



AGENDA
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, MARCH 01, 2022 - 6:00 PM

ROLL CALL:

INVOCATION OR MOMENT OF SILENCE: led by Commissioner Sarah Malega

PLEDGE OF ALLEGIANCE: led by Vice Mayor Herman Robinson

AGENDA - Additions / Deletions / Reordering:

PRESENTATIONS: (there is no public comment on Presentation items)

A. [Presentation by School Board Representative Erica Whitfield](#)

COMMISSION LIAISON REPORTS AND COMMENTS:

CITY MANAGER'S REPORT:

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

APPROVAL OF MINUTES:

A. [Regular Meeting - February 1, 2022](#)

B. [Pre-agenda work session - February 9, 2022](#)

PUBLIC HEARINGS:

A. [HRPB 21-12400005 - Appeal by Madeline Burnside \(property owner\) of the denial of an application for a Certificate of Appropriateness \(COA\) by the Historic Resources Preservation Board \(HRPB\) for window replacement for the property located at 518 South L Street.](#)

B. [Ordinance No. 2022-02 – Second Reading – amending the Advisory Board Appointment Process](#)

NEW BUSINESS:

A. [Ordinance No. 2022-03 - First Reading - amending the City's Pension Plan Ordinance](#)

B. [Fiscal Year 2022-2023 CDBG Application](#)

C. [Resolution No. 13-2022 -- intent to abandon a portion of the City's right of way adjacent to 1401 North N Street](#)

D. [Change Order #4 with R&D Paving for the Park of Commerce Phase 2 Project](#)

- E. [Purchase Order with Orlando Freightliner Isuzu Truck of Ocala for a new Grapple Truck with sideload tippers for the Solid Waste Division](#)
- F. [FY 2022 interfund budget transfer for purchase of a new vehicle](#)
- G. [Ordinance No. 2022-04 – amending Chapter 2 Administration regarding the sale of city-owned Properties to allow for exchange of property](#)
- H. [Discussion of Mobile Food Vending and Cottage Food Vending](#)
- I. Establishment of a Business Advisory Board
- J. [Stipulation of Dismissal in lawsuit brought by Gulf Stream of Lake Worth Condominium Association, Inc.](#)

CITY ATTORNEY'S REPORT:

UPCOMING MEETINGS AND WORK SESSIONS:

March 9 - pre-agenda work session @ 9 AM
March 15 - regular meeting
March 23 - pre-agenda work session @ 9 AM
March 29 - utility meeting

[Draft Agenda - March 15, 2022](#)

ADJOURNMENT:

The City Commission has adopted Rules of Decorum for Citizen Participation (See Resolution No. 25-2021). The Rules of Decorum are posted within the City Hall Chambers, City Hall Conference Room, posted online at: <https://lakeworthbeachfl.gov/government/virtual-meetings/>, and available through the City Clerk's office. Compliance with the Rules of Decorum is expected and appreciated.

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)

Lake Worth Beach State of Schools

January 18, 2022

Presented by:
Erica Whitfield
School District of Palm Beach County District 2 Board Member

High-performing A-rated District



MISSION STATEMENT

The mission of the School District of Palm Beach County is to educate, affirm, and inspire each student in an equity-embedded school system.

VISION STATEMENT

We envision...

The School District of Palm Beach County is an educational and working environment, where both students and staff are unimpeded by bias or discrimination. Individuals of all backgrounds and experiences are embraced, affirmed, and inspired. Each and every one will succeed and flourish.

The School District of Palm Beach County will take ownership for students' academic mastery, emotional intelligence, and social-emotional needs by creating environments where students, families, staff, and communities will develop agency and voice. A joy of learning is fostered in each student and a positive vision for their future is nurtured. Each student's cultural heritage is valued, and their physical, emotional, academic, and social needs are met.

...WE SEE YOU.



Top-performing urban school district in Florida

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WANT FOR
YOUR CHILD



PALM BEACH COUNTY SCHOOLS
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Today's Agenda

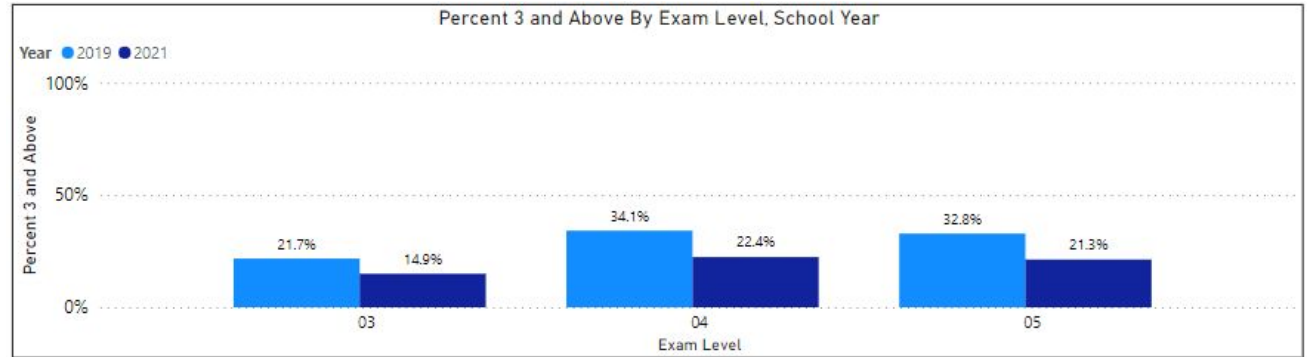
- Academic Results
- Discipline Rates
- Dropout Rates
- Mental Health Impacts
- Student Wifi Updates
- Legislative Priorities

Highland lost ground in 4th and 5th grade while 3rd grade improved!

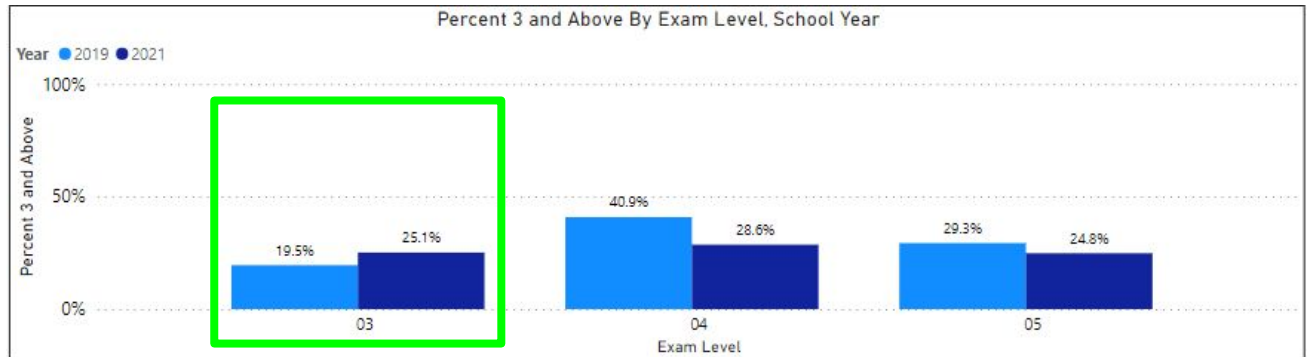


English Language Arts (ELA) FSA Results by Grade Level FY19 v. FY21

Barton Elementary



Highland Elementary

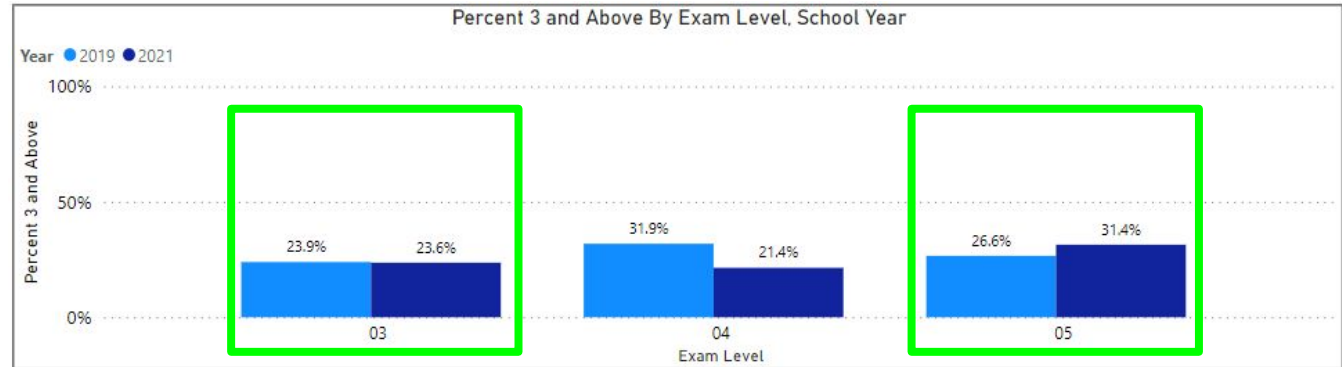


South Grade 3rd
maintained while 5th
increased.



English Language Arts (ELA) FSA Results by Grade Level FY19 v. FY21

South Grade
Elementary

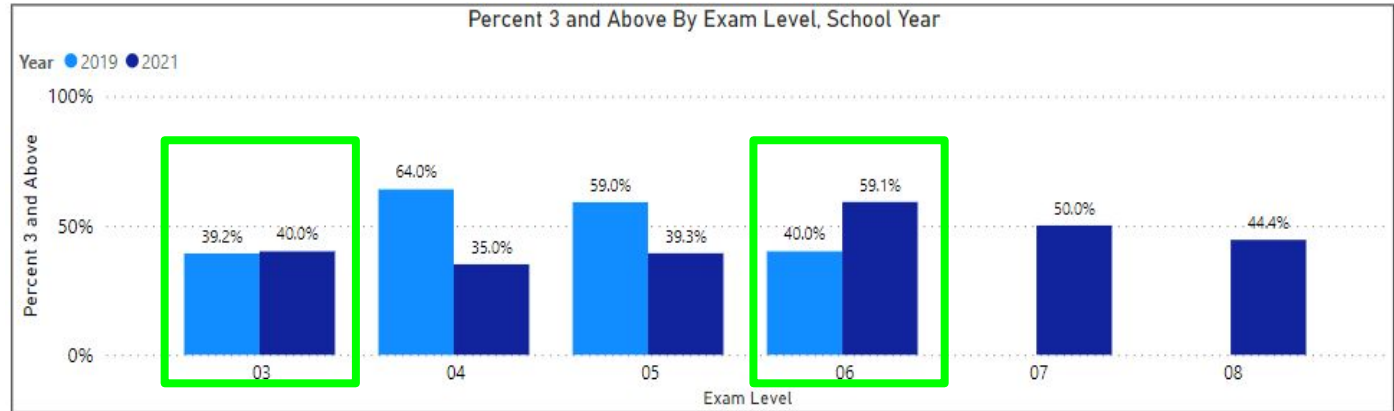


North Grade made increases in Grade 3 and Grade 6.



English Language Arts (ELA) FSA Results by Grade Level FY19 v. FY21

North Grade K - 8

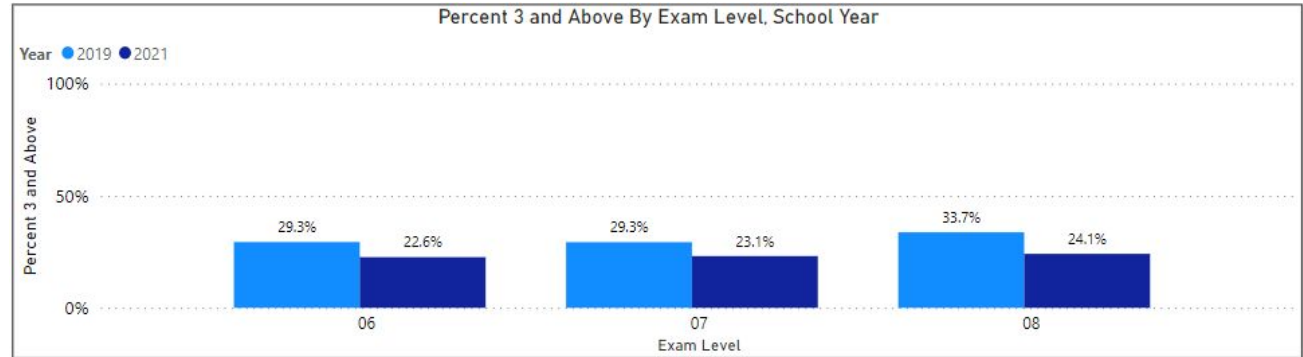


Lake Worth Middle lost ground while 10th graders at Lake Worth High maintained.

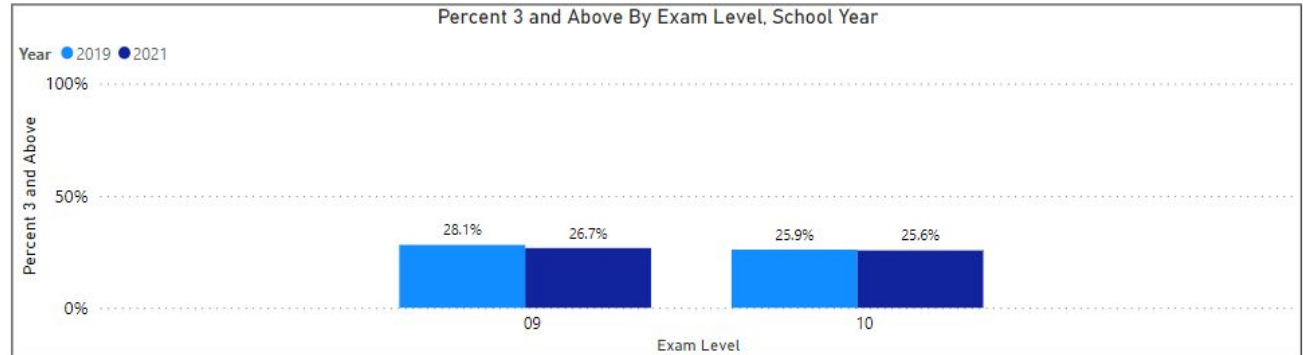


English Language Arts (ELA) FSA Results by Grade Level FY19 v. FY21

Lake Worth Middle



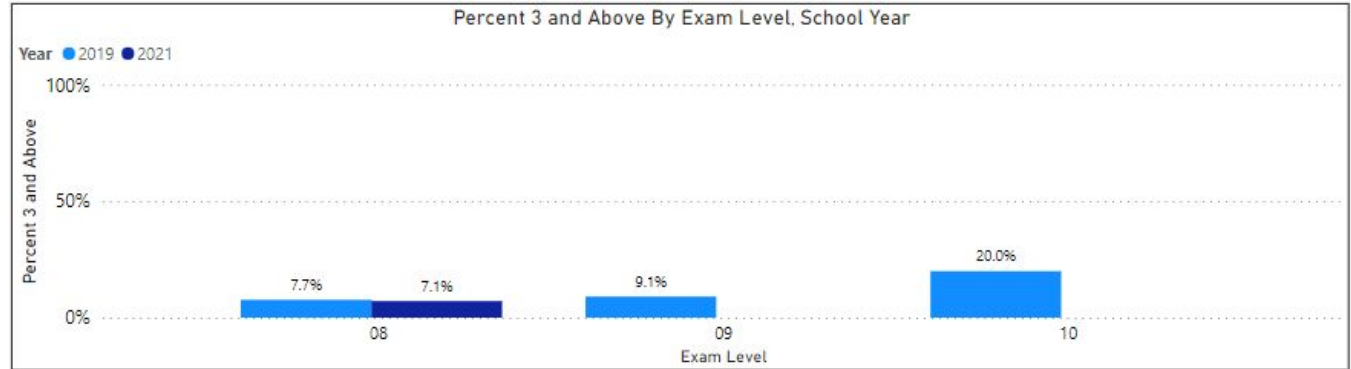
Lake Worth High





English Language Arts (ELA) FSA Results by Grade Level FY19 v. FY21

South Intensive
Transition

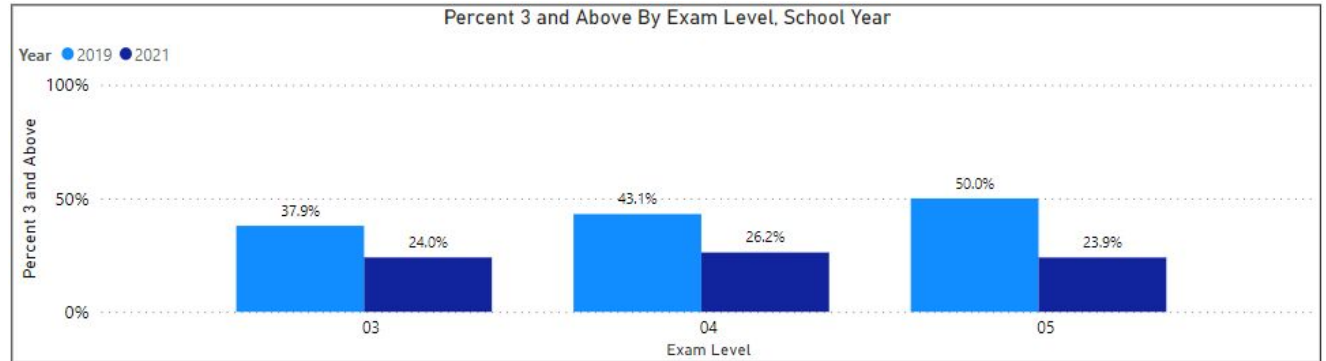


Both Barton and Highland students lost ground during the pandemic.

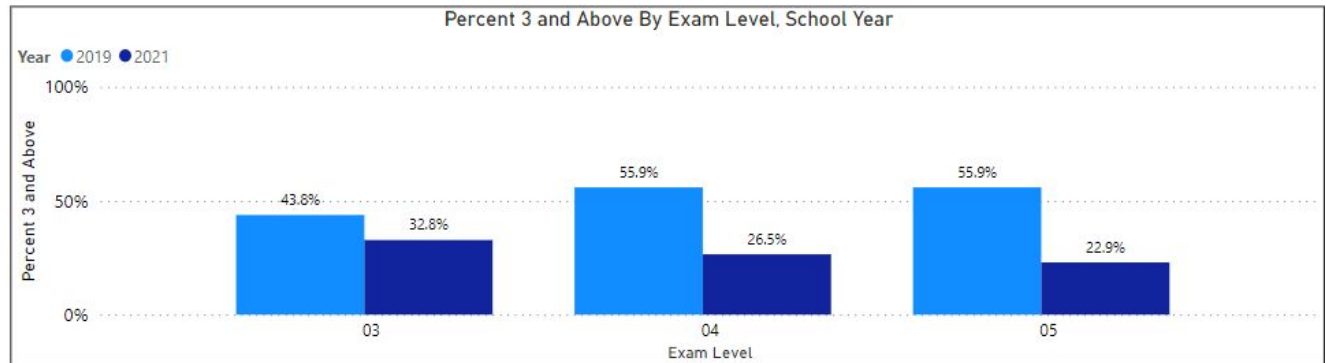


Math FSA Results by Grade Level FY19 v. FY21

Barton Elementary



Highland Elementary

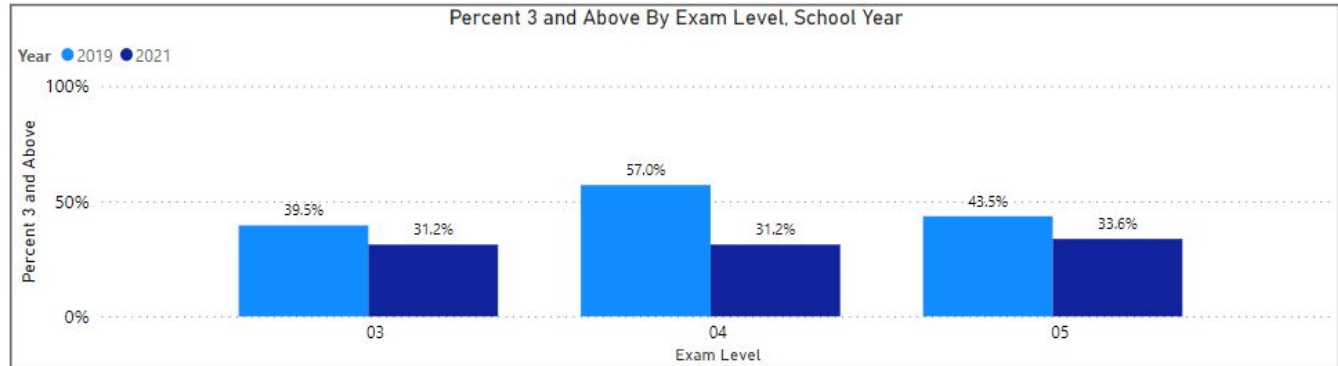


South Grade students
lost ground during the
pandemic.

Math FSA Results by Grade Level FY19 v. FY21



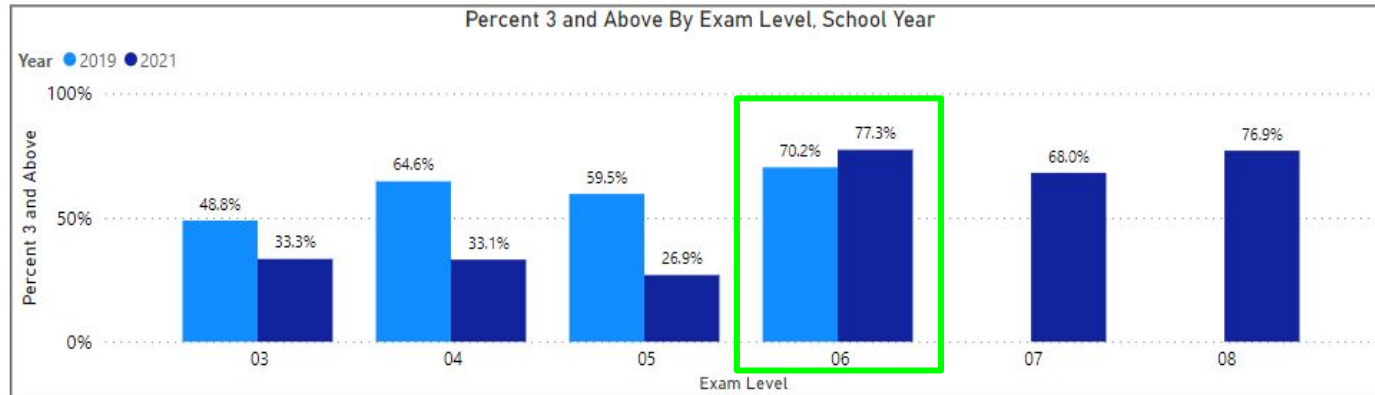
South Grade
Elementary





Math FSA Results by Grade Level FY19 v. FY21

North Grade K - 8

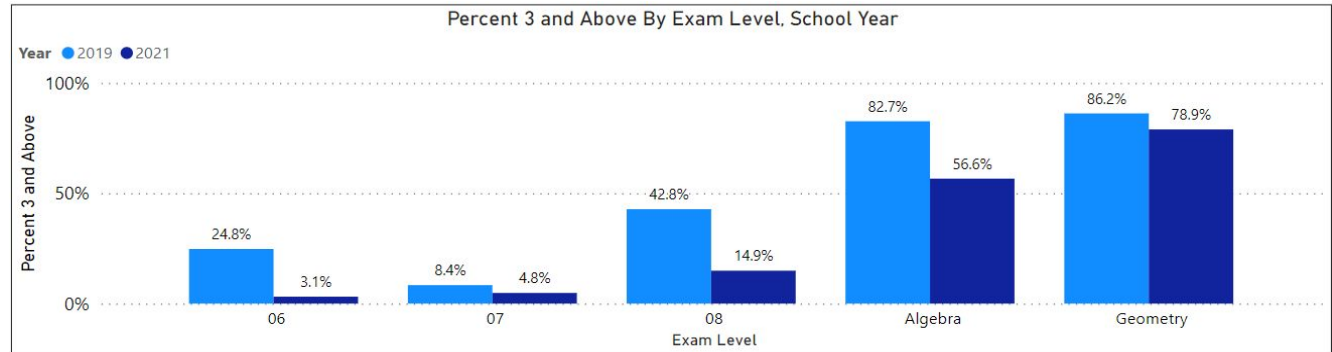


Both Lake Worth Middle and Lake Worth High students lost ground during the pandemic.

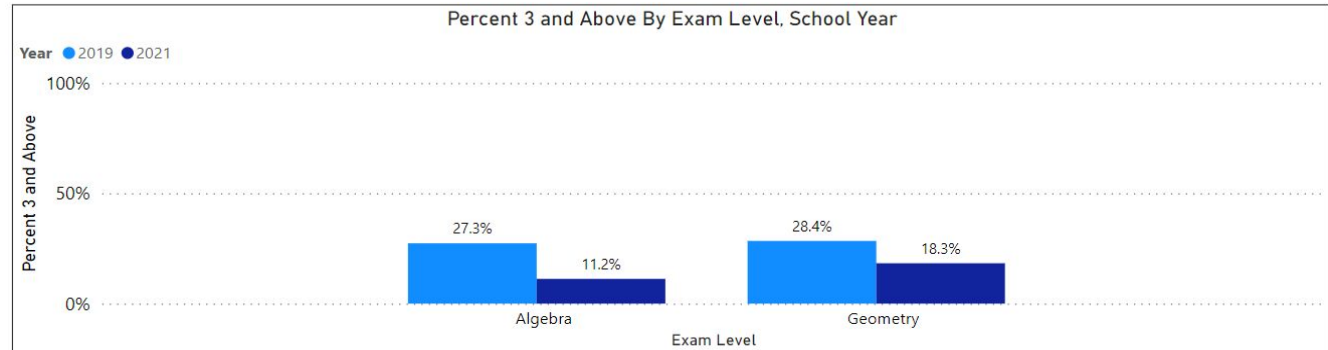


Math FSA and End of Course Exam (EOC) Results by Grade Level FY19 v. FY21

Lake Worth Middle



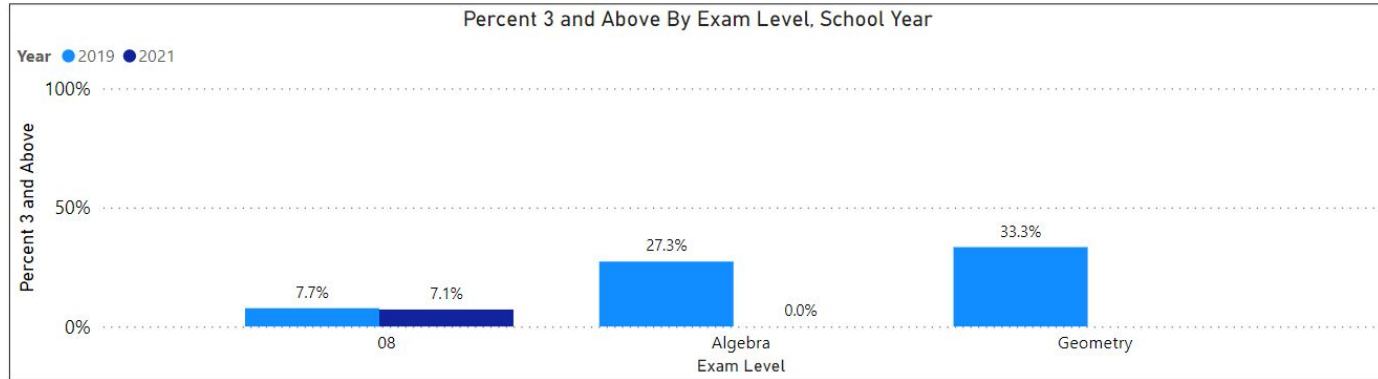
Lake Worth High





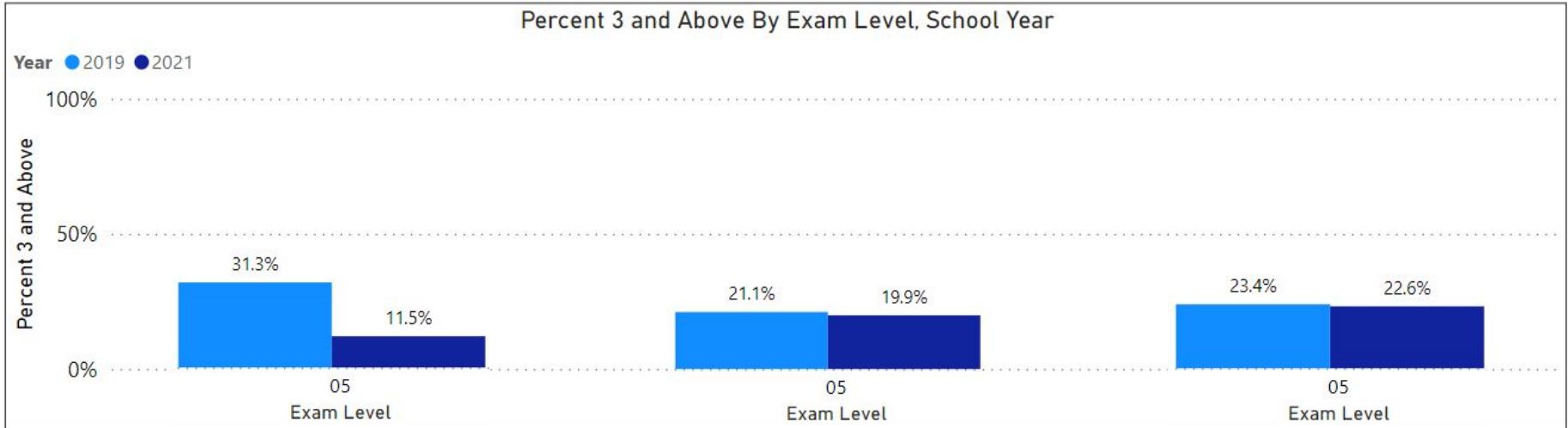
Math FSA Results by Grade Level FY19 v. FY21

South Intensive Transition





Science FSA & End of Course Exam (EOC) Results by Grade Level FY19 v. FY21



Barton Elementary

Highland Elementary

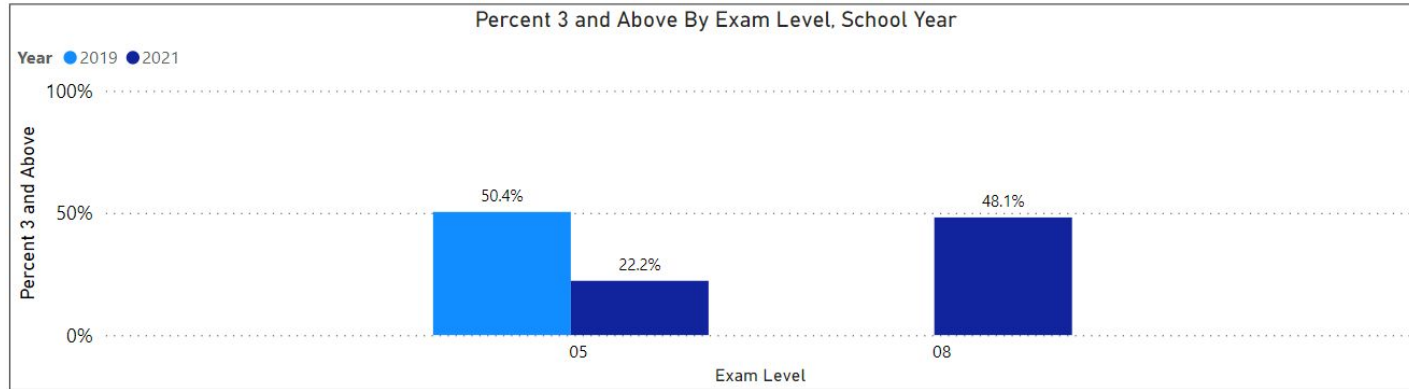
South Grade Elementary

North Grade K - 8 lost ground in 5th while nearly 50% of 8th passed.



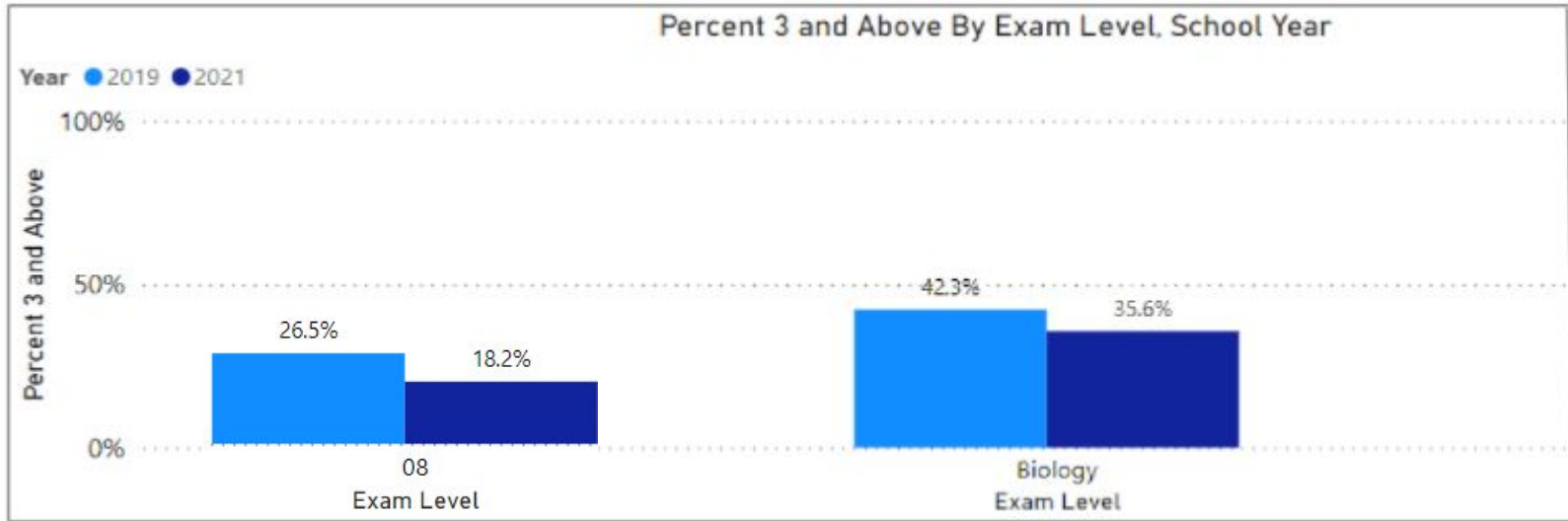
Science FSA & End of Course Exam (EOC) Results by Grade Level FY19 v. FY21

North Grade K - 8





Science FSA & End of Course Exam (EOC) Results by Grade Level FY19 v. FY21

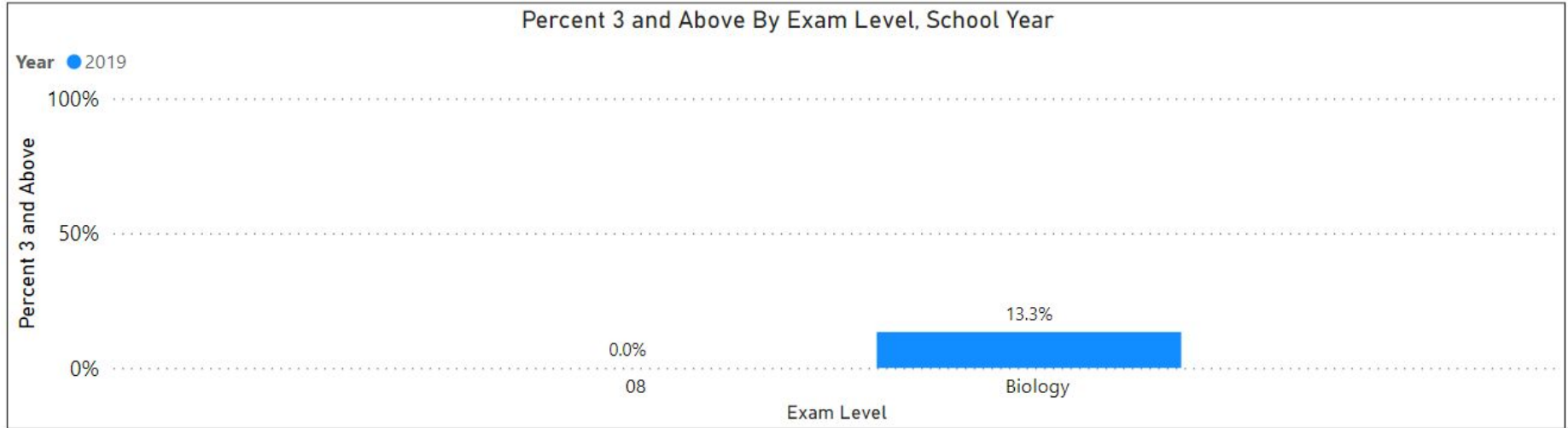


Lake Worth Middle

Lake Worth High



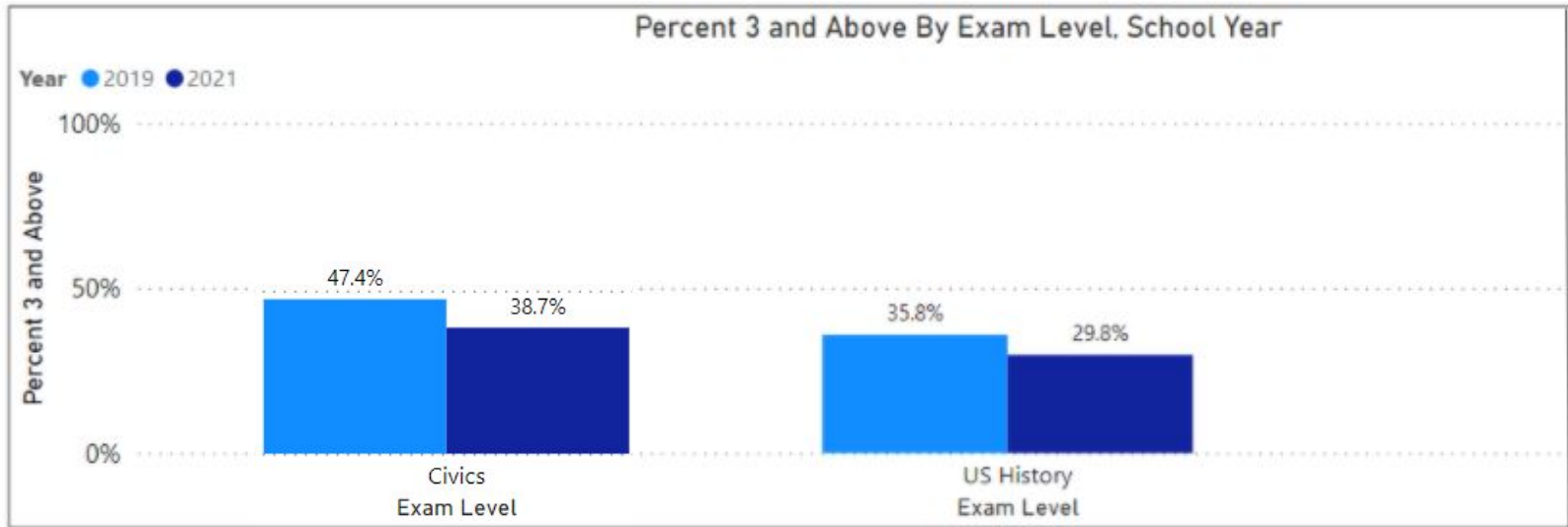
Science FSA & End of Course Exam (EOC) Results by Grade Level FY19 v. FY21



South Intensive Transition



Social Studies End of Course Exam (EOC) Results by Grade Level FY19 v. FY21



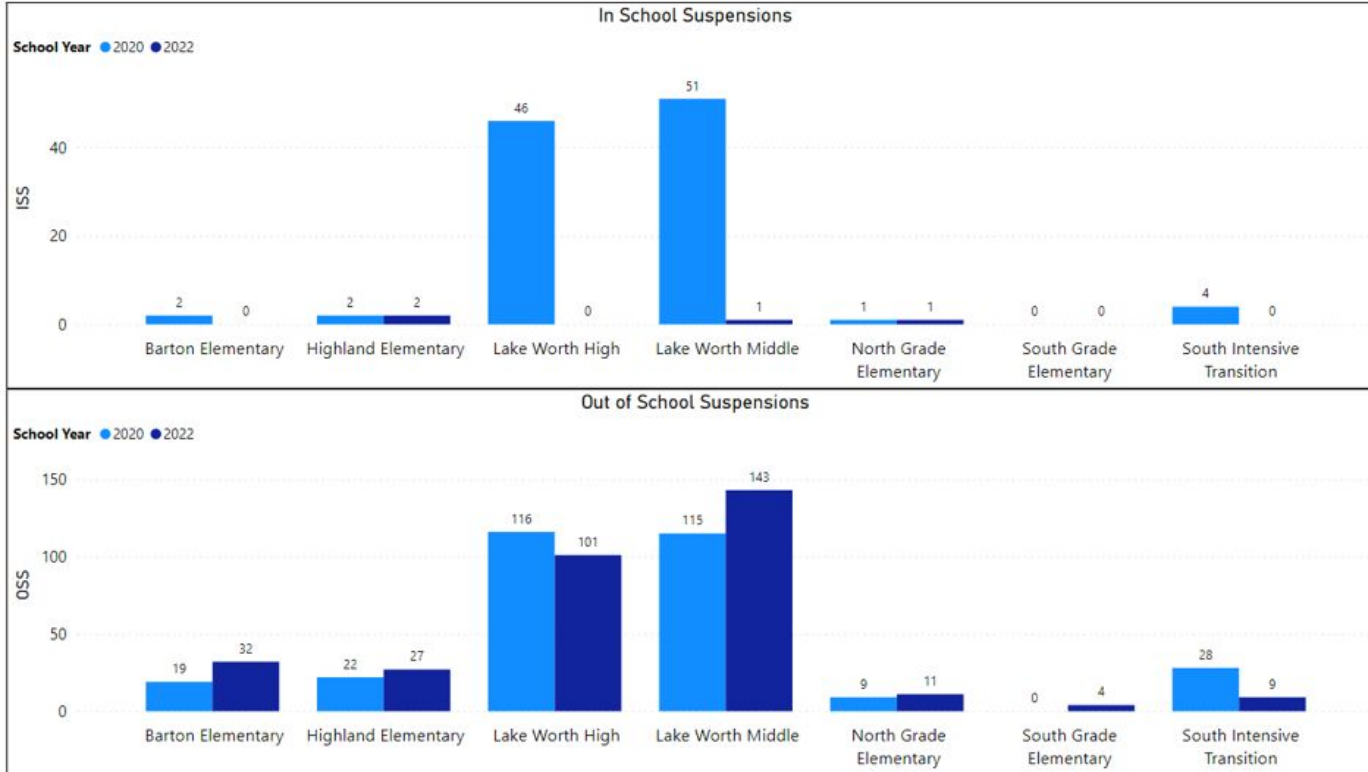
Lake Worth Middle

Lake Worth High

ISS decreased across nearly all schools and OSS decrease in about half of the schools.



