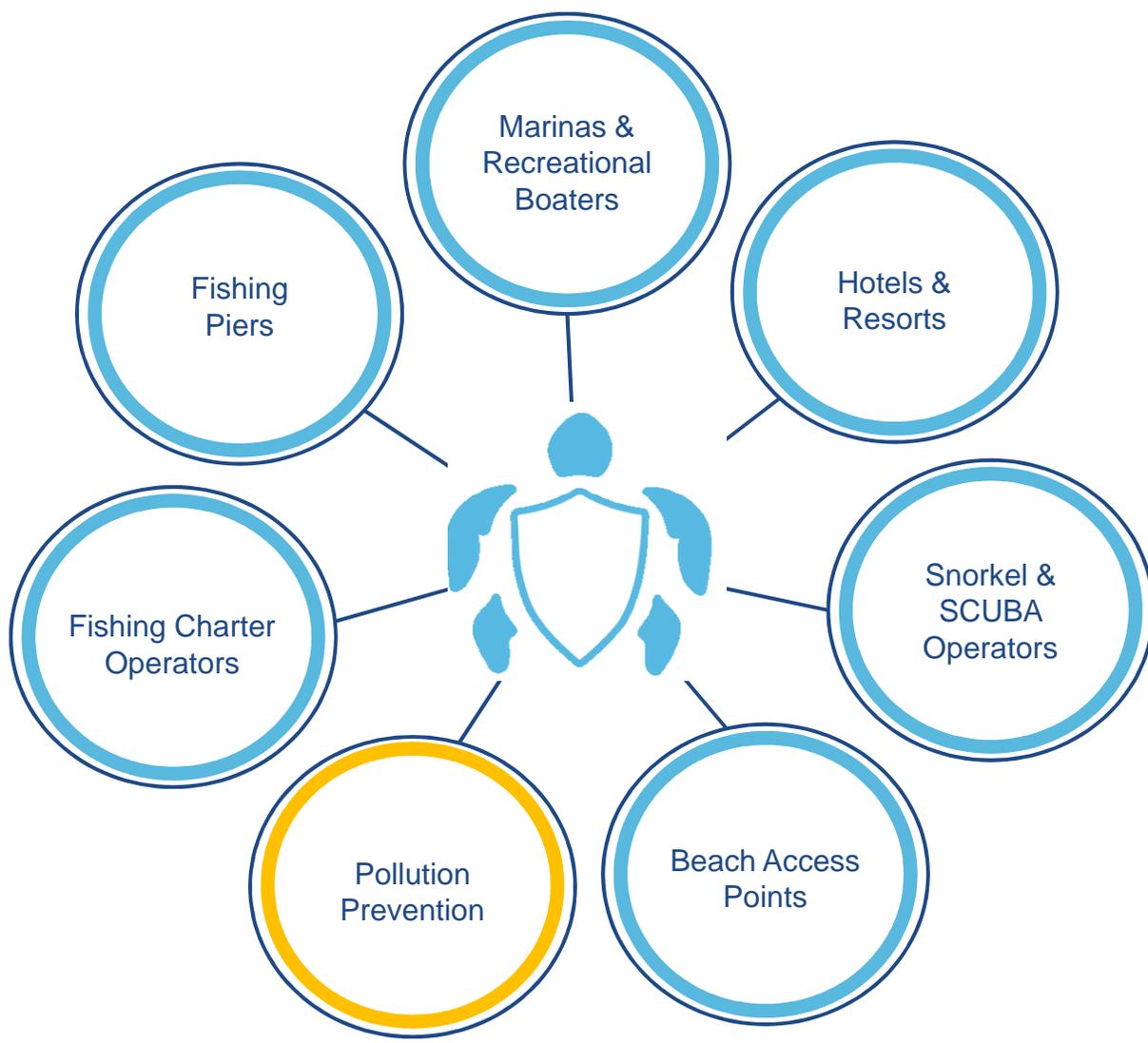
## Southeast Florida Balloon Ban











Fishing Piers

Marinas & Recreational Boaters

Hotels & Resorts

