



**AGENDA  
CITY OF LAKE WORTH  
CITY COMMISSION MEETING  
CITY HALL COMMISSION CHAMBER  
TUESDAY, OCTOBER 04, 2016 - 6:00 PM**

- 1. ROLL CALL:**
- 2. INVOCATION OR MOMENT OF SILENCE:** On behalf of Vice Mayor Scott Maxwell
- 3. PLEDGE OF ALLEGIANCE:** Led by Commissioner Ryan Maier
- 4. AGENDA - Additions/Deletions/Reordering:**
- 5. PRESENTATIONS:** (there is no public comment on Presentation items)
  - A. Proclamation declaring October 3-7, 2016 as Customer Service Week
  - B. Mango Groves Neighborhood Association update
- 6. COMMISSION LIAISON REPORTS AND COMMENTS:**
- 7. PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
- 8. APPROVAL OF MINUTES:**
  - A. City Commission Amended Regular Meeting - June 7, 2016
  - B. City Commission Regular Meeting - September 6, 2016
  - C. City Commission Special Meeting - September 13, 2016
  - D. City Commission Regular Meeting - September 20, 2016
- 9. CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
  - A. Agreement with Allied Universal to purchase Sodium Hypochlorite (Bleach)
  - B. Settlement Agreement and General Release relating to Germaine English

C. Ratify board members to the Finance Advisory and Historic Resources Preservation Boards

**10. PUBLIC HEARINGS:**

A. Ordinance No. 2016-27 - Second Reading and Public Hearing - adopt the County's curbstoning ordinance

**11. UNFINISHED BUSINESS:**

**12. NEW BUSINESS:**

A. Ordinance No. 2016-28 - First Reading - amend the Sister City Board composition and schedule the public hearing date for October 18, 2016

B. Resolution No. 47-2016 - identify the local roadways to be improved and identify the Citizens Advisory Committee if a proposed bond referendum is approved

**13. LAKE WORTH ELECTRIC UTILITY:**

A. **PRESENTATION:** (there is no public comment on Presentation items)

1) Update on the electric utility system

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

C. **PUBLIC HEARING:**

D. **NEW BUSINESS:**

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

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

A. October 18, 2016 draft Commission agenda

**16. ADJOURNMENT:**

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

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



**AGENDA DATE:** October 4, 2016, Regular Meeting

**DEPARTMENT:** City Clerk

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**EXECUTIVE BRIEF**

**TITLE:**

Mango Groves Neighborhood Association update

**SUMMARY:**

Mr. Greg Rice, Mango Groves Neighborhood Association President, will advise the Commission on activities in the neighborhoods.

**BACKGROUND AND JUSTIFICATION:**

At the City Commission meeting on July 20, 2010, the City Commission requested that all neighborhood associations provide an update. The last update from the Mango Groves Neighborhood Association was on September 1, 2015.

**MOTION:**

Not applicable

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable



**AGENDA DATE:** October 4, 2016, Regular Meeting

**DEPARTMENT:** Water Utilities

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**EXECUTIVE BRIEF**

**TITLE:**

Agreement with Allied Universal Corporation to purchase Sodium Hypochlorite (Bleach) for water treatment and odor control

**SUMMARY:**

The Agreement authorizes the purchase of bulk Sodium Hypochlorite for the City's Water Utilities and Sub-regional Wastewater System at a cost not-to-exceed of \$114,875.00 for Fiscal Year (FY) 2017.

**BACKGROUND AND JUSTIFICATION:**

Sodium Hypochlorite is a necessary chemical which is added to the finished water supply and is used for the disinfection of drinking water, killing germs, micro-organisms, algae, etc. Sodium Hypochlorite is also necessary for odor control at the Reverse Osmosis Water Treatment Plant and Master Pump Station.

On September 8, 2016, bids were received for the purchase of bulk Sodium Hypochlorite needed for the Water Treatment Plant and Master Pump Station. These bids were evaluated by staff, taking into account unit costs, minimum quantities, and penalties for partial deliveries. Staff is recommending an agreement with Allied Universal Corporation to purchase Sodium Hypochlorite for an amount not to exceed \$114,875.00 for Fiscal Year 2017. This agreement will also authorize the City Manager to extend the agreement, if requested, and with the amount not to exceed amounts set forth in the 2018 and 2019 fiscal year budget.

**MOTION:**

I move to approve/deny an agreement with Allied Universal Corporation to purchase bulk Sodium Hypochlorite for an amount not to exceed \$114,875.00 for Fiscal Year 2017.