Internal and Out of School Suspensions Semester 1, FY2020 vs FY2022



Count of students suspended in school (ISS) or out of school (OSS) one or more times.



Lake Worth High School Graduates, Non-Graduates & Dropouts

	# Graduates	# Non-Graduates	# Dropouts
	Earned a Diploma	Didn't Finish	Left Early
2021	480 (95.4%)	8 (1.6%)	15 (3%)
2020	493 (91.1%)	33 (6.1%)	15 (2.8%)
2019	468 (78.8%)	103 (17.3%)	23 (3.9%)



Mental Health Impacts

District Total (SIS 11.8)

- Both school-based and community-based
- Total Students Referred - 3202
- Total Students Receiving Services - 2243

Co-located Mental Health Professional Totals (SIS 11.8)

- School-based, Contracted
- Total Students Referred - 1589
- Total Students Receiving Services - 1329



Mental Health Impacts

The Department of Behavioral and Mental Health in the School District of Palm Beach County continues to ground our work in support of students and families through 3 key beliefs:

- Mental health is our ability to live fully, engage with others, and respond to challenges.
- It's OK to be OK. It's OK to not be OK. It's OK to ask for help.
- Schools have highly trained and skilled professionals in place to support student mental health.



Mental Health Impacts

Highly Trained and Skilled Professionals

- Each of 170 district schools employs a **School Behavioral Health Professional (SBHP)**. As members of the school mental health team, SBHPs plan and conduct behavioral and mental health interventions that facilitate personal, social, emotional and academic growth of students.
- Approximately 130 certified and/or licensed **school psychologists** who support all 170 district schools as well as Charter schools. School psychologists provide a broad range of comprehensive and integrated services and apply expertise in mental health, learning, and behavior, to help children and youth succeed academically, socially, behaviorally, and emotionally. They also continue to provide mental health crisis support for students, families, and school communities following crisis events involving loss, grief, and psychological trauma.
- Certified **School Counselors** and ESOL/Bilingual School Counselors are on every campus.
- Student access to school-based mental health support is expanded through the **Co-located Mental Health Professional** initiative. Contracted Mental health professionals are agency employed and in place at 100 sites to provide individual counseling to students, with parental consent, at no cost to families. Co-located mental health services do not require a diagnosis and are provided on campus during the regular school day.

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- The Crisis Assessment, Prevention, Education and Support (CAPE) Team continues to support students, families and schools when behavioral and or mental health challenges are persistent over time or acute with high intensity, and additional assistance is needed. CAPE Team consists of credentialed and skilled staff that are both flexible and proactive in supporting students who are experiencing complex mental health or behavioral challenges. The CAPE team utilizes diverse skill sets including trauma-informed care, behavior management, and care coordination. We support in the areas of Education (pre-crisis), Crisis, and Post Crisis to meet the needs of schools.

It's OK to Ask for Help

- When someone has a concern about a student or their child (Feeling sad or withdrawn; Out of control, risk taking behaviors; Sudden overwhelming fear; Seeing, hearing or believing things that are not real; Drastic changes in mood, behavior, personality or sleeping habits; Impacts in school, at home, in daily activities), they can ask for help.
- School-based mental health professionals (school counselor, school behavioral health professional) will work with the family and student to understand the concern and connect them to the most appropriate resource (school-based or community-based)

Professional Development/Training for Teachers and Staff

- Professional development increases mental health awareness and reduces stigma associated with mental health challenges. Several live and recorded sessions are offered to school staff on topics like Suicide Prevention, Youth Mental Health First Aid, Mental Health 101: A Guide to Student Re-Entry and Support (Safety) Planning, Mindfulness as a Coping Strategy in Times of Stress; Cultural Humility and Racial Equity Through a Trauma Lens, Mental Health 101 for Teachers, Back to School PBC: Strategies for a Successful Start, Promoting Emotional Regulation in Children, Building a Bridge from Adversity to Resilience, The Power of Positive Emotions: Understanding Positive Psychology, Signs, Symptoms, and Support.

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Student Wifi Updates

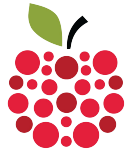


Digital Inclusion/Student Wifi Update

- Fiber is approximately 75% complete
- All radios south of 10th Avenue are installed (phase 1)
- County will contact Lake Worth Beach soon for further updates
- Thank you to Palm Beach County for the dedication of Federal funding (\$16 million) and staff time
- Thank you to The Education Foundation for their fundraising efforts to raise approximately \$1 million for Wifi Extenders to date



PALM BEACH COUNTY
*Discover the Palm Beaches...
the Best of Everything*



**EDUCATION
FOUNDATION**
OF PALM BEACH COUNTY



2022 School Board Florida Legislative Priorities

- **Local Control**
- **Students: Graduation Requirements / Mental Health Services**
- **Distance Learning**
- **VPK - Full Day**
- **Finance**
- **Teacher 2021 VAM - Hold Harmless**
- **Legislation Impacting School Board Members**
- **Other: Appropriations for Projects**

FLDOE Current Concordant Score Requirements

Table 3: Grade 10 ELA Concordant Scores

Grade 10 FSA ELA or Grade 10 FCAT 2.0 Reading	
Available for <i>all</i> students who entered grade 9 in 2010–11 and beyond:	
SAT Evidence-Based Reading and Writing (EBRW) ¹	480
ACT English and Reading subtests ²	18
Available <i>only</i> for students who entered grade 9 prior to 2018–19:	
SAT EBRW ¹	430
SAT Reading Subtest ³	24
ACT Reading	19

Table 4: Algebra 1 EOC Comparative Scores

Algebra 1 EOC (FSA or NGSSS)	
Available for <i>all</i> students who entered grade 9 in 2010–11 and beyond:	
PSAT/NMSQT Math ¹	430
SAT Math ²	420
ACT Math	16
FSA Geometry EOC ³	499
Available <i>only</i> for students who entered grade 9 prior to 2018–19:	
PERT Mathematics	97

*FY22 Concordant scores outlined in Red

Estimated Impact of Proposed Concordant Scores on FY20 Graduation Rate

Group	FY20 Graduation Rate %	FY20 Impact Data Proposed Concordant Scores	Diff
District Overall	90	74	-16
District Operated	94	78	-16
Black Female	97	72	-25
Black Male	93	65	-28
Hispanic Female	96	75	-21
Hispanic Male	89	69	-20
White Female	98	92	-6
White Male	95	86	-9
SWD	92	75	-17
ELL	85	56	-29
FRL	93	70	-22



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Concordant Score Update

- Pending state board approval on Feb 9, the increase in concordant scores will be delayed until the FY23 graduation cohort.
- PERT may be administered to Grade 12 following approval.
- District will be providing an April ACT-NCR for grades 11 & 12 (pending board approval)





2022 School Board Federal Legislative Priorities

The School District of Palm Beach County SUPPORTS:

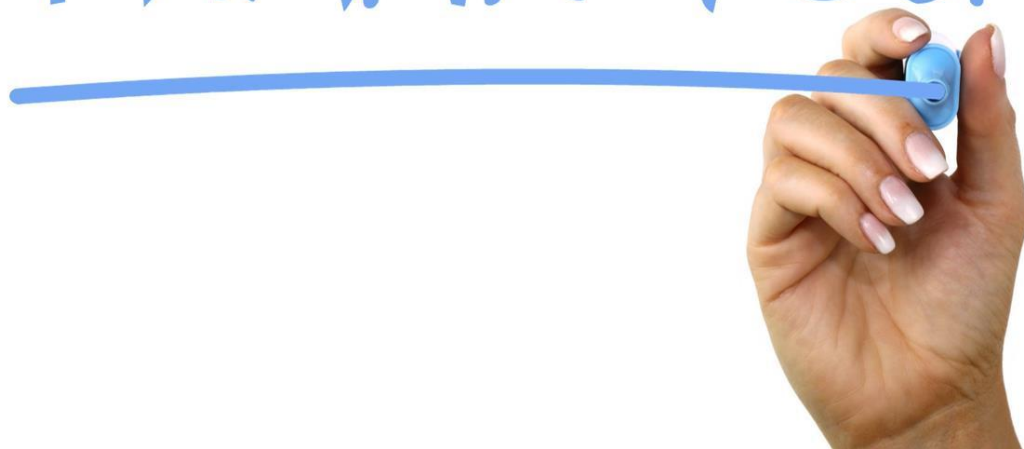
- All efforts to pass the Infrastructure Bill, aka, the American Jobs Act.
- All efforts to pass the Budget Reconciliation bill which contains funding for rebuilding school facilities.
- An increase in the federal IDEA program to its originally-proposed 40% of the costs needed to meet Special Education costs.
- All efforts to support a federal universal school lunch for all students.
- All efforts to re-direct emergency funding reimbursements directly to school districts. - All efforts to re-institute the J-1 Visa program as it relates to bringing in ELL teachers.

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THANK YOU



**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, FEBRUARY 1, 2022 - 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:06 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:34) Present were Mayor Betty Resch; Vice Mayor Herman Robinson and Commissioners Sarah Malega, Christopher McVoy and Kimberly Stokes. Also present were City Manager Carmen Davis, City Attorney Christy L. Goddeau and City Clerk Melissa Ann Coyne.

INVOCATION OR MOMENT OF SILENCE: (0:52) led by Commissioner Kimberly Stokes.

PLEDGE OF ALLEGIANCE: (1:26) led by Vice Mayor Herman Robinson.

ADDITIONS/DELETIONS/REORDERING (1:42)

Action: Consensus to add a discussion item regarding a policy for the City as a landlord to the February 15, 2022 meeting.

The City Manager Report was moved to follow Commission Liaison Reports.

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve the agenda as amended.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Robinson and Commissioners Malega, McVoy and Stokes. NAYS: None.

PRESENTATIONS: (6:38)

Surprise presentation to Juan Ruiz, Assistant City Manager, for his exemplary service as Interim City Manager. (6:50)

A. Anti-racism Proclamation (9:33)

COMMISSION LIAISON REPORTS AND COMMENTS: (15:01)

CITY MANAGER'S REPORT: (moved to follow Commission Liaison Reports) (30:07)

City Manager Davis provided the following report:

- gave an update on the work being done by the City's lobbyist regarding four possible appropriations for the City.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (33:37)

APPROVAL OF MINUTES: (43:06)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve the following minutes:

- A. Pre-Agenda work session - January 12, 2022
- B. Regular Meeting - January 18, 2022

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Robinson and Commissioners Malega, McVoy and Stokes. NAYS: None.

CONSENT AGENDA: (43:15) (public comment allowed during Public Participation of Non-Agendaed items)

Action: Motion made by Commissioner McVoy and seconded by Commissioner Stokes to approve the Consent Agenda:

- A. Agreements with Florida Building Alliance Corp. and RMJ Maintenance Corp.
- B. Resolution No. 10-2022 – approving the FUSION Mini-Project Grant Memorandum of Understanding with PBSO
- C. Change Order 02 to B&B Underground Construction, Inc. for the Lift Station 12 & 14 Improvement Project

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Robinson and Commissioners Malega, McVoy and Stokes. NAYS: None.

PUBLIC HEARINGS:

There were no Public Hearings on the agenda.

NEW BUSINESS: (43:27)

- A. Resolution No. 08-2022 – amending the City Commission's Rules of Procedure (43:31)

City Attorney Goddeau did not read the resolution.

RESOLUTION NO. 08-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE RULES OF PROCEDURE FOR LAKE WORTH BEACH CITY COMMISSION; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

Action: Consensus to bring the revised resolution back on February 15, 2022.

B. Discussion regarding HRPB (1:11:14)

C. Discussion regarding the establishment of a resolution or ordinance to require developers to meet with stakeholders about their developments (1:48:25)

The meeting recessed at 8:18 PM and reconvened at 8:35 PM.

D. Discussion regarding a parking/mobility advisory board (2:29:19)

Action: Consensus to move forward with parking and mobility issues in the near future.

E. Discussion regarding the development of a policy for public use of existing day docks on the City's intracoastal waterfront (2:49:13)

Action: Consensus for Assistant City Manager Ruiz to speak with the County Commissioners first and then the representative from FIND about creative solutions to the docks.

CITY ATTORNEY'S REPORT: (3:33:23)

City Attorney Goddeau requested advice from the Lake Worth Beach City Commission concerning pending litigation, specifically regarding settlement negotiations and strategy related to litigation expenditures in the case of City of Lake Worth Beach, Florida v. Federal Emergency Management Agency, Administrative Appeal of Disaster Assistance Decision dated December 28, 2021 for Hurricanes Frances, Jean and Wilma, and requested an attorney-client session to be scheduled for February 15, 2022, at 5:00 PM. She stated that the estimated length of the attorney-client session would be approximately 45 minutes and would be attended by the members of the City Commission; Mayor Betty Resch; Vice Mayor Herman Robinson and Commissioners Sarah Malega, Christopher McVoy and Kimberly Stokes; City Manager, Carmen Davis; City Attorney, Glen J. Torcivia; and outside counsel Ernie Abbott, Wendy Ellard and Michelle Zaltsberg; a certified court reporter would be present to ensure that the session was fully transcribed and the transcript would be made public upon the conclusion of the above-cited, ongoing litigation.

CITY MANAGER'S REPORT: (moved to follow Public Participation)

UPCOMING MEETINGS AND WORK SESSIONS:

February 9 - pre-agenda work session @ 9 am

February 18 - regular meeting

February 22 - electric utility meeting

February 23 - pre-agenda work session @ 9 am

ADJOURNMENT: (3:34:57)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to adjourn the meeting at 9:41 PM.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Robinson and Commissioners Malega, McVoy and Stokes. NAYS: None.

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

Minutes approved March 1, 2022.

Item time stamps refer to the recording of the meeting which is available on YouTube.

DRAFT

**MINUTES
CITY OF LAKE WORTH BEACH
CITY COMMISSION PRE-AGENDA WORK SESSION
CITY HALL COMMISSION CHAMBER
WEDNESDAY, FEBRUARY 9, 2022 - 9:00 AM**

The meeting was called to order by Vice Mayor Robinson on the above date at 9:05 AM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:55) Present were Mayor Betty Resch; Vice Mayor Herman Robinson and Commissioners Christopher McVoy and Kimberly Stokes. Also present were City Manager Carmen Davis, City Attorney Christy L. Goddeau and City Clerk Melissa Ann Coyne. **ABSENT:** Commissioner Sarah Malega.

UPDATES / FUTURE ACTION / DIRECTION (1:18)

A. Possible agenda topics

Action: Consensus to have a proclamation supporting public education at a future meeting.

ADJOURNMENT: (49:05)

The meeting adjourned at 9:53 AM.

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

Minutes Approved: March 1, 2022

Item time stamps refer to the recording of the meeting which is available on YouTube.

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: Community Sustainability

TITLE:

HRPB 21-12400005 - Appeal by Madeline Burnside (property owner) of the denial of an application for a Certificate of Appropriateness (COA) by the Historic Resources Preservation Board (HRPB) for window replacement for the property located at 518 South L Street.

SUMMARY:

Madeline Burnside (property owner) is appealing the denial of an application for a Certificate of Appropriateness (COA) by the Historic Resources Preservation Board (HRPB) for window replacement for the property located at 518 South L Street. The subject property is a contributing resource to the Southeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) zoning district. The windows were replaced without a building permit or historic preservation approval. The installed windows have a grey tinted Low-E coating with a VLT of 49% that does not comply with City's Historic Preservation Design Guidelines VLT standard of 60%. Additionally, the windows are not the most successful approach to replicating original windows in a Mission Revival structure. However, the openings on the front façade received approval in 2001 and can be replaced in-kind by the property owner.

PROJECT REVIEW HISTORY:

On October 7, 2020, a Code Compliance Case (#20-2325) was initiated for window replacement that began without a building permit or historic preservation approval. On October 21, 2020, Historic Preservation staff received building permit application #20-3247 for partial window replacement. Staff disapproved the request, as the building permit application did not include a COA Application, keyed photos of each opening, or glass specifications. In late December of 2020, staff exchanged several emails with the property owner regarding options for administrative review and HRPB review. As the windows were already installed, the property owner opted for HRPB review. Staff continued communication in January, March, and July of 2021, until a complete application for HRPB review was provided. The scope of work was amended to include replacement of all windows rather than three (3) windows, as initially submitted, since none of the installed windows received a building permit or historic preservation approval. The item was scheduled for the next available hearing in September, as the August meeting was canceled. The window replacement plan, product information, and glass specifications are included in the staff report attachments.

At the September 15, 2021 HRPB meeting, staff presented a summary of the attached staff report, which contained the review of the installed windows for consistency with the applicable standards found in the City of Lake Worth Beach's Historic Preservation Design Guidelines, Land Development Regulations (LDRs), Comprehensive Plan and Strategic Plan. The HRPB disapproved the project with a vote of 6-0 as the applicant had not established by competent substantial evidence that the application complied with the required 60% VLT standard.

QUASI-JUDICIAL PROCESS:

Section 23.2-17(b) of the City's code outlines the process for appealing decisions of the Planning and Zoning Board and Historic Resources Preservation Board to the City Commission. It requires the appealing party to submit a basis of appeal, which the appealing party has done (it is attached). At the hearing, each party will be given 10 minutes to present its argument. Thereafter, the commission members may make comments, ask questions, request clarification and discuss the information presented at the HRPB meeting. The Commission's decision upholding or overturning the decision should be based on competent, substantial evidence.

The courts have defined substantial evidence as that which will establish a substantial basis of fact from which the fact at issue can be reasonably inferred. It is such relevant evidence as a reasonable mind would accept as adequate to support a conclusion. Competent means that the evidence relied upon to sustain the ultimate finding should be sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusion reached. See e.g., Village of Palmetto Bay v. Palmer Trinity Private School, Inc. 128 So. 3d 19 (Fla. 3d DCA 2012).

POTENTIAL MOTIONS:

1. I find that the evidence presented in the application materials, presentations, testimony and the staff report was competent and substantial, and therefore move to uphold the decision of the Historic Resources Preservation Board to deny the application for a Certificate of Appropriateness (COA) for window replacement for the property located at 518 South L Street.
2. I find that the evidence presented was not competent and substantial [based upon specified reasons], and therefore, move to overturn and reverse the decision of the Historic Resources Preservation Board denying the application for a Certificate of Appropriateness (COA) for window replacement for the property located at 518 South L Street.

ATTACHMENT(S):

HRPB 21-1240005 Development Order (denial)

September 15, 2021 HRPB Meeting Minutes

Appellant's Basis of Appeal

HRPB 21-1240005 Staff Report

HRPB Staff Report Attachments



DEPARTMENT FOR COMMUNITY SUSTAINABILITY
Planning Zoning Historic Preservation Division
1900 2ND Avenue North
Lake Worth Beach, FL 33461
561-586-1687

**ORDER OF THE HISTORIC RESOURCES PRESERVATION BOARD
OF THE CITY OF LAKE WORTH BEACH, FLORIDA**

PROJECT NUMBER: HRPB 21-00100076
OWNER: Madeleine Burnside
OWNER'S ADDRESS: 518 South L Street
Lake Worth Beach, FL 33460
DATE OF HEARING: September 15, 2021
TYPE OF REQUEST: A Certificate of Appropriateness (COA) for window replacement
LOCATION OF PROPERTY: 518 South L Street
PCN: 38-43-44-21-15-167-0070

X THIS MATTER came to be heard before the Historic Resources Preservation Board of the City of Lake Worth Beach, Florida ("Board") on the date of hearing stated above. The Board, having considered the Applicant's application, the materials submitted by the Applicant, the staff reports, and having heard testimony from the Applicant, members of city administrative staff and the public, finds as follows:

1. Application for the relief sought was made by the Applicant pursuant the requirements of the City's Land Development Regulations.
2. The Applicant
 HAS
 X HAS NOT

established by substantial competent evidence a basis for granting the request. The installed windows have a grey tinted Low-E coating that does comply with City's Historic Preservation Design Guidelines.

3. The Applicant's application is hereby
 GRANTED subject to the conditions referenced in paragraph 3 hereof.
 X DENIED
4. This Order shall take effect upon signature by the Chairperson.
5. All further development on the property shall be made in accordance with the terms and conditions of this Order.

CHAIRPERSON ON BEHALF OF THE BOARD Wm Feldkamp

DATE: 23 Sep 2021

BOARD SECRETARY Shirley C Coale



**MINUTES
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, SEPTEMBER 15, 2021 -- 6:09 PM**

ROLL CALL and RECORDING OF ABSENCES Present were: William Feldkamp, Chairman; B. Guthrie, Vice-Chair (virtual); Judith Fox; Geoffrey Harris; Stephen Pickett; Ricardo Martin. Also present were: Abraham Fogel, Preservation Planner; Jordan Hodges, Senior Preservation Coordinator; Erin Sita, Assistant Director for Community Sustainability; Susan Garrett, Board Attorney; Sherie Coale Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

A Conceptual Review of 320 North Lakeside Drive will be added to Planning Issues.

APPROVAL OF MINUTES: None

CASES

SWEARING IN OF STAFF AND APPLICANTS Board Secretary administered oath to those wishing to give testimony.

PROOF OF PUBLICATION

- 1) 1001 North Lakeside Drive
220 South L Street

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. HRPB Project Number 21-00100216:** A Certificate of Appropriateness (COA) for the construction of a new ± 540 square foot accessory dwelling unit located at **220 South L Street**; PCN #38-43-44-21-15-091-0070. The subject property is located in the Low-Density Multi-Family Residential (MF-20) zoning district and is a contributing resource to the Southeast Lucerne Local Historic District.

Staff: J. Hodges presents case findings and analysis. The City Building Official condemned the garage, no COA is required for condemnations. With the proposal, 3 new parking spaces were added with access from the alleyway. Overall the new structure and design relates to the primary structure with materials, window types, trim and sill detail, roofing material and pitch. The single-story structure is inspired by the garage in location and massing.

Architect for the applicant: Geoffrey Harris-

Board: R. Martin would like to know if it is metered separately? **Response:** yes. J. Fox confirms it is multi-family and if there are 3 parking spaces off the alley; **Response:** yes. B. Guthrie believes it to be an improvement and ADU's are allowed in multi-family zoning districts. W. Feldkamp asks whether it is CBS? **Response:** no it is frame.

Motion: R. Martin moves to approve HRPB 21-00100216 with staff recommended Conditions based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; J. Fox 2nd.

Vote: Ayes all, unanimous.

B. HRPB Project Number 21-12400003: An Appeal of the Development Review Official's decision regarding the expansion of a legal non-conforming garage apartment at **1029 North Palmway**; PCN #38-43-44-21-15-298-0090. The subject property is located in the Single-Family Residential (SF-R) Zoning District and is a contributing resource to the Northeast Lucerne Local Historic District.

Board Attorney: Explains the order of the appeal and that if any new factual information is presented, it should not be taken into consideration.

Staff: A. Fogel provides background information on the DRO decision to deny the approval of additional expansion into the non-conforming garage apartment. All filings were timely. The primary structure was constructed in 1940; construction of the garage apartment circa 1949. A code compliance case was initiated based upon a citizen complaint two days prior to the purchase by applicant.

Architect for the applicant: Requesting an exception to expand the use. Purchased the property based upon it being a larger apartment than it turned out to be. Has cleaned up the property and installed new landscaping.

Applicant Bryan Sher: Unaware of any code violations when purchased and did not find upon title search. Wants to follow the code, in it for the long term.

Public Comment: Porter Smythe-1101 North Palmway - in agreement with the DRO decision. Drawings only show the garage and a room, no kitchen, which would be required for the use as a separate apartment. The previous owner used the garage area as a separate unit and the realtor sold it as such.

Anthony DyJach – in agreement with the DRO decision. Contends the applicant listed the property for rent just six days after purchase and is currently rented with no active business license. States the new owner should take up the issue with the previous owner, contractor and realtor as a civil matter.

Bo & Erin Allen-208 S. Lakeside Dr: Has a long history with the parcel. The interior of the garage was incorporated as part of the living area. Nothing was done covertly, purchased it and did the renovation when Mr. Sanchez passed and sold it to Mr. Rendez subsequently selling to Mr. Sher. The neighbor had made the Sanchez's life miserable by turning them in for code violations.

Believes the title search did not show until after the closing and the decision should be overturned.

Board: S. Pickett – how should Board consider the fact that permits were issued for the work that was done.

Staff: A lien search is just that, a search for a recorded lien. A code violation is not a lien. If the use had been legally expanded, this situation wouldn't exist. There were roof replacement permits, window permits, mechanical, electrical, plumbing permits but no permits to be found for the enclosure of the garage bay.

Board Attorney: This appeal is really about the zoning determination that the property is not in compliance with the zoning.

Board: R. Martin asks if there are duplexes in the area since this is a Single-Family residentially zoned area? **Response:** There are, although those, properly permitted, may continue until either the use or structure ceases, they cannot be expanded.

Staff: Historic Resources Preservation Board has purview over this area regarding zoning decisions.

Board Chairman: This is a very narrow determination, was the DRO correct in the interpretation of the code. B. Guthrie-when the structure was constructed there were service quarters attached to the garage. **Staff:** There is no record of the conversion of the area, at some time the service quarters were recognized as a unit. Grandfathered uses are allowed on non-conformity provided it is in good standing. The garage apartment can remain but the garage stall will have to be turned back. Board empathizes with the new owner. B. Guthrie- points out there is no curb cut. Board Chair states this is not for the Board to decide on at this point. Will the room be unusable?

Staff: There are other options for use of the space. The conversion of the garage increased the required parking; if the space were re-converted to only living space, no kitchen, the parking requirement would not increase.

Motion: S. Pickett moves to deny HRPB 21-12400003 thus upholding the decision of the DRO disallowing the expansion of the legal non-conforming garage apartment; J. Fox 2nd.

Vote: Ayes all, unanimous.

C. HRPB Project Number(s) 21-00100213 and 21-01600001: A Certificate of Appropriateness (COA) for the construction of a new ± 840 square foot accessory structure and a historic waiver to exceed the accessory structure limitation for the property located at **226 South L Street**; PCN #38-43-44-21-15-091-0040. The subject property is located within the Low-Density Multi-Family Residential (MF-20) zoning district and is a contributing resource to the Southeast Lucerne Local Historic District.

Staff: J. Hodges presents case findings and analysis. The property has previously received approval for multiple renovations along with approval for a Non Ad-Valorem Tax Exemption. In 2018 it was awarded a Historic Preservation Award. Proposed is a new two-story accessory structure, not an accessory dwelling unit. It must function in conjunction with the primary structure. The size limitation of accessory structures is 40% of the primary structure. This addition comes in at 136% of the primary structure. The applicant has applied for a historic waiver of that limitation. First floor is the garage. The second floor serves as the Master bedroom for the primary structure. The lower level is stuccoed with lap siding on the upper level with a flared Dutch gable roof. Similar to many 2-story garage buildings off the alleys found in the City's early development history. Staff reviews the Conditions of Approval.

Applicant: Anne Fairfax Ellett thanked the Board for the previous conceptual review and staff for their assistance. Would like to match the wood shingles as on the small addition and front overhand with the intent of re-roofing the main house roof. Change asphalt shingles to wood shingles in the condition #4

Public Comment: Cliff Kohlmeyer- 501 1st Ave S -supports the approval of the proposal and waiver. Richard Stowe- 414 N Federal Hwy. – supports the project and waiver. The issue with attaching a structure directly to a historic structure is the reduction in natural light, this proposal provides relief.

Board: G. Harris-the structure is very nice and appears to be taller than it will actually be. R. Martin inquires about the use of the historic waiver.

Applicant: Could have placed the addition, against the house by right. It wouldn't be a waiver if it was joined to the building.

Staff: A waiver is typically used for rehabilitation of existing contributing properties not currently in compliance with code (building lot coverage, setbacks etc..). Separating the structures better preserves the Historic building. There are no prohibitions to utilizing the waiver in this manner, for impervious lot coverage. It is available only to contributing structures. Because the primary structure is diminutive, this waiver will allow for more living space.

Board: B. Guthrie- inquires as to whether it is the minimum required to allow reasonable use of the land. If it were on a fifty-foot lot, it could be a garage apartment. J. Fox asks if the garage door is facing the courtyard? And it looks huge compared to the front of the small house

Response: yes, to pull through with a boat or for more than one car on the property. The streetscape is compatible and because it is set back on the lot, it appears shorter. S. Pickett-is there a minimum square footage for living space? The peak of the roof should be shorter than the primary. W. Feldkamp- would like the pitch to match the main structure. **Applicant:** the primary structure is a frame vernacular with gable roof. Hips and gable pitches are perceived differently. A hip roof with a pitch that was less would "read" lower. Is there a requirement for the garage door to be above the crown of the road? **Staff:** only when there is habitable living space.

Motion: G. Harris moves to approve HRPB 21-00100213 and 21-01600001 with staff recommended Conditions and the revision of Condition #4 (or wood shingles), based upon competent substantial evidence in the staff report pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; S. Pickett 2nd .

Vote: Ayes all, unanimous.

D. HRPB Project Number(s) 21-00100214, 21-01500007, and 21-01500008: A Certificate of Appropriateness (COA) for the installation of an inground pool in the front yard and variances from the front setback requirement and accessory structure location requirement for the property located at **1001 North Lakeside Drive**; PCN #38-43-44-21-15-296-0160. The subject property is located within the Single-Family Residential (SF-R) zoning district and is a contributing resource to the Northeast Lucerne Local Historic District.

Staff: J. Hodges presents case findings and analysis. Although it is a corner lot, there is a 28-foot setback in the front and 22-foot setback on the rear of the property. One variance would be to allow for a reduced front setback, the other variance for the placement of an accessory structure in front of the primary residence. The variance criteria must be met. Although the Design Guidelines do not address pools in the front yard, it could visually impact the surrounding district as it is atypical for a pool location. Although the denial would not deprive the owner of

continued use, a pool in a reasonable expectation for a single-family home in South Florida due to context and climate.

Applicant: Melissa Larsen- back yard by alley would be too small for a pool, mature landscaping and the utilities would make it difficult for installation. The front of the house on 10th Ave N doesn't feel like the front since it has no front door in that area. There will be enhanced vegetation for privacy in the front.

Public Comment: None

Board: J. Fox- where is the front door? **Response:** Facing 10th Avenue North. S. Pickett states the home across the street has the same situation, it is the functionally the side yard. Pleased to see a fence with sufficient room for planting. W. Feldkamp asks about the size of the sight triangle as it looks larger than required. Doesn't care for the fence extending beyond the front door, lack of landscape plan, Board does not know what the fence will look like. **Staff:** Ten by ten for the sight triangle. As there is no sidewalk, it would explain the appearance. The existing picket fence is 4 foot in height. Staff states the landscape plan would be required at time of permit, this is a residential plan, not a commercial.

Board: Fencing for a pool typically is higher than 4-foot, however anything higher than 4-foot is not allowed in the front yard, so what would the fencing look like? A barrier fence could be used. Discussion over the required height of the fence.

Applicant: Want the plants to be taller than the fence, didn't plan on getting an architect to design the planting.

Board: B. Guthrie asks if the pool could be placed on the opposite side, notwithstanding the mature trees., it's prohibited in the front yard.

Motion: R. Martin moves to approve HRPB 21-00100214 with staff recommended Conditions for the installation of the pool in the front yard of the property based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements G. Harris 2nd.

Board: W. Feldkamp asks that the shrubs be installed at four (4) feet in height. B. Guthrie- no one seems to know the height or type of fence. Motion is amended for Condition #2 that the minimum height of the shrub hedging be installed at four (4) feet and that a landscape permit is required at time of permit.

R. Martin agrees to amendment of the Condition # 2, G. Harris 2nd.

Vote: 4/2 motion carries, B. Guthrie, W. Feldkamp dissenting.

Motion: R. Martin moves to approve HRPB 21-01500007 with staff recommended Conditions for a variance to allow a 10'-6" front setback for the new pool based upon competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; S. Pickett 2nd.

Vote: 5/1 motion carries, B. Guthrie dissenting.

Motion: R. Martin moves to approve HRPB 21-01500008 with staff recommended conditions for a variance to allow the installation of the pool in the front yard, whereas accessory structures are not permitted between the principal structure and the street based upon the competent substantial evidence in the staff report pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; G. Harris 2nd.

Vote: 5/1 motion carries, B. Guthrie dissenting.

E. HRPB Project Number 21-00100076: Consideration of a Certificate of Appropriateness (COA) for window replacement for the property located at 518 South L Street; PCN #38-43-44-21-15-167-0070. The subject property is a contributing resource to the Southeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) zoning district.

Staff: A. Fogel presents case findings and analysis. On October 7, 2020 a code compliance case was initiated for unpermitted work for the installation of new windows. Shortly thereafter a permit application was received and disapproved due to the lack of application materials such as glass specifications, Certificate of Appropriateness application and keyed photos. Correspondence ensued with the property owner regarding options for administrative review or Board review. Because the windows were already installed, the owner chose Board review. In July 2021 a completed application was provided by the applicant. The scope of work was amended to include replacement of all windows since none of the installed windows received a building permit or preservation approval. If approved the unpermitted windows could remain. Staff is recommending denial because the VLT (visual light transmittance) is below the newly reduced minimum of 60 %, it is at 49%. The proposal is inconsistent with Goal1.4 of the Comprehensive Plan which encourages preservation and rehabilitation. The Historic Preservation Design Guidelines provide suggestions for successful replacements. Windows, are one of the most character defining features on a structure and certainly one of the commonly replaced items.

Applicant: Madeleine Burnside-States she was a member of the Board from 2015-2018. Was extremely “freaked out” hurricane Dorrian of 2019 and was willing to accept any fines caused by installation of windows without permit. Has re-stuccoed front and side, placed solar on the roof, damage from where a portico was removed. States house has been messed about with a great deal. Was unaware there was a restriction on the VLT. Looked it up on the State website and found suggested as low as 65 %. States no ordinance can prohibit renewable resource installation of clothesline or other energy device, solar protection should be equivalent to a clothesline that doesn’t consume energy as does a clothes dryer.

Board: B. Guthrie mentions that had she applied for permits, there would have been information available to her, she was on the Board and would have known that not only would it require permits but consideration by the Historic Preservation Board. This could have all been initiated back in 2020. Inclined to deny and bring into compliance. G. Harris- how does building code egress requirement mesh with Historic Board requirement. **Staff:** Try to marry the two so long as it doesn’t decrease the egress, not required to come up to current code. W. Feldkamp agrees with B. Guthrie, the lack of a permit, the tint, they appear to be flanged windows, generally there is no recess to the window in the sill. It is contrary to the progress made over the years with respect to the Guidelines. S. Pickett- This is generally a code issue; people generally board up in the face of a hurricane. Despite the historic degradation, there should be an attempt to keep the historic characteristics. J. Fox believes it is just one of many that does work without permit.

Motion: S. Pickett moves to deny HRPB 21-00100076 because the Applicant has not established by competent substantial evidence that the application is in compliance with the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements; J. Fox 2nd.

Vote: Ayes all, unanimous

PLANNING ISSUES:

Conceptual review of 320 North Lakeside Dr

J. Hodges explains the changes to the connection between the house and addition and change or orientation to the gable ends on the addition.

Property owner - Per Lorentzen – Believes the appearance of the façade facing the street has decreased in size.

Board: J. Fox questions the streetscape change with the part of the house to the east. B. Guthrie asks about the height of the connector, the eave height is higher with the gable end oriented north and south. W. Feldkamp questions if the terrace is necessary. General consensus that the gable re-orientation combined with the connector from last week will work well. G. Harris suggests a wrapping stairwell as in a Mediterranean style home.

Property owner -Rachel Lorentzen states the terrace could remain with the connector from last week. The cost was not as prohibitive as previously thought. The rooflines become complicated.

Board: G. Harris suggests a band of clerestory windows to break up the massing and lower the height. W. Feldkamp suggests a change to the slope of the connector. S. Pickett would hope the windows could be more generous in size on both the addition and connector.

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS:

- A. Historic Old Town Commercial District: Recognition of the 20th anniversary of the historic district listing on the National Register of Historic Places.

This is the 20th anniversary of the creation of the Historic district Old Town. It was created on May 18, 1999 with Ordinance 99-17. The downtown was then nominated for the National Register.

Jordan Hodges is leaving the City for new opportunities in the Town of Palm Beach.

BOARD MEMBER COMMENTS: All Board members concur that the staff reports provided are always clear, complete and it's easy to understand the issue at hand.

ADJOURNMENT 9:22 PM

In September 2015, I bought a Spanish Mission Revival duplex at 518 South L Street, Lake Worth Beach, FL, that dates from 1930.

I had a satisfactory house inspection before purchasing but problems revealed themselves soon after I moved in. Despite apparently being inspected by the city and appearing satisfactory from the interior, one window on the north side of the ground floor of the house was barely enclosed. At some point by the prior owner, the size had been changed from a pair of double-hung windows to a single sliding window, not large enough to fill the original opening. The “fill-in” area was never stuccoed or otherwise properly sealed and, since the north wall of the house is 30 inches from the fence, the problem was not readily visible. Leaking in this area worsened over time to the point that mold became an issue and, by 2019, I had become seriously ill without knowing the cause. When I finally located the source of the mold, I had stucco repairs completed and the window effectively caulked. Since I bought my house, I have been struggling with other leaking windows, cracked and leaking stucco, a series of minor roof leaks, downspout blockages under the building, and even rat-damaged plumbing. I was able to resolve the roof issues bit by bit in 2017 and re-stuccoed the east wall of the house in that year. Meanwhile, new cracks in the stucco began to appear in the west and south facades. This year (2021) I had the west elevation (front) and part of the south elevation re-stuccoed to address leaking.

In 2015, right after buying the house, a freak tornado made its way across Lake Worth between 5th and 6th Avenues South, jumping over my house but landing in my back yard, destroying a palm tree, a pepper tree and damaging a large old ficus. There was a lot of clean-up but the house was not seriously affected. Nevertheless, I considered it a warning.

I lived in Key West for from 1991-2008 and have been through numerous hurricanes, starting with Hurricane Andrew (a category 5 in 1991) and including Georges (1998)—a Force 4 whose eye lingered on Key West for 9 hours, and Hurricane Wilma (2004) whose tidal surge flooded my home. The island’s vulnerability was a factor in why I retired to Lake Worth.

While I was budgeting for further repairs to my current house in late August 2019, Hurricane Dorian (Force 5) sat on the Bahamas for thirty-six hours, causing catastrophic devastation and leaving 70,000 people homeless. It was the worst natural disaster in the history of the Bahamas. You may remember that the spaghetti models for the storm suggested that it would make landfall in Florida either in Lake Worth or Cape Kennedy as a category 5. Unfortunately, I was on vacation when I heard about it but came home early, hoping to board up my house. By the time I arrived, just a few days before the storm was predicted to hit us, there was no plywood to be had in Palm Beach County or the surrounding area. I awaited the arrival of the storm in great anxiety, while making what preparations I could. Fortunately for Florida, the storm weakened considerably and took a course parallel to Florida’s east coast. Meanwhile, Hurricane Humberto was forming.

Even though Dorian passed by with little harm done, I panicked. I made a fast decision to install impact windows. I realize these will not protect fully against a force 5 storm, but they do

address lesser issues such as limbs from the hundred-year-old ficus trees in the front and back of the house, which fall on a regular basis. In my opinion—and I realize it is no more than my opinion—such windows are the least esthetically-disturbing protection available in that they do not require track that stays on the house year-round, protruding awkwardly around each opening. I am 73 years old, widowed, and living on a fixed income. Since my house has two stories, I favored a solution that would not require me to climb ladders to put shutters up or to have to try to hire someone during a frantic period to do so for me.

With new hurricanes looming, I knew I would not be able to get a permit in time for the installation and went ahead without one. This was a conscious, perhaps foolish decision. I fully expected to pay a fine but favored that over sacrificing myself to chronic anxiety and my home to preventable damage. I replaced the old windows with the same size and configuration as those installed by the previous owner and considered any fine to be worth paying for peace of mind.

Since the 1980s, when my husband and I built a passive solar envelope on our house on Long Island, I have had a personal commitment to reducing energy consumption and collaborating with government and private initiatives to stave off climate change.

As climate change looms more nearly, I've tried to personally support efforts that protect Florida from environmental and economic disaster. Mostly this has meant protecting my house from solar gain. In 2016, I added insulation to the attic crawl space. In 2017, I updated water heaters in both apartments of the duplex to increase efficiency. In 2018/19 I installed solar panels on my roof. When I planned to install solar panels on my roof, I applied for a permit and found that such panels came under Historic Preservation staff review, despite the fact that they are invisible from an observer at ground level. In order to comply thoughtfully, I familiarized myself with the Florida statute regarding restrictions on homeowners' ability to work to defeat solar gain. Florida State Statute, Title XI, Chapter 163, Section 04, reads as follows:

163.04 Energy devices based on renewable resources.—

(1) Notwithstanding any provision of this chapter or other provision of general or special law, the adoption of an ordinance by a governing body, as those terms are defined in this chapter, which prohibits or has the effect of prohibiting the installation of solar collectors, clotheslines, or **other energy devices based on renewable resources is expressly prohibited.**

(2) A deed restriction, covenant, declaration, or similar binding agreement may not prohibit or have the effect of prohibiting solar collectors, clotheslines, or other energy devices based on renewable resources from being installed on buildings erected on the lots or parcels covered by the deed restriction, covenant, declaration, or binding agreement. A property owner may not be denied permission to install solar collectors or other energy devices by any entity granted the power or right in any deed restriction, covenant, declaration, or similar binding agreement to approve, forbid, control, or direct alteration of property with respect to residential dwellings and within the boundaries of a condominium unit. Such entity may determine the specific location where solar collectors may be installed on the roof within an orientation to the south or within 45°

east or west of due south if such determination does not impair the effective operation of the solar collectors.