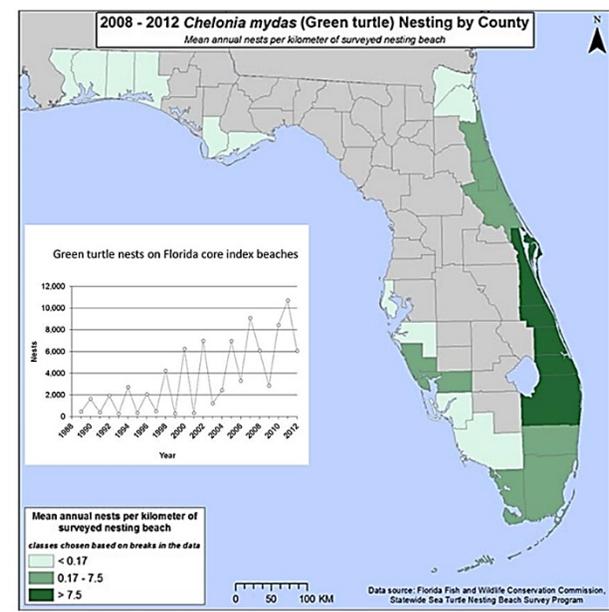
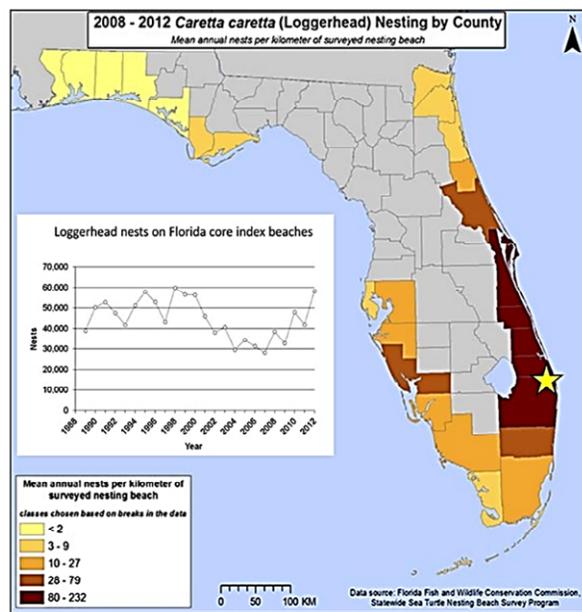
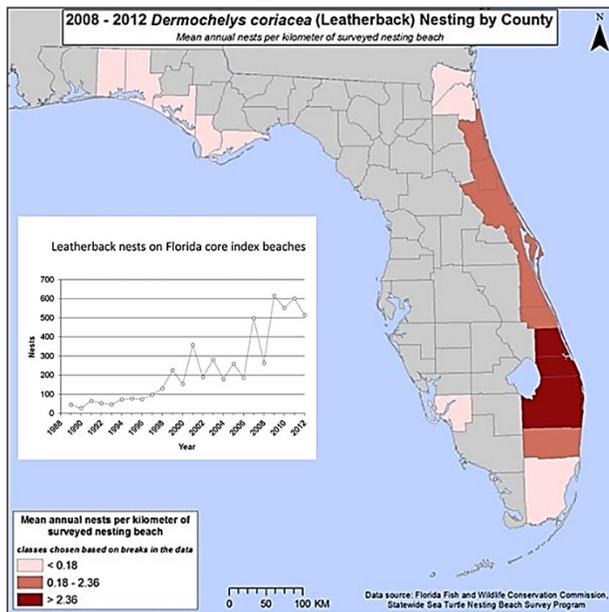
Snorkel & SCUBA Operators