**ATTACHMENT(S):**

- 1) Fiscal Impact Analysis
- 2) Allied Universal Proposal
- 3) Bid Tabulation
- 4) Agreement

## FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact

| Fiscal Years           | 2017         | 2018         | 2019         | 2020 | 2021 |
|------------------------|--------------|--------------|--------------|------|------|
| Capital Expenditures   | 0            | 0            | 0            | 0    | 0    |
| Operating Expenditures | \$114,875.00 | \$126,362.50 | \$138,998.75 | 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      | \$114,875.00 | \$126,362.50 | \$138,998.75 | 0    | 0    |

|                                       |   |   |   |   |   |
|---------------------------------------|---|---|---|---|---|
| No. of Additional Full-Time Employees | 0 | 0 | 0 | 0 | 0 |
|---------------------------------------|---|---|---|---|---|

### B. Recommended Source of Funds/Summary of Fiscal Impact

The funds have been identified in the 2017 Operating budget.

#### For the Water Treatment Plant supply:

| Water Utilities/Water Production |                     |           |                        |                |                 |                          |                   |
|----------------------------------|---------------------|-----------|------------------------|----------------|-----------------|--------------------------|-------------------|
| Account Number                   | Account Description | Project # | FY 2017 Adopted Budget | Amended Budget | Current Balance | Agenda Item Expenditures | Remaining Balance |
| 402-7022-533.52-30               | Chemicals           | N/A       | \$485,500              | N/A            | \$485,500       | -\$103,275               | \$382,225         |

#### For the Master Lift Station supply:

| Water Utilities/Regional Pumping |                     |           |                        |                |                 |                          |                   |
|----------------------------------|---------------------|-----------|------------------------|----------------|-----------------|--------------------------|-------------------|
| Account Number                   | Account Description | Project # | FY 2017 Adopted Budget | Amended Budget | Current Balance | Agenda Item Expenditures | Remaining Balance |
| 405-7421-535.52-30               | Chemicals           | N/A       | \$200,000              | N/A            | \$200,000       | -\$11,600                | \$188,400         |

### C. Fiscal Review:

Brian Shields - Director  
 Clyde Johnson - Finance  
 Marie Elianor – Finance  
 Christy Goddeau – Legal  
 Michael Bornstein – City Manager



**AGENDA DATE:** October 4, 2016, Regular Meeting

**DEPARTMENT:** City Attorney

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**EXECUTIVE BRIEF**

**TITLE:**

Approval of Settlement Agreement and General Release relating to Germaine English and the City of Lake Worth.

**SUMMARY:**

Approval of Settlement Agreement and General Release relating to Germaine English and the City of Lake Worth as agreed to at mediation.

**BACKGROUND AND JUSTIFICATION:**

Germaine English filed a Notice of Discrimination Charge with the Equal Employment Opportunity Commission (EEOC). During the mediation with the EEOC a Settlement Agreement and General Release was agreed upon. Pursuant to the Settlement Agreement and General Release, it was agreed that Ms. English would use her accrued vacation time for two weeks and that the City would issue: one check payable to Germaine English in the amount of \$30,335, less applicable taxes, deductions and withholding; one check made payable to the Darfoor Law Firm, P.A. in the amount of \$17,265.00. Ms. English's resignation was effective September 24, 2016.

The City Attorney and Staff recommend approval of the Settlement Agreement and General Release.

**MOTION:**

I move to approve/not approve the Settlement Agreement and General Release with Germaine English.

**ATTACHMENT(S):**

1. Settlement Agreement and General Release



**AGENDA DATE:** October 4, 2016, Regular Meeting

**DEPARTMENT:** City Commission

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**EXECUTIVE BRIEF**

**TITLE:**

Ratify board members to the Finance Advisory Board and the Historic Resources Preservation Board

**SUMMARY:**

This item is to ratify the reappointment of Thomas Norris, Jr. to the Historic Resources Preservation Board and appoint Richard Guercio, Sr. to the Finance Advisory Board.

**BACKGROUND AND JUSTIFICATION:**

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

On November 4, 2014, the Commission adopted an ordinance which stated that an elected official has 30 days to make an appointment once he or she has been notified of a vacancy or reappointment. Additionally, if an elected official does not make an appointment within that period of time, then that elected official waives his or her right to make that appointment. The ordinance also provides for any elected official to bring forward an appointment for ratification by the Commission as a whole.