(3) In any litigation arising under the provisions of this section, the prevailing party shall be entitled to costs and reasonable attorney's fees.

(4) The legislative intent in enacting these provisions is to protect the public health, safety, and welfare by encouraging the development and use of renewable resources in order to conserve and protect the value of land, buildings, and resources by preventing the adoption of measures which will have the ultimate effect, however unintended, of driving the costs of owning and operating commercial or residential property beyond the capacity of private owners to maintain. This section shall not apply to patio railings in condominiums, cooperatives, or apartments.

My house faces west and becomes unbearably hot in the afternoons, taxing my air conditioning. Believing that control of solar gain was the correct and responsible response for Florida in general and particularly for my house, I installed windows with visible light transmission of 49%. I have since been informed by staff that city regulations require no less than 60%. However, I believe that the city's regulation does not conform with the State statute either in letter or intent. Surely windows fall somewhere between solar panels and clotheslines mentioned in the statute in terms of saving energy and protecting renewable resources. Under the clause, "or other energy devices based on renewable resources."

I have great respect for the importance of historic preservation and consequently served on Lake Worth's Historic Preservation Board from 2016-2018. While I was on the board, we certainly dealt with issues of fenestration, but I believe these were all to do with size, shape, and design. I do not recall ever dealing with solar gain or the VTR of any windows that came under our review during my tenure. It did not occur to me to check whether the city had regulations that differed from the state statute.

My professional career has been dedicated to making history relevant to contemporary audiences and I retired to Lake Worth after working in museums since 1975. I have a Ph.D. in the history of art, architecture, and science (University of California, 1976). I have authored or collaborated on several historic structure and/or site reports in for the State of Florida, the city of Louisville KY, and the National Endowment for the Humanities, and am currently completing one for the National Parks Service. Nevertheless, profoundly as I support historic preservation, ethically I cannot value it above the cost to future generations or looming climate disaster.

All the other renovations, repairs and modifications to my house have been made with permits as required. It was never my intention to be a scofflaw. In keeping with this, I humbly apologize for failing to submit a permit request in a timely manner in 2019 and ask that the commission allow me to pay whatever fines are due. If deemed desirable, I would like to show goodwill by offering a compromise on the esthetics, such as adding a grid of muntins to the windows on the front of my house that would give an appearance in keeping with its date of construction. (Please note that the previous owner was not required to do this when he made his window replacements in the early 2000s.) It is my wish to come to an amicable agreement with the city

without having to remove all the new windows and replace them with something that will drive my electrical bills back up, increase my carbon footprint, and cause me vast expense.

I don't know how the 60% number was reached. It isn't based on energy science, or climate prediction. Considering that we live in Florida—a state that is only getting hotter and prey to more intense hurricanes, the time to improve our climate-change response is now. If the 60% number is a compromise between those who primarily value their idea of esthetics with those who are more concerned about citizen safety, I would ask you to re-think it for everyone. It's not only safety but ultimately retention of population. For people like me, if we can't stay safe in Lake Worth Beach then we have to move to somewhere we feel more secure.

Old houses like mine, of which there are many in Lake Worth Beach, are increasingly vulnerable as materials installed in the late 1920s and early 1930s are starting to fail. Modern repairs need to be forward thinking if these charming homes are to survive and their occupants thrive for another century.



MEMORANDUM DATE: September 8, 2021

AGENDA DATE: September 15, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **518 South L Street**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: **HRPB Project Number 21-00100076:** Consideration of a Certificate of Appropriateness (COA) for window replacement for the property located at **518 South L Street**; PCN #38-43-44-21-15-167-0070. The subject property is a contributing resource to the Southeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) zoning district.

OWNER: Madeleine Burnside
518 South L Street
Lake Worth Beach, FL 33460

PROPERTY DEVELOPMENT HISTORY:

Documentation available in the structure's property file indicates that the building was constructed circa 1925 in a Mission Revival architectural style. Although the original architectural drawings are not available, property cards from 1944 and 1956 (included as **Attachment A**) indicate that the property was originally developed with a two-family structure and rear garage. The two-family structure and garage utilized frame construction with a stucco exterior, a flat roof, and wood windows. In 1981, a major renovation was completed that included interior renovations, window replacement with awning windows, a new stucco application, and roof replacement. That same year, the rear garage was demolished due to structural concerns. In 2001, four (4) awning windows on the front façade were replaced with single-hung windows. Front door replacement was completed in 2008. City permit records indicate the structure had additional improvements, including the installation of a solar energy system, reconstruction of the rear staircase, new French doors on the south elevation, and fence installation. Due to the substantial and insensitive alterations over time, the structure has a moderate to low degree of integrity of setting, materials, design, location, workmanship, feeling, and association. Photos of the existing property are included as **Attachment B**.

PROJECT BACKGROUND:

On October 7, 2020, a Code Compliance Case (#20-2325) was initiated for window replacement that began without a building permit or historic preservation approval. On October 21, 2020, Historic Preservation staff received building permit application #20-3247 for partial window replacement. Staff disapproved the request, as the building permit application did not include a COA Application, keyed photos of each opening, or glass specifications. In late December of 2020, staff exchanged several emails

with the property owner regarding options for administrative review and HRPB review. As the windows were already installed, the property owner opted for HRPB review. Staff continued communication in January, March, and July of 2021, until a complete application for HRPB review was provided. The scope of work was amended to include replacement of all windows rather than three (3) windows, as initially submitted, since none of the installed windows received a building permit or historic preservation approval. The item was scheduled for the next available hearing in September, as the August meeting was canceled. The window replacement plan, product information, and glass specifications are included as **Attachment C**.

PROJECT DESCRIPTION:

The property owner, Madeline Burnside, is requesting a COA for window replacement for the property located at 518 South L Street. The subject property is located on the east side of South L Street, between 5th Avenue South and 6th Avenue South in Lake Worth Beach. The subject property is located within the Single-Family Residential (SF-R) zoning district and retains a Future Land Use (FLU) designation of Single Family Residential (SFR).

If approved, the subject application would allow the unpermitted windows to remain. The proposed products are Lawson aluminum impact single-hung windows with a grey tinted Low-E coating.

The application will require the following approval:

1. **COA** for window replacement

STAFF RECOMMENDATION:

As the request is not in compliance with the Lake Worth Beach Historic Preservation Ordinance and the Historic Preservation Design Guidelines criteria on window replacement, staff is recommending denial of the application because the proposed glazing of the windows is tinted and has a visible light transmittance that is below the 60% minimum.

PROPERTY DESCRIPTION:

Owner	Madeleine Burnside
General Location	East side of South L Street, between 5 th Avenue South and 6 th Avenue South
PCN	38-43-44-21-15-167-0070
Zoning	Single-Family Residential (SF-R)
Existing Land Use	Single Family Residence
Future Land Use Designation	Single Family Residential (SFR)



Consistency with the Comprehensive Plan

The proposed project is not consistent with Goal 1.4 of the Compressive Plan, which encourages preservation and rehabilitation of historic resources. Policy 3.4.2.1 insists that properties of special value for historic, architectural, cultural, or aesthetic reasons be restored and preserved through the enforcement of the City’s Historic Preservation Ordinance to the extent feasible. Per the City’s Historic Preservation Ordinance (LDR Sec. 23.5-4), the Lake Worth Beach Historic Preservation Design Guidelines, and the Secretary of Interior Standards for Rehabilitation, the replacement of missing features should be substantiated by documentary, physical, or pictorial evidence. The current proposal is not substantiated by evidence that the products proposed are compatible with the architectural style of the structure or current regulations. The photo below provides evidence of the structure’s window configuration in 2002, after replacement of the original windows with awning windows:

Photo of 518 South L Street provided in the 2002 Florida Master Site File



HISTORIC PRESERVATION ANALYSIS:

Historic Preservation Design Guidelines

The City’s Historic Preservation Design Guidelines provide a guide for compatible window replacement for historic structures within the historic districts. Windows are amongst the most important character-defining architectural features, but they are also one of the most commonly replaced features of a building. Replacement products for historic structures should match the original features in design, color, texture, and other visual qualities and, where possible, materials.

The window replacement, as proposed, utilizes single-hung windows in every opening. Based on the Design Guidelines, an applicant may propose an architecturally compatible alternative for window replacement. The Mission Revival architectural style section of the Design Guidelines, included as **Attachment D**, provides examples of common window types. Staff contends that the proposal is not *most successful* in replicating the original windows. Architecturally compatible alternatives are appropriate when none of the original windows remain and there is no architectural or photographic evidence of their design. As an example, the property located at 331 South Federal Highway no longer had any of its original casement windows in the enclosed front porch. There was also no architectural or photographic evidence of the original windows in that area of the structure. But due to the size and location of the openings and the functionality of the room, staff was able to utilize the Historic Preservation Design Guidelines to recommend a compatible window replacement for the building’s architectural style.

Example: 331 South Federal Highway

Before: Mixture of original wood double-hung windows and replacement awning windows



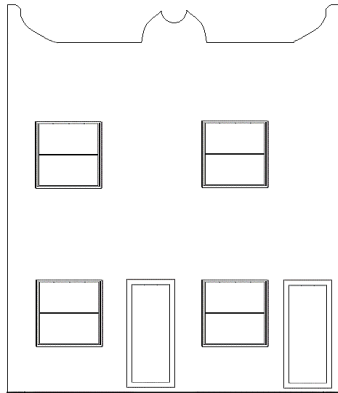
Example: 331 South Federal Highway

After: Aluminum Single-Hung and Horizontal Rollers Replacement Windows



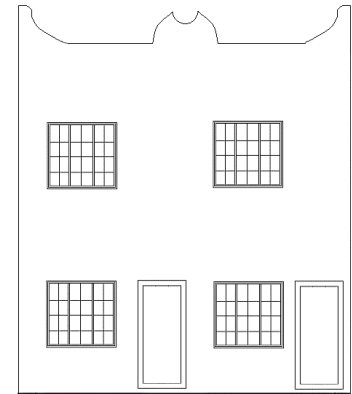
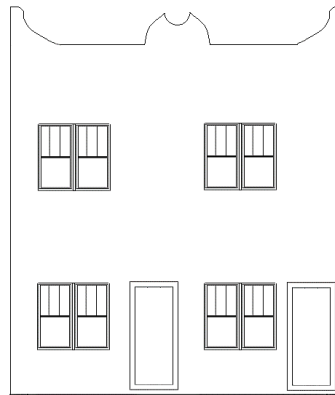
Administratively, staff could approve single-hung windows with or without decorative light patterns on the top sash for the majority of windows. The front façade features horizontally-oriented single-hung windows that are atypical for Mission Revival structures. Staff recommends that the four (4) windows on the front façade match the north and south elevation’s configuration of paired openings separated by a mullion. Alternatively, a triplet of casement windows or horizontal rollers (equal thirds configuration) with decorative light patterns could be replicated as this was a common configuration for Mission Revival structures, depicted on the next page:

Proposed Window Replacement
*Utilizes horizontally-oriented
single-hung windows*



Staff Recommended Options

Utilizes paired single-hung windows separated by a mullion or a triplet of casement windows/horizontal rollers (equal thirds configuration)



As discussed in the property development history, the openings on the front façade received approval in 2001. Therefore, these openings and can be replaced in-kind by the property owner although it is not the *most successful* approach to replicating original windows in a Mission Revival structure.

The applicant is also proposing to utilize windows with a grey tinted Low-E coating, which is not an administratively approvable option. Per the applicant's submittal packet, the proposed windows have a VTL of 49%. The requested grey tinted Low-E coating is not compliant with the current regulations of clear glass or clear glass with a Low-E coating (60% VLT). **Overall, full-view single-hung windows for every opening are an approvable option at permitting with the exception of the grey tinted Low-E coating.**

Certificate of Appropriateness

All exterior alterations to structures within a designated historic district are subject to visual compatibility criteria. Staff has reviewed the documentation and materials provided in this application and outlined the applicable guidelines and standards found in the City's Historic Preservation Ordinance, detailed in the section below.

Section 23.5-4(K)(1) *General guidelines for granting certificates of appropriateness*

1. *In general.* In approving or denying applications for certificates of appropriateness, the city shall, at a minimum, consider the following general guidelines:
 - A. What is the effect of the proposed work on the landmark or the property upon which such work is to be done?

Staff Analysis: The proposed window replacement with new Lawson aluminum single-hung windows with a grey tinted Low-E coating does not successfully replicate historic windows.

- B. What is the relationship between such work and other structures on the landmark site or other property in the historic district?

Staff Analysis: The proposed window replacement will have no direct physical effect on any surrounding properties within the Southeast Lucerne Local Historic District, although the products utilized on this proposal may detract from the district's visual appearance as a whole.

- C. To what extent will the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property be affected?

Staff Analysis: The structure no longer retains its original windows. Per the regulations set forth in the Historic Preservation Design Guidelines, windows with a grey tinted Low-E coating are not appropriate for the structure's period of construction and do not comply with the glass standards.

- D. Would denial of a certificate of appropriateness deprive the property owner of reasonable beneficial use of his property?

Staff Analysis: No, denial of the COA would not deprive the applicant of reasonable use of his property.

- E. Are the applicant's plans technically feasible and capable of being carried out within a reasonable time?

Staff Analysis: Not applicable, the windows are already installed.

- F. Are the plans (i) consistent with the city's design guidelines, once adopted, or (ii) in the event the design guidelines are not adopted or do not address the relevant issue, consistent as reasonably possible with the applicable portions of the United States Secretary of the Interior's Standards for Rehabilitation then in effect?

Staff Analysis: The proposal, as a whole, is not in compliance with the City's Historic Preservation Design Guidelines Design Guidelines, Secretary of the Interior's Standards for Rehabilitation, or the City's Land Development Regulations, Historic Preservation Ordinance (LDR Sec. 23.5-4) due to grey tinted Low-E coating that is proposed for the windows.

- G. What are the effects of the requested change on those elements or features of the structure which served as the basis for its designation and will the requested changes cause the least possible adverse effect on those elements or features?

Staff Analysis: The structure is designated as a contributing resource within a local historic district. The resource is a Mission Revival building, which has a distinct set of architectural characteristics. Although incompatible changes have taken place, such as the alteration of original window sizes and locations, the City has enacted Historic Preservation Design Guidelines that outline requirements that would prevent the perpetuation of these

incompatible changes in replacement products in order to bring the property further into compliance.

Section 23.5-4(K)(2) *Additional guidelines for alterations and additions.*

2. In approving or denying applications for certificates of appropriateness for alterations and additions, the city shall also consider the following additional guidelines: *Landmark and contributing structures*:

- A. Is every reasonable effort being made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use the property for its originally intended purpose?

Staff Analysis: Not applicable; no change to the use of the property is proposed.

- B. Are the distinguishing original qualities or character of a building, structure or site and its environment being destroyed? The removal or alteration of any historic material or distinctive architectural features shall be avoided whenever possible.

Staff Analysis: Distinguishing original qualities that characterize the building are not being removed. The structure does not retain any of its original windows.

- C. Is the change visually compatible with the neighboring properties as viewed from a primary or secondary public street?

Staff Analysis: The proposed windows with a grey tinted Low-E coating are not allowed within the historic districts per the City's Historic Preservation Design Guidelines. Therefore, the new windows are not visually compatible with neighboring properties.

- D. When a certificate of appropriateness is requested to replace windows or doors the HRPB or development review officer, as appropriate, may permit the property owner's original design when the city's alternative design would result in an increase in cost of twenty-five (25) percent above the owner's original cost. The owner shall be required to demonstrate to the city that:

- (1) The work to be performed will conform to the original door and window openings of the structure; and

Staff Analysis: Yes, the proposed window replacement will conform to the existing opening sizes.

- (2) That the replacement windows or doors with less expensive materials will achieve a savings in excess of twenty-five (25) percent over historically compatible materials otherwise required by these LDRs. This factor may be demonstrated by submission of a written cost estimate by the proposed provider of materials which must be verified by city staff; and

Staff Analysis: Windows with applied tints and/or Low-E coatings are typically an upgrade that is more costly than windows with clear glass.

- (3) That the replacement windows and doors match the old in design, color, texture and, where possible, materials where the property is significant for its architectural design or construction.

Staff Analysis: Overall, full-view single-hung windows for every opening are an approvable option at permitting with the exception of the grey tinted Low-E coating. However, greater compatibility could be achieved by utilizing single-hung windows with or without decorative light patterns on the top sash for the majority of windows. In addition, the front façade could match the north and south elevation’s configuration of paired openings separated by a mullion. Alternatively, a triplet of casement windows could be replicated as this was a common configuration for Mission Revival structures.

- (4) If the applicant avails himself of this paragraph the materials used must appear to be as historically accurate as possible and in keeping with the architectural style of the structure.

Staff Analysis: Staff defers to the applicant. The evidence presented within this report illustrates that the replacement products are not historically accurate or compatible.

PUBLIC COMMENT:

At the time of publication of the agenda, staff has received not received written public comment.

CONCLUSION:

Window replacement was completed at the property without a building permit and historic preservation approval. The installed windows have a grey tinted Low-E coating with a VLT of 49% that does comply with City’s Historic Preservation Design Guidelines. Staff recommends denial of the application and recommends that the applicant submit a revised application with new window products that can be approved administratively.

POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 21-00100076 for a Certificate of Appropriateness (COA) for window replacement for the property located at **518 South L Street**, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DENY** HRPB Project Number 21-00100076 for a Certificate of Appropriateness (COA) for window replacement for the property located at **518 South L Street**, because the Applicant has not established by competent substantial evidence that the application is in compliance with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

ATTACHMENTS:

- A. Property File Documentation
- B. Current Property Photos
- C. Window Replacement Plan and Product Information
- D. LWBHPDG – Mission Revival



ATTACHMENT A – PROPERTY FILE DOCUMENTATION

MEMORANDUM DATE: September 8, 2021

AGENDA DATE: September 15, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **518 South L Street**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

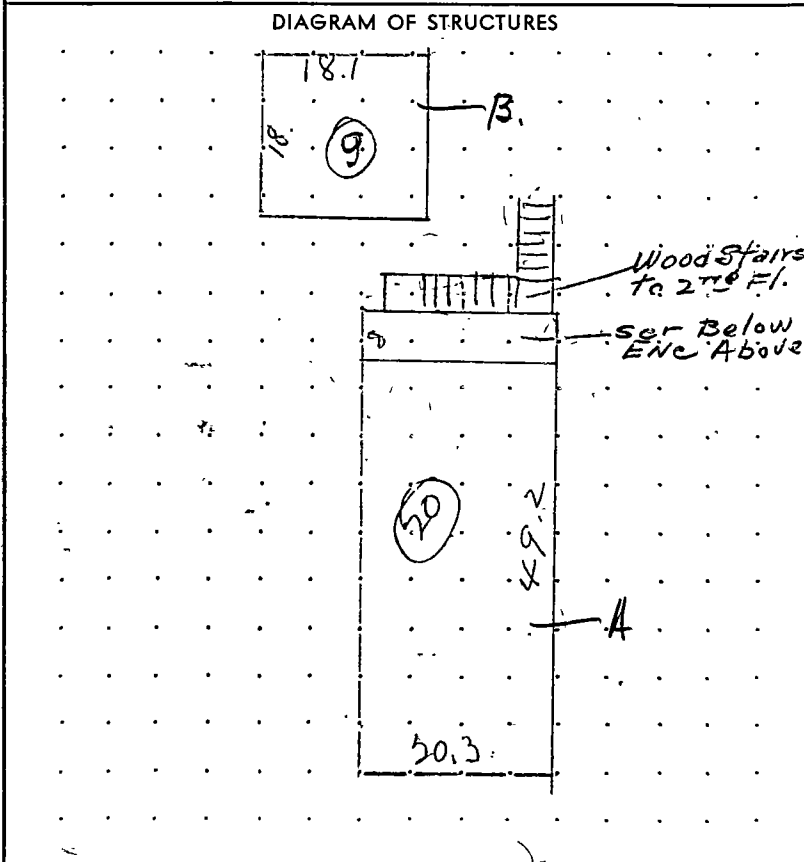
TITLE: **HRPB Project Number 21-00100076:** Consideration of a Certificate of Appropriateness (COA) for window replacement for the property located at **518 South L Street**; PCN #38-43-44-21-15-167-0070. The subject property is a contributing resource to the Southeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) zoning district.

DESCRIPTION
 ADDRESS 518 South L Street.
 SEC. TWP. RGE. DONALD E. PATTERSON,
 Estelle Daniels
 Lot 8 block 167 townsite

REAL PROPERTY RECORD
 CITY OF LAKE WORTH, FLORIDA

CARD No.
 INDEX No.

KIND OF STRUCTURE	CONSTRUCTION	USE	Cond.	Class	Type
A Apartment	Frame & Stucco	2 Family Apt.	A-	C	
B Garage	" "	Garage	A-		
C					



EXTERIOR FEATURES

	Foundation	Basement	EXTERIOR WALLS	ROOF TYPE	ROOF MATERIAL	EXT. FINISH	WINDOWS DOORS	PORCHES
A	CONC GRADE COND. PP	No GRADE COND.	Stucco on Nat Fgp GRADE COND. or studs PP	Flat GRADE COND. AA	Asph G felt GRADE COND. AA	Paint GRADE COND. P	Wood GRADE COND. PP	Below 2nd fl. No GRADE COND.
B	CONC GRADE COND. PP	No GRADE COND.	Stucco on Nat Fgp GRADE COND. or studs PP	Flat GRADE COND. PP	Asph Felt GRADE COND. AA	Paint GRADE COND. AA	Wood GRADE COND. PP	No GRADE COND.
C	GRADE COND.	GRADE COND.	GRADE COND.	GRADE COND.	GRADE COND.	GRADE COND.	GRADE COND.	GRADE COND.

INTERIOR FEATURES

	Floor Type	Floor Material	INTERIOR WALLS	FINISH	TRIM	ATTIC	ELEVATORS	A	B	C
A	Wood-Double Single GRADE COND. A	H & Pine GRADE COND. AA	L & Plaster GRADE COND. AA	Painted GRADE COND. AA	FULL GRADE COND. A	NO NE UNF. FIN. NO. ROOMS	SPRINKLER SYS.			
B	CONC Double Single GRADE COND. AA	Cement GRADE COND. AA	Unfinished GRADE COND.	No GRADE COND.	No GRADE COND.	UNF. No NO. ROOMS	LAUNDRY TRAYS			
C	Double Single GRADE COND.	GRADE COND.	GRADE COND.	GRADE COND.	GRADE COND.	UNF. FIN. NO. ROOMS	Air Conditioning			

INTERIOR FEATURES

	PLUMBING TYPE	PLUMB. FIXTURES	HEATING	LIGHTING	INSULATED ROOF	GUTTER & Dn. Spout	TYPE OF WIRING	REFRIGERATION	INDOOR BEDS	SCREENED
A	AA GRADE COND.	9 PP NO. GRADE COND.	Fireplace GRADE COND. A	NO. FIXT'S GRADE COND. 10 PP						
B	No GRADE COND.	No NO. GRADE COND.	No GRADE COND.	No. FIXT'S GRADE COND. No						
C	GRADE COND.	NO. GRADE COND.	GRADE COND.	NO. FIXT'S GRADE COND.						

BUILDING COMPUTATIONS

No.	SIZES	SQ. FT.	HT.	CU. F.	Rate	COST	COND	AMOUNT	LIVING	DINING	KITCHEN	BED	BATH
A	20.3 x 49.2	998	20	19960					2	2	2	4	2
B	18.1 x 18	325	9	2925	10	2925							
				20860	26	5215		3000					

PHOTO A PHOTO B

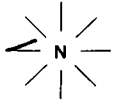
STORIES	FLOORS	HT. IN FT.	YR. BUILT	YEAR REMODELED	ORIGINAL COST	ADDED COST	EST. LIFE	RATE NEW	Physical Deterioration	Obsolescence	Total Depreciation	CONDITION
A	2	20										
B	1	9										
C												

ROOMS

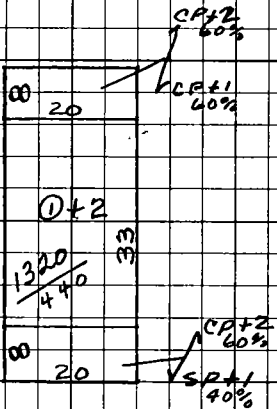
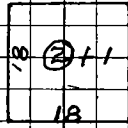
UNITS	STORES	OFFICES	APARTMENTS	GARAGES
				1

FIELD BY: 3/44 DATE
 APPRAISED BY: DATE

RESIDENTIAL
PROPERTY RECORD CARD
LAKE WORTH, FLORIDA



SCALE 1" = 30'



518 So L ST

PROPERTY ADDRESS

PLOTTED DRAWN BY H.E.B. DATE 2-14-56
RANDOM CLASSED BY DATE

CONSTRUCTION DATA															
BUILDING			BUILDING			BUILDING			BUILDING						
1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1. APT. Flat 00 Res Rooms															
2. GAR. Shed 00 Rental Units															
3. Gable Efficiency Apts															
Hip 2 Rm Apts 1															
Gambrel 3 Rm Apts 1															
Roll 4 Rm. 1															
4. Sheet Notes															
SUB-STRUCTURE						PLUMBING									
Slab 0 Composition None 0						Piers 0 Metal 1 Fixture Toilet									
Continuous Wall 0 Wood 2 Fixture Toilet						Conc. Bsmt Floor Asbestos 2 Fixture Bath									
Semifinished Bsmt Tile 3 Fixture Bath 3						Bsmt Living Qts. Slate 4 Fixture Bath									
Notes BUILT UP 00						Tile Floor									
WALL FRAME						Notes 1/2 Tile Walls									
Wood 00 Floors Full Tile Walls						Conc Block 00 Dirt									
Tile Single 0 Notes						Brick Double									
Stone Pine 0 HEATING						Rf Concrete Hardwood Chimney 0									
Concrete 0 Fireplaces 0						Tile Steam									
SHEATHING Terrazzo Hot Water						Yes Forced Hot Air									
None 00 Hot Air						EXTERIOR WALLS Notes									
Unfinished INTERIOR WALLS						Wood Unfinished 0									
Roll Wall Board Notes						Sheet Ceiling									
Shingles Plaster 0 ELECTRICITY						Composition Panel Board Yes 00									
Metal Plywood None						Asbestos Pine Panel EQUIPMENT									
Stucco 00 Hardwood Pan Vent Fan						Com Brick Air Condition									
Face Brick Notes Insulation						Stone Furring									
Notes None 00 Notes						NO. STYS. SH. CLASS AREA RATE FLATS REPL. COST DATE BUILT COND. ADJ. VALUE									
1 2 R 3A4 1606 372 5974 1925 50 2990						2 1 S A 324 113 366 1925 40 150									

ACRES	QUANTITY - TYPE DESCRIPTION	DIMENSIONS SQUARE FEET	UNIT PRICE	D.F.	C.F.	PRICE PER FRONT FOOT	VALUE
		50 x 135	27 - 1			27	1350

YEAR	VALUE 1956	VALUE 1966	VALUE 19	VALUE 19	VALUE 19	VALUE 19
LAND	1080	1350				
IMPRS.	6280	7850				
TOTAL	7360	9200				

9200

CARDS	MAP NO	SEC.	TWP.	RNG.	PARCEL NO.
1/1	11/5	27	44	43	2
SUBDIVISION					BLOCK
TOWNSITE					167
LOTS OR DESCRIPTION: 758					
NOTES					

OK
3-30-81

967-1793

OK
D.J.P.

CITY OF LAKE WORTH, FLORIDA
APPLICATION FOR BUILDING PERMIT

3-26-81
DATE

PERMIT NO.

Submit plans and specifications in duplicate with this application. A current survey is required.

OWNER LEATHA HALE PRESENT ADDRESS 518 S. L. ST.
 JOB LOCATION 518 S. L. ST. VALUE \$9,000.00
 CONTRACTOR R. H. HAYES LICENSE NO. 11-B263
 ENGINEER/ARCHITECT _____ ADDRESS _____
 LOT NO. 278 BLOCK 167 SUBDIVISION TOWN
 BUILDING WIDTH 20'6" BLDG. LENGTH 49'6" RIDGE HT. _____ EAVE HT. _____
 SIZE LOT 50X135 FIRE DISTRICT _____ ZONE _____
 TYPE OF CONSTRUCTION REMODEL - FRAME OCCUPANCY NO

A separate permit is required for the plumbing, electrical wiring, heating and air conditioning, roofing, curb cuts and sidewalks and those specialty contractors for which an inspection is required.

Before any building is occupied, a certificate of occupancy is required.

Before building construction is started approved sanitary facilities for workmen shall be provided.

Now there fore, in consideration of the granting of this permit, the owner and the builder agree to construct this building in full compliance with the building code and zoning ordinance of the City of Lake Worth, and they will accept the Inspector's interpretation of said code and be governed accordingly.

The undersigned applicant for a building permit does hereby represent that all persons, firms, corporations who shall perform work under the permit applied for, have agreed to comply with and abide by the ordinances of the City of Lake Worth and the General Laws of the State of Florida, which may be applicable to the work to be performed under said permit.

This permit conveys no right to occupy any street, alley, sidewalk or any part thereof.

WHO WILL DO THE FOLLOWING WORK:

Air Conditioning and Heating _____ LICENSE NO. _____
 ELECTRICAL MIKE SHERMAN _____ LICENSE NO. _____
 ROOFING NORTH ROOFING _____ LICENSE NO. _____
 PLUMBING BOB BROOKS _____ LICENSE NO. _____
 SURVEYOR _____

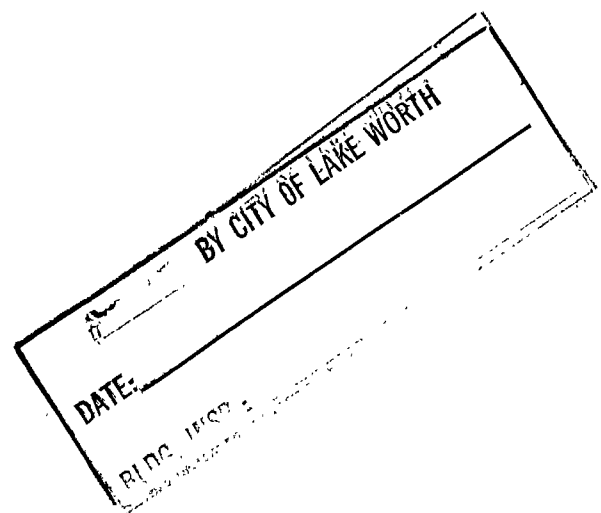
SIGNED R. H. Hayes
OWNER/CONTRACTOR

SPECIFICATIONS

1. Bring all electrical up to code.
2. Plumbing up to code, w/2 water meters, new water service from meter, galvanized pipe in house to be replaced w/copper piping.
3. Take out 36 wood windows and replace w/aluminum awning.

No 4. ~~Build 4' x 20' 4" porch on front of building.~~

5. Replace wooden stairway in rear of house to 2nd floor w/pressure treated wood.
6. Sod whole yard.
7. Patch plaster and paint interior and exterior of building.
8. Replace old roof w/4 ply hot tar and gravel (licensed roofer).
9. Remove 1 kitchen
10. Five rate 1hr - stairs, remove closet under.
11. Provide drawings as to construction of new stairs
12. Remove flooring rear porch upstairs for inspection of ~~rafters~~ joists.



OFFICE USE ONLY

ADDITIONAL PARCEL INFORMATION

Owner: <u>Brooks, Taliam</u> Location: <u>518 S. K. ST</u> Lot: <u>7</u> Block: <u>167</u> Sub: <u>175</u> Permit Type: <u>Alise</u>	ZONING DISTRICT _____ <input type="checkbox"/> Special Land Use <input type="checkbox"/> Rezoning <input type="checkbox"/> Variance Case # _____ CONDITIONS <input type="checkbox"/> Yes <input type="checkbox"/> No MIN. _____ SETBACKS front side rear side st. LEGAL ADDRESS _____ STREET _____
---	--

BUILDING CHARACTERISTICS

FLOOD ZONE _____	WELL ZONE _____	FIRE ZONE _____	
OCCUPANCY TYPE Group _____ # Units _____ DIMENSIONS # of Stories _____ Height _____ Area _____	MIXED OCCUPANCY Separation Req. _____ Principle Type Group _____ Accessory Type Group _____	CONST. TYPE Type _____ Protected <input type="checkbox"/> Unprotected <input type="checkbox"/> Sprinklered <input type="checkbox"/>	AREA MOD. <input type="checkbox"/> Yes <input type="checkbox"/> No

PERMIT ISSUED FOR

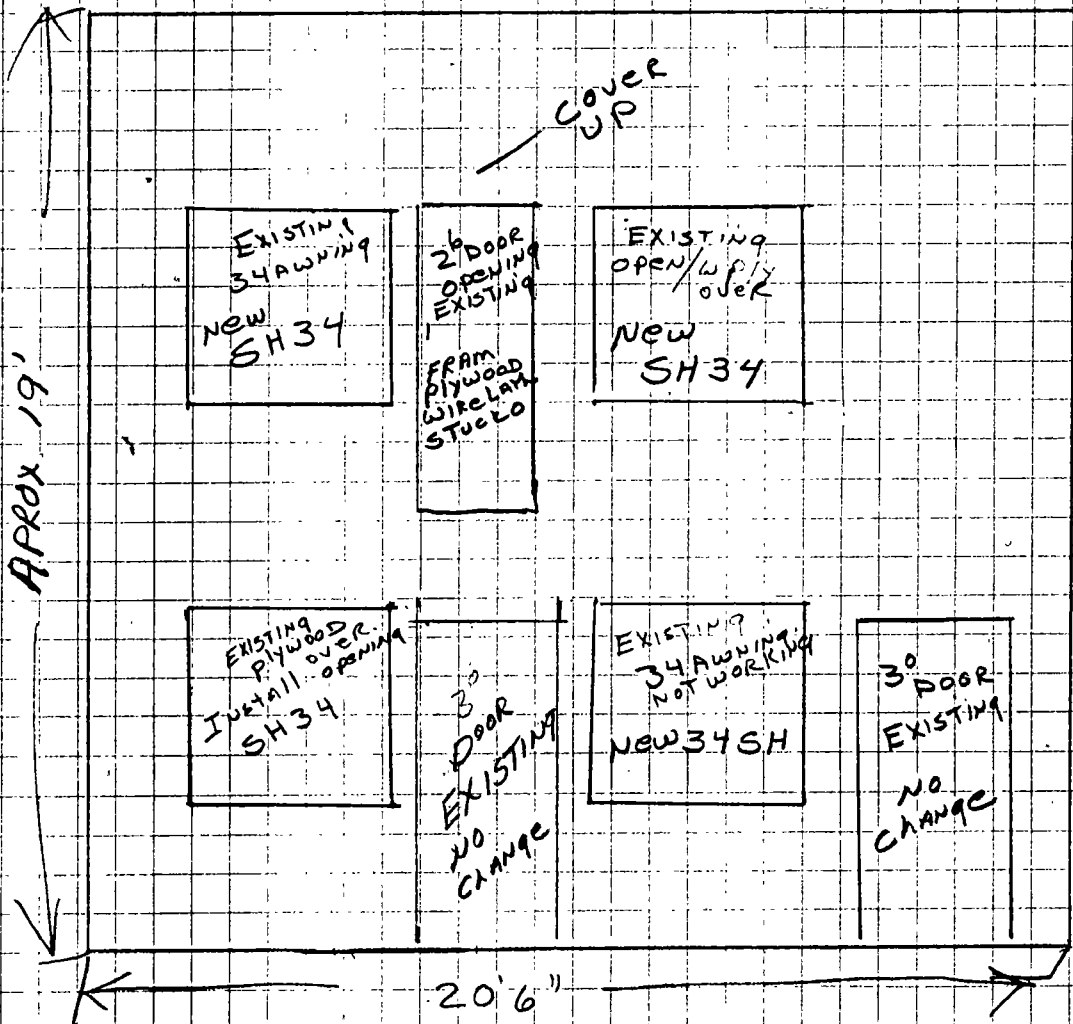
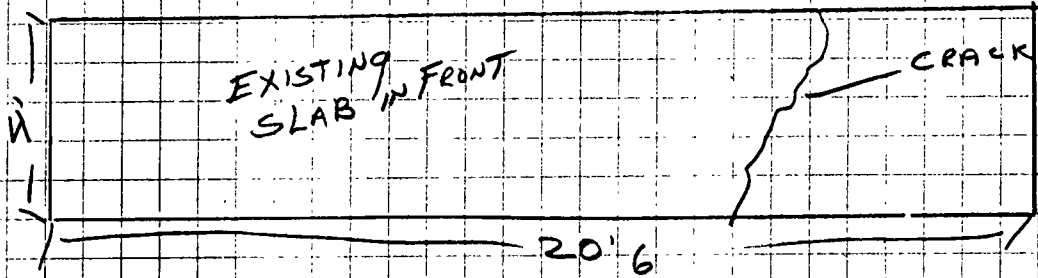
Replace four windows

APPROVALS

CODE COMPLIANCE Case #: _____ Date: _____ Signature _____	PUBLIC WORKS <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/comments <input type="checkbox"/> Denied Date _____ Signature _____
ZONING DIVISION <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/comments <input type="checkbox"/> Denied Date _____ Signature _____	URBAN DESIGNER <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/comments <input type="checkbox"/> Denied Date _____ Signature _____
FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/comments <input type="checkbox"/> Denied Date _____ Signature _____	PLANS EXAMINER <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/comments <input type="checkbox"/> Denied Date _____ Signature _____
WATER UTILITIES <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/comments <input type="checkbox"/> Denied Date _____ Signature _____	BUILDING OFFICIAL <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Approved w/comments <input type="checkbox"/> Denied Date <u>11-17-01</u> Signature <u>R. Smith</u>
LINE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/comments <input type="checkbox"/> Denied Date _____ Signature _____	PROJECT VALUE: <u>1500</u> PERMIT FEE: <u>30</u> <u>pd.</u>

518 SL ST
LAKE WORTH FIA

FLOAT WITH secca High Bond
CEMENT TO REPAIR $\frac{3}{4}$ " DROP



FRONT ELEVATION

BUILDING CODE COMPLIANCE OFFICE
METRO-DADE FLAGLER BUILDING
140 WEST FLAGLER STREET, SUITE 1603
MIAMI, FLORIDA 33130-1563
(305) 375-2901 FAX (305) 375-2908

CONTRACTOR LICENSING SECTION
(305) 375-2527 FAX (305) 375-2558

CONTRACTOR ENFORCEMENT DIVISION
(305) 375-2966 FAX (305) 375-2908

PRODUCT CONTROL DIVISION
(305) 375-2902 FAX (305) 375-6339

PRODUCT CONTROL NOTICE OF ACCEPTANCE

Binnings Pan American
3000 N.W. 125 Street
Miami, FL 33167

Your application for Notice of Acceptance (NOA) of:
Series PA-14 Aluminum Single Hung Window,
under Chapter 8 of the Code of Miami-Dade County governing the use of Alternate Materials and Types of
Construction, and completely described herein, has been recommended for acceptance by the Miami-Dade
County Building Code Compliance Office (BCCO) under the conditions specified herein.

This NOA shall not be valid after the expiration date stated below. BCCO reserves the right to secure this
product or material at any time from a jobsite or manufacturer's plant for quality control testing. If this
product or material fails to perform in the approved manner, BCCO may revoke, modify, or suspend the
use of such product or material immediately. BCCO reserves the right to revoke this approval, if it is
determined by BCCO that this product or material fails to meet the requirements of the South Florida
Building Code.

The expense of such testing will be incurred by the manufacturer.

**THESE PLANS
MUST BE KEPT
ON JOB AT ALL
TIMES**



Raul Rodriguez
Chief Product Control Division

ACCEPTANCE NO.: 01-0226.04
EXPIRES: 07/09/2006

**THIS IS THE COVERSHEET, SEE ADDITIONAL PAGES FOR SPECIFIC AND GENERAL
CONDITIONS
BUILDING CODE & PRODUCT REVIEW COMMITTEE**

This application for Product Approval has been reviewed by the BCCO and approved by the Building
Code and Product Review Committee to be used in Miami-Dade County, Florida under the conditions set
forth above.

REVIEWED, TO THE BEST OF MY KNOWLEDGE
AND BELIEF, FOR STANDARD BUILDING CODES
COMPLIANCE.