Beach Access Points

Pollution Prevention

Fishing Charter Operators

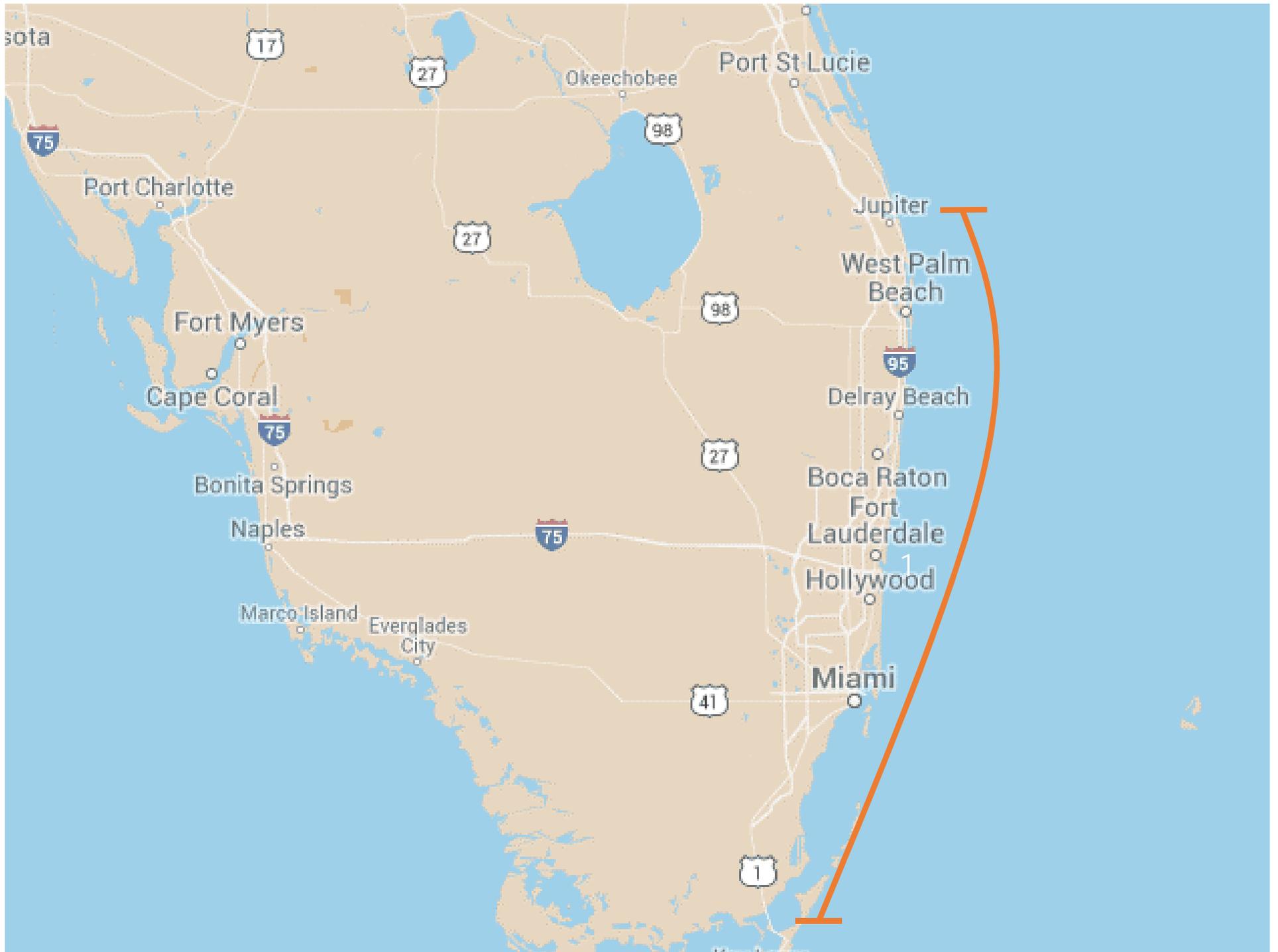








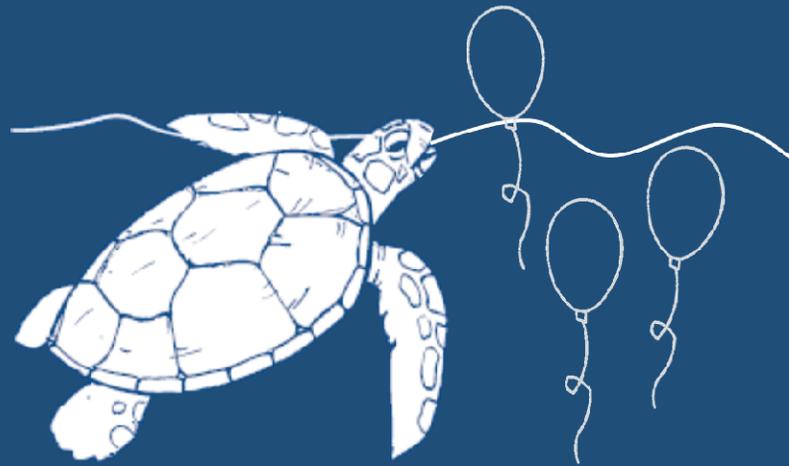
**REDHEAL**  
RedHeal Medical  
RedHeal Wound Care  
Equine  
Avalon Medical



# NOTICE

## BALLOONS ARE PROHIBITED

Deflated balloons resemble jelly fish, a common prey item for sea turtles.



In an effort to promote the safety and protection of sea turtles, the City of Lake Worth and Loggerhead Marinelifelife Center have partnered to prohibit the use of balloons.



For more information, visit  
[marinelife.org](http://marinelife.org)





## Balloon Ban



**Deflated balloons resemble jelly fish, a common prey item for sea turtles. In an effort to promote the safety and protection of sea turtles, the City of Lake Worth has prohibited the use of balloons.**



Former LMC patient, Lil' Nugget, swallowed a balloon.



Hundreds of balloons are collected on Florida beaches.

**You can also help protect sea turtles in the following ways:**

- **Remove any lounge chairs, umbrellas, and other beach furniture from the beach overnight.**
- **Knock down sand castles and fill in holes in the sand when leaving the beach.**
- **Turn off outdoor lights at night and close curtains after sunset to keep light pollution off the beach.**
- **Dispose of all trash and clean up any debris found on the beach.**
- **If you see a nesting turtle, try not to disrupt her. Do not use any bright lights or flash photography and avoid creating loud noises.**
- **If you see healthy hatchlings, allow them to crawl to the ocean on their own.**



### Level 1

- Signage installed or educational materials distributed

### Level 2

- Signage installed