The following appointment is requested to be ratified:

**Finance Advisory Board:**

Vice Mayor Maxwell's appointment of Richard Guercio, Sr. to fill an unexpired term ending on July 31, 2019. This is a District 4 appointment; however, that Commissioner waived his right to this appointment.

**Historic Resources Preservation Advisory Board:**

Commissioner McVoy's reappointment of Thomas Norris, Jr. to the Historic Resources Preservation Board for a term ending on July 31, 2019.

**MOTION:**

I move to ratify Vice Mayor Maxwell's appointment of Richard Guercio, Sr. to the Finance Advisory Board for an unexpired term ending on July 31, 2019 and Commissioner McVoy's reappointment of Thomas Norris, Jr. to the Historic Resources Preservation Board for a term ending on July 31, 2019.

**ATTACHMENT(S):**

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



**AGENDA DATE:** October 4, 2016, Regular Meeting

**DEPARTMENT:** Legal

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**EXECUTIVE BRIEF**

**TITLE:**

Ordinance No. 2016-27 – Second Reading and Public Hearing – adopt the County’s curbstoning ordinance

**SUMMARY:**

The Ordinance adopts the County’s curbstoning ordinance that regulates the sale of motor vehicles from public and semi-public areas.

**BACKGROUND AND JUSTIFICATION:**

Palm Beach County adopted an ordinance on curbstoning on September 22, 2015 and provided that not only is it applicable within the unincorporated areas but it shall also apply in municipalities that elect to have it apply within their jurisdictions. The proposed ordinance adopts (it will apply within the jurisdictional boundaries of the City of Lake Worth) the Palm Beach County curbstoning ordinance. The ordinance prohibits the parking of a motor vehicle on a public highway, public parking lot, public property, or upon private property where the public has a right to travel, for the principal purpose of displaying the motor vehicle for sale, hire or rental where it is not specifically authorized by law. In the event there is a violation the motor vehicle may be towed and the owner of the motor vehicle shall be assessed a penalty of \$500.00.

**MOTION:**

I move to approve/deny Ordinance No. 2016-27.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Ordinance



**AGENDA DATE:** October 4, 2016, Regular Meeting

**DEPARTMENT:** Commissioner Maier

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**EXECUTIVE BRIEF**

**TITLE:**

Ordinance No. 2016-28 - First Reading - amend the Sister City Board composition and schedule the public hearing date for October 18, 2016

**SUMMARY:**

The Ordinance reduces the number of members from seven to five.

**BACKGROUND AND JUSTIFICATION:**

On March 13, 2009, the Sister City Board was created as a five-member board. In 2010, the Commission, at the request of the then board liaison, increased the composition to seven members.

Commissioner Maier, as the current board liaison, is recommending that the composition be reverted back to its originally intended five members so that a quorum can be met and this board can move forward.

**MOTION:**

I move to approve / deny Ordinance No. 2016-28 and schedule the public hearing date for October 18, 2016.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Board Membership Log  
Ordinance



**AGENDA DATE:** October 4, 2016, Regular Meeting

**DEPARTMENT:** City Manager

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**EXECUTIVE BRIEF**

**TITLE:**

Resolution No. 47-2016 - identify the local roadways to be improved and identify the Citizens Advisory Committee if the proposed bond referendum is approved

**SUMMARY:**

The Resolution identifies the local roadways to be improved and the Finance Advisory Board as the Citizens Advisory Committee if the November 8, 2016 bond referendum is approved.

**BACKGROUND AND JUSTIFICATION:**

The City Commission approved a bond referendum to be on the November 8, 2016 general election ballot. The proposed bond referendum asks Lake Worth voters to either vote for, or against, the City's issuance of general obligation bonds for the exclusive purpose of improving local roadways and eliminating potholes in an amount not to exceed forty million dollars. In this resolution, the City Commission desires to identify the local roadways to be improved if the bond referendum is approved. Attached as Exhibit "A" to the resolution is a list of the local roadways to be improved if the bond referendum is approved. The proposed bond referendum also includes the creation of a Citizens Advisory Committee to review all expenditures from the bond proceeds. The City Commission desires to identify the City's Finance Advisory Board in the resolution as the Citizens Advisory Committee if the bond referendum is approved.

**MOTION:**

I move to approve/deny Resolution No. 47-2016.

**ATTACHMENT(S):**

Fiscal Impact Analysis – not applicable  
Resolution