Francisco J. Quintana, R.A.
Director
Miami-Dade County
Building Code Compliance Office

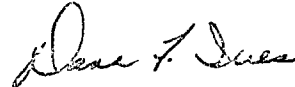
APPROVED: 07/05/2001



DATE

11-17-01

BUILDING OFFICIAL



ISSUANCE OF THIS PERMIT SHALL NOT
CONSTITUTE PERMISSION TO VIOLATE
BUILDING, ZONING OR LICENSING REQUIREMENTS

**FINAL INSPECTION MANDATORY
24 HOUR NOTICE REQUIRED
FOR ALL INSPECTIONS**



COA

CITY OF LAKE WORTH, FLORIDA
BUILDING DEPARTMENT
PERMIT APPLICATION

"Where the Tropics begin"

7 NORTH DIXIE HWY.
LAKE WORTH, FL 33460
(561) 586-1648 Fax (561) 586-1745
Visit us at Lakeworth.org

REVIEWED
REVIEWED

MASTER PERMIT NUMBER
008 # 1258 21111

PERMIT NUMBER (FOR OFFICE USE ONLY)
8/2321

WORK LOCATION

CONTRACTOR

ADDRESS 518 S. L Street
FLOOR/BAY/SUITE/APT # _____
SUBDIVISION _____ BLOCK _____ LOT _____
PARCEL ID# 38 - 43 - 44-

QUALIFIER NAME _____
COMPANY NAME O/B
ADDRESS _____
CITY _____ STATE _____ ZIP _____
STATE LIC. OR COMPETENCY # _____
PHONE# 008 # 2321111
E-MAIL _____

RECEIVED

OCT 14 2008

City of Lake Worth

PERMIT TYPE

OWNER OF RECORD

- STRUCTURE
- ADDITION
- ALTERATION
- REPAIR
- FIRE SPRINKLER
- FIRE ALARM
- DRIVEWAY
- APPROACH
- RESIDENTIAL
- WINDOW
- DEMOLITION
- RELOCATION
- ROOFING
- FENCE
- SIGN
- SIDEWALK
- GAS
- FUEL
- COMMERCIAL
- SHUTTER
- ELECTRICAL
- MECHANICAL
- PLUMBING
- POOL
- IRRIGATION
- BACKFLOW
- CHANGE OF CONTRACTOR
- GENERATOR
- DOOR
- OTHER

NAME LAST Rierson FIRST Joel MI _____
ADDRESS 518 S. L Street
CITY Lake Worth STATE FL ZIP 33460
PHONE 561-276-5799 CELL 561-665-0675
TENANT NAME _____

DESCRIBE PROJECT IN DETAIL

Replace existing door for energy efficiency; see site survey + NOA's attached
Stucco with wood framing; roof 0-10 degrees
VALUE \$ 250.00 SQUARE FOOTAGE _____ CHANGE OF OCCUPANCY OR USE YES NO

PRIMARY PERMIT FEES SHALL INCLUDE THE FEES FOR SUBPERMITS, PROVIDED THAT ALL APPLICABLE SUBCONTRACTOR QUALIFIER SIGNATURES ARE ON THE APPLICATION AND PLANS INCLUDE THE DETAILS OF ALL SUBCONTRACTOR WORK. FAILURE TO INCLUDE THE REQUIRED INFORMATION AT THE TIME OF APPLICATION SHALL REQUIRE THAT A SEPARATE PERMIT BE ISSUED WITH APPROPRIATE FEES BEING CHARGED TO THE APPLICANT. CURRENT REGISTRATION REQUIRED AT TIME OF SUBMITTAL.

Building Contractor: _____ Qualifier/Agent Signature _____	DATE _____	STATE LIC/CERT. OF COMPETENCY _____	BUILDING PERMIT # _____
Electrical Contractor: _____ Qualifier/Agent Signature _____	DATE _____	STATE LIC/CERT. OF COMPETENCY _____	ELECTRICAL PERMIT # _____
Mechanical Contractor: _____ Qualifier/Agent Signature _____	DATE _____	STATE LIC/CERT. OF COMPETENCY _____	MECHANICAL PERMIT # _____
Plumbing Contractor: _____ Qualifier/Agent Signature _____	DATE _____	STATE LIC/CERT. OF COMPETENCY _____	PLUMBING PERMIT # _____
Roofing Contractor: _____ Qualifier/Agent Signature _____	DATE _____	STATE LIC/CERT. OF COMPETENCY _____	ROOFING PERMIT # _____

For Additional sub-contractors please use supplemental form.

NOTICE TO PROPERTY OWNERS

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

BEFORE ANY WORK IS DONE BY YOU OR YOUR CONTRACTOR, IMMEDIATELY FILE FOR AND RECORD A NOTICE OF COMMENCEMENT WITH THE OFFICE OF THE CLERK OF THE CIRCUIT COURT. THIS STEP IS REQUIRED BY THE FLORIDA CONSTRUCTION LIEN LAW.

IF YOU HAVE HIRED A CONTRACTOR TO DO THE WORK, MAKE SURE THAT THE CONTRACTOR OBTAINS THE PERMIT. THE CONTRACTOR'S SIGNATURE INDICATES HE OR SHE IS RESPONSIBLE FOR THE WORK, AND IF THE WORK IS NOT PERFORMED ACCORDING TO CODE, THE CITY CAN REQUIRE CORRECTIVE ACTION BY THE PARTY WHO OBTAINED THE PERMIT. FURTHERMORE, IF THE CONTRACTOR IS NOT LICENSED, YOU CAN BE IN VIOLATION OF STATE LAW BY ALLOWING AN UNLICENSED PERSON TO DO THIS WORK.

SINCE YOU OR YOUR CONTRACTOR HAVE APPLIED FOR A BUILDING PERMIT FOR WORK TO BE DONE ON PROPERTY YOU OWN, YOU SHOULD BE AWARE THAT:

ANY PERSON WHO FURNISHED LABOR (A CONTRACTOR, SUBCONTRACTOR OR LABORER) OR SUPPLIES MATERIALS FOR YOUR HOME REPAIR, IMPROVEMENT OR NEW CONSTRUCTION MAY BE ABLE TO FILE A CLAIM (CALLED A LIEN) AGAINST YOU IF HE HAS NOT BEEN PAID BY YOUR CONTRACTOR OR YOU. YOU ARE LIABLE TO SUBCONTRACTORS OR SUPPLIERS IF THEY ARE NOT PAID BY YOUR CONTRACTOR OR YOURSELF.

AT THE COMPLETION OF WORK, REQUIRE THE CONTRACTOR TO GIVE YOU A SWORN NOTARIZED STATEMENT INDICATING ALL BILLS FOR LABOR AND MATERIALS HAVE BEEN PAID OR A LIST NAMING THOSE SUPPLYING LABOR AND MATERIALS THAT HAVE NOT BEEN PAID. ASK FOR THE AFFIDAVIT BEFORE MAKING THE LAST PAYMENT

UNLICENSED CONTRACTORS: NO PERSON SHALL ENGAGE IN BUSINESS OR ACT IN THE CAPACITY OF A CONTRACTOR WITHOUT BEING DULY REGISTERED OR CERTIFIED. ANY PERSON WHO VIOLATES THIS PROVISION IS GUILTY OF A MISDEMEANOR OF THE FIRST DEGREE AND MAY BE PUNISHED BY A PRISON TERM NOT EXCEEDING ONE (1) YEAR AND/OR A FINE NOT TO EXCEED \$1,000 (SECTION 489.127 FLORIDA STATUTES).

FEE SIMPLE TITLEHOLDER (if other than owner)	MORTGAGE LENDER
Name _____	Name _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____

BONDING COMPANY	ARCHITECT/ENGINEER/RESIDENTIAL PLANS CERTIFIER
Name _____	I CERTIFY THAT THE PLANS ACCOMPANYING THIS DOCUMENT MEET ALL REQUIREMENTS PERTAINING TO BUILDING CONSTRUCTION IN THE CITY OF LAKE WORTH.
Address _____	Name _____
City _____ State _____ Zip _____	Signature _____
	Address _____
	City _____ State _____ Zip _____
	Phone () _____ Cell () _____ Fax () _____

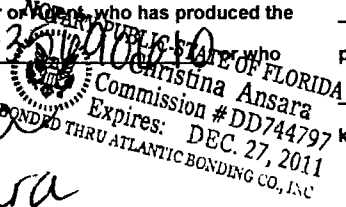
APPLICATION IS HEREBY MADE TO OBTAIN A PERMIT TO DO THE WORK AND INSTALLATIONS AS INDICATED. I CERTIFY THAT NO WORK OR INSTALLATION HAS COMMENCED PRIOR TO THE ISSUANCE OF A PERMIT AND THAT ALL WORK WILL BE PERFORMED TO MEET THE STANDARDS OF ALL LAWS REGULATING CONSTRUCTION IN THIS JURISDICTION. I UNDERSTAND THAT A SEPARATE PERMIT MUST BE ACQUIRED FOR ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, ROOFING AND AIR CONDITIONERS, ETC.

OWNER'S AFFIDAVIT: I CERTIFY THAT ALL THE FOREGOING INFORMATION IS ACCURATE AND THAT ALL WORK WILL BE DONE IN COMPLIANCE WITH ALL APPLICABLE LAWS REGULATING CONSTRUCTION & ZONING.

ALL SIGNATURES MUST BE ORIGINAL

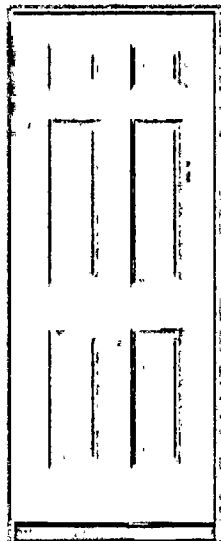
Owner/Builder (Signature) _____ Print Name <u>Joel Rierson</u>	Contractor/Agent (Signature) _____ Print Name _____
---	--

STATE OF <u>Florida</u> COUNTY OF <u>Palm Bch</u> Sworn to (or affirmed) and subscribed to before me this <u>14</u> day of <u>Oct</u> 20 <u>08</u> by Owner or Agent who has produced the following identification <u>AKR 25435</u> is personally known to me. <u>Christina Ansara</u> Signature of Notary <u>Christina Ansara</u> Print Name of Notary _____	STATE OF _____ COUNTY OF _____ Sworn to (or affirmed) and subscribed to before me this _____ day of _____ 20____ by Contractor, who has produced the following identification _____ or who is personally known to me. _____ Signature of Notary _____ Print Name of Notary _____
--	--





You can do it. We can help.™



View Larger

☆☆☆☆☆ Be the first to write a review.

JELD-WEN 36 In. x 80 In. RH Premium 6 Panel Prehung Ext Steel Door OS NBM

Model 018118

\$127.00/Each

Not Sold Online

Sold At ~~Local Store~~

Add to My List

-Product shown is normally carried at our local store; availability may vary.
-Local store prices may vary from those displayed.

NO CHANGES SHALL BE MADE TO THE INFORMATION ON THIS APPROVED SET OF DRAWINGS DURING OR AFTER THE CONSTRUCTION PERIOD THAT COULD IN ANY WAY CONSTITUTE A CHANGE IN THE AESTHETIC CHARACTER OF THE PROJECT WITHOUT APPROVAL OF THE CASE # _____

APPROVED AS NOTED _____

APPROVED *A* _____

Description

Nothing says more about the personality of a home than the front entry, and no one can help express it more reliably than JELD-WEN. JELD-WEN stands for steadfast performance from our energy efficient designs, quality materials to the meticulous craftsmanship you'll notice at every turn. JELD-WEN exterior steel doors have a tough, 24-gauge galvanized steel skin that features JELD-WEN's exclusive new beaded sticking profile. Now the security and protection of steel is combined with an upscale, high-definition design. The best of two worlds in one superior, premium steel exterior door.

- Traditional 6-panel design
- Cold-rolled galvanized steel resists rust and corrosion.
- One-piece polystyrene core provides a custom fit, eliminating core voids and delivering long-lasting insulation.
- Two coats of neutral, low-sheen, baked-on enamel primer enables easier finishing.
- Pre-Hung Unit
- Five-year limited warranty.
- MFG Brand Name : JELD-WEN
- MFG Model # : 018118
- MFG Part # : 018118

Specifications

- Assembled Depth (In Inches) :** 4.5625 In.
- Assembled Height (In Inches) :** 81.25 In.
- Assembled Weight (In LBS) :** 50.00
- Assembled Width (In Inches) :** 37.50 In.
- Callout Size Height :** 80 In.
- Door Glass Type :** None

Urban Designer
URBAN DESIGNER
10/27/08
DATE



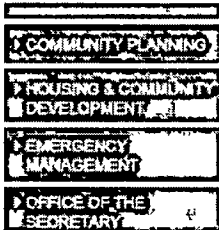
[DCA HOME](#) | [ABOUT DCA](#) | [DCA PROGRAMS](#) | [CONTACT DCA](#)



[BCIS Home](#) | [Log In](#) | [Hot Topics](#) | [Submit Surcharge](#) | [Stats & Facts](#) | [Publications](#) | [FBC Staff](#) | [BCIS Site Map](#) | [Links](#) | [Search](#)

Product Approval
USER: Public User

[Product Approval Menu](#) > [Product or Application Search](#) > [Application List](#) > **Application Detail**



FL # FL539-R6
 Application Type Revision
 Code Version 2004
 Application Status Approved
 Comments
 Archived

Product Manufacturer JELD-WEN
 Address/Phone/Email 3737 Lakeport Blvd
 Klamath Falls, OR 97601
 (541) 882-3451
 fbc@jeld-wen.com

Authorized Signature Janet Gerard
 fbc@jeld-wen.com

Technical Representative Steve Strawn
 Address/Phone/Email 31725 Hwy 97 N.
 Chiloquin, OR 97624
 (541) 783-2057
 stevestr@jeld-wen.com

REVIEWED
 08-23-21
 CLW PLANS EXAMINER

Quality Assurance Representative
 Address/Phone/Email

Category Exterior Doors
 Subcategory Swinging Exterior Door Assemblies

Compliance Method Certification Mark or Listing

Certification Agency Miami-Dade BCCO - CER
 Validated By Miami-Dade BCCO - VAL

Referenced Standard and Year (of Standard)	Standard	Year
	TAS201	1994
	TAS202	1994
	TAS203	1994

Equivalence of Product Standards
 Certified By



ATTACHMENT B – CURRENT PHOTOS

MEMORANDUM DATE: September 8, 2021

AGENDA DATE: September 15, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **518 South L Street**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: **HRPB Project Number 21-00100076:** Consideration of a Certificate of Appropriateness (COA) for window replacement for the property located at **518 South L Street**; PCN #38-43-44-21-15-167-0070. The subject property is a contributing resource to the Southeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) zoning district.



NOTICE
This property is being considered for a
HRPB Project # 21-00100076
COMMUNITY WINDOW REPLACEMENT
For more information regarding this case call:
Lake Worth Beach PZHP
561-786-1687

No importa de dónde eres,
estamos contentos que seas
nuestro vecino.
No matter where you are
from, we're glad you're
our neighbor.
لا يهم أين ولدتكم، و لكتنا
سعداء انكم جيراننا

Thank You
FIRST RESPONDERS
DOCTORS NURSES
POSTAL WORKERS
DELIVERY PEOPLE
ALL STORE EMPLOYEES
WE STAND TOGETHER
AS ONE HUMAN FAMILY



5
8

NOTICE
This property is being converted to a
HOA. Please call 238-238-2382.

Thank you
DOCTORS WILL
POSTAL
DELIVER



ATTACHMENT C – WINDOW REPLACEMENT PLAN AND PRODUCT INFORMATION

MEMORANDUM DATE: September 8, 2021

AGENDA DATE: September 15, 2021

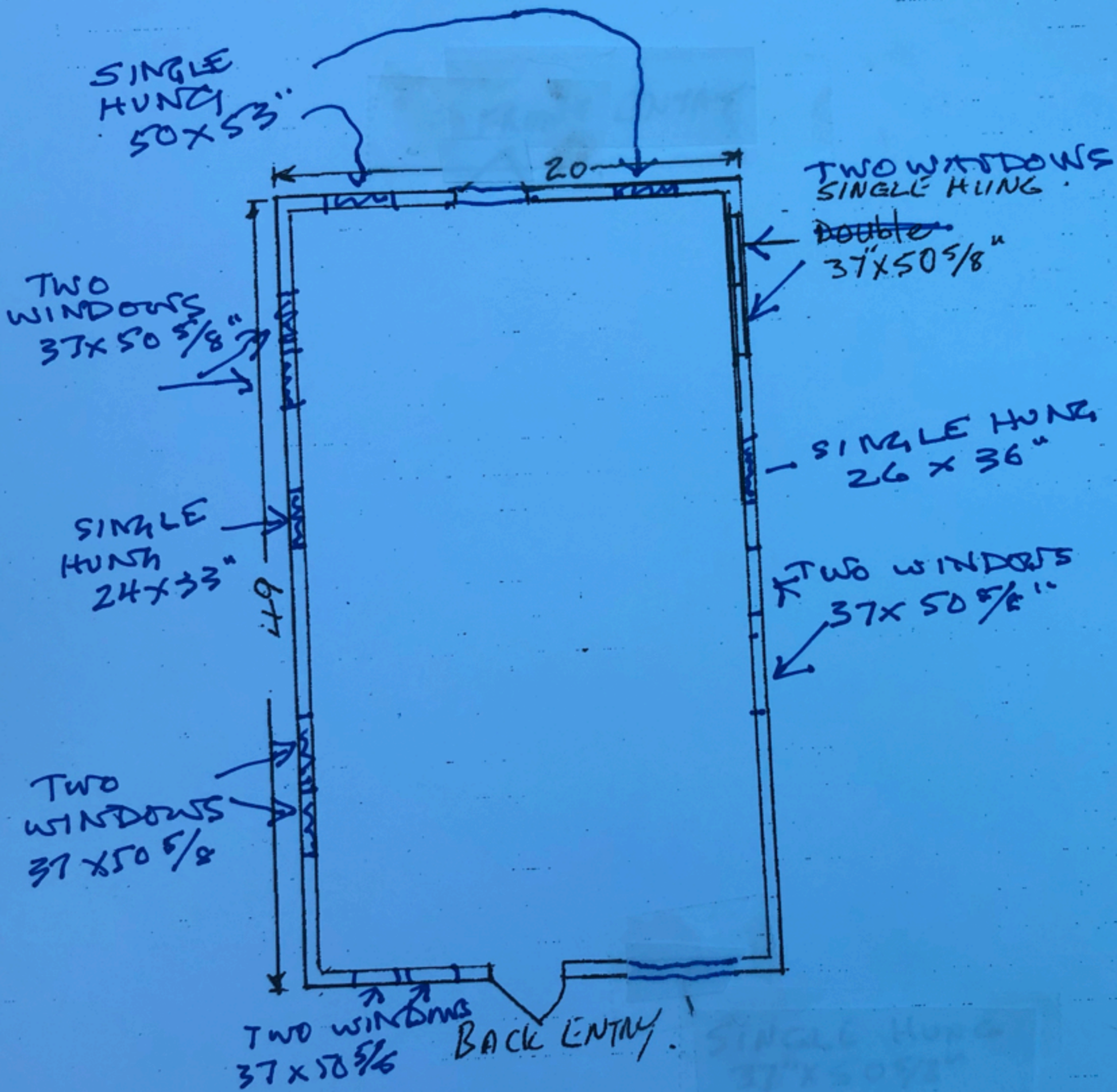
TO: Chair and Members of the Historic Resources Preservation Board

RE: **518 South L Street**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

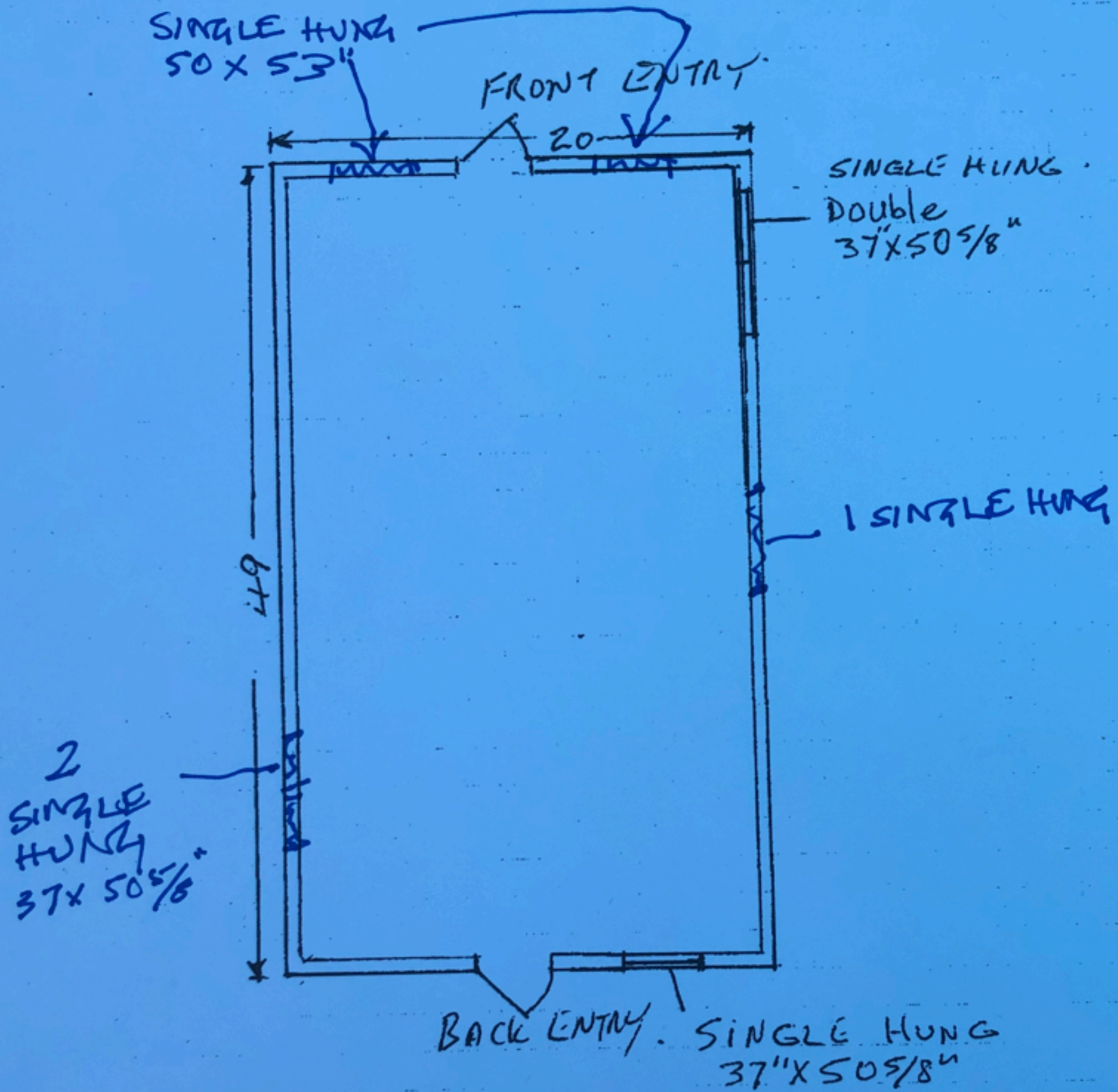
TITLE: **HRPB Project Number 21-00100076:** Consideration of a Certificate of Appropriateness (COA) for window replacement for the property located at **518 South L Street**; PCN #38-43-44-21-15-167-0070. The subject property is a contributing resource to the Southeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) zoning district.

518 52 ST L W 13 SECOND FLOOR



TREASURE COAST DESIGN, INC.
 3559 BROOKLYN LANE L.W.F133461
 561-577-0840 CRC 1326772
 NOT TO SCALE 10/18/2020

518 SL ST L W 13 FIRST FLOOR



TREASURE COAST DESIGN, INC.
3559 BROOKLYN LANE L.W.F133461
561-577-0840 CRC 1326772
NOT TO SCALE | 10/18/2020



DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES (RER)
BOARD AND CODE ADMINISTRATION DIVISION

MIAMI-DADE COUNTY
PRODUCT CONTROL SECTION
11805 SW 26 Street, Room 208
T (786) 315-2590 F (786) 315-2599

NOTICE OF ACCEPTANCE (NOA)

www.miamidade.gov/economy

Lawson Industries, Inc.
8501 NW 90 Street
Medley, FL 33166

SCOPE:

This NOA is being issued under the applicable rules and regulations governing the use of construction materials. The documentation submitted has been reviewed and accepted by Miami-Dade County RER - Product Control Section to be used in Miami Dade County and other areas where allowed by the Authority Having Jurisdiction (AHJ).

This NOA shall not be valid after the expiration date stated below. The Miami-Dade County Product Control Section (In Miami-Dade County) and/ or the AHJ (in areas other than Miami-Dade County) reserve the right to have this product or material tested for quality assurance purposes. If this product or material fails to perform in the accepted manner, the manufacturer will incur the expense of such testing and the AHJ may immediately revoke, modify, or suspend the use of such product or material within their jurisdiction. RER reserves the right to revoke this acceptance, if it is determined by Miami-Dade County Product Control Section that this product or material fails to meet the requirements of the applicable building code.

This product is approved as described herein, and has been designed to comply with the Florida Building Code, including the High Velocity Hurricane Zone.-

DESCRIPTION: Series "SH-7700 (Flange Frame)" Aluminum Single Hung Window - L.M.I.

APPROVAL DOCUMENT: Drawing No. L7700-0901, titled "Series-7700 Single Hung Flange Frame Impact Window", sheets 1 through 5 of 5, dated 05/27/09, with revision D dated 11/01/17, prepared by manufacturer, signed and sealed by Thomas J. Sotos, P.E., bearing the Miami-Dade County Product Control Revision stamp with the Notice of Acceptance number and expiration date by the Miami-Dade County Product Control Section.

MISSILE IMPACT RATING: Large and Small Missile Impact Resistant

LIMITATIONS: Insulated Glazing Options Types 6 and 7 are not approved to be installed above 30 feet in height without external protection device (shutters)

LABELING: Each unit shall bear a permanent label with the manufacturer's name or logo, city, state, series, and following statement: "Miami-Dade County Product Control Approved", unless otherwise noted herein.

RENEWAL of this NOA shall be considered after a renewal application has been filed and there has been no change in the applicable building code negatively affecting the performance of this product.

TERMINATION of this NOA will occur after the expiration date or if there has been a revision or change in the materials, use, and/ or manufacture of the product or process. Misuse of this NOA as an endorsement of any product, for sales, advertising or any other purposes shall automatically terminate this NOA. Failure to comply with any section of this NOA shall be cause for termination and removal of NOA.

ADVERTISEMENT: The NOA number preceded by the words Miami-Dade County, Florida, and followed by the expiration date may be displayed in advertising literature. If any portion of the NOA is displayed, then it shall be done in its entirety.

INSPECTION: A copy of this entire NOA shall be provided to the user by the manufacturer or its distributors and shall be available for inspection at the job site at the request of the Building Official.

This NOA revises NOA No. 16-1003.01 and consists of this page 1 and evidence pages E-1 and E-2, as well as approval document mentioned above.

The submitted documentation was reviewed by **Sifang Zhao, P.E.**



S.Z.
01/26/2018

NOA No. 17-1212.21
Expiration Date: December 27, 2021
Approval Date: February 01, 2018

DO NOT REMOVE LABEL PRIOR TO INSPECTION

TREASURE COAST DESIGN

S/O# 0080716 |

1-3»» 1293 / 6985 ««

L ST

| NORTH ROUTE - BRANCH

26 1/2 x 37 SH 7700 SERIES WHITE

5/16 CLEAR MONO LOW E 366 IMPACT RAW 1/1

WARNING: DO NOT PRESSURE WASH WINDOWS OR DO NOT USE ANY PETROLEUM-BASED CLEANING SOLUTIONS. PLEASE GO TO WWW.LAWSONWINDOWS.COM FOR DETAILED INSTALLATION INSTRUCTIONS.

LAWSON

INDUSTRIES, INC.

www.lawsonwindows.com

Made in the USA

Series SH

Aluminum Frame

5/16 * CLEAR MONO LOW E 366

Prod. Type: Single Hung

DESIGN PRESSURE

(AS LIMITED BY ALL COMPONENTS)

+80.0

-80.0

ENERGY PERFORMANCE RATINGS

U-Factor (U.S./I-P)

1.08

Solar Heat Gain Coefficient

0.25

PRODUCT APPROVALS:

NFRC Approval #

LAW-A-8

Fla Product Appov.

FL15412-R5

Miami-Dade Prod. Appov.

NOA 17-1212,21

ADDITIONAL PERFORMANCE RATING

Visible Transmittance

0.49

Test results can be found at www.LawsonWindows.com look for Product Approvals & Certification



0 0 8 0 7 1 6 2 - 1 - 1



ATTACHMENT D – DESIGN GUIDELINES: MISSION REVIVAL

MEMORANDUM DATE: September 8, 2021

AGENDA DATE: September 15, 2021

TO: Chair and Members of the Historic Resources Preservation Board

RE: **518 South L Street**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: **HRPB Project Number 21-00100076:** Consideration of a Certificate of Appropriateness (COA) for window replacement for the property located at **518 South L Street**; PCN #38-43-44-21-15-167-0070. The subject property is a contributing resource to the Southeast Lucerne Local Historic District and is located in the Single-Family Residential (SF-R) zoning district.



Mission Revival

MISSION REVIVAL



Howey-in-the-Hills, Fla.

A Style Introduction:


The Mission “style” is actually another architectural “revival” from the other side of the country which replicated the early Spanish missions that were built in California between 1769 and 1834. In what was still a very dangerous frontier land, the Roman Catholic Church, in conjunction with the King of Spain, sought to convert the local Native Americans to Christianity. 21 missions (religious outposts) were built between San Diego and San Francisco, each built to be no more than one day apart by horseback. These missions featured impressive bell towers, whitewashed walls, red-tiled roofs and arched colonnades. Eventually, the little towns that grew up around the missions were the beginnings of California’s most well-known and populated cities.

In 1893, a world’s fair was held in Chicago, called the Columbian Exposition. Often at these world’s fairs, different states would build a structure to house their exhibits, which intended to show off that state’s latest and greatest contributions to science, art, and industry. The State of California’s building for the Columbian Exposition was an imposing, grand structure built in the Mission style.

Around this same time, both the Santa Fe and the Southern Pacific railway companies continued to spread the popularity of the style when they built their train stations and nearby hotels using Mission architecture. By the early 1910s, popular trade catalogs, including Sears Roebuck and Company, offered Mission-style house plans for sale that could be ordered by builders and architects, allowing residential architecture to replicate California's Spanish colonial past.

By 1920, the style had reached all parts of the country. In Florida, this style would exist almost directly parallel with that of Mediterranean Revival, and would share some of its characteristics, but the much simpler construction and lack of expensive ornamentation would make it a very popular building type, especially for middle class neighborhoods.


THE MISSION TYPE



The ALHAMBRA Honor Bill \$2,998⁰⁰
No. 17690 Improved "Already Cut" and Fitted.

See Description of "Mission Style" Houses on Page 7.

At the above price we will furnish all the material to build this eight-room house, consisting of lumber, wood and metal lath, Oriental slate surface shingles, mill work, flooring, finishing lumber, mantel, bookcase, seats, cupboard, medicine case, ironing board, kitchen case, building paper, eaves trough, down spout, sash weights, hardware and painting material. Price does not include cement, brick or plaster. This house has stucco siding. We do not furnish brick, cement, plaster or stucco siding. We will furnish clear cypress siding for \$140.00 extra.




FIRST FLOOR PLAN.

THE ALHAMBRA is an architect's masterpiece. The exterior is an attractive modern type of mission architecture, the kind that gets more than a passing notice, because it is so different from the commonplace—yet beautiful in all details. The general scheme calls for a gray stucco body with red brick foundation and red roof, but other treatment with green roof is equally attractive. The window and door openings as well as the decorative moulds can be painted in either white, green or any other contrasting color.

A study of the interior planning reveals the careful study of the architect. With a foundation of only 28 feet by 28 feet, he has created a living room, size about 15x27 (including a sun room) which is found only in much larger houses. Also note the good size dining room with alcove for side-board, and a model kitchen which in careful planning surpasses any that you have ever seen. Here the architect has carefully considered the daily work of the housewife and has planned the location of the various conveniences accordingly.

It is customary in most houses to arrange a ten-foot stair hall through the center of the house, which if applied to this design would increase the cost on account of the extra foundation, side walls, roof, floors, etc., about 33 1/2 per cent. The present arrangement of the stairway in the Alhambra provides a better arrangement at a big saving in cost. It gives quick access to the second story and basement, and provides a rear entrance to the kitchen with a space provided for the ice box so it can be fed from the side door without coming into the kitchen, minimizing the amount of work in keeping the house clean and at the same time adds much to the appearance of the spacious living room.

The Alhambra house has received much favorable comment from leading authorities on architecture. It is a very popular seller, having been built more times than any other house at this price. Every one who has built it is enthusiastic about this unique arrangement.



SECOND FLOOR PLAN.

First Floor A French door leads from the porch to the sun room. Limestone sash opening on three sides supply an abundance of light and ventilation. There is a sideboard in the dining room; a large brick mantel with a bookcase on each side in the living room; a built-in ironing board in the kitchen. Separate entrance to the second floor from living room and kitchen. Rooms are 8 feet from floor to ceiling.

Second Floor Four bedrooms with closets and bathroom on this floor. Special closets for hats in three of the bedrooms. Rooms are 8 feet 2 inches from floor to ceiling. We furnish our best "Quality Guaranteed" mill work, shown on pages 124 and 125. Interior doors are one-eighth fir on the first floor on the second floor, two-eighths yellow pine with trim in maple, in beautiful grain and color.

SEARS, ROEBUCK AND CO.

Mission inspired home, Sears, Roebuck and Co., 1920's.



Orlando Station, built in 1926.



California Building at the 1893 Columbian Exposition.

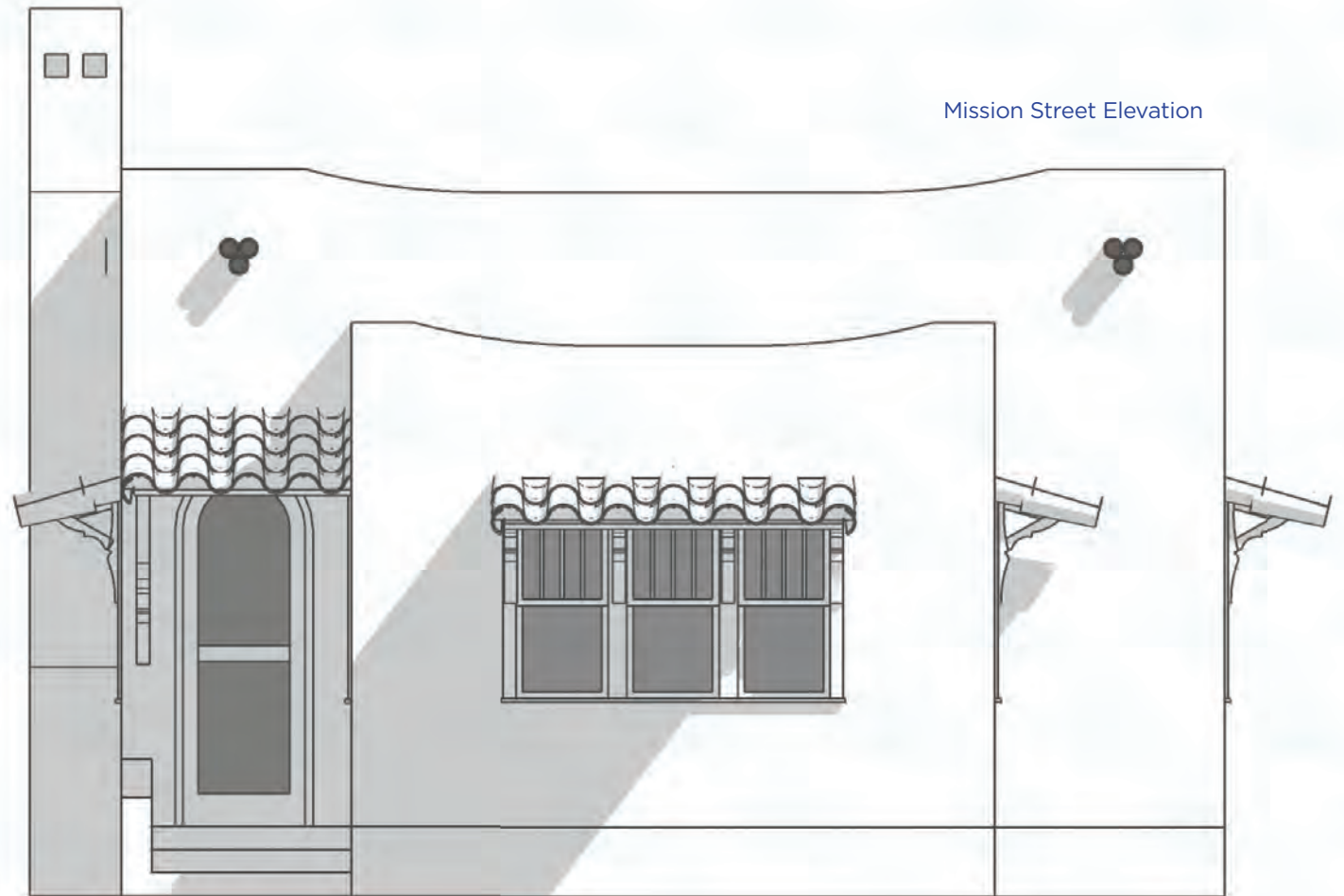
MISSION REVIVAL

A Style Described:

Mission style buildings could be one or two stories in height, and this ability to maintain its “style” with a variety of massing made it a very popular choice for apartment buildings as well as private residences.

The most easily recognizable characteristic of the Mission style is the use of a flat roof surrounded by a parapet, which was often undulated or curvilinear. Buildings were either wood frame or hollow clay tile in construction, but this was covered by stucco that could be smooth or textured in finish.

At the roof line (near the base of the parapet,) scuppers were often installed to allow the water to drain from the flat roof tops. Parapets were often topped with stucco coping, which was a capping of the top part of the wall or a raised molding. Sometimes parapets featured a single row of sloped roofing tile between the taller, curvilinear portions.



Mission Street Elevation

Windows in the Mission house were almost always wood double-hung sashes or casement. Front porches were a prominent feature as well, and often featured a series of arches with columns in between, or an enclosed front porch with a smaller stepped version of the main house parapet roof.

Ornamentation in the Mission style is minimal. Occasionally there are applied crests or swags on the façade of the building. Any dormers or shed roofs that extended from the main structure were covered with barrel tile as well. Chimneys were common and often had decorative chimney caps.



Mission San Luis Rey de Francia, California, built in 1811.

MISSION REVIVAL

A Style Defined:

1. Roofs:

- Flat roofs are almost always used.
- Parapets commonly feature simple moldings or barrel tile caps.
- Parapet can be undulating or curved.
- Shed roofs or overhangs are covered in clay barrel tile.
- Scuppers at base of parapet for drainage off of flat roof.

2. Exterior Finishes and Features:

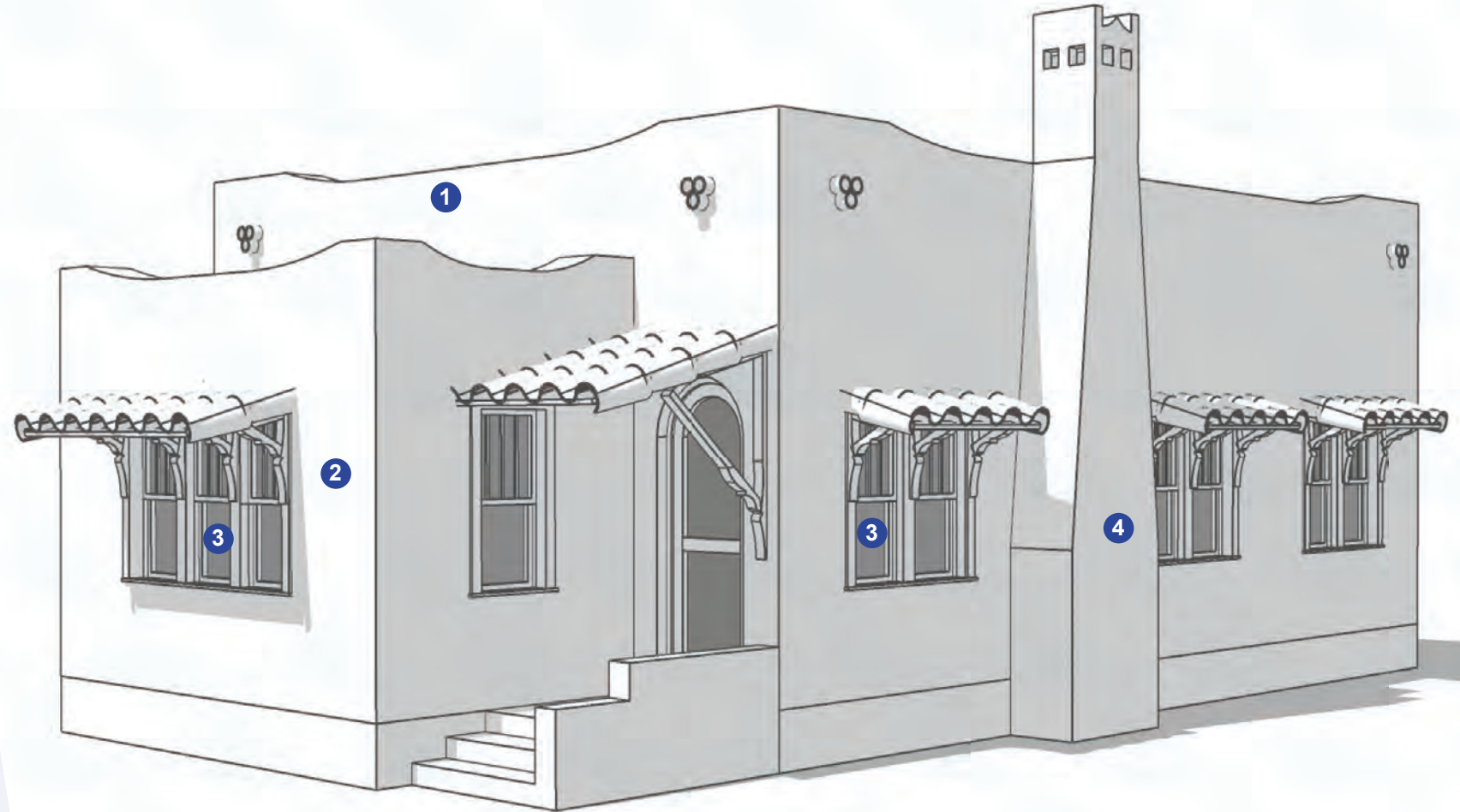
- Derived from the mission churches that were constructed all along California, the primary surface treatment is textured stucco.
- Often simple in décor, sometimes there are applied swags or crests.
- Can be one story or two-stories.
- Front porches are supported by thick square piers or feature arches, or are enclosed with windows and feature a smaller stepped version of the main house parapet.