- Educational materials distributed

### Level 3

- Signage installed
- Educational materials distributed
- Town ordinance adopted





## Palm Beach to consider bans on balloons and plastic bags on beaches

COMMENTS

1



Palm Beach  
Daily News



A green sea turtle treated at Loggerhead Marinelife Center after ingesting a plastic balloon. Courtesy LMC.

### Related

[View Larger](#)



By [Aleese Kopf](#)

Daily News Staff Writer

Palm Beach could soon ban plastic balloons and bags on its beaches.

This week the Town Council ordered a committee study the potential bans. The Ordinances, Rules and Standards Committee is expected to add the items to a meeting agenda this fall.

[> Our Beaches: Keep up with what's happening on the coast of Palm Beach](#)

Officials say the bans would help protect the environment and



**Roberta Zivanov** from Facebook

Overdue! Yes, action needed!



**Karen Emily Mattis** from Facebook

Easy enough. I always bring my own bags.



**Pam Bariou** from Facebook

Make it law!!! Please!



**Mandi Scantzoulis** from Facebook

YES!!! Please do this!



**Marilyn Bogert** from Facebook

I like that idea



**Lisa Gangadeen** from Facebook

Let's do this! \U0001f44d\U0001f3fd



**Jessie De Sousa Pinto** from Facebook

Consider? It should've been done by now.



**Shosh Cohen** from Facebook

DO IT NOW!



**Elaine Byers** from Facebook

About time is right.



**Carrie Lombardi Larrabee** from Facebook

Yes, please ban them!!



**BJ Beavin** from Facebook

Long overdue, just do It!!



**Elizabeth M Leonard** from Facebook

PLEASE BAN BALLOONS PALM BEACH COUNTY!!!!!!



**Kerrin Ashley** from Facebook

this would be wonderful to ban bags.



**Bob Shurilla** from Facebook

About time, I picked up a ton while on vacation



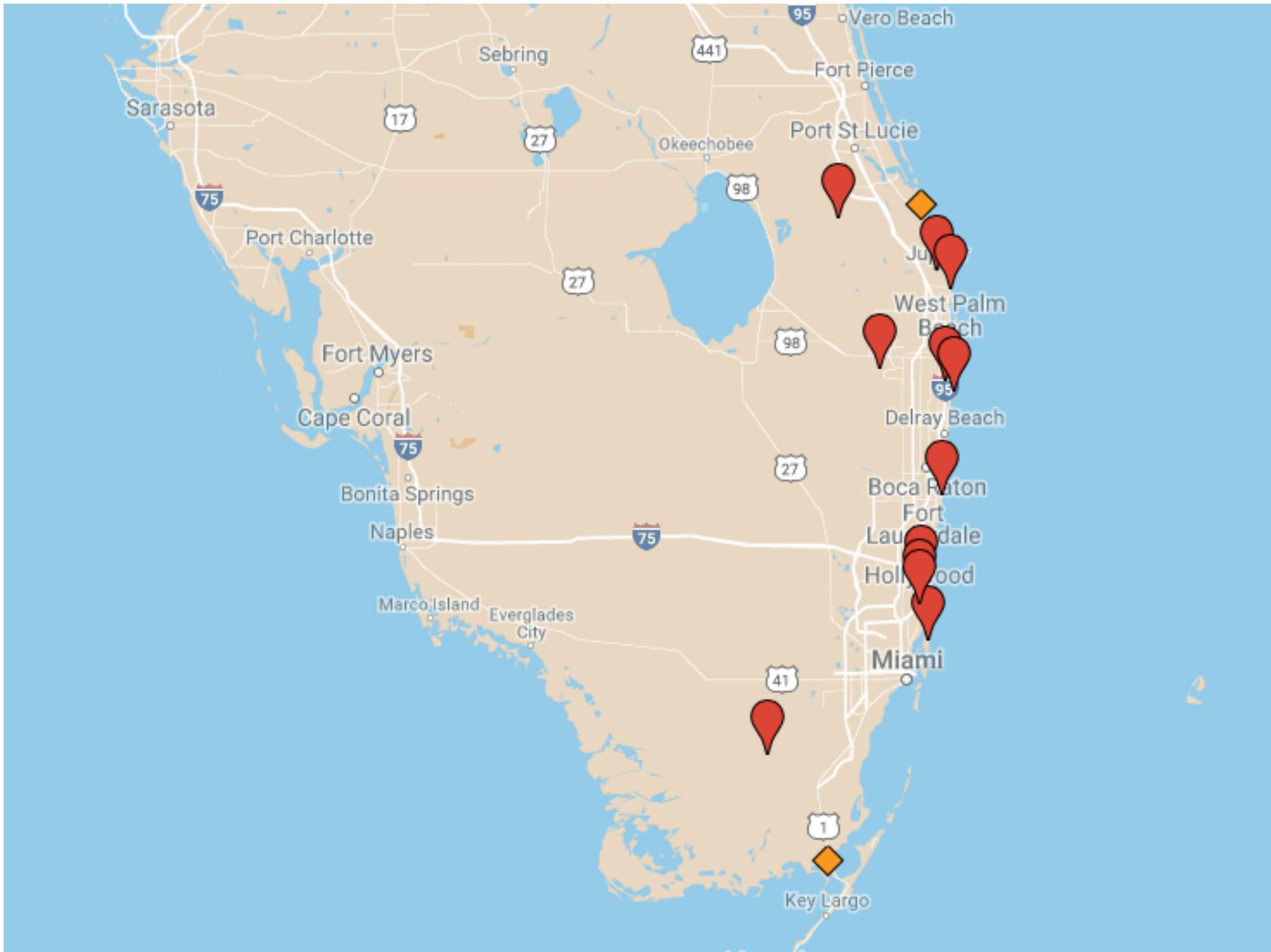
**Barb Marshall** from Facebook

Hope they ban them all



**Angela De Bree** from Facebook

Should be done county wide





Thank you!