3. Doors & Windows:

- Windows are wood double-hung or casement.
- Window sills, headers and jambs are wood and may project slightly from the wall surface.

4. Chimney:

- Masonry built and typically stuccoed.
- The base of the chimney often flares along a sinuous curve.
- Typically have decorative chimney caps.



GALLERY OF EXAMPLES



Lake Worth Beach, Florida



Lake Worth Beach, Florida



Lake Worth Beach, Florida

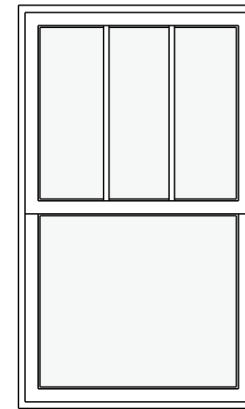
MISSION REVIVAL

Description of Mission Windows

- Mission windows are primarily double-hung, single-hung, or casement type windows.
- Traditionally Mission windows are made of wood and are characterized by unique divided light patterns. Often the top sash (upper half of the window) would have three, four, or even five vertical light over one light below.
- The Mission windows are always vertical or square, and often 1:2 in their proportion. Often two or three windows are grouped together.
- These windows are inset deep into the exterior wall creating deep sill and shadow lines.
- Mission windows are typically surrounded by wood trim with distinct header and sloping sill details.



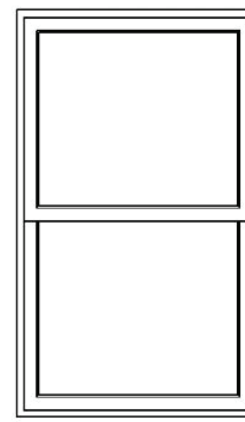
Four over one, as single hung or double hung windows.



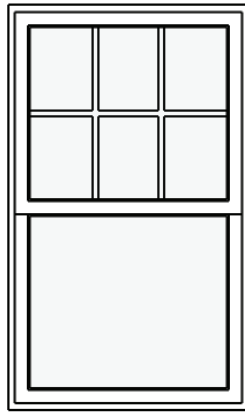
Three over one, as single hung or double hung windows.



Four over one, as single hung or double hung windows.



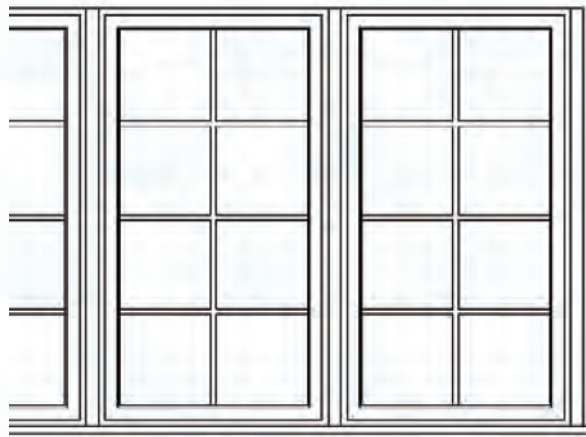
One over one, as single hung or double hung windows.



Six over one, as single hung or double hung windows.



Nine over one, as single hung or double hung windows.



Casement windows with variation of transom lights above



Variation of single hung or double hung windows.

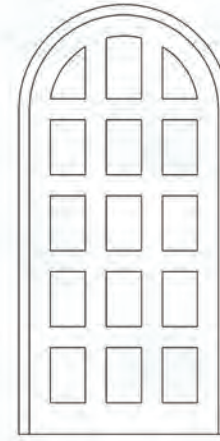
MISSION REVIVAL

Description of Mission Doors

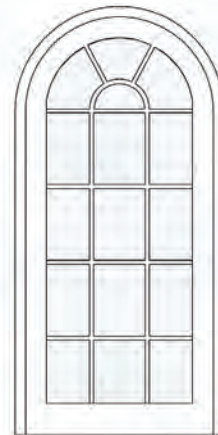
- Mission doors are typically wood plank, sometimes with small glass inserts
- Mission doors can be wood multi-panel.
- The doors are sometimes rusticated, with heavy metal hinges, and can be arched with multiple lights. These doors can be similar in nature to those found in Mediterranean Revival architecture.



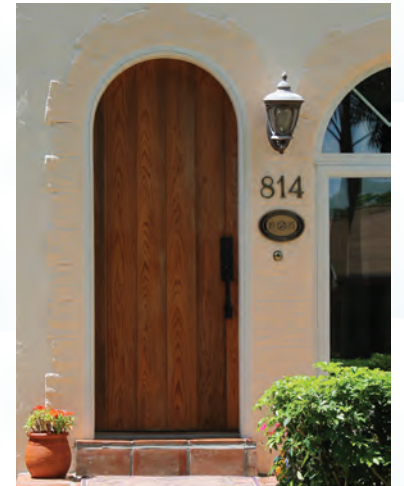
Panelled wooden door



Arched plank wooden door



Arched panelled door with six lights



Rusticated, rounded plank door with single lite window.

Description of Mission Roofs and Exterior Finishes

- Mission roofs are almost always flat with articulated and stepped parapets. There are often small accents of barrel tile either in breaks in the parapet or with small attached shed roofs over windows.
- Mission exterior finishes are usually medium to rough textured stucco and may include stone and stucco accents.
- Mission homes often have stucco medallions and aesthetically placed scuppers as an added level of ornamentation.



Stucco treatments are typically medium to rough in texture.



Stucco finishes and ornamental banding are typical.



Flat roofs with a decorative parapet are standard in the Mission style.



Note the ornamental accents of barrel tile, medallions, and scuppers.

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: City Attorney

TITLE:

Ordinance No. 2022-02 – Second Reading – amending the Advisory Board Appointment Process

SUMMARY:

Ordinance No. 2022-02 amends the existing City advisory board appointment process by making all appointments by the City Commission as a body and making all appointments for an unspecified term on a go-forward basis for all advisory board members to serve at the pleasure of the City Commission.

BACKGROUND AND JUSTIFICATION:

The current advisory board member appointment process allows for the appointment of board members by individual members of the City Commission. At the request of the City Commission, Ordinance No. 2022-02 proposes to revise the advisory board appointment process by having all advisory board members appointed by the City Commission as a body after a public interview. The Ordinance also proposes to make all new appointments for an unspecified term in order to have all advisory board members serve at the pleasure of the City Commission (i.e., any advisory board member may be removed by the City Commission without cause).

Ordinance No. 2022-02 also combines two sections that currently govern advisory boards into one consolidated section in the Code.

Please note, the revisions made by this ordinance will only apply to the CRA board members to the extent that they will now be publicly interviewed and appointed by the Commission as a body. Otherwise under section 163.356, Florida Statutes (which governs such boards), the CRA board members will still have four (4) year terms of office, hold office until their successor is appointed, and all vacancies will be filled for the remainder the unexpired term (if any). Further, CRA board members can only be removed for cause (i.e., they do not serve at the pleasure of the City Commission). In terms of qualifications for appointment to the CRA, those are stated in statute and would need to be followed. However, the Commission could consider the City's existing ordinance on advisory boards (which provides an appointment preference for candidates who live in the City as compared to business owners) when appointing a CRA board member.

The Ordinance passed unanimously on first reading at the February 15, 2022 regular meeting.

MOTION:

Move to approve/disapprove Ordinance 2022-02 amending the Advisory Board Appointment Process.

ATTACHMENT(S):

Ordinance 2022-02

1
2
3 **ORDINANCE 2022-02 - AN ORDINANCE OF THE CITY OF LAKE WORTH**
4 **BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES,**
5 **CHAPTER 2, "ADMINISTRATION", ARTICLE I, "GENERAL", AT SECTION 2-**
6 **9, "RESIDENCE REQUIREMENT; BOARDS NOT CREATED BY LEGISLATIVE**
7 **PROCESS", TO RENAME SECTION 2-9 TO BE ENTITLED, "CITY BOARD**
8 **APPOINTMENT PROCESS, TERMS OF OFFICE, AND RESIDENCE**
9 **REQUIREMENT" AND BY CREATING THEREIN A NEW APPOINTMENT**
10 **PROCESS FOR ALL MEMBERS OF CITY BOARDS, CHANGING THE TERMS**
11 **OF OFFICE TO UNSPECIFIED TERMS FOR ALL NEWLY APPOINTED BOARD**
12 **MEMBERS, AND INCLUDING WITH REVISION THE CURRENT RESIDENCE**
13 **REQUIREMENT FOR MEMBERS OF CITY BOARDS; REPEALING SECTION 2-**
14 **12, APPOINTMENT OF MEMBERS OF CITY BOARDS AND TERMS OF**
15 **OFFICE; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN**
16 **CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.**
17

18 **WHEREAS**, the City of Lake Worth Beach, Florida (the "City") is a duly constituted
19 municipality having such power and authority conferred upon it by the Florida Constitution and
20 Chapter 166, Florida Statutes; and
21

22 **WHEREAS**, in 2013, the City changed section 2-12 of the City's Code of Ordinances
23 regarding the appointment process of members of city boards to individual appointments by
24 Commission members with ratification by the entire Commission; and
25

26 **WHEREAS**, currently city board members serve a set term of office as established by
27 each board's enabling legislation and may only be removed for cause; and
28

29 **WHEREAS**, the City Commission recognizes the need for additional transparency in the
30 board member appointment process and the ability to remove and appoint board members at the
31 sole pleasure of the City Commission and without cause; and
32

33 **WHEREAS**, the City Commission desires to return to an appointment process where city
34 board members are appointed by City Commission ranking after a public interview process of
35 each potential board member; and
36

37 **WHEREAS**, the City Commission also desires to have all board members' terms of office
38 to be for an unspecified period of time to allow for the City Commission to remove and appoint
39 advisory board members at the sole pleasure of the City Commission and without cause; and
40

41 **WHEREAS**, the City Commission also desires to maintain (with minor revisions) the
42 current section 2-9 of the City's Code of Ordinances regarding the residence requirement for
43 members of city boards; and
44

45 **WHEREAS**, the City Commission has reviewed the amendments set forth in this
46 ordinance to the City's advisory board appointment process, terms of appointment, and residence
47 requirement and has determined that the amendments are in the best interest of the public health,
48 safety and general welfare of the City, its residents and visitors and serve a valid public purpose.
49

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

53 **Section 1:** That the foregoing "WHEREAS" clauses are ratified and confirmed as
54 being true and correct findings of the City Commission and are made a specific part of this
55 ordinance as if set forth herein.

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Section 2: Chapter 2, Administration, Article I, General, Section 2-9, "Residence requirement; boards not created by legislative action", is hereby amended as follows (underlined language is added and strike-through language is deleted):

Sec. 2-9. City board appointment process, terms of office, and rResidence requirement; ~~boards not created by legislative action.~~

- (a) Appointment of members to all city boards created by the City Commission shall be as follows:
 - (1) At least twice per year, or more frequently as determined by the City Commission, the City Commission shall conduct a public interview meeting with prospective applicants to city boards and shall select the board members at the meeting based upon the Commission members' ranking of the applicants.
 - (2) The City Clerk's office shall establish procedural guidelines to:
 - (i) Provide public notice of all vacancies on the City's boards, request applications for the same, and set a deadline for the receipt of applications;
 - (ii) Provide notice to the City Commission of all vacancies on city's boards and request a date for the next public interview meeting from the City Commission;
 - (iii) Provide notice to all applicants of the public interview meeting;
 - (iv) Assist the Commission in the orderly public interview of all applicants and the Commission's ranking of the same; and,
 - (v) Establish such other procedural guidelines as may be necessary to implement the City board appointment process in a fair and equitable manner.
- (b) Upon the adoption of this Ordinance, all newly appointed city board members shall be appointed by the City Commission for an unspecified term, shall serve solely at the pleasure of the City Commission, and may be removed from their appointment at any time without cause by a majority vote of the City Commission. Upon ~~the~~ removal of any newly appointed board member, or upon a vacancy for any reason, a new replacement board member shall be appointed by the City Commission; however, all board members are eligible for reappointment.
- (c) Each person who serves on any city board ~~created by the City Commission, commission, authority, council, agency or panel that was not created by legislative action~~ shall either maintain a bona fide residence in the City, own a business having a permanent location in the City, or be the principal stockholder of a corporation or other business entity having a permanent business location in the City. Whenever an appointment to any such board, ~~commission, authority, council, agency or panel~~ is to be made and the City Commission's ranking results in a tie, if, the choice is between a person who maintains a bona fide residence in the City and a person who does not maintain a bona fide residence in the City, if the person who maintains a bona fide residence in the City meets all other requirements of the position to be filled, he or she shall be appointed. All other City Commission rankings that result in a tie shall be decided by majority vote. A bona fide residence, for the purpose of this section, is a permanent domicile which has not been adopted with the intention of again taking up or claiming a previous residence acquired outside of the City limits. The principal stockholder of a corporation or other business entity, for the purpose of this section, is any person whose ownership interest in the corporation or other business entity is not exceeded by any other person.

101 (d) All city boards created by general law, special act of the legislature, or pursuant to other
102 authority, shall follow the requirements of the enabling legislation when such legislation is in
103 conflict with this section.

104 (e) All city boards are authorized to convert any publicly noticed meeting into a workshop session
105 when a quorum is not reached at said meeting. The decision to convert the meeting into a
106 workshop session shall be determined by the chair of the board, or the chair's designee, who
107 is present at the meeting. No official action shall be taken at the workshop session; however,
108 the members present should limit their discussion to the items on the agenda for the publicly
109 noticed meeting. All such workshop sessions shall be open to the public and minutes of the
110 workshop session shall be recorded.

111 ~~(b) Notwithstanding the provisions of subsection (a) above, each nonresident who serves on~~
112 ~~any such board, commission, authority, council, agency or panel on May 14, 1992, shall~~
113 ~~continue to serve until his or her term expires or, if service is for an indefinite term, until a~~
114 ~~successor is appointed to replace him or her.~~

115 **Section 3:** Chapter 2, Administration, Article I, General, Section 2-12, "Appointment
116 of members of city boards and terms of office", is hereby repealed.

117
118 **Section 4:** Severability. If any section, subsection, sentence, clause, phrase or portion
119 of this ordinance is for any reason held invalid or unconstitutional by any court of competent
120 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and
121 such holding shall not affect the validity of the remaining portions thereof.

122
123 **Section 5:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict
124 herewith are hereby repealed to the extent of such conflict.

125
126 **Section 6:** Codification. The sections of the ordinance shall be made a part of the City
127 Code of Ordinances and may be re-numbered or re-lettered to accomplish such, and the word
128 "ordinance" may be changed to "section", "division", or any other appropriate word.

129
130 **Section 7:** Effective Date. This ordinance shall become effective 10 days after
131 passage.

132
133 The passage of this ordinance on first reading was moved by _____, seconded by
134 _____ and upon being put to a vote, the vote was as follows:

- 135
136 Mayor Betty Resch
137 Vice Mayor Herman Robinson
138 Commissioner Sarah Malega
139 Commissioner Christopher McVoy
140 Commissioner Kimberly Stokes

141
142 The Mayor thereupon declared this ordinance duly passed on first reading on the
143 _____ day of _____, 2022.

144
145 The passage of this ordinance on second reading was moved by _____,
146 seconded by _____, and upon being put to a vote, the vote was as follows:

- 147
148 Mayor Betty Resch
149 Vice Mayor Herman Robinson
150 Commissioner Sarah Malega
151 Commissioner Christopher McVoy
152 Commissioner Kimberly Stokes

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The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

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107 is present at the meeting. No official action shall be taken at the workshop session; however,
108 the members present should limit their discussion to the items on the agenda for the publicly
109 noticed meeting. All such workshop sessions shall be open to the public and minutes of the
110 workshop session shall be recorded.

111 ~~(b) Notwithstanding the provisions of subsection (a) above, each nonresident who serves on~~
112 ~~any such board, commission, authority, council, agency or panel on May 14, 1992, shall~~
113 ~~continue to serve until his or her term expires or, if service is for an indefinite term, until a~~
114 ~~successor is appointed to replace him or her.~~

115 **Section 3:** Chapter 2, Administration, Article I, General, Section 2-12, "Appointment
116 of members of city boards and terms of office", is hereby repealed.

117
118 **Section 4:** Severability. If any section, subsection, sentence, clause, phrase or portion
119 of this ordinance is for any reason held invalid or unconstitutional by any court of competent
120 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and
121 such holding shall not affect the validity of the remaining portions thereof.

122
123 **Section 5:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict
124 herewith are hereby repealed to the extent of such conflict.

125
126 **Section 6:** Codification. The sections of the ordinance shall be made a part of the City
127 Code of Ordinances and may be re-numbered or re-lettered to accomplish such, and the word
128 "ordinance" may be changed to "section", "division", or any other appropriate word.

129
130 **Section 7:** Effective Date. This ordinance shall become effective 10 days after
131 passage.

132
133 The passage of this ordinance on first reading was moved by _____, seconded by
134 _____ and upon being put to a vote, the vote was as follows:

- 135
136 Mayor Betty Resch
137 Vice Mayor Herman Robinson
138 Commissioner Sarah Malega
139 Commissioner Christopher McVoy
140 Commissioner Kimberly Stokes

141
142 The Mayor thereupon declared this ordinance duly passed on first reading on the
143 _____ day of _____, 2022.

144
145 The passage of this ordinance on second reading was moved by _____,
146 seconded by _____, and upon being put to a vote, the vote was as follows:

- 147
148 Mayor Betty Resch
149 Vice Mayor Herman Robinson
150 Commissioner Sarah Malega
151 Commissioner Christopher McVoy
152 Commissioner Kimberly Stokes

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The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: Human Resources

TITLE:

Ordinance No. 2022-03 - First Reading - amending the City's Pension Plan Ordinance

SUMMARY:

Ordinance No. 2022-03 amends the City's Pension Plan ordinance to incorporate changes for specified employees and to incorporate a cash balance plan option for IBEW.

BACKGROUND AND JUSTIFICATION:

The City bargained with the International Brotherhood of Electrical Workers Union "IBEW" to amend the current Pension Plan ordinance. The proposed amendment will provide changes for specified employees hired on or before September 30, 2010, a one-time choice for specified employees hired on or after October 1, 2010, and offer the cash balance plan to specified new employees hired on or after April 1, 2022. These changes match the changes incorporated for non-IBEW employees on October 1, 2018.

MOTION:

Move to approve/disapprove Ordinance 2022-03 on first reading and setting the second reading and public hearing for March 15, 2022.

ATTACHMENT(S):

Fiscal Impact Analysis
Ordinance 2022-03

ORDINANCE NO. 2022-03 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 16, "PENSIONS AND RETIREMENT"; ARTICLE II, "EMPLOYEES' RETIREMENT SYSTEM"; SECTION 16-26, "PARTICIPATION IN THE PENSION PLAN", SECTION 16-27, "VESTING CREDITS", 16-29, "PENSION BENEFITS", SECTION 16-33, "SEVERANCE BENEFITS", SECTION 16-35, "BENEFIT LEVEL"; SECTION 16-44 "CASH BALANCE PLAN CREATED", AND SECTION 16-46, "ELIGIBILITY" TO PERMIT SPECIFIED EMPLOYEES TO PARTICIPANT IN THE CASH BALANCE PLAN AND TO PROVIDE A ONETIME OPTION FOR SPECIFIED EMPLOYEES TO REMAIN IN THE EXISTING BENEFIT STRUCTURE; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, the City has established and maintained the City of Lake Worth Employees Retirement System ("System"), the provisions of which presently are set forth in Divisions 1 and 2 of Article II of Chapter 16 of the City Code; and

WHEREAS the City of Lake Worth Beach previously entered into agreements through collective bargaining with PMSA and PEU resulting in certain amendments to the System in 2018; and

WHEREAS, the agreements provided for the creation of a "Cash Balance Plan" in addition to the currently existing benefit structure;

WHEREAS, the City of Lake Worth Beach has entered into an agreement through collective bargaining with IBEW which provides for IBEW to become eligible for the same amendments to the System provided to PMSA and PEU in 2018; and

WHEREAS, for the purpose of uniformity and consistency of administration, it is desirable to implement these amendments for IBEW employees.

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

Section 1. That Section 16-26 of the Code of Ordinances of the City of Lake Worth Beach is hereby amended as follows:

Sec. 16-26. - Participation in the pension plan.

(a) An employee shall become a participant on the first day of full-time service. Each full-time employee of the city shall be a participant in the plan, except those employees who were employed by the city on October 1, 1996, and were not participants in the plan at that time shall have the irrevocable option, to be exercised in writing before September 30, 1997, to

continue not to participate in the plan and to permanently waive participation in the plan.

(b) A person shall remain a participant until the earlier of:

(1) Terminating service prior to earning a vested benefit and prior to reaching normal retirement age;

(2) All benefits have been paid to the participant; or

(3) The person dies; or

(4) The person holds or is appointed to a position enumerated in Section 16-15(h)(4), 16-15(h)(5), 16-15(h)(11), 16-15(h)(12), or 16-15(h)(13) on April 4, 2017 or thereafter. Persons holding such positions on the date immediately preceding April 4, 2017, or who are appointed to such positions after that date, and who have been participants in the pension plan, shall have a onetime, irrevocable option either to cease participation in the Pension Plan or to maintain participation in the Pension Plan. Such onetime option must be exercised no later than within 30 days of the date of appointment to such position or on or before 5:00 p.m., September 30, 2018. Any person who does not exercise the option within the allotted period shall remain in the Pension Plan.

(c) A new benefit structure, the Cash Balance Plan, is created effective October 1, 2018. All employees hired on or after October 1, 2018, and holding a position not identified in PERC certification No. 529, as amended or superseded, shall become participants in the Cash Balance Plan on their first day of full-time service. Active employees hired on October 1, 2010, through September 30, 2018, and who are participants in the City of Lake Worth Employees Retirement System shall have the onetime irrevocable option, to be exercised by submitting to the City a signed writing no later than 5:00 p.m. on September 30, 2018, to participate in the Cash Balance Plan commencing October 1, 2018, and to immediately cease participation in the prior benefit structure. Employees who switch will become 100 percent vested in benefits accrued through September 30, 2018, and payable under the terms and conditions then in effect. Any such employee who fails to make an election shall not become a participant in the Cash Balance Plan. No employee will be permitted to begin participation in the prior benefit structure after 11:59 p.m., September 30, 2018. For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions in this subsection (c) shall apply, provided only that each occurrence of the date "October 1, 2018," shall be instead "April 1, 2022," and each occurrence of the date "September 30, 2018," shall be instead "March 31, 2022."

Section 2. That Section 16-27 of the Code of Ordinances of the City of Lake Worth Beach is hereby amended as follows:

Sec. 16-27. - Vesting credits.

- (a) *Vesting credits.* A participant shall earn one (1) vesting credit for each year of service. A participant may lose vesting credits as provided in section 16-28 (loss of credits). The total number of vesting credits earned and retained shall determine whether a participant has a vested right to a pension benefit. Partial vesting credits shall be earned for full months of service.
- (b) *Vesting schedules:*
- (1) *Adjusted retirement benefit.* A participant shall have a right to an adjusted retirement benefit upon earning ten (10) vesting credits, as set forth in section 16-33(b) hereof; provided, however, that employees hired before October 1, 2010, employed by the City as of September 30, 2018 (March 31, 2022 for employees holding a position identified in PERC certification No. 529), and retiring on or after October 1, 2018 (April 1, 2022 for employees holding a position identified in PERC certification No. 529) shall be one hundred percent (100%) vested upon attaining ten (10) vesting credits, as set forth in section 16-33(b) hereof.
 - (2) *Normal retirement benefit for participants retiring prior to October 1, 2015.* A participant retiring prior to October 1, 2015 shall have a one hundred (100) percent vested right to a normal retirement benefit upon:
 - a. Earning twenty (20) vesting credits; or
 - b. His or her years of service, when added to his or her age, equals or exceeds seventy-five (75); or
 - c. The termination or partial termination of this pension plan (to the extent funded as of such date).
 - (3) *Normal retirement benefit for participants retiring on or after October 1, 2015 and hired on or after October 1, 2010, through and including September 30, 2018, and who elected not to switch to the Cash Balance Plan.* A participant retiring on or after October 1, 2015, and hired on or after October 1, 2010, through and including September 30, 2018 (March 31, 2022 for employees holding a position identified in PERC certification No. 529) and who elected not to switch to the Cash Balance Plan shall have a one hundred (100) percent vested right to a normal retirement benefit upon:
 - a. Attaining fifty-five (55) years of age and thirty (30) vesting credits;
 or
 - b. Attaining sixty-five (65) years of age and ten (10) vesting credits; or

- c. The termination or partial termination of this pension plan (to the extent funded as of such date).
- (4) *Normal retirement benefit for participants hired before October 1, 2010, and retiring on or after October 1, 2018.* Notwithstanding the provisions of section 16-27(b)(3), a participant holding a position not identified in PERC certification No. 529, as amended or superseded, and hired before October 1, 2010, through and including September 30, 2018 (March 31, 2022 for employees holding a position identified in PERC certification No. 529) and retiring on or after October 1, 2018, shall have a one hundred (100) percent vested right to a normal retirement benefit upon:
- a. Attaining fifty-five (55) years of age and thirty (30) vesting credits;
- or
- b. Attaining sixty-five (65) years of age and ten (10) vesting credits; or
 - c. The termination or partial termination of this pension plan (to the extent funded as of such date); or
 - d. Attaining the “rule of 80,” which is attained when the sum of the participant’s age and number of vesting credits is 80.

For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions of this subsection (b)(4) shall apply, provided only that each occurrence of the date “October 1, 2018,” shall be instead “April 1, 2022.”

- (c) *Limitation on changes in vesting schedules.* No amendment shall reduce a participant's vested right to a normal retirement benefit at the time such amendment is adopted, or, if later, at the time such amendment is effective.
- (d) *Vesting of benefits.* No participant, beneficiary or other person shall have any vested right to a pension benefit unless the participant has met the requirements for vesting as provided in this title.
- (e) *Purchase of credits for military service.* The years or fractional parts of years that a participant serves or has served full-time active duty in the military service of the Armed Forces of the United States, voluntarily or involuntarily, either during employment or prior to first or initial employment with the city shall be added to his or her years of credited service, provided that:
 - (1) The participant received another than dishonorable discharge from the armed forces.
 - (2) The participant did not receive credited service for the time spent in the armed forces from any other governmental or military retirement or pension system.

- (3) The participant contributes to the fund, for the years or fractional parts of years that the participant served as full-time active duty in the military service of the Armed Forces of the United States, voluntarily or involuntarily prior to employment with the city, the full actuarial cost of all service credits purchased.
 - (4) The years or fractional parts of years that a participant served as full-time active duty in the military service of the Armed Forces of the United States, voluntarily or involuntarily, during employment with the city shall be added to his or her years of credited service without participant contribution.
 - (5) The purchase of credited service under this section by a participant shall be paid in full prior to the participant's retirement date, and in accordance with all terms, rules, procedures or regulations established by the board of trustees. Such payment may be by direct in-service transfer from a participant's deferred compensation account (457 accounts) pursuant to section 457(e)(17) of the Internal Revenue Code or any other qualified plan.
 - (6) The maximum credit which may be purchased by a participant for any military service in the Armed Forces of the United States under this section shall be five (5) years.
 - (7) All credited service purchased pursuant to this section shall count toward vesting.
- (f) *Purchase of credits for military reserve service.* The years or fractional parts of years that a participant serves or has served in reserve military service of the Armed Forces of the United States, prior to or while in the employ with the city shall be added to the participant's years of credited service, provided subsections (e)(1) through (e)(6) are met. Such credited service shall be calculated by dividing the total number of official military reserve points by three hundred sixty-five (365) to determine the equivalent years or fractional parts thereof to be so credited.
- (g) *Service in other employment classifications.* Participants who served in more than one (1) of the city's employment classifications due to transfer to another classification, shall be credited for vesting purposes, with total service as an employee of the city. The benefit amount shall be calculated by multiplying the vesting credits earned in each employment classification by the benefit level for the original pre-transfer classification, and the employee's average final compensation in effect at the time of the participant's retirement, provided that service as a firefighter, police officer and general employee shall be accounted for separately and benefits shall be paid accordingly from the appropriate plan. However, the total of all such benefit payments shall be subject to limitations established by F.S. § 112.65.

Section 3. That Section 16-29 of the Code of Ordinances of the City of Lake Worth Beach is hereby amended as follows:

Sec. 16-29. – Pension Benefits.

- (a) *Right to pension benefits.* A pension benefit shall be payable if the participant:
- (1) Has a vested right to a pension benefit; and
 - (2) Has reached the applicable retirement age; and
 - (3) Has retired; and
 - (4) Has filed a claim for pension benefits.
- (b) *Normal retirement age.*
- (1) The normal retirement age for participants retiring before October 1, 2015, shall be the first day of the month on which or after the participant attains:
 - A. Twenty (20) vesting credits; or
 - B. Vesting credits and years of age totaling seventy-five (75) or more; provided the participant has at least ten (10) vesting credits.
 - (2) The normal retirement age for participants retiring on or after October 1, 2015, and hired on or after October 1, 2010, through and including September 30, 2018 (March 31, 2022 for employees holding a position identified in PERC certification No. 529) shall be the first day of the month on which or after the participant attains:
 - A. Fifty-five (55) years of age and thirty (30) vesting credits; or
 - B. Age sixty-five (65) and ten (10) vesting credits.
 - (3) Notwithstanding the provisions of section 16-29(b)(2), the normal retirement age for a participant holding a position not identified in PERC certification No. 529, as amended or superseded, and hired before October 1, 2010, and retiring on or after October 1, 2018, shall be the first day of the month on which or after the participant attains:
 - a. Fifty-five (55) years of age and thirty (30) vesting credits; or
 - b. Sixty-five (65) years of age and ten (10) vesting credits; or
 - c. The “rule of 80,” which is attained when the sum of the participant’s age and number of vesting credits is 80.

For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions shall apply, provided only that each occurrence of the date “October 1, 2018,” shall be instead “April 1, 2022.”

- (4) Notwithstanding any other provision of this plan to the contrary, a member's accrued benefits shall become one hundred (100) percent nonforfeitable upon the attainment of normal retirement age.
- (c) *Normal retirement benefit.* The normal retirement benefit shall be the benefit level provided in section 16-35 (benefit level).
- (d) *Forfeiture of benefits.* A participant's benefits under this division are subject to forfeiture:
 - (1) For the reasons and in the manner set forth in section 112.3173, F.S.; or
 - (2) For conviction, as defined in section 112.3173(2)(a), F.S., of a felony, following the forfeiture determination procedures set forth in F.S. section 112.3173(5), F.S., the person remains in the city's employ after the conviction.
- (e) *Contributions refund guarantee.* If any benefit paid hereunder shall cease before the retiree or his survivors or beneficiaries has received an amount equal to the participant's accumulated contributions, an amount equal to the difference thereof shall be paid to those persons designated in writing duly executed by the retiree and filed with the board. If there is no such designation, such amount shall be payable to the employee's estate.
- (f) *Early retirement program.* Notwithstanding the provisions of this section a participant who, as of January 1, 2003, is within forty-eight (48) months of normal retirement and has ten (10) vesting credits shall be permitted to purchase up to forty-eight (48) months of additional service time and/or years of age. Purchase of such service time and/or years of age shall be conditioned upon the participant executing no later than close of business on November 15, 2002, an irrevocable agreement for participation and waiver in the early retirement program form which shall specify a date of retirement no earlier than January 1, 2003, and no later than March 31, 2003, as approved by the city manager.

A participant electing to participate in this early retirement program shall pay the full actuarial cost of the employee's contribution for such additional service time and/or years of age no later than January 2, 2003. The purchase price will be calculated based on the employee's retirement date, as approved by the city manager. Such payment shall be by lump sum.
- (g) *Voluntary separation incentive program.* Notwithstanding the provisions of this section, a participant who, as of September 15, 2009, is within twelve (12) months of normal retirement age shall be permitted to purchase up to twelve (12) months of additional service time. Purchase of such service time shall be conditioned upon the participant executing no later than close of business on September 15, 2009, an irrevocable agreement for participation and waiver on the voluntary separation incentive program form which shall specify a date of retirement no later than September 30, 2009, as approved by the city manager.

A participant electing to participate in this voluntary separation incentive program shall pay the full actuarial cost of such additional service time no later than September 30, 2009. The purchase price will be calculated based on the employee's retirement date, as approved by the city manager. Such payment shall be by lump sum.

Section 4. That Section 16-33 of the Code of Ordinances of the City of Lake Worth Beach is hereby amended as follows:

Sec. 16-33. - Severance benefits.

Upon termination of a participant's employment for reasons other than normal retirement, death or disability, the following benefits shall be payable.

- (a) *Termination prior to ten years of service.* If a participant terminates employment before attaining ten (10) vesting credits, the participant shall receive his or her accumulated contributions in a single lump sum payment.

- (b) *Termination after ten years of service.* If a participant terminates employment, after attaining ten (10) vesting credits, the participant may choose either a single lump sum payment of his or her accumulated contributions or an adjusted retirement pension commencing at age sixty-five (65). The adjusted retirement pension shall be the normal retirement benefit multiplied by the following percentages, according to the number of vesting credits attained by the participant at time of termination:

Vesting Credits	Percentage
10	50
11	55
12	60
13	65
14	70
15	75
16	80

17	85
18	90
19	95
20 or more	100

Provided however, that any participant who retires on or after attaining age sixty-five (65) and ten (10) vesting credits shall be one hundred (100) percent vested. The participant's pension shall be based upon the participant's vesting credits, average final compensation, and the benefit rate in effect at the time that the participant's employment was terminated. If the participant dies after termination of employment but before reaching age sixty-five (65), the participant's accumulated contributions shall be paid in a lump sum to his or her designated beneficiary, or if none, to his or her estate. Alternatively, the participant's designated beneficiary may elect to receive a one hundred (100) percent joint and survivor pension, commencing as of the date that the participant would have reached normal retirement age and continuing for the life of the designated beneficiary in the amount which the participant would have received had the participant retired on the date of his/her death.

Further provided, however, that a participant holding a position not identified in PERC certification No. 529, as amended or superseded, and hired before October 1, 2010, employed by the City as of September 30, 2018, and retiring on or after October 1, 2018, shall be one hundred percent (100%) vested upon attainment of 10 vesting credits. For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions in this paragraph shall apply, provided only that each occurrence of the date "October 1, 2018," shall be instead "April 1, 2022," and each occurrence of the date "September 30, 2018," shall be instead "March 31, 2022."

Section 5. That Section 16-35 of the Code of Ordinances of the City of Lake Worth Beach is hereby amended as follows:

Sec. 16-35. - Benefit level.

- (a) *Calculation of benefit amount.* The monthly benefit level applicable to vesting credits earned prior to October 1, 2010 is the product of the vesting credits earned multiplied by three (3) percent of average final compensation. The monthly benefit level applicable to vesting credits earned on or after October 1, 2010, is the product of the vesting credits multiplied by two (2) percent of average final compensation. Provided, however, that for a participant holding a position not identified in PERC certification No. 529, as amended or superseded, and hired before October 1, 2010, employed by the City as of September 30, 2018, and retiring on or after October 1, 2018, the monthly benefit level applicable to vesting

credits earned on or after October 1, 2010, is the product of the vesting credits multiplied by two and one-quarter (2.25) percent of average final compensation. For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions of this subsection (a) shall apply, provided only that each occurrence of the date "October 1, 2018," shall be instead "April 1, 2022," and each occurrence of the date "September 30, 2018," shall be instead "March 31, 2022."

The actual benefit amount is determined by making the adjustment, if any, for the form of benefit which the participant selects.

- (b) *Annual adjustment.* On October first of each year, the monthly benefits paid to each participant retiring prior to October 1, 2010 and any beneficiary thereof shall be increased by two dollars and fifty cents (\$2.50). Participants retiring on or after October 1, 2010 shall not be eligible for the annual adjustment under this paragraph.
- (c) Reserved.
- (d) *Annual cost of living adjustments.* The monthly retirement benefits payable to all participants who have been retired for three (3) consecutive years shall be adjusted, as of June 1 of each year, commencing on June 1, 2000, pursuant to procedures, methods, and actuarial assumptions established by the board of trustees. This adjustment shall be equal to one-half ($\frac{1}{2}$) of the actuarial gain realized for the prior fiscal year, ending as of September 30, that exceeds the assumed rate of return for the prior year as established by the board of trustees. All retired participants qualifying for this adjustment shall receive equal annual percentage adjustments to their respective level of retirement benefits. Such cost of living adjustment, in no event, shall exceed the percentage increase set forth in the Bureau of Labor Statistics Consumer Price Index, Urban Consumers, All Cities (CPI-U) for the preceding calendar year. If there was no actuarial gain realized for the prior fiscal year, then there shall be no cost of living adjustment the following June 1. If there is an actuarial gain in excess of the stated CPI, it shall be carried forward to future years. Any cost liability created by the implementation of this adjustment shall be amortized over a 30-year period.

Sec. 16-44. - Cash balance plan created.

Effective October 1, 2018, there is hereby added a cash balance plan feature ("cash balance plan") to the City of Lake Worth Employees Retirement System, set forth in sections 16-44. All employees who are hired on or after October 1, 2018 (April 1, 2022 for employees holding a position identified in PERC certification No. 529), and all employees hired before that date and after September 30, 2010, who elect to participate in the cash balance plan the cash balance plan is intended to meet the applicable requirements of Internal Revenue Code Section 401(a), hereinafter referred to as "Code Section". The plan is a "governmental plan" within the meaning of Code Section 414(d), and as such, is exempt from the Employee Retirement Income Security Act of 1974, as

amended. Except as otherwise provided below, the terms of the City of Lake Worth Employees Retirement System shall apply to the cash balance plan.

Section 6. That section 16-46 of the Code of Ordinances of the City of Lake Worth Beach is hereby amended as follows:

Sec. 16-46. – Eligibility.

Any employee holding a position not identified in PERC certification No. 529, as amended or superseded, and hired on or after October 1, 2018, shall automatically become a participant in the Cash Balance Plan as a mandatory condition of their employment, in addition to those employees electing to participate in the Cash Balance Plan pursuant to Section 16-26(c). For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions of this section shall apply, provided only that each occurrence of the date “October 1, 2018,” shall be instead “April 1, 2022.”

Section 7. Severability. That if any word, phrase, clause, subsection or section of this ordinance for any reason be held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 8. Repeal of Laws in Conflict. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith and the same are hereby repealed to the extent of such conflict.

Section 9. Codification. The sections of this Ordinance may become a part of the City Code of Ordinances and may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “division,” or any other appropriate word.

Section 10. This Ordinance shall become effective upon passage.

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

The Mayor thereupon declared this Ordinance duly passed on first reading on the ____ day of _____, 2022.

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:

The Mayor thereupon declared this Ordinance duly passed and enacted on the
___ day of _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne City Clerk

ORDINANCE NO. _____

ORDINANCE NO. 2022__ OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 16, “PENSIONS AND RETIREMENT”; ARTICLE II, “EMPLOYEES’ RETIREMENT SYSTEM”; SECTION 16-26, “PARTICIPATION IN THE PENSION PLAN”, SECTION 16-27, “VESTING CREDITS”, 16-29, “PENSION BENEFITS”, SECTION 16-33, “SEVERANCE BENEFITS”, SECTION 16-35, “BENEFIT LEVEL”; AND SECTION 16-46, “ELIGIBILITY” TO PERMIT SPECIFIED EMPLOYEES TO PARTICIPANT IN THE CASH BALANCE PLAN AND TO PROVIDE A ONETIME OPTION FOR SPECIFIED EMPLOYEES TO REMAIN IN THE EXISTING BENEFIT STRUCTURE; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, THE City has established and maintained the City of Lake Worth Employees Retirement System (“System”), the provisions of which presently are set forth in Divisions 1 and 2 of Article II of Chapter 16 of the City Code; and

WHEREAS the City of Lake Worth Beach has previously entered into agreements through collective bargaining with PMSA and PEU, ~~each of which provide for resulting in~~ certain amendments to the System in 2018; and

WHEREAS, the agreements provided for the creation of a “Cash Balance Plan” in addition to the currently existing benefit structure;

WHEREAS, the City of Lake Worth Beach has entered into an agreement through collective bargaining with IBEW which provides for IBEW to become eligible for the same amendments to the System provided to PMSA and PEU in 2018; and

WHEREAS, for the purpose of uniformity and consistency of administration, it is desirable to ~~apply some of~~ implement these amendments ~~to for IBEW employees not represented by labor organizations.~~

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

Section 1. That Section 16-26 of the Code of Ordinances of the City of Lake Worth Beach is hereby amended as follows:

Sec. 16-26. - Participation in the pension plan.

(a) An employee shall become a participant on the first day of full-time service. Each full-time employee of the city shall be a participant in the plan, except those employees who were employed by the city on October 1, 1996, and were not participants in the plan at that time shall have the irrevocable option, to be exercised in writing before September 30, 1997, to continue not to participate in the plan and to permanently waive participation in the plan.

(b) A person shall remain a participant until the earlier of:

(1) Terminating service prior to earning a vested benefit and prior to reaching normal retirement age;

(2) All benefits have been paid to the participant; or

(3) The person dies; or

(4) The person holds or is appointed to a position enumerated in Section 16-15(h)(4), 16-15(h)(5), 16-15(h)(11), 16-15(h)(12), or 16-15(h)(13) on April 4, 2017 or thereafter. Persons holding such positions on the date immediately preceding April 4, 2017, or who are appointed to such positions after that date, and who have been participants in the pension plan, shall have a onetime, irrevocable option either to cease participation in the Pension Plan or to maintain participation in the Pension Plan. Such onetime option must be exercised no later than within 30 days of the date of appointment to such position or on or before 5:00 p.m., September 30, 2018. Any person who does not exercise the option within the allotted period shall remain in the Pension Plan.