Demi Fox  
561-627-8280 x 107  
[dfox@marinelife.org](mailto:dfox@marinelife.org)



**AGENDA DATE:** August 16, 2016, Regular Meeting

**DEPARTMENT:** City Manager

---

**EXECUTIVE BRIEF**

**TITLE:**

Discuss authorizing funds for the Lake Worth High School “Dollars for Scholars” program

**SUMMARY:**

This Item is a request to allocate \$25,000 towards the Dollars for Scholars program

**BACKGROUND AND JUSTIFICATION:**

During the August 9, 2016, City Commission Budget Work Session, Vice Mayor Maxwell requested \$25,000 for the Lake Worth High School Dollars for Scholars program.

**MOTION:**

I move to approve/deny allocating \$25,000 for the Lake Worth High School Dollars for scholars program.

**ATTACHMENT(S):**

Fiscal Impact Analysis

**FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	25,000	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	25,000	0	0	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

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

Upon approval, scholarship will be budgeted in the general fund/non-dept; section (001-9010-581-XX-XX)

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



**AGENDA DATE:** August 16, 2016, Regular Meeting

**DEPARTMENT:** Vice Mayor Maxwell

---

**EXECUTIVE BRIEF**

**TITLE:**

Discuss the City Manager's annual evaluation

**SUMMARY:**

This item is to establish a date to submit the City Manager's evaluation form and schedule the evaluation during a public meeting.

**BACKGROUND AND JUSTIFICATION:**

On March 29, 2012, the City Commission entered into an employment agreement with Michael Bornstein as City Manager commencing on April 16, 2012.

Since the City Manager is one of three positions the City Charter considers City Commission employees, any discussion about evaluation of performance requires that discussion to be held during a public meeting. The benefits of a performance management not only helps an organization achieve its strategic goals, but also serves as a means of uniting diverse stakeholders in the common goal of building a better community.

The International City-County Management Association, in which the City Manager is a member, is recognized as the premier local government leadership and management organization. This association offers a wealth of information on the importance of performance measurements, and they provided an evaluation form to conduct successful measurements.

**MOTION:**

I move to establish that the elected officials must submit a performance evaluation of the City Manager and schedule discussion of the evaluation during the \_\_\_\_\_ public meeting.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Evaluation Form

# City Manager Performance Evaluation

## City of Lake Worth

Evaluation period: \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_  
Governing Body Member's Name

Each member of the governing body should complete this evaluation form, sign it in the space below, and return it to \_\_\_\_\_. The deadline for submitting this performance evaluation is \_\_\_\_\_.

Evaluations will be summarized and included on the agenda for discussion at the special session on \_\_\_\_\_.

\_\_\_\_\_  
Mayor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governing Body Member's Signature

\_\_\_\_\_  
Date Submitted

## CITY MANAGER PERFORMANCE EVALUATION

### ASSISTING COMMISSION WITH ITS POLICY-MAKING ROLE

<b>A. Providing Information</b>	<u>Weak</u>		<u>Strong</u>			
1. Does the City Manager keep you informed, in a timely manner, of the things you want to know about?	1	2	3	4	5	NA
2. Do you feel that you receive information on an equal basis with other commission members?	1	2	3	4	5	NA
3. Do reports provide adequate information and analysis to help you make sound decisions?	1	2	3	4	5	NA
4. Are agenda items and supporting documents appropriate and brought to Commission in sufficient time for deliberations?	1	2	3	4	5	NA
5. Does the City Manager regularly consult with the Mayor before setting the agenda to determine appropriate topics and timing?	1	2	3	4	5	NA
6. Does the City Manager follow up promptly on Commission requests for information or action without having to be reminded?	1	2	3	4	5	NA
7. Are Commission packets relatively free of errors and omissions?	1	2	3	4	5	NA

Total Score \_\_\_\_\_

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

<b>B. Providing Advice</b>	<u>Weak</u>		<u>Strong</u>			
1. Does the City Manager have adequate knowledge of municipal affairs?	1	2	3	4	5	NA
2. Do they exercise good judgment?	1	2	3	4	5	NA
3. Do you feel that the City Manager considers alternatives before making recommendations?	1	2	3	4	5	NA