(c) A new benefit structure, the Cash Balance Plan, is created effective October 1, 2018. All employees hired on or after October 1, 2018, and holding a position not identified in PERC certification No. 529, as amended or superseded, shall become participants in the Cash Balance Plan on their first day of full-time service. Active employees hired on October 1, 2010, through September 30, 2018, and who are participants in the City of Lake Worth Employees Retirement System shall have the onetime irrevocable option, to be exercised by submitting to the City a signed writing no later than 5:00 p.m. on September 30, 2018, to participate in the Cash Balance Plan commencing October 1, 2018, and to immediately cease participation in the prior benefit structure. Employees who switch will become 100 percent vested in benefits accrued through September 30, 2018, and payable under the terms and conditions then in effect. Any such employee who fails to make an election shall not become a participant in the Cash Balance Plan. No employee will be permitted to begin participation in the prior benefit structure after 11:59 p.m., September 30, 2018. For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions in this subsection (c) shall apply, provided only that each occurrence of the date "October

1, 2018,” shall be instead “April 1, 2022,” and each occurrence of the date “September 30, 2018,” shall be instead “March 31, 2022.”

Section 2. That Section 16-27 of the Code of Ordinances of the City of Lake Worth Beach is hereby amended as follows:

Sec. 16-27. - Vesting credits.

- (a) *Vesting credits.* A participant shall earn one (1) vesting credit for each year of service. A participant may lose vesting credits as provided in section 16-28 (loss of credits). The total number of vesting credits earned and retained shall determine whether a participant has a vested right to a pension benefit. Partial vesting credits shall be earned for full months of service.
- (b) *Vesting schedules:*
 - (1) *Adjusted retirement benefit.* A participant shall have a right to an adjusted retirement benefit upon earning ten (10) vesting credits, as set forth in section 16-33(b) hereof; provided, however, that employees hired before October 1, 2010, employed by the City as of September 30, 2018, and retiring on or after October 1, 2018, shall be one hundred percent (100%) vested upon attaining ten (10) vesting credits, as set forth in section 16-33(b) hereof.
 - (2) *Normal retirement benefit for participants retiring prior to October 1, 2015.* A participant retiring prior to October 1, 2015 shall have a one hundred (100) percent vested right to a normal retirement benefit upon:
 - a. Earning twenty (20) vesting credits; or
 - b. His or her years service, when added to his or her age, equals or exceeds seventy-five (75); or
 - c. The termination or partial termination of this pension plan (to the extent funded as of such date).
 - (3) *Normal retirement benefit for participants retiring on or after October 1, 2015 and hired on or after October 1, 2010, through and including September 30, 2018, and who elected not to switch to the Cash Balance Plan.* A participant retiring on or after October 1, 2015, and hired on or after October 1, 2010, through and including September 30, 2018, and who elected not to switch to the Cash Balance Plan shall have a one hundred (100) percent vested right to a normal retirement benefit upon:
 - a. Attaining fifty-five (55) years of age and thirty (30) vesting credits; or

- b. Attaining sixty-five (65) years of age and ten (10) vesting credits; or
 - c. The termination or partial termination of this pension plan (to the extent funded as of such date).
- (4) *Normal retirement benefit for participants hired before October 1, 2010, and retiring on or after October 1, 2018.* Notwithstanding the provisions of section 16-27(b)(3), a participant holding a position not identified in PERC certification No. 529, as amended or superseded, and hired before October 1, 2010, and retiring on or after October 1, 2018, shall have a one hundred (100) percent vested right to a normal retirement benefit upon:
- a. Attaining fifty-five (55) years of age and thirty (30) vesting credits; or
 - b. Attaining sixty-five (65) years of age and ten (10) vesting credits; or
 - c. The termination or partial termination of this pension plan (to the extent funded as of such date); or
 - d. Attaining the “rule of 80,” which is attained when the sum of the participant’s age and number of vesting credits is 80.

For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions of this subsection (b)(4) shall apply, provided only that each occurrence of the date “October 1, 2018,” shall be instead “April 1, 2022.”

- (c) *Limitation on changes in vesting schedules.* No amendment shall reduce a participant's vested right to a normal retirement benefit at the time such amendment is adopted, or, if later, at the time such amendment is effective.
- (d) *Vesting of benefits.* No participant, beneficiary or other person shall have any vested right to a pension benefit unless the participant has met the requirements for vesting as provided in this title.
- (e) *Purchase of credits for military service.* The years or fractional parts of years that a participant serves or has served full-time active duty in the military service of the Armed Forces of the United States, voluntarily or involuntarily, either during employment or prior to first or initial employment with the city shall be added to his or her years of credited service, provided that:
 - (1) The participant received an other than dishonorable discharge from the armed forces.

- (2) The participant did not receive credited service for the time spent in the armed forces from any other governmental or military retirement or pension system.
 - (3) The participant contributes to the fund, for the years or fractional parts of years that the participant served as full-time active duty in the military service of the Armed Forces of the United States, voluntarily or involuntarily prior to employment with the city, the full actuarial cost of all service credits purchased.
 - (4) The years or fractional parts of years that a participant served as full-time active duty in the military service of the Armed Forces of the United States, voluntarily or involuntarily, during employment with the city shall be added to his or her years of credited service without participant contribution.
 - (5) The purchase of credited service under this section by a participant shall be paid in full prior to the participant's retirement date, and in accordance with all terms, rules, procedures or regulations established by the board of trustees. Such payment may be by direct in-service transfer from a participant's deferred compensation account (457 accounts) pursuant to section 457(e)(17) of the Internal Revenue Code or any other qualified plan.
 - (6) The maximum credit which may be purchased by a participant for any military service in the Armed Forces of the United States under this section shall be five (5) years.
 - (7) All credited service purchased pursuant to this section shall count toward vesting.
- (f) *Purchase of credits for military reserve service.* The years or fractional parts of years that a participant serves or has served in reserve military service of the Armed Forces of the United States, prior to or while in the employ with the city shall be added to the participant's years of credited service, provided subsections (e)(1) through (e)(6) are met. Such credited service shall be calculated by dividing the total number of official military reserve points by three hundred sixty-five (365) to determine the equivalent years or fractional parts thereof to be so credited.
- (g) *Service in other employment classifications.* Participants who served in more than one (1) of the city's employment classifications due to transfer to another classification, shall be credited for vesting purposes, with total service as an employee of the city. The benefit amount shall be calculated by multiplying the vesting credits earned in each employment classification by the benefit level for the original pre-transfer classification, and the employee's average final compensation in effect at the time of the participant's retirement, provided that service as a firefighter, police officer and general employee shall be accounted for separately and benefits shall be paid accordingly from the appropriate plan. However, the total of all such benefit payments shall be subject to limitations established by F.S. § 112.65.

Section 3. That Section 16-29 of the Code of Ordinances of the City of Lake Worth [Beach](#) is hereby amended as follows:

Sec. 16-29. – Pension Benefits.

- (a) *Right to pension benefits.* A pension benefit shall be payable if the participant:
- (1) Has a vested right to a pension benefit; and
 - (2) Has reached the applicable retirement age; and
 - (3) Has retired; and
 - (4) Has filed a claim for pension benefits.
- (b) *Normal retirement age.*
- (1) The normal retirement age for participants retiring before October 1, 2015, shall be the first day of the month on which or after the participant attains:
 - A. Twenty (20) vesting credits; or
 - B. Vesting credits and years of age totaling seventy-five (75) or more; provided the participant has at least ten (10) vesting credits.
 - (2) The normal retirement age for participants retiring on or after October 1, 2015, and hired on or after October 1, 2010, through and including September 30, 2018, shall be the first day of the month on which or after the participant attains:
 - A. Fifty-five (55) years of age and thirty (30) vesting credits; or
 - B. Age sixty-five (65) and ten (10) vesting credits.
 - (3) Notwithstanding the provisions of section 16-29(b)(2), the normal retirement age for a participant holding a position not identified in PERC certification No. 529, as amended or superseded, and hired before October 1, 2010, and retiring on or after October 1, 2018, shall be the first day of the month on which or after the participant attains:
 - a. Fifty-five (55) years of age and thirty (30) vesting credits; or
 - b. Sixty-five (65) years of age and ten (10) vesting credits; or
 - c. The “rule of 80,” which is attained when the sum of the participant’s age and number of vesting credits is 80.

For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions shall apply, provided only that each occurrence of the date "October 1, 2018," shall be instead "April 1, 2022."

- (4) Notwithstanding any other provision of this plan to the contrary, a member's accrued benefits shall become one hundred (100) percent nonforfeitable upon the attainment of normal retirement age.
- (c) *Normal retirement benefit.* The normal retirement benefit shall be the benefit level provided in section 16-35 (benefit level).
- (d) *Forfeiture of benefits.* A participant's benefits under this division are subject to forfeiture:
 - (1) For the reasons and in the manner set forth in section 112.3173, F.S.; or
 - (2) For conviction, as defined in section 112.3173(2)(a), F.S., of a felony, following the forfeiture determination procedures set forth in F.S. section 112.3173(5), F.S., the person remains in the city's employ after the conviction.
- (e) *Contributions refund guarantee.* If any benefit paid hereunder shall cease before the retiree or his survivors or beneficiaries has received an amount equal to the participant's accumulated contributions, an amount equal to the difference thereof shall be paid to those persons designated in writing duly executed by the retiree and filed with the board. If there is no such designation, such amount shall be payable to the employee's estate.
- (f) *Early retirement program.* Notwithstanding the provisions of this section a participant who, as of January 1, 2003, is within forty-eight (48) months of normal retirement and has ten (10) vesting credits shall be permitted to purchase up to forty-eight (48) months of additional service time and/or years of age. Purchase of such service time and/or years of age shall be conditioned upon the participant executing no later than close of business on November 15, 2002, an irrevocable agreement for participation and waiver in the early retirement program form which shall specify a date of retirement no earlier than January 1, 2003, and no later than March 31, 2003, as approved by the city manager.

A participant electing to participate in this early retirement program shall pay the full actuarial cost of the employee's contribution for such additional service time and/or years of age no later than January 2, 2003. The purchase price will be calculated based on the employee's retirement date, as approved by the city manager. Such payment shall be by lump sum.

- (g) *Voluntary separation incentive program.* Notwithstanding the provisions of this section, a participant who, as of September 15, 2009, is within twelve (12) months of normal retirement age shall be permitted to purchase up to twelve (12) months of additional service time. Purchase of such service time shall be conditioned upon the participant executing no later than close of business on September 15, 2009, an irrevocable

agreement for participation and waiver on the voluntary separation incentive program form which shall specify a date of retirement no later than September 30, 2009, as approved by the city manager.

A participant electing to participate in this voluntary separation incentive program shall pay the full actuarial cost of such additional service time no later than September 30, 2009. The purchase price will be calculated based on the employee's retirement date, as approved by the city manager. Such payment shall be by lump sum.

Section 4. That Section 16-33 of the Code of Ordinances of the City of Lake Worth [Beach](#) is hereby amended as follows:

Sec. 16-33. - Severance benefits.

Upon termination of a participant's employment for reasons other than normal retirement, death or disability, the following benefits shall be payable.

- (a) *Termination prior to ten years of service.* If a participant terminates employment before attaining ten (10) vesting credits, the participant shall receive his or her accumulated contributions in a single lump sum payment.
- (b) *Termination after ten years of service.* If a participant terminates employment, after attaining ten (10) vesting credits, the participant may choose either a single lump sum payment of his or her accumulated contributions or an adjusted retirement pension commencing at age sixty-five (65). The adjusted retirement pension shall be the normal retirement benefit multiplied by the following percentages, according to the number of vesting credits attained by the participant at time of termination:

Vesting Credits	Percentage
10	50
11	55
12	60
13	65

14	70
15	75
16	80
17	85
18	90
19	95
20 or more	100

Provided however, that any participant who retires on or after attaining age sixty-five (65) and ten (10) vesting credits shall be one hundred (100) percent vested. The participant's pension shall be based upon the participant's vesting credits, average final compensation, and the benefit rate in effect at the time that the participant's employment was terminated. If the participant dies after termination of employment but before reaching age sixty-five (65), the participant's accumulated contributions shall be paid in a lump sum to his or her designated beneficiary, or if none, to his or her estate. Alternatively, the participant's designated beneficiary may elect to receive a one hundred (100) percent joint and survivor pension, commencing as of the date that the participant would have reached normal retirement age and continuing for the life of the designated beneficiary in the amount which the participant would have received had the participant retired on the date of his/her death.

Further provided, however, that a participant holding a position not identified in PERC certification No. 529, as amended or superseded, and hired before October 1, 2010, employed by the City as of September 30, 2018, and retiring on or after October 1, 2018, shall be one hundred percent (100%) vested upon attainment of 10 vesting credits. For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions in this paragraph shall apply, provided only that each occurrence of the date "October 1, 2018," shall be instead "April 1, 2022," and each occurrence of the date "September 30, 2018," shall be instead "March 31, 2022."

Section 5. That Section 16-35 of the Code of Ordinances of the City of Lake Worth [Beach](#) is hereby amended as follows:

Sec. 16-35. - Benefit level.

- (a) *Calculation of benefit amount.* The monthly benefit level applicable to vesting credits earned prior to October 1, 2010 is the product of the vesting credits earned multiplied by three (3) percent of average final compensation. The monthly benefit level applicable to vesting credits earned on or after October 1, 2010, is the product of the vesting credits multiplied by two (2) percent of average final compensation. Provided, however, that for a participant holding a position not identified in PERC certification No. 529, as amended or superseded, and hired before October 1, 2010, employed by the City as of September 30, 2018, and retiring on or after October 1, 2018, the monthly benefit level applicable to vesting credits earned on or after October 1, 2010, is the product of the vesting credits multiplied by two and one-quarter (2.25) percent of average final compensation. For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions of this subsection (a) shall apply, provided only that each occurrence of the date “October 1, 2018,” shall be instead “April 1, 2022,” and each occurrence of the date “September 30, 2018,” shall be instead “March 31, 2022.”

The actual benefit amount is determined by making the adjustment, if any, for the form of benefit which the participant selects.

- (b) *Annual adjustment.* On October first of each year, the monthly benefits paid to each participant retiring prior to October 1, 2010 and any beneficiary thereof shall be increased by two dollars and fifty cents (\$2.50). Participants retiring on or after October 1, 2010 shall not be eligible for the annual adjustment under this paragraph.
- (c) Reserved.
- (d) *Annual cost of living adjustments.* The monthly retirement benefits payable to all participants who have been retired for three (3) consecutive years shall be adjusted, as of June 1 of each year, commencing on June 1, 2000, pursuant to procedures, methods, and actuarial assumptions established by the board of trustees. This adjustment shall be equal to one-half (½) of the actuarial gain realized for the prior fiscal year, ending as of September 30, that exceeds the assumed rate of return for the prior year as established by the board of trustees. All retired participants qualifying for this adjustment shall receive equal annual percentage adjustments to their respective level of retirement benefits. Such cost of living adjustment, in no event, shall exceed the percentage increase set forth in the Bureau of Labor Statistics Consumer Price Index, Urban Consumers, All Cities (CPI-U) for the preceding calendar year. If there was no actuarial gain realized for the prior fiscal year, then there shall be no cost of living adjustment the following June 1. If there is an actuarial gain in excess of the stated CPI, it shall be carried forward to future years. Any cost liability created by the implementation of this adjustment shall be amortized over a 30-year period.

Section 6. That section 16-46 of the Code of Ordinances of the City of Lake Worth [Beach](#) is hereby amended as follows:

16-46 – Eligibility.

Any employee holding a position not identified in PERC certification No. 529, as amended or superseded, and hired on or after October 1, 2018, shall automatically become a participant in the Cash Balance Plan as a mandatory condition of their employment, in addition to those employees electing to participate in the Cash Balance Plan pursuant to Section 16-26(c). For employees holding a position identified in PERC certification No. 529, as amended or superseded, these same provisions of this section shall apply, provided only that each occurrence of the date “October 1, 2018,” shall be instead “April 1, 2022.”

Section 7. Severability. That if any word, phrase, clause, subsection or section of this ordinance for any reason be held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 8. Repeal of Laws in Conflict. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith and the same are hereby repealed to the extent of such conflict.

Section 9. Codification. The sections of this Ordinance may become a part of the City Code of Ordinances and may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “division,” or any other appropriate word.

Section 10. This Ordinance shall become effective upon passage.

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

The Mayor thereupon declared this Ordinance duly passed on first reading on the ___ day of _____, 2022.

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:

The Mayor thereupon declared this Ordinance duly passed and enacted on the ___ day of _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Mayor

ATTEST:

City Clerk

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: Leisure Services

TITLE:

Fiscal Year 2022-2023 CDBG Application

SUMMARY:

Direction from the City Commission is requested to authorize the submission of an application to Palm Beach County for funding under the FY 2022-2023 Community Development Block Grant in the estimated amount of \$274,506 for an eligible activity. The activity to be submitted will be determined by the City Commission during this meeting.

BACKGROUND AND JUSTIFICATION:

The Palm Beach County Department of Housing and Economic Development (DHED) has announced the start of its planning process for its Consolidated Plan One Year Plan for Fiscal Year 2022-2023 for submission to the U.S. Department of Housing and Urban Development (HUD). In furtherance of this effort, DHED has announced that it is accepting applications from eligible subrecipients for Fiscal Year 2022-2023 Community Development Block Grant (CDBG) program funding. By its participation in the Palm Beach Urban County Partnership program and by having an approved CDBG Target Area, the City will have access to a formula-based allocation that is estimated to be \$274,506. This funding is subject to availability from HUD and approval of the Board of County Commissioners.

As a subrecipient under the County's CDBG program, the City can submit one application for one eligible activity under the CDBG regulations set forth at 24 CFR Part 570, as allowed by the County. These include eligible public facilities and infrastructure improvements, and code enforcement within the CDBG Target Area. The selected eligible activity must further meet the National Objective of the CDBG program of providing a benefit to low- and moderate-income persons pursuant to 24 CFR 570.208(a).

The City conducted a public meeting on February 17, 2022 to gather public input on the proposed use of its FY 2022-2023 CDBG allocation. Fifteen residents attended the public meeting in person and additional residents participated online via Zoom.

The first activity is Memorial Park Improvements Phase II for facility concession and restroom replacement and upgrades. (Memorial Park Improvements Phase I is currently underway and is funded with FY 2021-2022 CDBG funds.) The proposed scope of work includes construction of larger and ADA accessible restroom facilities for patrons, construction of a larger concession area, construction of a larger storage room area, replacement of the common area fencing around the pavilion and expansion to the west, installation of new sodding throughout the common area, replacement of the existing benches and tables with new benches and tables, and pavement resurfacing of the entire parking lot. The estimated cost of these improvements is \$274,506. Estimated FY 2022-2023 CDBG funding will cover the entire cost of the proposed scope of work. No votes were received from the public in support of this project.

Public facilities and improvements is an eligible CDBG activity. The service area of this public facility is located within the City's CDBG Target Area, thereby providing a presumed benefit to low- and moderate-income persons.

The second activity includes proposed improvements to the Osborne Community Center. The improvements in the proposed scope of work include demolition of the existing flooring, baseboard, drop ceiling, deteriorated fixtures and components, upgrades to the HVAC, plumbing and electrical systems, replacement of doors, hardware, fixtures, trim, ceiling and flooring throughout the facility, modernization improvements to the foyer and welcome area, painting the interior and the exterior of the facility, exterior façade improvements and landscaping. The estimated cost of these improvements is \$274,506. Estimated FY 2022-2023 CDBG funding will cover the entire cost of the proposed scope of work. Fourteen votes were received from the public in support of this project. It should be noted that a leading proponent of this activity was of the opinion that if certain essential improvements could be made to the restrooms, the balance of the scope of work could be deferred to a later time.

Public facilities and improvements is an eligible CDBG activity. The service area of this public facility is located within the City's CDBG Target Area, thereby providing a presumed benefit to low- and moderate-income persons.

The third activity involves improvements to the 8th Avenue South right-of-way between South A Street and South G Street. The proposed scope of work includes the construction of new roadway sections, installation of new curbing and ADA accessible sidewalks, construction of swales and landscaped green areas, new striping and signage, and the installation of traffic calming measures on each block. The in-house cost estimate for these improvements is \$527,622. The City will be required to provide the balance of the funding in excess of the estimated CDBG funding amount of \$274,506. This balance, which is estimated to be \$253,116, would be requested to be funded through the FY 2023 CIP process. One vote was cast in favor of this activity.

Infrastructure improvements is an eligible CDBG activity. This activity is located within the City's CDBG Target Area, thereby providing a presumed benefit to low- and moderate-income persons

The fourth project consists of center block infrastructure improvements between Lake and Lucerne Avenues from North B Street to North H Street. The proposed scope of work includes the installation of new curbing and ADA accessible sidewalks, milling and resurfacing of the roadway, new striping and signage, installation of traffic calming measures on each block, and stormwater adjustments and improvements. The in-house cost estimate for these improvements is \$326,650. The City will be required to provide the balance of the funding in excess of the estimated CDBG funding amount of \$274,506. This balance, which is estimated to be \$52,144, would be requested to be funded through the FY 2023 CIP process. One vote was received in support of this project.

Infrastructure improvements is an eligible CDBG activity. This activity is located within the City's CDBG Target Area, thereby providing a presumed benefit to low- and moderate-income persons.

Staff respectfully requests direction from the City Commission in the selection of the eligible activity to be funded with the City's FY 2022-2023 CDBG allocation in the estimated amount of



City of
Lake Worth
Beach
FLORIDA

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COMMUNITY DEVELOPMENT BLOCK GRANT FISCAL YEAR 2022 - 2023

CITY OF LAKE WORTH BEACH
Public Meeting
February 17, 2022



CDBG Program

The Community Development Block Grant Program (CDBG) resulted from the Housing and Community Act of 1974 and was enacted in 1975. The purpose of the CDBG Program is to provide communities with resources to address a wide range of unique community development needs.

Accordingly, the U. S. Department of Housing and Urban Development awards grants based on formula allocations to entitlement communities to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development and providing improved community facilities and services.



Palm Beach County Urban County Partnership

Entitlement Communities include States, urban counties with a population of 200,000 or more, and municipalities with a population of 50,000 or more. Palm Beach County is an eligible entitlement urban county for the receipt of CDBG funding.

The Palm Beach County Entitlement Jurisdiction serves unincorporated areas and non-entitlement municipalities (those with populations under the 50,000 persons threshold). This includes the City of Lake Worth Beach.

The City of Lake Worth Beach has entered into an Interlocal Cooperation Agreement with Palm Beach County for participation in its Urban County Program through September 30, 2024. By this action, the City of Lake Worth Beach is eligible for receipt of its portion of the formula allocation of CDBG funds the County receives from HUD.



Eligible Activities

In accordance with the Interlocal Cooperation Agreement, the City must use its allocation of CDBG funds for certain eligible activities pursuant to CDBG regulations. Eligible uses for subrecipients include the following:

1. Eligible infrastructure and public facility improvements as follows:
 - Roadway and sidewalk improvements;
 - Parks and recreational facilities;
 - Community centers and public facilities; and

2. Code enforcement serving an existing CDBG Target Area.

The County's CDBG program does not permit the City to use these funds to conduct public services and planning and administrative activities that are otherwise eligible under the CDBG program. In addition, the County conducts its own county-wide housing rehabilitation and economic development programs with CDBG and other funding.



National Objectives

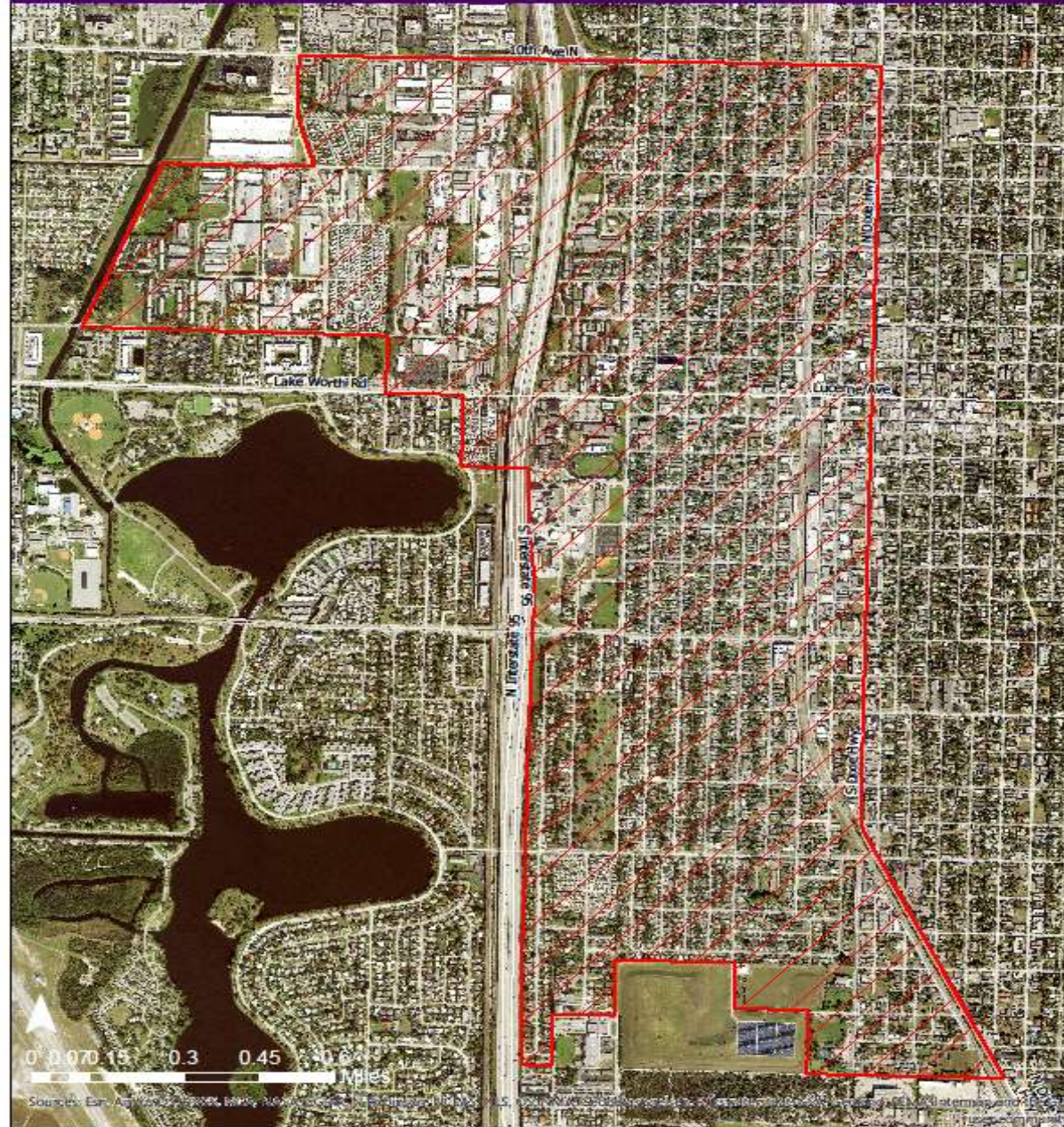
Eligible activities must address one of the three National Objectives of the CDBG program as follows:

- Benefit low and moderate income persons (there is a presumed benefit for activities conducted in the CDBG Target Area);
- Prevention of slums or blight; or
- Address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.

FY 2022-2023 CDBG Funds = \$274,506 (est.)
This funding is subject to availability from
HUD and approval of the Board of County
Commissioners

Note: The City can submit only ONE (1) Application for the Total
Amount







Proposed Project #1

Memorial Park Phase 2 – Concession and Restroom Facility Replacement and Upgrades

Scope of Work:

1. Create larger and ADA accessible restroom facilities for male/female patrons
2. Construct a new larger concession area
3. Establish a larger storage room area
4. Remove and replace the common area fencing around the pavilion and expand it to the west
5. Install new sodding throughout the common area
6. Replace the existing bench/tables with new bench/tables
7. Pavement resurfacing of the entire parking lot

Project Estimate: \$ 274,506

Grant Funds: \$274,506

Proposed Project #1 Memorial Park Phase 2





Proposed Project #2

8th Ave South – S A St to S G St Infrastructure Improvements Project

Scope of Work:

1. Construct new 40' Right of Way roadway section
2. Installation of new curbing and ADA accessible sidewalks
3. Construct swales and landscaped green areas
4. New striping and signage
5. Traffic calming each block

Project Estimate: \$527,622

Grant Funds: \$274,506

Unfunded: \$253,116



Proposed Project #2

8th Ave. South





Completed Project Example

7th Ave. South





Proposed Project #3

Lake to Lucerne Center Block Infrastructure Improvements Project – N B St, C St, D St, E St, F St, G St, H St

Scope of Work:

1. Installation of new curbing and ADA accessible sidewalks
2. Mill and Resurface roadway
3. New striping and signage
4. Traffic calming each block
5. Stormwater adjustments and improvements

Project Estimate: \$326,650

Grant Funds: \$274,506

Unfunded: \$52,144

Proposed Project #3

Lake to Lucerne Center Block

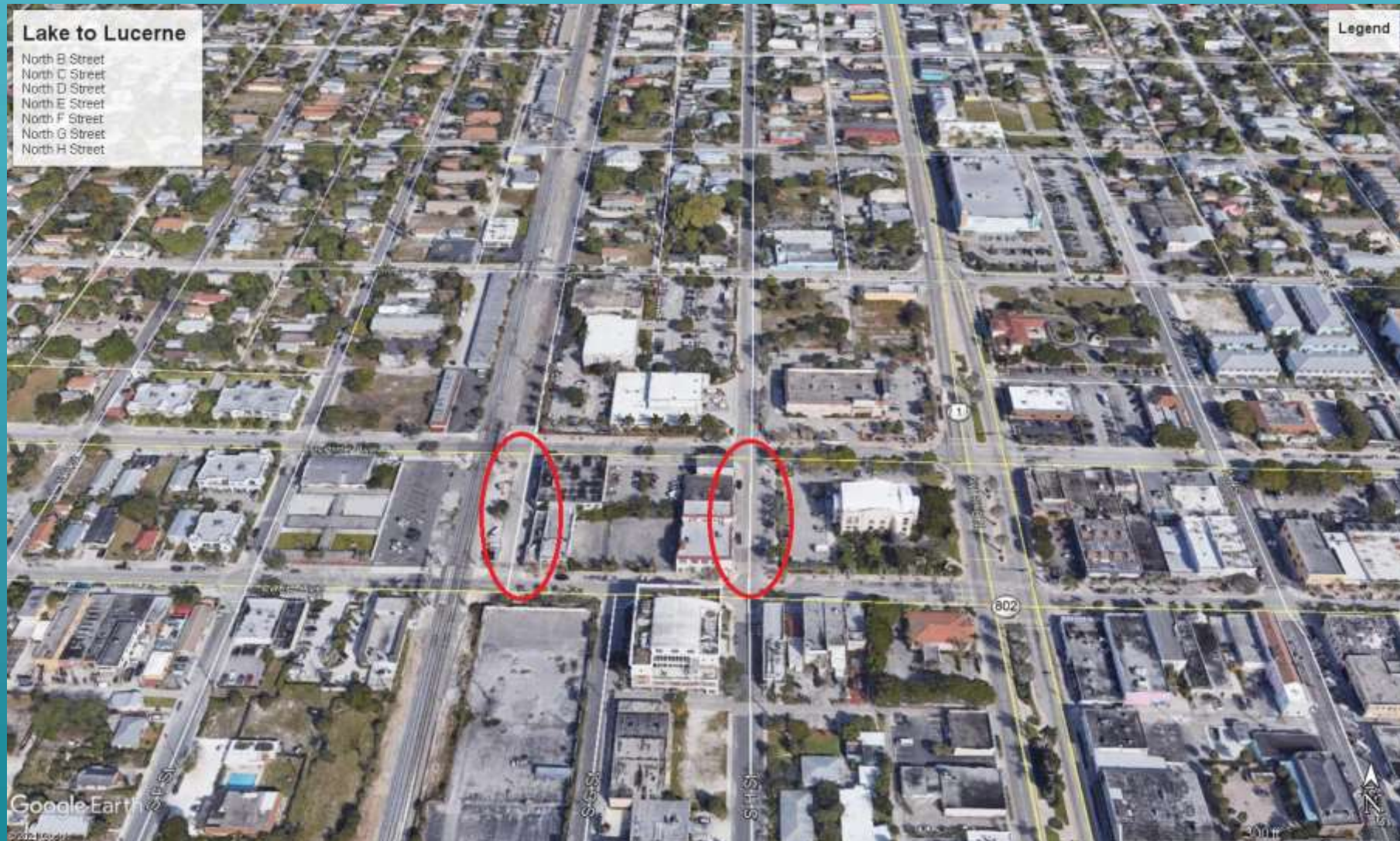


Proposed Project #3 Lake to Lucerne Center Block



Proposed Project #3

Lake to Lucerne Center Block





Proposed Project #4

Osborne Center Renovation Project

Scope of Work:

1. Demolition of the existing flooring, baseboard, drop ceiling, deteriorated fixtures and components
2. HVAC, plumbing and electrical upgrades
3. Replace doors, hardware, fixtures, trim, ceiling and flooring throughout
4. Foyer modernization improvements – welcome area
5. Paint interior and exterior of building
6. Exterior façade improvements – landscape

Project Estimate: \$274,506

Grant Funds: \$274,506



Proposed Project #4 Osborne Center Renovation Project





Questions?

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: Public Services

TITLE:

Resolution No. 13-2022 -- intent to abandon a portion of the City's right of way adjacent to 1401 North N Street

SUMMARY:

The resolution for the intent to abandon a portion of the City's right of way adjacent to 1401 North N Street is the first step of a two-step process for commission approval of abandonment.

BACKGROUND AND JUSTIFICATION:

The City owns the right of way known as 14th Avenue North between North N Street and Federal Highway. The property owners at 1401 North N Street have filed an application for abandonment of the north 20' half of this right of way in accordance with the City's abandonment process. Staff has reviewed the request and have no issues with the abandonment.

If approved, the final abandonment resolution will be presented to the commission at the next commission meeting.

MOTION:

Move to approve/disapprove Resolution 13-2022 and schedule the public hearing date for March 15, 2022.

ATTACHMENT(S):

Fiscal Impact Analysis – None
Application
Resolution 13-2022

RESOLUTION NO. 13-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER ABANDONMENT OF THE NORTH TWENTY FEET OF A FORTY FOOT PUBLIC RIGHT-OF-WAY LOCATED BETWEEN THE PROPERTIES AT 1331 NORTH N STREET AND 1401 NORTH N STREET; SETTING A PUBLIC HEARING FOR THE ABANDONMENT OF THE RIGHT-OF-WAY; REQUIRING ADVERTISEMENT OF THE PUBLIC HEARING; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth Beach (“City”) owns a forty (40) foot wide strip of right-of way running between and adjacent to the north side of the property located at 1331 North N Street and the south side of the property located at 1401 North N Street in the City of Lake Worth Beach, (“the right-of-way”); and

WHEREAS, the current owners of the real property at 1401 North N Street seek to have the north twenty (20) feet of the right-of-way, as more fully described in Exhibit “A” attached hereto and incorporated herein, abandoned by the City in order to further develop their property including the north twenty (20) feet of the right-of-way; and

WHEREAS, the City Commission intends to consider a resolution declaring the abandonment of the right-of-way at a public hearing to be held on March 15, 2022, at 6:00 p.m. at the City of Lake Worth Beach City Hall Commission Chambers, 7 North Dixie Highway, Lake Worth Beach, Florida.

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

Section 1. The foregoing recitals and findings are incorporated into the resolution as true statements.

Section 2. The City Commission of the City of Lake Worth Beach, Florida, hereby declares its intention to consider a resolution declaring the abandonment of the north twenty (20) feet of the right-of-way at a public hearing to be held on March 15, 2022, at 6:00p.m. at the City of Lake Worth Beach City Hall Commission Chambers, 7 North Dixie Highway, Lake Worth Beach, Florida.

Section 3. The City Clerk is hereby directed to a publish notice of said public hearing at least ten (10) days prior to the public hearing in a newspaper of general circulation in the City setting forth the description of the right-of-way under consideration for abandonment and the time, place and purpose of the public hearing.

Section 4. This resolution shall become effective immediately upon its passage.

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

- Mayor Betty Resch
- Vice Mayor Herman Robinson
- Commissioner Sarah Malega
- Commissioner Christopher McVoy
- Commissioner Kimberly Stokes

The Mayor thereupon declared this resolution duly passed and adopted on the ____ day of _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

EXHIBIT "A"

**SKETCH OF DESCRIPTION
PROPOSED RIGHT-OF-WAY
VACATION**

DESCRIPTION:

A PORTION OF THE NORTH ONE HALF (20 FEET) OF THE 40 FOOT RIGHT OF WAY OF 24th AVENUE (NOW KNOWN AS 14th AVENUE NORTH) ADJACENT TO THE SOUTHERLY LINE OF LOT 16, BLOCK 11 OF "THE PALM BEACH FARMS CO. PLAT NO. 5 OF NORTH LAKE WORTH, PALM BEACH COUNTY, FLORIDA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGES 48 AND 49 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.
SUBJECT TO ALL PERTINENT MATTERS OF RECORD.

SURVEYOR'S NOTES:

- 1) SKETCH AND DESCRIPTION BASED ON "NORTH LAKE WORTH" AS RECORDED IN PLAT BOOK 5, PAGES 48 THRU 49 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- 2) THIS INSTRUMENT IS NOT A SKETCH OF SURVEY.
- 3) UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES AND IS NOT VALID.

RPB CONSULTING, INC.
STATE OF FLORIDA LB. NO. 7022

BY: _____

FOR THE FIRM:
ROBERT P. BLASZYK
PROFESSIONAL LAND SURVEYOR & MAPPER
STATE OF FLORIDA REG. NO. 4133

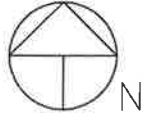
DATE

RPB Consulting, Inc.
Land Surveying and Mapping
121 Camino Del Rio, Port St. Lucie, Florida 34952
Phone: (561) 841-7466 (772) 224-2492 Email: rpbsurveying@gmail.com

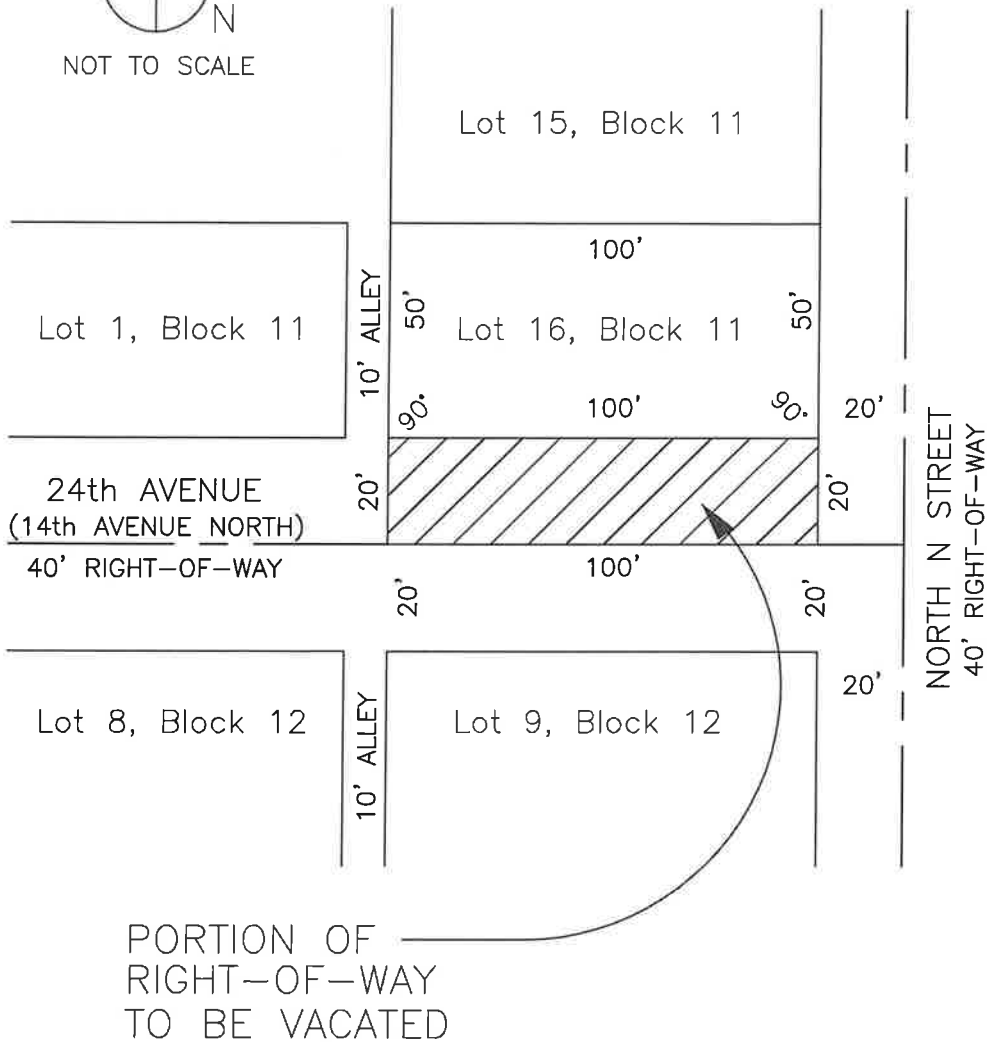
**North Lake Worth
Lot 16 of Block 11
City of Lake Worth**

PROJ. NO.: 22-102
DATE: 1-26-22
SHEET 1 OF 4

**SKETCH OF DESCRIPTION
PROPOSED RIGHT-OF-WAY
VACATION**



NOT TO SCALE



RPB Consulting, Inc.

Land Surveying and Mapping

121 Camino Del Rio, Port St. Lucie, Florida 34952

Phone: (561) 841-7466 (772) 224-2492 Email: rpbsurveying@gmail.com

**North Lake Worth
Lot 16 of Block 11
City of Lake Worth**

PROJ. NO.:

REVISED: SEE SHEET 1

SHEET 2 OF 4

21-00700001

Universal Development Application



This application is required for ALL applications submitted to the Planning, Zoning and Historic Preservation Division. If you have questions regarding this application, please make an appointment with planning staff.

1. Application Type (select all that apply)

- a. Site Plan: Minor Major Planned Development Sustainable Bonus
- b. Use: Administrative Conditional
- c. Proximity Waiver: Alcoholic Beverage Community Residence Gaming Establishment
 Adult Use
- d. Approvals: Variance Mural Cert. of Appropriateness Adjustment
- e. Amendments: Rezoning / Map Text
- f. Other: Subdivision/Plat Annexation Zoning Letter
 ABT Signoff

RIGHT OF WAY ABANDONMENT
SOUTHSIDE OF 1401 NORTH N ST. FORMER
OWNER HAD REVOCABLE PERMIT.

2. Project Information

- a. Project Name: RIGHT OF WAY 1401 N. N ST
- b. Project Location / Address: 1401 NORTH N ST. SOUTH SIDE OF PROPERTY
- c. Legal Description: RIGHT OF WAY ADJOINING SOUTH SIDE OF N.L.W. LT 16 BLK 11
- d. Property Control Number (PCN): 38-43-44-15-16-011-0160
- e. Zoning: Existing: _____ Proposed: _____
- f. Future Land Use: Existing: _____ Proposed: _____
- g. Proposed Use: Residential; Units _____ Commercial; _____ S.F. Industrial; _____ S.F.
- h. Total Estimated Project Cost: _____
- i. Description of Work: _____

3. Contact Information

- a. Project Manager / Contact Person: MATHEW SPINKS & ALICIA COSENTINO
Company: HOMEOWNERS
Address: 1401 N. N STREET City: LAKE WORTH BEACH St: FL Zip: 33460
Phone Number: (310) 321-8453 E-Mail Address: CAPTAINMAT.SPINKS@GMAIL.COM
- b. Applicant Name (if different from Project Manager): _____
Company: _____
Address: _____ City: _____ St: _____ Zip: _____
Phone Number: _____ E-Mail Address: _____
- c. Owner Name: ALICIA COSENTINO & MATHEW SPINKS
Company: HOMEOWNERS
Address: 1401 N. N ST City: LAKE WORTH BEACH St: FL Zip: 33460
Phone Number: (310) 321-8453 E-Mail Address: CAPTAINMAT.SPINKS@GMAIL.COM

4. Owner's Consent

MATHEW SPINKS ("Owner") certifies that it is the owner of the property located at 1401 N. N ST LWB, FL 33460 ("Subject Property") and expressly consents to the use of the Subject Property as described in this application and to all conditions that may be agreed to as a part of the approval of this application, which may be imposed by the decision making board. Owner hereby authorizes, MATHEW SPINKS ALICIA COSENTINO as agent, to file this application and represent Owner at any and all meetings and hearings required for the approval of this application.

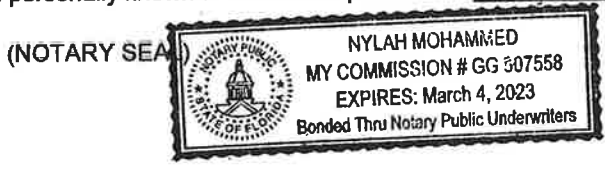
Owner's Signature: * [Signature] Date: 11/30/2021

Name/Title of Signatory: MATHEW SPINKS - HOMEOWNER

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 30th day of Nov, 2021, by Matthew Spinks who is personally known to me or who produced a FL DL as identification. He/she did not take an oath.



* [Signature] (Signature of Notary Public) NYLAH MOHAMMED (Name of Notary)

5. Affidavit of Completeness and Accuracy

Instructions: To be completed by the individual submitting the application (owner or authorized agent)

Project Name: RIGHT OF WAY SOUTHSIDE 1401 N. N STREET PERMANENT ABANDONMENT Submittal Date: 11/30/2021

STATEMENT OF COMPLETENESS AND ACCURACY:

I hereby certify all property owners have full knowledge the property they own is the subject of this application. I hereby certify that all owners and petitioners have been provided a complete copy of all material, attachments and documents submitted to the City of Lake Worth relating to this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related application material and all attachments become official records of the Planning, Zoning and Historic Preservation Division of Lake Worth, Florida, and will not be returned. I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I further acknowledge that additional information may be required by Palm Beach County to process this application. I further acknowledge that any plans that I have prepared or had prepared comply with the Fair Housing Standards. I further consent to the City of Lake Worth to publish, copy or reproduce any copyrighted documents submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

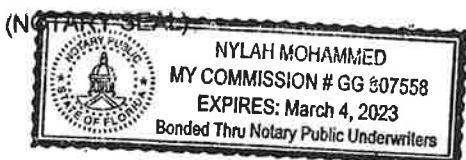
MATHEW SPINKS (Name - type, stamp, or print clearly)

n/a (Name of Firm)

STATE OF FL

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 30th day of Nov, 2021, by Matthew Spinks who is personally known to me or who produced a FL DL as identification. He/she did not take an oath.



* [Signature] (Signature of Notary Public) NYLAH MOHAMMED (Name of Notary)


Sign Posting Agreement



This form is required for all Historic Applications and Public Hearing Items.

- 1. Applicant: MATHEW SPINKS & ALICA COSSENTINO
- 2. Property Owner: MATHEW SPINKS & ALICIA COSSENTINO
- 3. Contact Phone Number: (310) 321-8453
- 4. Property Location: 1401 NORTH N STREET LAKE WORTH BEACH, FL 33460

5. I, MATHEW SPINKS, hereby affirm that I will post the notification sign(s) provided to me for a minimum of ten calendar days before the scheduled date of the hearing of Planning and Zoning Case No. _____

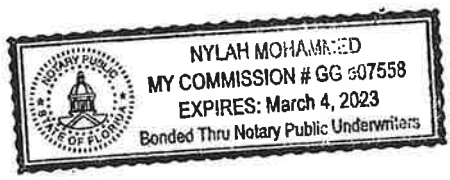
Signature:  Date: 11/30/2021

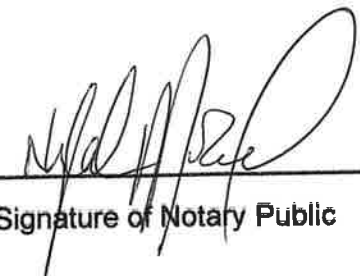
Name/Title of Signatory: MATHEW SPINKS HOMEOWNER

STATE OF FL)
 COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 30th day of Nov 2021, by Mathew Spinks who is personally known to me or who produced a FL DL as identification. He/she did not take an oath.

(NOTARY SEAL)




 Signature of Notary Public

NYLAH MOHAMMED
 Name of Notary

COSENTINO ALICIA

Property Detail

Location Address

1401 N N ST

Municipality

LAKE WORTH BEACH

Parcel Control Number

38-43-44-15-16-011-0160

Subdivision

NORTH LAKE WORTH IN PB 5 PGS 48 & 49

Official Records Book

31571

Page

853

Sale Date

JUL-2020

Legal Description

NORTH LAKE WORTH LT 16 BLK 11



Owner Information

Owners

COSENTINO ALICIA &
SPINKS MATHEW

Mailing Address

1401 N N ST
LAKE WORTH FL 33460 1951

 Sales History

Exemption Information

Exemption Applicant Owner
COSENTINO ALICIA &

Year
2021

Property Information

Number of Units 1
* Total Square Feet 1981
Acres 0.1148
Use Code 0100-SINGLE FAMILY
Zoning SFR -(Single Family Residential 38-LAKE WORTH
BEACH

* May indicate living area in residential properties.

Appraisals

Tax Year 2021
Improvement Value \$182,458
Land Value \$116,500
Total Market Value \$298,958

Tax Year 2020
Improvement Value \$175,866
Land Value \$75,000
Total Market Value \$250,866

Tax Year 2019
Improvement Value \$178,008
Land Value \$66,000
Total Market Value \$244,008

Assessed and Taxable Values

Tax Year 2021
Assessed Value \$298,958
Exemption Amount \$50,000
Taxable Value \$248,958

Tax Year 2020
Assessed Value \$247,493
Exemption Amount \$0
Taxable Value \$247,493

Tax Year 2019
Assessed Value \$224,994
Exemption Amount \$0
Taxable Value \$224,994

Taxes

Tax Year 2021
Ad Valorem \$5,995
Non Ad Valorem \$501
Total Tax \$6,497

Tax Calculator

Tax Year 2020
Ad Valorem \$5,855
Non Ad Valorem \$496
Total Tax \$6,351

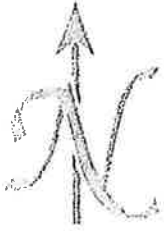
Tax Year 2019
Ad Valorem \$5,485
Non Ad Valorem \$487
Total Tax \$5,971

 [Home \(/PAPAMobile/Srch/Home\)](#) |  [Contact Us \(/PAPAMobile/Srch/Contact\)](#) | 

[Desktop Site \(https://www.pbcgov.com/papa/?redirect=1\)](https://www.pbcgov.com/papa/?redirect=1)

2021 Palm Beach County Property Appraiser.

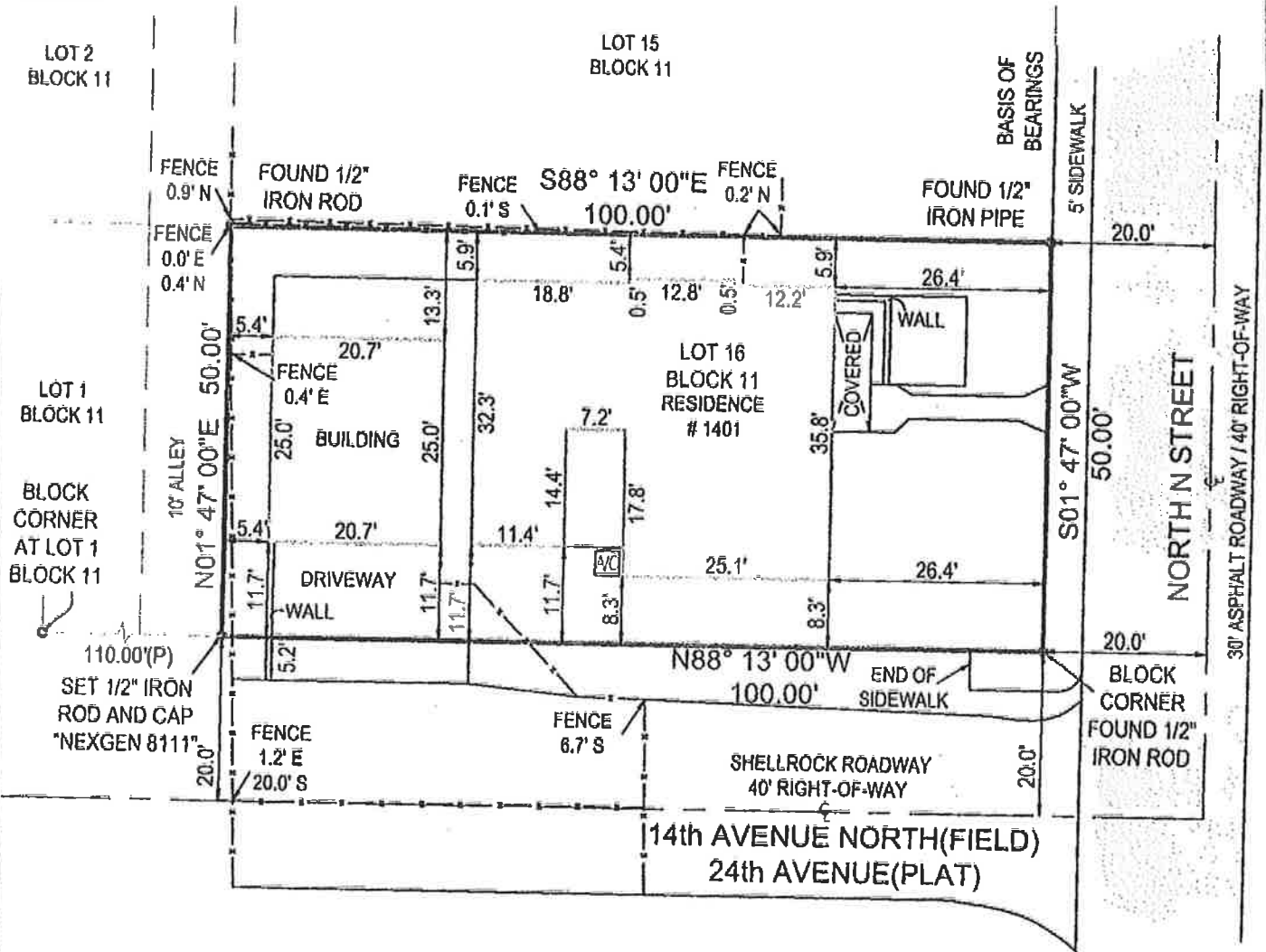
1401 NORTH N STREET, LAKE WORTH, FL. 33460



SCALE: 1"=20'



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)



- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY). SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

The survey map & report or the copies thereof are not valid without the digital signature and seal of a Florida licensed surveyor and mapper

Date of Field Work : 06-30-2020
 Drawn By: Oleg
 Order #: 94174
 Last Revision Date: 06-30-2020
 Boundary Survey prepared by: LB8111
 NexGen Surveying, LLC
 5601 Corporate Way, Suite # 103
 West Palm Beach, FL 33407
 561-508-6272

NEXGEN
 SURVEYING, LLC.



LEGAL DESCRIPTION OF: 1401 NORTH N STREET, LAKE WORTH, FL, 33460

LOT 18, BLOCK 11, THE PALM BEACH FARMS CO. PLAT NO. 5 OF NORTH LAKE WORTH, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE(S) 48 AND 49, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CERTIFIED TO:

MAT SPINKS AND ALICIA COSSENTINO
 STANDARD TITLE INSURANCE AGENCY, INC.
 CROSSCOUNTRY MORTGAGE INC ISAOA ATIMA
 OLD REPUBLIC NATIONAL TITLE COMPANY

FLOOD ZONE:

12099C0593F
 ZONE: X
 EFF: 10/05/2017

SURVEY NOTES:

- DRIVEWAY CROSSES THE BOUNDARY LINE ON SOUTHERLY SIDE OF LOT AS SHOWN.
- FENCES LIE NEAR BOUNDARY LINES AS SHOWN, OWNERSHIP NOT DETERMINED.
- FENCES CROSS THE BOUNDARY LINES ON SOUTHERLY AND NORTHERLY SIDES OF LOT AS SHOWN.
- WALL CROSS THE BOUNDARY LINE ON SOUTHERLY SIDE OF LOT AS SHOWN.

LEGEND

- A/C -AIR CONDITIONER
- WM -WATER METER
- AL -ARC LENGTH
- (C) -CALCULATED
- (M) -MEASURED
- P.O.B. -POINT OF BEGINNING
- P.O.C. -POINT OF COMMENCEMENT
- & -AND
- P.B. -PLAT BOOK
- PG -PAGE
- U.E. -UTILITY EASEMENT
- D.E. -DRAINAGE EASEMENT
- P.U.E. -PUBLIC UTILITY EASEMENT
- L.A.E. -LIMITED ACCESS EASEMENT
- L.M.E. -LAKE MAINTENANCE EASEMENT
- O.H.E. -OVERHEAD EASEMENT
- R -RADIUS
- (R) -RECORD
- O.R.B. -OFFICIAL RECORDS BOOK
- Sq.Ft. -SQUARE FEET
- Ac -ACRES
- DB -DEED BOOK
- (D) -DEED
- (P) -PLAT
- EOW -EDGE OF WATER
- TOB -TOP OF BANK
- OHL -OVERHEAD LINE
- C/O -CLEAN OUT
- ELEV -ELEVATION
- FF -FINISHED FLOOR
- LS -LICENSED SURVEYOR
- LB -LICENSED BUSINESS
- PSM -PROFESSIONAL SURVEYOR & MAPPER
- x - FENCE
- # -NUMBER
- ± -PLUS OR MINUS
- -ASPHALT
- -CONCRETE
- -PAVER/BRICK
- -WOOD
- ⊙ -LIGHT POLE
- ⊙ -WELL
- ⊙ -WATER VALVE
- ⊙ -CENTER LINE
- ⊙ -CATCH BASIN
- ⊙ -FIRE HYDRANT
- ⊙ -UTILITY POLE
- ⊙ -MANHOLE
- ⊙ -ELEVATION

SOME ITEMS IN LEGEND MAY NOT
 APPEAR ON DRAWING.

GENERAL NOTES:

- 1) THIS SURVEY IS BASED UPON RECORD INFORMATION BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
- 2) IF THIS SURVEY HAS BEEN PREPARED FOR THE PURPOSES OF A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO FUTURE CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT FIRST OBTAINING APPROVAL AND/OR UPDATES FROM NEXGEN SURVEYING, LLC. NEXGEN SURVEYING, LLC, ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
- 3) ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
- 4) GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS - DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.
- 5) UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
- 6) ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988).
- 7) ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
- 8) CORNERS SHOWN AS "SET" ARE 5/8" IRON RODS IDENTIFIED WITH A PLASTIC CAP MARKED LS (LICENSED SURVEYOR)



www.NexGenSurveying.com

561.508.6272

Fax: 561.508.6309

188111

5601 Corporate Way | Suite 103

West Palm Beach, FL 33407

1401 North N St
Alley Abandonment

Legend

- 📍 1401 North N Street
- 📍 Dennis A. Hernandez, DMD, PA
- 📍 Eden Place Healing Arts



ADJUST FONT SIZE: + - RESET

Website Search



DOROTHY JACKS

CFA, AAS
Palm Beach County Property Appraiser
We Value What You Value



Real Property

Search by Owner Name(Last Name first) or Address or PCN **Search**

- Classic PAPA
- MyPAPA
- Print This Page
- Save as PDF
- Print Property Summary

2021 Proposed Notice

- Property Detail
- Owner Information
- Sales Information
- Exemption Information
- Property Information
- Appraisals
- Assessed and Taxable Values
- Taxes

Full Property Detail

Property Detail

Location Address	1401 N N ST
Municipality	LAKE WORTH BEACH
Parcel Control Number	38-43-44-15-16-011-0160
Subdivision	NORTH LAKE WORTH IN PB 5 PGS 48 & 49
Official Records Book/Page	31571 / 853
Sale Date	JUL-2020
Legal Description	NORTH LAKE WORTH LT 16 BLK 11

Show Full Map



Nearby Sales Search

Subarea and Sq. Footage for Building 1		Structural Element for Building 1		Sketch for Building 1	
Code Description	Sq. Footage	1. Exterior Wall 1	MSY: CB STUCCO		
FST Finished Storage	110	2. Year Built	1953		
BAS Base Area	828	3. Air Condition Desc.	HTG & AC		
FOP Finished Open Porch	60	4. Heat Type	FORCED AIR DUCT		
SFB Semi Finished Base Area	216	5. Heat Fuel	ELECTRIC		
FDG Finished Det. Garage	525	6. Bed Rooms	2		
BAS Base Area	242	7. Full Baths	2		
Total Square Footage : 1981		8. Half Baths	1		
Total Area Under Air : 1286		9. Exterior Wall 2	NONE		
Number of Units	1	10. Roof Structure	GABLE/HIP		
View Building Details		11. Roof Cover	CLAY/BERMUDA TILE		
Total Square Feet*	1981	12. Interior Wall 1	PLASTER		
Acres	0.1148	13. Interior Wall 2	N/A		
Property Use Code	0100 - SINGLE FAMILY	14. Floor Type 1	HARDWOOD		
Zoning	SFR - Single Family Residential (38-LAKE WORTH BEACH)	15. Floor Type 2	N/A		
* May indicate living area in residential properties.		16. Stories	1		
Request Structural Details Change					

Appraisals

				Show 5 year Show 10 year	
Tax Year	2021	2020	2019	2018	2017
Improvement Value	\$182,458	\$175,866	\$178,008	\$151,632	\$147,985
Land Value	\$116,500	\$75,000	\$66,000	\$52,908	\$44,090
Total Market Value	\$298,958	\$250,866	\$244,008	\$204,540	\$192,075

All values are as of January 1st each year

Assessed and Taxable Values

				Show 5 year Show 10 year	
Tax Year	2021	2020	2019	2018	2017
Assessed Value	\$298,958	\$247,493	\$224,994	\$204,540	\$64,137
Exemption Amount	\$50,000	\$0	\$0	\$0	\$39,137
Taxable Value	\$248,958	\$247,493	\$224,994	\$204,540	\$25,000

Taxes

**SKETCH OF DESCRIPTION
PROPOSED RIGHT-OF-WAY
VACATION**

DESCRIPTION:

A PORTION OF THE NORTH ONE HALF (20 FEET) OF THE 40 FOOT RIGHT OF WAY OF 24th AVENUE (NOW KNOWN AS 14th AVENUE NORTH) ADJACENT TO THE SOUTHERLY LINE OF LOT 16, BLOCK 11 OF "THE PALM BEACH FARMS CO. PLAT NO. 5 OF NORTH LAKE WORTH, PALM BEACH COUNTY, FLORIDA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGES 48 AND 49 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.
SUBJECT TO ALL PERTINENT MATTERS OF RECORD.

SURVEYOR'S NOTES:

- 1) SKETCH AND DESCRIPTION BASED ON "NORTH LAKE WORTH" AS RECORDED IN PLAT BOOK 5, PAGES 48 THRU 49 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- 2) THIS INSTRUMENT IS NOT A SKETCH OF SURVEY.
- 3) UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES AND IS NOT VALID.

RPB CONSULTING, INC.
STATE OF FLORIDA LB. NO. 7022

BY: _____

FOR THE FIRM:
ROBERT P. BLASZYK
PROFESSIONAL LAND SURVEYOR & MAPPER
STATE OF FLORIDA REG. NO. 4133

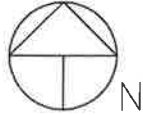
DATE

RPB Consulting, Inc.
Land Surveying and Mapping
121 Camino Del Rio, Port St. Lucie, Florida 34952
Phone: (561) 841-7466 (772) 224-2492 Email: rpbsurveying@gmail.com

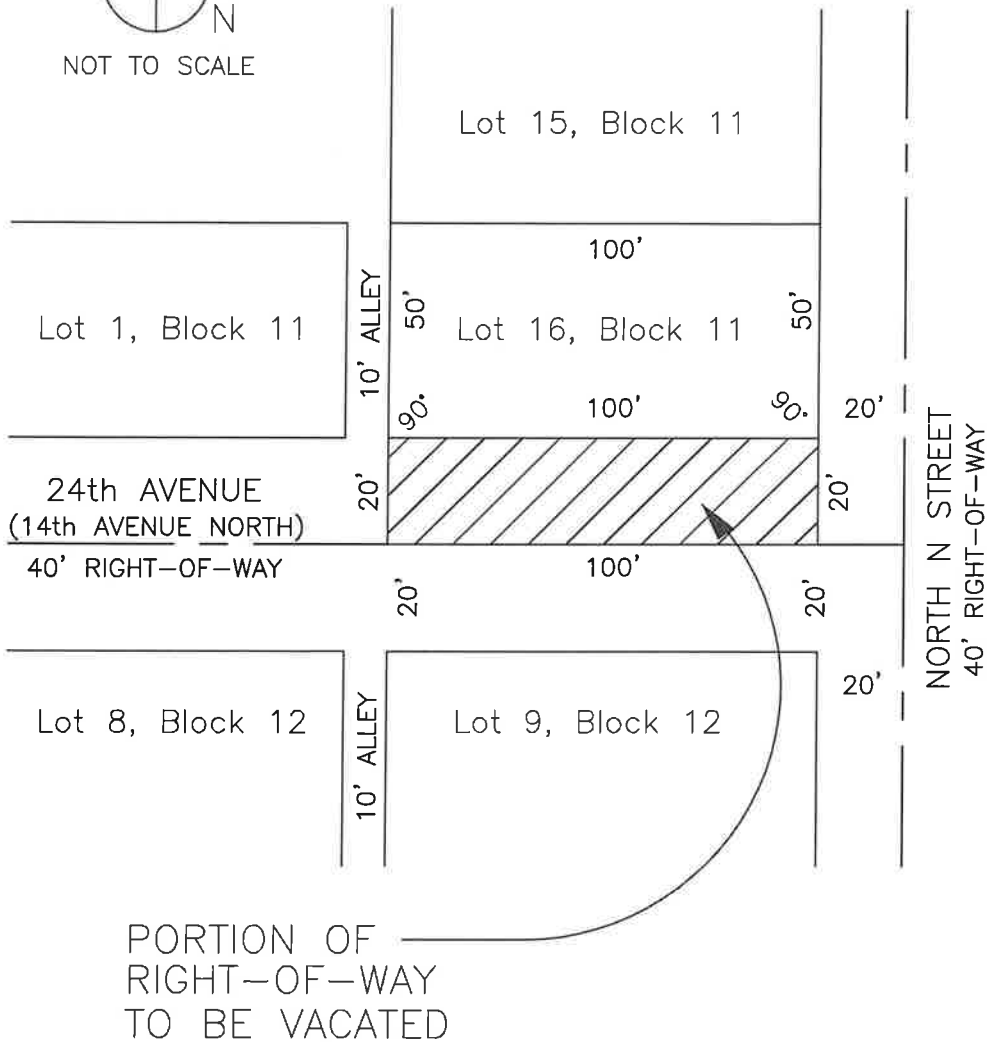
**North Lake Worth
Lot 16 of Block 11
City of Lake Worth**

PROJ. NO.: 22-102
DATE: 1-26-22
SHEET 1 OF 4

**SKETCH OF DESCRIPTION
PROPOSED RIGHT-OF-WAY
VACATION**



NOT TO SCALE



RPB Consulting, Inc.

Land Surveying and Mapping

121 Camino Del Rio, Port St. Lucie, Florida 34952

Phone: (561) 841-7466 (772) 224-2492 Email: rpbsurveying@gmail.com

**North Lake Worth
Lot 16 of Block 11
City of Lake Worth**

PROJ. NO.:

REVISED: SEE SHEET 1

SHEET 2 OF 4

**SKETCH OF DESCRIPTION
PROPOSED UTILITY
EASEMENT**

DESCRIPTION:

A PORTION OF THE NORTH ONE HALF (20 FEET) OF THE 40 FOOT RIGHT OF WAY OF 24th AVENUE (NOW KNOWN AS 14th AVENUE NORTH) ADJACENT TO THE SOUTHERLY LINE OF LOT 16, BLOCK 11 OF "THE PALM BEACH FARMS CO. PLAT NO. 5 OF NORTH LAKE WORTH, PALM BEACH COUNTY, FLORIDA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGES 48 AND 49 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.
SUBJECT TO ALL PERTINENT MATTERS OF RECORD.

SURVEYOR'S NOTES:

- 1) SKETCH AND DESCRIPTION BASED ON "NORTH LAKE WORTH" AS RECORDED IN PLAT BOOK 5, PAGES 48 THRU 49 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- 2) THIS INSTRUMENT IS NOT A SKETCH OF SURVEY.
- 3) UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES AND IS NOT VALID.

RPB CONSULTING, INC.
STATE OF FLORIDA LB. NO. 7022

BY: 

FOR THE FIRM: _____ DATE _____
ROBERT P. BLASZYK
PROFESSIONAL LAND SURVEYOR & MAPPER
STATE OF FLORIDA REG. NO. 4133

RPB Consulting, Inc.

Land Surveying and Mapping

121 Camino Del Rio, Port St. Lucie, Florida 34952

Phone: (561) 841-7466 (772) 224-2492 Email: rpbsurveying@gmail.com

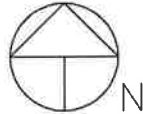
**North Lake Worth
Lot 16 of Block 11
City of Lake Worth**

PROJ. NO.: 22-102

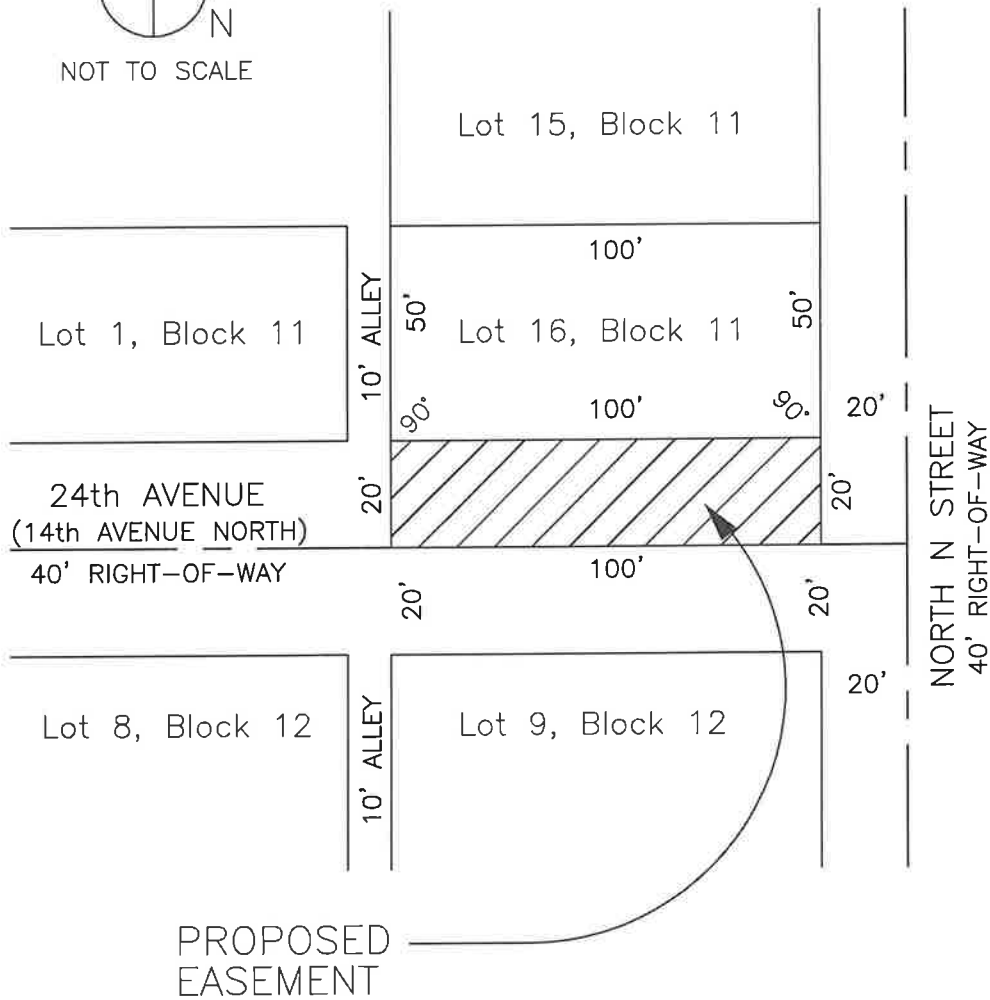
DATE: 1-26-22

SHEET 3 OF 4

**SKETCH OF DESCRIPTION
PROPOSED UTILITY
EASEMENT**



NOT TO SCALE



RPB Consulting, Inc.

Land Surveying and Mapping

121 Camino Del Rio, Port St. Lucie, Florida 34952

Phone: (561) 841-7466 (772) 224-2492 Email: rpbsurveying@gmail.com

**North Lake Worth
Lot 16 of Block 11
City of Lake Worth**

PROJ. NO.: 22-102

REVISED: SEE SHEET 3

SHEET 4 OF 4

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: Public Works / Water Utilities

TITLE:

Change Order #4 with R&D Paving for the Park of Commerce Phase 2 Project

SUMMARY:

Change Order #4 to R&D Paving for the Park of Commerce Phase 2 Project is for the additional work involved with unforeseen conditions involving roadway, subsurface soils, private property harmonization and underground utility work at a cost not to exceed \$86,151.20.

BACKGROUND AND JUSTIFICATION:

The Park of Commerce Phase 2 Project has reached final completion and the roadway and infrastructure improvements have been turned over to the City. During the final stages of construction, numerous unforeseen conditions arose as outlined in the agenda backup Change Order 4 document. These unforeseen conditions involved roadway revisions, differing subsurface soils, private property harmonization, and underground utility work. The City's construction engineering and inspection services consultant (AE Engineering) performed inspection and justification review of the additional costs. Change Order #4 to R&D Paving will result in a contract increase not to exceed \$86,151.20.

MOTION:

Move to approve/disapprove Change Order #4 to R&D Paving at a cost not to exceed \$86,151.20.

ATTACHMENT(S):

Fiscal Impact Analysis
Change Order #4
Budget Transfer

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	86,151.20	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	86,151.20	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:

Account Number	Account Description	Project Number	FY22 Budget	Current Balance	Budget Transfer	Agenda Expenditure	Balance
304-5020-541-63-15	Improve other than Build	SG1804	466,987.00	200,027.99		27,102.66	172,925.33
428-5090-538-63-15	Improve other than Build	SG1804	114,275.00	(11,037.66)	70,086.20	59,048.54	0.00



WATER UTILITIES DEPARTMENT
301 COLLEGE STREET
LAKE WORTH BEACH, FL 33460
561.586.1710

CHANGE ORDER

Project Number: SG1804 **Contractor:** R&D Paving, LLC

Project Name: Boutwell Road Lake Worth Park of Commerce – Phase II

Change Order Number: 04

Change Order Effective Date: 11/02/2021 **Contractor Phone:** (561)588-6681

Change Order Type: CO **Existing Purchase Order Number:** 183518

Description of Change:

Item No. 1

To complete the harmonization needed and considering matching the existing conditions and elevations of the driveway entrance for the Van Linda Iron Works along 4th Avenue at 3787 Boutwell Road, The City of Lake Worth Beach decided to adjust the grading along the door path and install the typical concrete driveway entrance and valley gutter. Therefore, the City of Lake Worth Beach negotiated with the Contractor for the additional costs to install a new gate and adjust the existing fence.

Item No. 2

To incorporate the restoration of the existing Fitch Ditch drainage and to improve the ditch flow as intended and minimize potential exposure to undermining and erosion that would affect the road structure, the City of Lake Worth Beach decided to restore the existing ditch configuration by constructing an outfall concrete ditch and install a revetment system along the existing headwalls. Therefore, the City of Lake Worth Beach negotiated with the Contractor for the additional costs to restore the Fitch Ditch Outfall at Sta.416+10 OS: -15' L.

Item No. 3

This work item is negotiated as per RFI 017, 018, 019 and 021.

RFI 017: On 9/17/2020, there was a delay in shutting down watermain for the deflection at Structure S-5. Which was initially scheduled at 8:00 AM and shut down at 12:00 PM.

RFI 018: From 10/23/2020 thru 10/28/2020, due to the exploration of structures S-2 and CR-C, and to re-excavate, re-compact fill.

RFI 019: On 11/10/2020, subcontractor Johnson-Davis Inc. broke an unmarked water service at Sta. 71+40 and was repaired.

RFI 021: On 11/12, subcontractor Johnson-Davis Inc. removed weir plate as per City's request.



Item No. 4

While installing the structure S-58 on 7th Ave N, R&D came across a layer of muck strata under the roadway. The City of Lake Worth Beach approved the removal of unsuitable material along the affected areas and the areas around the structures that needed to be backfilled with suitable material beyond the excavation considered by the contract pay items.

Item No. 5

As per RFI 009, the City of Lake Worth has considered the additional material used to account for the recommended additional layer of base rock along areas where the Force Main is shallow. City of Lake Worth Beach approved the contractor request to use 5.5" of additional rock base material. This item covers the additional material needed.

Item No. 6

This work considers the full reconstruction of the driveway entrance to the property located at sta.410+00 / 30ft RT (Melrose Entrance) to account for proper transitioning into the new road. It also considers adjustment of the water valve riser and box located in the center of the driveway.

Item No. 7

This work includes the adjustment of the top section for the existing conflict structure located at sta. 416+15 / 14 ft LT. The adjustment was needed to provide the roadbed transitioning along the project limits and the construction of the proposed drainage curb.

Item No. 8

This work includes additional material, labor and equipment needed to restore the existing configuration of the business's entrances located between sta. 69+50 and 71+37 (30ft RT). This work has been considered by the City as additional work to be paid under T&M.

Item No. 9

This work covers the Traffic loops restoration along the Boutwell Rd and Lake Worth Rd (Sta.100+54.74) Southbound lanes. The City and the Contractor agreed to share the responsibility evenly on the related costs to restore the traffic loops as needed.

Item No. 10

To incorporate twenty-three (23) weather days and twenty-six (26) holidays into the contract.



1	2	3	4	5	6
Item No.	Description	Qty	Unit	Unit Price	Increase in Contract Price
1	Fence Installation	1	LS	\$ 10,497.66	\$ 10,497.66
2	Fitch Ditch Restoration	1	LS	\$ 19,626.26	\$ 19,626.26
3	Drainage Field Adjustments and Unforeseen Utility Conflicts	1	LS	\$ 18,810.66	\$ 18,810.66
4	Muck Removal at 7th Avenue	1	LS	\$ 7,062.94	\$ 7,062.94
5	Additional Base material to provide proper coverage along Force Main Conflicts	1	LS	\$ 8,441.98	\$ 8,441.98
6	Melrose Entrance	1	LS	\$ 4,333.19	\$ 4,356.00
7	Control Structure Top Slab replacement on Fitch Ditch Crossing at 7th Avenue	1	LS	\$ 13,548.68	\$ 13,548.68
8	EDS Entrance	1	LS	\$ 1,317.41	\$ 1,317.41
9	Traffic Loops Repair	1	LS	\$ 2,489.61	\$ 2,489.61
10	Weather and Holidays	1	LS	\$ 0.00	\$ 0.00
Total Amount:					<u>\$86,151.20</u>

Price of Original Contract: \$ 2,533,028.77 (authorized by Commission on June 16, 2020
Agenda Item (Consent Agenda))

Current Price of Contract (including Change Orders): \$ 2,599,494.29

Price of Current Change Order: \$ 86,151.20

New Contract Price: \$ 2,685,645.49

Basis of Price Change: Unit Price Time & Material Lump Sum

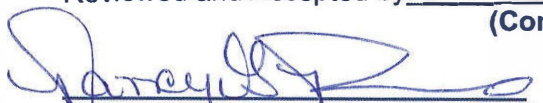
Contract Time Change

No Change Extended Decreased by 118 work days

The CONTRACTOR and the OWNER agree that this CHANGE ORDER represents the complete agreement of the parties with respect to these matters as of the date of this CHANGE ORDER. By approving this Change Order, the CONTRACTOR releases any and all claims that it may have against the OWNER under the subject contract including, but not limited to claims for equitable adjustments, which occurred or accrued prior to the effective date of this CHANGE ORDER.

This Change Order may be executed in counterparts and is not effective until approved by either the City Manager or City Commission (as designated on the last page of this Change Order).

Reviewed and Accepted by: R&D Paving, LLC
(Contractor Name)


Contractor Representative (Signature)

Nancy G. Posso managing
Title member

1/26/22
Date



Approved by:

(Water Department Director)

(Date)

IN WITNESS WHEREOF, the OWNER/CITY has approved this
Change Order No. 04 to the SG1804 Project on
_____, 20__.

CITY OF LAKE WORTH BEACH, FLORIDA

ATTEST:

By: _____
Melissa Coyne, City Clerk

By: _____
Betty Resch, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

APPROVED FOR FINANCIAL
SUFFICIENCY

By: _____
Glen J. Torcivia, City Attorney

By: _____
Bruce T. Miller, Financial Services Director





BUDGET TRANSFER REQUEST

(replaces Budget Appropriation Form)

Accounting Period:	Accounting Month/Year:	Journal Entry:
--------------------	------------------------	----------------

DEPARTMENT: Water Utilities	DATE: 02/10/2022
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FROM ACCOUNT # (Note 1)	ACCOUNT DESCRIPTION	AMOUNT
428-5090-538-63-15 SG1803	Improve Other than Build / Infrastructure	59048.54

TO ACCOUNT # (Note 1)	ACCOUNT DESCRIPTION	AMOUNT
428-5090-538-63-15 SG1804	Improve Other than Build / Infrastructure	59048.54


Explanation required:

Change Order #4 to R&D Paving for the Park of Commerce Phase 2 Project is for the additional work involved with unforeseen conditions involving roadway, subsurface soils, private property harmonization and underground utility work.

REQUESTED BY (Originator)	<i>Title</i>	<i>Telephone Ext.</i>
<i>Print Name:</i> Giles Rhoads	Asst. Director of Water Ut	1640

Signature: Giles Rhoads Digitally signed by Giles Rhoads
Date: 2022.02.10 15:20:12 -05'00'

APPROVED BY DEPARTMENT DIRECTOR	<i>Title</i>	<i>Telephone Ext.</i>
<i>Print Name:</i> Brian Shields	Director Of Water Utilities	1675

Signature:  Brian Shields
2022.02.10 15:22:41 -05'00'

*** * * * FINANCE USE ONLY * * * ***

FINANCE APPROVED	<i>Name</i>	<i>Date</i>
<i>Signature:</i>		

FINANCE POSTED	<i>Name</i>	<i>Date</i>
<i>Signature:</i>		

Note 1: Account Master AAA-BBCC-DDD.EE.FF
AAA and BB need to agree in "From Account #" and "To Account #" box

Attach supporting documentation (i.e. resolution, ordinance, minutes, etc.).

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: Public Works

TITLE:

Purchase Order with Orlando Freightliner Isuzu Truck of Ocala for a new Grapple Truck with sideload tippers for the Solid Waste Division

SUMMARY:

The Purchase Order with Orlando Freightliner Isuzu Truck of Ocala authorizes the procurement of a new grapple truck for the Solid Waste Division at a cost not to exceed \$196,707.00.