INITIAL \_\_\_\_\_

4. Does the City Manager plan ahead, anticipate needs and recognize potential problems? 1 2 3 4 5 NA

5. How do you feel about the quality of analysis that accompanies recommendations? 1 2 3 4 5 NA

6. Do they have a good sense of timing in bringing issues to the Commission for action? 1 2 3 4 5 NA

Total Score \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**INTERNAL ADMINISTRATION**

**A. Financial Management**

**Weak**

**Strong**

1. Are you comfortable with the City Manager's approach to budget preparation and review?	1	2	3	4	5	NA
2. Is the City Manager effective in controlling costs through economical utilization of manpower, materials and equipment?	1	2	3	4	5	NA
3. Does the City Manager have sufficient knowledge of financial matters?	1	2	3	4	5	NA
4. Does the City Manager provide you with sufficient information on the financial status of the City government?	1	2	3	4	5	NA
5. Is the budget submitted on time?	1	2	3	4	5	NA
6. Is the City Manager effective at developing creative cost-cutting measures?	1	2	3	4	5	NA

Total Score \_\_\_\_\_

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**B. Personnel Management**

**Weak**

**Strong**

1. Is the City Manager successful in guiding people so that they work together as a team toward common objectives?	1	2	3	4	5	NA
2. Is the City Manager effective in selecting and placing personnel?	1	2	3	4	5	NA
3. Does the City Manager develop and motivate personnel so that they are increasingly effective in performing their duties?	1	2	3	4	5	NA
4. Is the City Manager willing to face up to disciplinary problems and take action when warranted?	1	2	3	4	5	NA
5. Is the City Manager effective in promoting positive employer-employee relations?	1	2	3	4	5	NA
6. Does the City Manager respond to Commission suggestions on employee training, work priorities and productivity? Are the decisions explained to Commission?	1	2	3	4	5	NA
7. Is the City Manager effective on assuring that staff makes a positive impression on citizens?	1	2	3	4	5	NA

INITIAL\_\_\_\_\_

8. Does the City Manager ensure that every City employee receives a written annual performance review? 1 2 3 4 5 NA

Total Score\_\_\_\_\_

Comments:\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. Accomplishing the Job**

**Weak                      Strong**

1. Do you have the feeling that things the Commission decides or directs get done?	1	2	3	4	5	NA
2. Does the City Manager organize or assign work so that it is performed efficiently and effectively?	1	2	3	4	5	NA
3. Does the City Manager pay sufficient attention to detail to avoid error or things "slipping through the cracks"?	1	2	3	4	5	NA
4. Does the City Manager put in sufficient time and effort to perform to your expectations?	1	2	3	4	5	NA
5. Does the City Manager have a good sense of priorities in the way they spend their time on the job?	1	2	3	4	5	NA
6. Is the City Manager able to analyze problems issues and identify causes, reasons and implications?	1	2	3	4	5	NA
7. Does the City Manager develop and carry out short and long-term action plans?	1	2	3	4	5	NA

Total Score\_\_\_\_\_

Comments:\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EXTERNAL RELATIONS**

**A. Citizen Relations**

**Weak**

**Strong**

- |  |   |   |   |   |   |    |
|--|---|---|---|---|---|----|
| 1. Does the City Manager generally make a positive impression on citizens and are they respected in Lake Worth?  | 1 | 2 | 3 | 4 | 5 | NA |
| 2. Are they effective in handling disputes or complaints involving citizens?   | 1 | 2 | 3 | 4 | 5 | NA |
| 3. Does the City Manager have appropriate visibility or identity in the community?   | 1 | 2 | 3 | 4 | 5 | NA |
| 4. Does the City Manager represent Commission positions and policies accurately and effectively?   | 1 | 2 | 3 | 4 | 5 | NA |
| 5. Does the City Manager give sufficient credit to Commission?   | 1 | 2 | 3 | 4 | 5 | NA |
| 6. Does the City Manager think and act in a manner reflecting an attitude that client (Commission, staff or citizens) perceptions and satisfactions are key? | 1 | 2 | 3 | 4 | 5 | NA |

Total Score \_\_\_\_\_

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**B. Intergovernmental Relations**

**Weak**

**Strong**

- |  |   |   |   |   |   |    |
|--|---|---|---|---|---|----|
| 1. Is the City Manager effective representing the City's interests in dealing with other agencies?                 | 1 | 2 | 3 | 4 | 5 | NA |
| 2. Does the City Manager participate in enough intergovernmental activity to have an impact on behalf of the City? | 1 | 2 | 3 | 4 | 5 | NA |

Total Score \_\_\_\_\_

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**PROFESSIONAL CHARACTERISTICS**

**A. Communications**

**Weak**

**Strong**

- |  |   |   |   |   |   |    |
|--|---|---|---|---|---|----|
| 1. Is the City Manager easy to talk to?                              | 1 | 2 | 3 | 4 | 5 | NA |
| 2. Do you feel they are a good listener?                             | 1 | 2 | 3 | 4 | 5 | NA |
| 3. Are communications thoughtful, clear and to the point?            | 1 | 2 | 3 | 4 | 5 | NA |
| 4. Does the City Manager show sensitivity to the concerns of others? | 1 | 2 | 3 | 4 | 5 | NA |

Total Score \_\_\_\_\_

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**B. Management Style**

**Weak**

**Strong**

- |  |   |   |   |   |   |    |
|--|---|---|---|---|---|----|
| 1. Does the City Manager demonstrate interest and enthusiasm in performing their duties?                         | 1 | 2 | 3 | 4 | 5 | NA |
| 2. Do they have sufficient leadership characteristics to command respect and good performance from employees?    | 1 | 2 | 3 | 4 | 5 | NA |
| 3. Does the City Manager show initiative and creativity in dealing with issues, problems and unusual situations? | 1 | 2 | 3 | 4 | 5 | NA |
| 4. Is the City Manager open to new ideas and suggestions for change?   | 1 | 2 | 3 | 4 | 5 | NA |
| 5. Does the City Manager create an atmosphere in which employees can enjoy working for the City?                 | 1 | 2 | 3 | 4 | 5 | NA |
| 6. Is the City Manager honest and ethical?   | 1 | 2 | 3 | 4 | 5 | NA |
| 7. Does the City Manager work well under pressure?   | 1 | 2 | 3 | 4 | 5 | NA |

Total Score \_\_\_\_\_

Comments: \_\_\_\_\_  
 \_\_\_\_\_

**ACHIEVEMENTS**

List the top three achievements or strong points of the City Manager for the past twelve (12) months.

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**FUTURE DEVELOPMENT**

List three performance objectives for the City Manager that you feel are the most important targets for this year.

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**Weak**                      **Strong**  
1   2   3   4   5

**OVERALL RATING**



**DRAFT AGENDA  
CITY OF LAKE WORTH  
CITY COMMISSION MEETING  
CITY HALL COMMISSION CHAMBER  
TUESDAY, SEPTEMBER 06, 2016 - 6:00 PM**

1. **ROLL CALL:**
2. **INVOCATION OR MOMENT OF SILENCE:** On behalf of Commissioner Andy Amoroso
3. **PLEDGE OF ALLEGIANCE:** Led by Vice Mayor Scott Maxwell
4. **AGENDA - Additions/Deletions/Reordering:**
5. **PRESENTATIONS:** (there is no public comment on Presentation items)
  - A. International Talk Like a Pirate Day Proclamation
  - B. Recognize four retiring former Lake Worth Fire-Rescue employees for their years of service
  - C. Bd. of Trustees Employees Retirement System update
  - D. College Park Neighborhood Association update
  - E. Presentation regarding recruiting and benefit online system
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
10. **PUBLIC HEARINGS:**

**11. UNFINISHED BUSINESS:**

**12. NEW BUSINESS:**

- A. Ordinance No. 2016-xx - First Reading - adopt the County's solicitation and distribution on public roads ordinance; and schedule the public hearing date for September 20, 2016

**13. LAKE WORTH ELECTRIC UTILITY:**

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

1) Update on the electric utility system

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

- C. PUBLIC HEARING:**

- D. 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.