BACKGROUND AND JUSTIFICATION:

The City of Lake Worth Beach maintains its own Solid Waste and Recycling Division as managed through the Public Works Department. The Division is actively engaged in the collection and disposal of both residential and commercial solid waste, vegetation, bulk and recycling. As part of the operational needs, heavy equipment replacement is necessary to maintain an efficient and safe working fleet. As part of the Fiscal Year 2022 budget process, a new TL3 Grapple Truck was identified to be replaced as part of the operational needs. The truck is being purchased through Orlando Freightliner Isuzu Truck of Ocala, a member of the Florida Sheriff's Cooperative Bid contract FSA20-VEH18.0 Item Number 58 at a cost not to exceed \$196,707.00.

MOTION:

Move to approve/disapprove the Purchase Order with Orlando Freightliner Isuzu Truck of Ocala.

ATTACHMENT(S):

Fiscal Impact Analysis
Proposal

Orlando Freightliner
2455 S. Orange Blossom Trail
Apopka Fl. 32703
407-295-3846 ext 4222
bscharpnick@orlandofreightliner.com

To: Jason Yeager/City of Lake Worth

Regarding FSA20-VEH18.0

**Orlando freightliner is pleased to quote the following 2023
M2 106 via the Florida Sheriff's Association
Bid FSA20-VEH18.0**

Spec #58	\$44,892.00
37000GVW	\$31,151.00
ROUTE ASST w/mechanical joysticks	\$113,250.00
Raw Material Surcharge Freightliner	\$ 2,900.00
Raw Material Surcharge Petersen	\$ 4,514.00

Total **\$196,707.00**

Bob Scharpnick
Municipal/Fleet Sales
Orlando Freightliner
Isuzu Truck of Ocala

Quote

Petersen Industries, Inc.
 4000 SR 60 W.
 Lake Wales, FL. 33859
 P: (863) 676-1493
 F: (863) 676-6844



Quote No	Quote Date	Page
20220277	2/3/2022	1

Bill To

ORLANDO FREIGHTLINER
 2455 S. ORANGE BLOSSOM
 APOPKA, FL 32703
 US

Ship to

LAKE WORTH BEACH,
 1880 2ND AVENUE NORTH
 LAKE WORTH BEACH, FL
 US

END USER: Lake Worth Beach, City of (FL)

Customer No	Slpsn	Payment terms			
1970	Nick Filer	Net 30			
Loc	PPD/COL	Ship via	Ship Date	Delivery Date:	
LW		DRIVE AWAY	A.S.A.P.	60-90 Days After CHAS F	
Qty Ordered	UOM	Item No	Unit price	Disc	Extended price

1.00 EA LOADER
 AS CONFIGURED BELOW
 PAINT LOADE STD ATLAS GREEN

Feature/Kit Components- LOADER

1.00	EA	0.TR3	1.00		
		LOADER-ROUTE ASSISTANT			
1.00	EA	03.11SAI	1.00		
		HEAVY DUTY SWING MOTOR			
1.00	EA	03.12 EXTD PED- EXTENDED PEDESTAL - TR3 (NO CHARGE)	1.00		
1.00	EA	01.11MQCA	1.00		
		QUADSTICK MECH CONTROLS (UPGRADE for TL)			
1.00	EA	01.24	1.00		
		GRATING HEAT SHIELD (FOR DUAL CONTROLS ONLY)			
1.00	EA	10.16 HDHI	1.00		
		HDHI OUTRIGGER STROBE			
1.00	EA	07.10SB60	1.00		
		STANDARD BUCKET 60"			
1.00	EA	10.04 BUWL	1.00		
		BOOM-UP WARNING LIGHT/AUDIBLE ALARM			
1.00	EA	12.05 HG	1.00		
		HOSE GUARDS- HEAD & VALVE BANK			
1.00	EA	12.36 HD	1.00		
		HD CONTROL BOX THROTTLE ENGINE KILL & HORN			
1.00	EA	12.02 TP	1.00		
		TANDEM PUMP IN LIEU OF SINGLE 18 GMP			
1.00	EA	11.02	1.00		
		LOADER SINGLE COLOR (ENAMEL) AS DEFINED BELOW			

1.00 EA 8.0 DUMP BODY
 AS CONFIGURED BELOW
 PAINT BODY VIPER BLUE, CROSS TO HEMPLE

Feature/Kit Components- 8.0 DUMP BODY

1.00	EA	8.29 2030-HDX	1.00		
		MODEL HDX-2030 HARDOX BODY 1/8" SIDES, 3/16" FLOOR			
1.00	EA	8.36 PISWLCD	1.00		
		PI SELF-WINDING LOAD COVERING DEVICE (ADD-ON)			

Quote

Petersen Industries, Inc.
 4000 SR 60 W.
 Lake Wales, FL. 33859
 P: (863) 676-1493
 F: (863) 676-6844



Quote No	Quote Date	Page
20220277	2/3/2022	2

Bill To

ORLANDO FREIGHTLINER
 2455 S. ORANGE BLOSSOM
 APOPKA, FL 32703
 US

Ship to

LAKE WORTH BEACH,
 1880 2ND AVENUE NORTH
 LAKE WORTH BEACH, FL
 US

END USER: Lake Worth Beach, City of (FL)

Customer No	Slpsn	Payment terms
1970	Nick Filer	Net 30

Loc	PPD/COL	Ship via	Ship Date	Delivery Date:
LW		DRIVE AWAY	A.S.A.P.	60-90 Days After CHAS F

Qty Ordered	UOM	Item No	Unit price	Disc	Extended price
-------------	-----	---------	------------	------	----------------

1.00	EA	8.72 OPRD SINGLE PIECE REAR DOOR (REPLACES STND BARN DOORS)	1.00		
1.00	EA	8.47 WL-BW WIRE LOOM FOR BODY WIRING	1.00		
1.00	EA	10.09 LED LED TYPE BODY LIGHTS, 15 EA.	1.00		
1.00	EA	10.06 SS SINGLE STROBE MOUNTED ON REAR OF BODY	1.00		
1.00	EA	10.10 LED FLASH AMBER LED FLASHERS IN REAR CORNER POST	1.00		
1.00	EA	10.07 BG BRUSH GUARD FOR SINGLE REAR STROBE	1.00		
1.00	EA	8.77ANSI ANSI Z245 PACKAGE	1.00		
1.00	EA	8.78 RTASST ROUTE ASSISTANT HALF TROUGH + CART TIPPER	1.00		
1.00	EA	11.04 BODY/LOADER DIFFERENT COLORS AS DEFINED BELOW	1.00		

Bob Scharpnick / 407-509-6651

 Signature

 Date

THE QUOTE TOTAL MAY NOT REFLECT MISCELLANEOUS CHARGES, FREIGHT OR SALES TAX

Prepared for:
 Jason Yeager
 LAKE WORTH BEACH CITY OF
 1880 2nd Avenue North
 Lake Worth Beach, FL 33460
 Phone: 561-533-7396



Prepared by:
 Bob Scharpnick
 ORLANDO FREIGHTLINER
 2455 S. ORANGE BLOSSOM
 TRAIL
 APOPKA, FL 32703
 Phone: 4072953846

S P E C I F I C A T I O N P R O P O S A L

Data Code	Description
Price Level	
PRL-23M	M2 PRL-23M (EFF:01/21/20)
Data Version	
DRL-033	SPECPRO21 DATA RELEASE VER 033
Vehicle Configuration	
001-172	M2 106 CONVENTIONAL CHASSIS
004-223	2023 MODEL YEAR SPECIFIED
002-004	SET BACK AXLE - TRUCK
019-002	STRAIGHT TRUCK PROVISION
003-001	LH PRIMARY STEERING LOCATION
General Service	
AA1-002	TRUCK CONFIGURATION
AA6-001	DOMICILED, USA 50 STATES (INCLUDING CALIFORNIA AND CARB OPT-IN STATES)
A85-002	PICKUP AND DELIVERY/SHORT HAUL SERVICE
A84-1GF	GENERAL FREIGHT BUSINESS SEGMENT
AA4-001	GENERAL FREIGHT COMMODITY
AA5-002	TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN TRANSIT, IS SPENT ON PAVED ROADS
AB1-008	MAXIMUM 8% EXPECTED GRADE
AB5-001	SMOOTH CONCRETE OR ASPHALT PAVEMENT - MOST SEVERE IN-TRANSIT (BETWEEN SITES) ROAD SURFACE
995-091	MEDIUM TRUCK WARRANTY
A66-99D	EXPECTED FRONT AXLE(S) LOAD : 14600.0 lbs
A68-99D	EXPECTED REAR DRIVE AXLE(S) LOAD : 23000.0 lbs
A63-99D	EXPECTED GROSS VEHICLE WEIGHT CAPACITY : 37600.0 lbs



Prepared for:
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 LAKE WORTH BEACH CITY OF
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Data Code	Description
Truck Service	
AA3-005	FLATBED/PLATFORM/STAKE BODY
AF3-169	PETERSEN INDUSTRIES
AF7-99D	EXPECTED BODY/PAYLOAD CG HEIGHT ABOVE FRAME "XX" INCHES : 32.0 in
Engine	
101-21X	CUM B6.7 300 HP @ 2600 RPM, 2600 GOV, 660 LB-FT @ 1600 RPM
Electronic Parameters	
79A-075	75 MPH ROAD SPEED LIMIT
79B-000	CRUISE CONTROL SPEED LIMIT SAME AS ROAD SPEED LIMIT
79K-007	PTO MODE ENGINE RPM LIMIT - 1100 RPM
79P-002	PTO RPM WITH CRUISE SET SWITCH - 700 RPM
79Q-003	PTO RPM WITH CRUISE RESUME SWITCH - 800 RPM
79S-001	PTO MODE CANCEL VEHICLE SPEED - 5 MPH
79U-007	PTO GOVERNOR RAMP RATE - 250 RPM PER SECOND
80G-002	PTO MINIMUM RPM - 700
80J-002	REGEN INHIBIT SPEED THRESHOLD - 5 MPH
Engine Equipment	
99C-021	2010 EPA/CARB/GHG21 CONFIGURATION
99D-009	2008 CARB EMISSION CERTIFICATION - CLEAN IDLE (INCLUDES 6X4 INCH LABEL ON LEFT SIDE OF HOOD)
RNZ-001	OPTIONAL SELECTION OF CARB BASE WARRANTY/CERTIFICATION. DEALER CONFIRMS REGISTRATION IN OTHER THAN CALIFORNIA OR CARB OPT-IN STATES
13E-001	STANDARD OIL PAN
105-001	ENGINE MOUNTED OIL CHECK AND FILL
014-099	SIDE OF HOOD AIR INTAKE WITH FIREWALL MOUNTED DONALDSON AIR CLEANER
124-1D7	DR 12V 160 AMP 28-SI QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE
292-205	(2) DTNA GENUINE, FLOODED STARTING, MIN 1900CCA, 350RC, THREADED STUD BATTERIES
290-017	BATTERY BOX FRAME MOUNTED
281-001	STANDARD BATTERY JUMPERS



Prepared for:
 Jason Yeager
 LAKE WORTH BEACH CITY OF
 1880 2nd Avenue North
 Lake Worth Beach, FL 33460
 Phone: 561-533-7396



Prepared by:
 Bob Scharpnick
 ORLANDO FREIGHTLINER
 2455 S. ORANGE BLOSSOM
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 APOPKA, FL 32703
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Data Code	Description
282-001	SINGLE BATTERY BOX FRAME MOUNTED LH SIDE UNDER CAB
291-017	WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN
289-001	NON-POLISHED BATTERY BOX COVER
293-058	POSITIVE LOAD DISCONNECT WITH CAB MOUNTED CONTROL SWITCH MOUNTED OUTBOARD DRIVER SEAT
107-032	CUMMINS TURBOCHARGED 18.7 CFM AIR COMPRESSOR WITH INTERNAL SAFETY VALVE
108-002	STANDARD MECHANICAL AIR COMPRESSOR GOVERNOR
131-013	AIR COMPRESSOR DISCHARGE LINE
152-041	ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM
128-076	CUMMINS ENGINE INTEGRAL BRAKE WITH VARIABLE GEOMETRY TURBO ON/OFF
016-101	RH INBOARD FRAME MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH HORIZONTAL TAILPIPE
28F-002	ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND DASH MOUNTED REGENERATION REQUEST SWITCH
239-001	STANDARD EXHAUST SYSTEM LENGTH
237-052	RH STANDARD HORIZONTAL TAILPIPE
23U-001	6 GALLON DIESEL EXHAUST FLUID TANK
30N-003	100 PERCENT DIESEL EXHAUST FLUID FILL
43X-002	LH MEDIUM DUTY STANDARD DIESEL EXHAUST FLUID TANK LOCATION
23Y-001	STANDARD DIESEL EXHAUST FLUID PUMP MOUNTING
43Y-001	STANDARD DIESEL EXHAUST FLUID TANK CAP
273-058	AIR POWERED ON/OFF ENGINE FAN CLUTCH
276-001	AUTOMATIC FAN CONTROL WITHOUT DASH SWITCH, NON ENGINE MOUNTED
110-003	CUMMINS SPIN ON FUEL FILTER
118-001	FULL FLOW OIL FILTER
266-100	700 SQUARE INCH ALUMINUM RADIATOR
103-039	ANTIFREEZE TO -34F, OAT (NITRITE AND SILICATE FREE) EXTENDED LIFE COOLANT
171-007	GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT



Prepared for:
 Jason Yeager
 LAKE WORTH BEACH CITY OF
 1880 2nd Avenue North
 Lake Worth Beach, FL 33460
 Phone: 561-533-7396



Prepared by:
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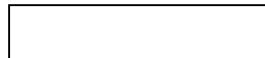
Data Code	Description
172-001	CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES
270-016	RADIATOR DRAIN VALVE
168-002	LOWER RADIATOR GUARD
134-001	ALUMINUM FLYWHEEL HOUSING
132-004	ELECTRIC GRID AIR INTAKE WARMER
155-057	DELCO 12V 29MT STARTER WITH INTEGRATED MAGNETIC SWITCH

Transmission

342-584	ALLISON 3500 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION
---------	--

Transmission Equipment

343-320	ALLISON VOCATIONAL PACKAGE 168 - AVAILABLE ON 3000/4000 PRODUCT FAMILIES WITH VOCATIONAL MODEL RDS
84B-012	ALLISON VOCATIONAL RATING FOR ON/OFF HIGHWAY APPLICATIONS AVAILABLE WITH ALL PRODUCT FAMILIES
84C-023	PRIMARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY
84D-023	SECONDARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY
84E-000	PRIMARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE
84F-000	SECONDARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE
84G-000	PRIMARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE
84H-000	SECONDARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE
84J-000	ENGINE BRAKE RANGE PRESELECT RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE
84K-000	ENGINE BRAKE RANGE ALTERNATE PRESELECT RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE
84N-200	FUEL SENSE 2.0 DISABLED - PERFORMANCE - TABLE BASED



Prepared for:
 Jason Yeager
 LAKE WORTH BEACH CITY OF
 1880 2nd Avenue North
 Lake Worth Beach, FL 33460
 Phone: 561-533-7396



Prepared by:
 Bob Scharpnick
 ORLANDO FREIGHTLINER
 2455 S. ORANGE BLOSSOM
 TRAIL
 APOPKA, FL 32703
 Phone: 4072953846

Data Code	Description
84U-000	DRIVER SWITCH INPUT - DEFAULT - NO SWITCHES
353-022	VEHICLE INTERFACE WIRING CONNECTOR WITHOUT BLUNT CUTS, AT BACK OF CAB
34C-001	ELECTRONIC TRANSMISSION CUSTOMER ACCESS CONNECTOR FIREWALL MOUNTED
362-823	CUSTOMER INSTALLED CHELSEA 280 SERIES PTO
363-002	PTO MOUNTING, RH SIDE OF MAIN TRANSMISSION ALLISON & EATON FULLER
341-018	MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION DRAIN, AXLE(S) FILL AND DRAIN
345-003	PUSH BUTTON ELECTRONIC SHIFT CONTROL, DASH MOUNTED
97G-004	TRANSMISSION PROGNOSTICS - ENABLED 2013
370-015	WATER TO OIL TRANSMISSION COOLER, IN RADIATOR END TANK
346-003	TRANSMISSION OIL CHECK AND FILL WITH ELECTRONIC OIL LEVEL CHECK
35T-001	SYNTHETIC TRANSMISSION FLUID (TES-295 COMPLIANT)

Front Axle and Equipment

400-1A8	DETROIT DA-F-14.7-3 14,700# FF1 71.5 KPI/3.74 DROP SINGLE FRONT AXLE
402-049	MERITOR 16.5X5 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES
403-002	NON-ASBESTOS FRONT BRAKE LINING
419-023	CONMET CAST IRON FRONT BRAKE DRUMS
409-006	FRONT OIL SEALS
408-001	VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL
416-022	STANDARD SPINDLE NUTS FOR ALL AXLES
405-002	MERITOR AUTOMATIC FRONT SLACK ADJUSTERS
536-012	TRW TAS-85 POWER STEERING
539-003	POWER STEERING PUMP
534-015	2 QUART SEE THROUGH POWER STEERING RESERVOIR
533-001	OIL/AIR POWER STEERING COOLER
40T-002	CURRENT AVAILABLE SYNTHETIC 75W-90 FRONT AXLE LUBE



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Bob Scharpnick
ORLANDO FREIGHTLINER
2455 S. ORANGE BLOSSOM
TRAIL
APOPKA, FL 32703
Phone: 4072953846

Data Code	Description
Front Suspension	
620-003	14,600# FLAT LEAF FRONT SUSPENSION
619-004	GRAPHITE BRONZE BUSHINGS WITH SEALS - FRONT SUSPENSION
410-001	FRONT SHOCK ABSORBERS
Rear Axle and Equipment	
420-051	RS-23-160 23,000# R-SERIES SINGLE REAR AXLE
421-614	6.14 REAR AXLE RATIO
424-001	IRON REAR AXLE CARRIER WITH STANDARD AXLE HOUSING
386-011	SPL170 XL DANA SPICER MAIN DRIVELINE WITH HALF ROUND YOKES
423-020	MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES
433-002	NON-ASBESTOS REAR BRAKE LINING
434-012	BRAKE CAMS AND CHAMBERS ON REAR SIDE OF DRIVE AXLE(S)
451-001	CAST IRON OUTBOARD REAR BRAKE DRUMS
440-006	REAR OIL SEALS
426-100	WABCO TRISTOP D LONGSTROKE 1-DRIVE AXLE SPRING PARKING CHAMBERS
428-002	MERITOR AUTOMATIC REAR SLACK ADJUSTERS
41T-002	CURRENT AVAILABLE SYNTHETIC 75W-90 REAR AXLE LUBE
Rear Suspension	
622-1MJ	23,000# 52 INCH VARIABLE RATE MULTI-LEAF SPRING REAR SUSPENSION WITH LEAF SPRING HELPER
621-001	SPRING SUSPENSION - NO AXLE SPACERS
431-001	STANDARD AXLE SEATS IN AXLE CLAMP GROUP
Brake System	
018-002	AIR BRAKE PACKAGE
490-100	WABCO 4S/4M ABS
871-001	REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES
904-001	FIBER BRAID PARKING BRAKE HOSE
412-001	STANDARD BRAKE SYSTEM VALVES



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 LAKE WORTH BEACH CITY OF
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 ORLANDO FREIGHTLINER
 2455 S. ORANGE BLOSSOM
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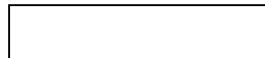
Data Code	Description
46D-002	STANDARD AIR SYSTEM PRESSURE PROTECTION SYSTEM
413-002	STD U.S. FRONT BRAKE VALVE
432-003	RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE
480-088	WABCO SYSTEM SAVER HP WITH INTEGRAL AIR GOVERNOR AND HEATER
479-012	AIR DRYER MOUNTED UNDER HOOD
460-058	STEEL AIR TANKS MOUNTED AFT INSIDE AND/OR BELOW FRAME JUST FORWARD OF REAR SUSPENSION
607-001	CLEAR FRAME RAILS FROM BACK OF CAB TO FRONT REAR SUSPENSION BRACKET, BOTH RAILS OUTBOARD
477-006	BW DV-2 AUTO DRAIN VALVE WITHOUT HEATER ON ALL TANK(S)

Trailer Connections

335-004	UPGRADED CHASSIS MULTIPLEXING UNIT
32A-002	UPGRADED BULKHEAD MULTIPLEXING UNIT

Wheelbase & Frame

545-698	6975MM (275 INCH) WHEELBASE
546-101	11/32X3-1/2X10-15/16 INCH STEEL FRAME (8.73MMX277.8MM/0.344X10.94 INCH) 120KSI
547-001	1/4 INCH (6.35MM) C-CHANNEL INNER FRAME REINFORCEMENT
552-041	1925MM (76 INCH) REAR FRAME OVERHANG
55W-007	FRAME OVERHANG RANGE: 71 INCH TO 80 INCH
AC8-99D	CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 209.06 in
AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 206.06 in
AE4-99D	CALC'D FRAME LENGTH - OVERALL : 389.38 in
FSS-0LH	CALCULATED FRAME SPACE LH SIDE : 173.5 in
FSS-0RH	CALCULATED FRAME SPACE RH SIDE : 237.87 in
553-001	SQUARE END OF FRAME
550-001	FRONT CLOSING CROSSMEMBER
559-001	STANDARD WEIGHT ENGINE CROSSMEMBER
561-001	STANDARD CROSSMEMBER BACK OF TRANSMISSION
562-001	STANDARD MIDSHIP #1 CROSSMEMBER(S)
572-001	STANDARD REAR MOST CROSSMEMBER



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Data Code	Description
565-001	STANDARD SUSPENSION CROSSMEMBER
Chassis Equipment	
556-1AP	THREE-PIECE 14 INCH PAINTED STEEL BUMPER WITH COLLAPSIBLE ENDS
558-001	FRONT TOW HOOKS - FRAME MOUNTED
574-001	BUMPER MOUNTING FOR SINGLE LICENSE PLATE
586-024	FENDER AND FRONT OF HOOD MOUNTED FRONT MUDFLAPS
551-007	GRADE 8 THREADED HEX HEADED FRAME FASTENERS
Fuel Tanks	
204-215	50 GALLON/189 LITER SHORT RECTANGULAR ALUMINUM FUEL TANK - LH
218-005	RECTANGULAR FUEL TANK(S)
215-005	PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS
212-007	FUEL TANK(S) FORWARD
664-001	PLAIN STEP FINISH
205-001	FUEL TANK CAP(S)
122-1J2	DETROIT FUEL/WATER SEPARATOR WITH WATER IN FUEL SENSOR AND HAND PRIMER
216-020	EQUIFLO INBOARD FUEL SYSTEM
202-016	HIGH TEMPERATURE REINFORCED NYLON FUEL LINE
Tires	
093-1VM	MICHELIN X LINE ENERGY Z 315/80R22.5 20 PLY RADIAL FRONT TIRES
094-1G4	MICHELIN XZE2 11R22.5 14 PLY RADIAL REAR TIRES
Hubs	
418-060	CONMET PRESET PLUS PREMIUM IRON FRONT HUBS
450-060	CONMET PRESET PLUS PREMIUM IRON REAR HUBS
Wheels	
502-579	MAXION WHEELS 10041 22.5X9.00 10-HUB PILOT 5.25 INSET 5-HAND STEEL DISC FRONT WHEELS
505-523	MAXION WHEELS 90262 22.5X8.25 10-HUB PILOT 5-HAND STEEL DISC REAR WHEELS



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Data Code	Description
496-011	FRONT WHEEL MOUNTING NUTS
497-011	REAR WHEEL MOUNTING NUTS
495-998	NO PUSHER/TAG WHEEL MOUNTING NUTS
Cab Exterior	
829-071	106 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB
650-008	AIR CAB MOUNTING
648-002	NONREMOVABLE BUGSCREEN MOUNTED BEHIND GRILLE
678-001	LH AND RH GRAB HANDLES
646-009	PAINTED PLASTIC GRILLE
65X-001	ARGENT SILVER HOOD MOUNTED AIR INTAKE GRILLE
644-004	FIBERGLASS HOOD
727-1AH	SINGLE 14 INCH ROUND POLISHED AIR HORN ROOF MOUNTED
726-002	DUAL ELECTRIC HORNS
728-001	SINGLE HORN SHIELD
657-001	DOOR LOCKS AND IGNITION SWITCH KEYED THE SAME
78G-004	KEY QUANTITY OF 4
575-001	REAR LICENSE PLATE MOUNT END OF FRAME
312-043	INTEGRAL HEADLIGHT/MARKER ASSEMBLY
302-047	LED AERODYNAMIC MARKER LIGHTS
311-019	HEADLIGHTS ON WITH WIPERS, WITH DAYTIME RUNNING LIGHTS
294-001	INTEGRAL STOP/TAIL/BACKUP LIGHTS
300-015	STANDARD FRONT TURN SIGNAL LAMPS
744-1BC	DUAL WEST COAST BRIGHT FINISH HEATED MIRRORS WITH LH AND RH REMOTE
797-001	DOOR MOUNTED MIRRORS
796-001	102 INCH EQUIPMENT WIDTH
743-204	LH AND RH 8 INCH BRIGHT FINISH CONVEX MIRRORS MOUNTED UNDER PRIMARY MIRRORS
74B-079	RH 8 INCH STAINLESS STEEL FENDER MOUNTED CONVEX MIRROR WITH TRIPOD BRACKETS
729-001	STANDARD SIDE/REAR REFLECTORS
677-016	DUAL LEVEL CAB ENTRY STEPS ON BOTH SIDES
275-061	PARK BRAKE REMINDER WARNING SYSTEM



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 Jason Yeager
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 Lake Worth Beach, FL 33460
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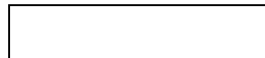


Prepared by:
 Bob Scharpnick
 ORLANDO FREIGHTLINER
 2455 S. ORANGE BLOSSOM
 TRAIL
 APOPKA, FL 32703
 Phone: 4072953846

Data Code	Description
768-043	63X14 INCH TINTED REAR WINDOW
661-003	TINTED DOOR GLASS LH AND RH WITH TINTED NON-OPERATING WING WINDOWS
654-011	RH AND LH ELECTRIC POWERED WINDOWS
663-013	1-PIECE SOLAR GREEN GLASS WINDSHIELD
659-019	2 GALLON WINDSHIELD WASHER RESERVOIR WITHOUT FLUID LEVEL INDICATOR, FRAME MOUNTED

Cab Interior

707-1AK	OPAL GRAY VINYL INTERIOR
706-013	MOLDED PLASTIC DOOR PANEL
708-013	MOLDED PLASTIC DOOR PANEL
772-006	BLACK MATS WITH SINGLE INSULATION
785-001	DASH MOUNTED ASH TRAYS AND LIGHTER
691-008	FORWARD ROOF MOUNTED CONSOLE WITH UPPER STORAGE COMPARTMENTS WITHOUT NETTING
694-010	IN DASH STORAGE BIN
742-007	(2) CUP HOLDERS LH AND RH DASH
680-006	GRAY/CHARCOAL FLAT DASH
720-002	2-1/2 LB. FIRE EXTINGUISHER
700-002	HEATER, DEFROSTER AND AIR CONDITIONER
701-001	STANDARD HVAC DUCTING
703-005	MAIN HVAC CONTROLS WITH RECIRCULATION SWITCH
170-015	STANDARD HEATER PLUMBING
130-041	VALEO HEAVY DUTY A/C REFRIGERANT COMPRESSOR
702-002	BINARY CONTROL, R-134A
739-033	STANDARD INSULATION
285-013	SOLID-STATE CIRCUIT PROTECTION AND FUSES
280-007	12V NEGATIVE GROUND ELECTRICAL SYSTEM
324-014	DOME LIGHT WITH 3-WAY SWITCH ACTIVATED BY LH AND RH DOORS
655-005	LH AND RH ELECTRIC DOOR LOCKS
284-023	(1) 12 VOLT POWER SUPPLY IN DASH
722-002	TRIANGULAR REFLECTORS WITHOUT FLARES
756-338	BASIC ISRINGHAUSEN HIGH BACK AIR SUSPENSION DRIVERS SEAT WITH MECHANICAL LUMBAR AND INTEGRATED CUSHION EXTENSION



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 Jason Yeager
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Data Code	Description
760-235	2 MAN TOOL BOX MID BACK NON SUSPENSION PASSENGER SEAT
711-004	LH AND RH INTEGRAL DOOR PANEL ARMRESTS
758-036	VINYL WITH VINYL INSERT DRIVER SEAT
761-036	VINYL WITH VINYL INSERT PASSENGER SEAT
763-101	BLACK SEAT BELTS
532-002	ADJUSTABLE TILT AND TELESCOPING STEERING COLUMN
540-015	4-SPOKE 18 INCH (450MM) STEERING WHEEL
765-002	DRIVER AND PASSENGER INTERIOR SUN VISORS

Instruments & Controls

4CH-998	NO TEM INTFC, SW PKG, MUX, LWR DASH
732-004	GRAY DRIVER INSTRUMENT PANEL
734-004	GRAY CENTER INSTRUMENT PANEL
87L-003	ENGINE REMOTE INTERFACE WITH PARK BRAKE AND NEUTRAL INTERLOCKS
870-001	BLACK GAUGE BEZELS
486-001	LOW AIR PRESSURE INDICATOR LIGHT AND AUDIBLE ALARM
840-002	2 INCH PRIMARY AND SECONDARY AIR PRESSURE GAUGES
198-025	INTAKE MOUNTED AIR RESTRICTION INDICATOR WITHOUT GRADUATIONS
149-013	ELECTRONIC CRUISE CONTROL WITH SWITCHES IN LH SWITCH PANEL
156-007	KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY
811-042	ICU3S, 132X48 DISPLAY WITH DIAGNOSTICS, 28 LED WARNING LAMPS AND DATA LINKED
160-038	HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR LOCATED BELOW LH DASH
844-001	2 INCH ELECTRIC FUEL GAUGE
148-073	ENGINE REMOTE INTERFACE FOR REMOTE THROTTLE
163-004	ENGINE REMOTE INTERFACE CONNECTOR IN ENGINE COMPARTMENT
856-001	ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE
864-005	TRANSMISSION OIL TEMPERATURE INDICATOR LIGHT



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Data Code	Description
830-017	ENGINE AND TRIP HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY
33A-804	PROVISIONS FOR BODY BUILDER WIRED BOOM OUT OF STOW WARNING SYSTEM PILOT LIGHT AND INSTRUMENT CLUSTER BUZZER
372-035	(1) DASH MOUNTED PTO SWITCH WITH INDICATOR LAMP
852-002	ELECTRIC ENGINE OIL PRESSURE GAUGE
679-998	NO OVERHEAD INSTRUMENT PANEL
746-136	AM/FM/WB WORLD TUNER RADIO WITH AUXILIARY INPUT, J1939
747-001	DASH MOUNTED RADIO
750-002	(2) RADIO SPEAKERS IN CAB
753-001	AM/FM ANTENNA MOUNTED ON FORWARD LH ROOF
810-027	ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER
817-001	STANDARD VEHICLE SPEED SENSOR
812-001	ELECTRONIC 3000 RPM TACHOMETER
162-011	IDLE LIMITER, ELECTRONIC ENGINE
329-012	FOUR ON/OFF ROCKER SWITCHES IN THE DASH WITH INDICATOR LIGHTS AND WIRE ROUTED TO CHASSIS AT BACK OF CAB, LABEL OPT
836-015	DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY
660-008	SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY
304-001	MARKER LIGHT SWITCH INTEGRAL WITH HEADLIGHT SWITCH
882-018	ONE VALVE PARKING BRAKE SYSTEM WITH DASH VALVE CONTROL AUTONEUTRAL AND WARNING INDICATOR
299-013	SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, WASHER/WIPER AND HAZARD IN HANDLE
298-039	INTEGRAL ELECTRONIC TURN SIGNAL FLASHER WITH HAZARD LAMPS OVERRIDING STOP LAMPS

Design

065-000 PAINT: ONE SOLID COLOR

Color

980-5F6 CAB COLOR A: L0006EY WHITE ELITE EY



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Data Code	Description
986-020	BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT
962-972	POWDER WHITE (N0006EA) FRONT WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)
966-972	POWDER WHITE (N0006EA) REAR WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)
964-6Z7	BUMPER PAINT: FP24812 ARGENT SILVER DUPONT FLEX
963-003	STANDARD E COAT/UNDERCOATING

Certification / Compliance

996-001	U.S. FMVSS CERTIFICATION, EXCEPT SALES CABS AND GLIDER KITS
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Secondary Factory Options

998-001	CORPORATE PDI CENTER IN-SERVICE ONLY
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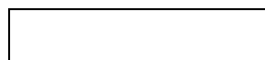
Raw Performance Data

AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 206.06 in
---------	--

Dealer Installed Options

		Weight Front	Weight Rear
RTAS	PETERSEN IND ROUTE ASST	0	0
Total Dealer Installed Options		0 lbs	0 lbs

(***) All cost increases for major components (Engines, Transmissions, Axles, Front and Rear Tires) and government mandated requirements, tariffs, and raw material surcharges will be passed through and added to factory invoices.



EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: Community Sustainability

TITLE:

FY 2022 interfund budget transfer for purchase of a new vehicle

SUMMARY:

FY 2022 Budget transfer of \$32,000 from the Building Department Fund to the City Garage Fund for the acquisition of a new vehicle.

BACKGROUND AND JUSTIFICATION:

The purchase of a Toyota RAV4 Hybrid vehicle has been budgeted in FY 2022, in Building Department Fund, Account # 103-2020-515.64-30 (Machinery & Equipment/ Vehicles). This transfer request is keeping with City policy, which requires that vehicle purchases are made by City Garage Fund, Account # 530-9010-549.64.30. The City's financial policy requires that all transfers between funds are approved by the City Commission.

MOTION:

Move to approve/disapprove budget transfer of \$32,000 from the Building Department Fund to the City Garage Fund for the acquisition of a new vehicle.

ATTACHMENT(S):

Fiscal Impact Analysis
Budget transfer request
RAV 4 Quote

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	0	0	0	0	0
Operating Expenditures	32,000	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	32,000	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:

Account Number	Account Description	Project Number	FY22 Budget	Current Balance	Budget Transfer	Agenda Expenditure	Balance
103-2020-515.64-30	Machinery & Equipment/ Vehicles	N/A	32,000	32,000	-32,000	0	0
530-9010-549.64-30	Machinery & Equipment/ Vehicles	N/A	350,000	10,101	32,000	32,000	10,101



BUDGET TRANSFER REQUEST

(replaces Budget Appropriation Form)

Accounting Period:	Accounting Month/Year:	Journal Entry:
DEPARTMENT:		DATE:
FROM ACCOUNT # (Note 1)	ACCOUNT DESCRIPTION	AMOUNT
103-2020-515.64-30	Machinery & Equipment/ Vehicles	32,000
530-9010-549.64-30	Machinery & Equipment/ Vehicles	32,000
Explanation required:		
To cover the cost of Toyota RAV4 Hybrid vehicle/ Quote #35481		
REQUESTED BY (Originator)		<i>Title</i>
<i>Print Name: Alicia Wilson</i>		Office Manager
<i>Signature: Alicia Wilson</i>		<i>Telephone Ext.</i> 561-586-1644
APPROVED BY DEPARTMENT DIRECTOR		<i>Title</i>
<i>Print Name: William Waters</i>		Director
<i>Signature: William Waters</i>		<i>Telephone Ext.</i> 561-586-1634
APPROVED BY CITY MANAGER OFFICE		<i>Title</i>
<i>Signature: Carmen Y. Davis</i>		<i>Telephone Ext.</i>
		2/2/2022
* * * * FINANCE USE ONLY * * * *		
FINANCE APPROVED	<i>Name</i>	<i>Date</i>
<i>Signature:</i>		
FINANCE POSTED	<i>Name</i>	<i>Date</i>
<i>Signature:</i>		

**Note 1: Account Master AAA-BBCC-DDD.EE.FF
AAA and BB need to agree in "From Account #" and "To Account #" box**

Attach supporting documentation (i.e. resolution, ordinance, minutes, etc.).



Awarded Contract

Call Us first, for all of your Fleet Automotive, & Light Truck needs.

PHONE (800) ALANJAY (252-6529)	DIRECT 863-385-9610	WWW.ALANJAY.COM	Quote 35481-2
Corporate Office 2003 U.S. 27 South Sebring, FL 33870	MOBILE 904-838-4999	Mailing Address P.O. BOX 9200 Sebring, FL 33871-9200	
	FAX 863-402-4221		

ORIGINAL QUOTE DATE
12/21/2021

QUICK QUOTE SHEET

REVISED QUOTE DATE
12/21/2021

REQUESTING AGENCY	LAKE WORTH, CITY OF		
CONTACT PERSON	FELIPE LOFASO	EMAIL	Flofaso@lakeworth.org
PHONE	561-586-1720	MOBILE	FAX

SOURCEWELL (FORMERLY NJPA) CONTRACT # 2022 120716-NAF & 060920-NAF www.NationalAutoFleetGroup.com

MODEL	4444	MSRP	\$31,370.00
2022 TOYOTA RAV4 HYBRID XLE AWD			

CUSTOMER ID	BED LENGTH	SUV	BASE VEHICLE PRICE	\$28,694.00
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** All vehicles will be ordered white w/ darkest interior unless clearly stated otherwise on purchase order.

FACTORY OPTIONS	DESCRIPTION	
040 FA20	EXTERIOR SUPER WHITE WITH BLACK CLOTH INTERIOR	\$0.00
2.5L	Engine: 2.5L 4-Cylinder Atkinson Cycle, Engine Auto Stop-Start Feature Transmission w/Driver Selectable Mode and Sequential Shift Control, T ECVT (Continuously Variable)	\$0.00
CPO	SEE ATTACHED PRINT OUT FOR COMPLETE VEHICLE DETAILS	\$0.00

CONTRACT OPTIONS	DESCRIPTION	FACTORY OPTIONS	
NEW-TAG	New CITY tag Includes temp tag & two way overnight shipping for signature.		\$245.00
WTF SUV 2	Weather Tech floor liner system (1st & 2nd rows).		\$250.00
MG 72/150	MAJOR GUARD EXTENDED WARRANTY 72 MO / 150,000 MILES \$0 DEDUCTIBLE		\$2,771.00

CONTRACT OPTIONS \$3,266.00

TRADE IN	VEHICLE TOTAL	\$28,694.00
	MSRP DISCOUNT	8.5%
	ACCESSORY TOTAL	\$3,266.00
	CUSTOMER PRICE	\$31,960.00

YES WE TAKE TRADE INS *** ASK ABOUT MUNICIPAL FINANCING *** \$0.00

TOTAL COST LESS TRADE IN(S) QTY 1 \$31,960.00

Estimated Annual payments for 60 months paid in advance: \$7,157.73
Municipal finance for any essential use vehicle, requires lender approval, WAC.

Comments

VEHICLE QUOTED BY **CHRISTY SELF** GOVERNMENT ACCOUNT MANAGER christy.self@alanjay.com

"I Want to be Your Fleet Provider"

I appreciate the opportunity to submit this quotation. Please review it carefully. If there are any errors or changes, please feel free to contact me at any time. I am always happy to be of assistance.

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2022-04 – amending Chapter 2 Administration regarding the sale of city-owned Properties to allow for exchange of property

SUMMARY:

The proposed ordinance amends Chapter 2 Administration to allow for the exchange of properties when selling or disposing of city-owned properties.

BACKGROUND AND JUSTIFICATION:

Chapter 2 Administration of the City's Code of Ordinances provides for the mechanisms and parameters for the sale and purchase of city-owned properties. The proposed ordinance provides for an additional process to sell and/or purchase city-owned property. The additional process describes an exchange option for properties, where the City would have an option to exchange a city-owned property in order to purchase a different property owned by another entity. The proposal provides for an additional option to both dispose and purchase properties.

MOTION:

Move to approve/disapprove Ordinance No. 2022-04 on first reading and schedule the second reading and public hearing for May 5, 2022.

ATTACHMENT(S):

Fiscal Impact – N/A
Ordinance 2022-04

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AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE I “IN GENERAL,” SECTION 2-1 “SALE OF CITY-OWNED PROPERTY,” PROVIDING FOR EXCHANGE OF PROPERTY; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

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

WHEREAS, the City has adopted provisions regulating the sale of City-owned property; and

WHEREAS, the City desires to expand its options for sale of City-owned property to include exchange of property; and

WHEREAS, the City Commission finds and declares that the adoption of this ordinance is appropriate, and in the best interest of the health, safety and welfare of the City, its residents and visitors.

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

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the City Commission.

Section 2. Chapter 2 “Administration,” Article I “In General,” Section 2-1 “Sale of city-owned property” is hereby amended to read as follows:

Sec. 2-1. Sale of city-owned property.

(a) *Definitions.* As used in this section:

- (1) *Real property or property* shall mean any real property owned by the city, the sale of which is not otherwise prohibited by the charter of the city, an ordinance of the city, or the laws of the state.
- (2) *Surplus property* shall mean city property the city commission has declared is not needed for city purposes.

46 (3) *Good standing* shall mean that the person or entity submitting a bid or offer must
47 have no code enforcement fines, special assessments, taxes, judgments or liens
48 of any kind outstanding to the city and have not withdrawn an offer previously
49 approved by the city.

50
51 (4) *Appraised value* shall mean one hundred (100) percent of the total market
52 value of the real property as reported by the county's property appraiser's
53 current year of certified appraisal market value, or shall mean the opinion of an
54 independent property appraisal employed pursuant to this section.

55
56 a. If an independent property appraisal is requested by the city and prepared for
57 the property, then the appraised value shall be established from this report
58 and not be based upon one hundred (100) percent of the county appraiser's
59 total market value.

60
61 b. If two (2) or more independent property appraisers are employed to appraise
62 the same property, the appraised value will be the average of the appraisals
63 unless the city commission, in its sole discretion, determines otherwise.

64
65 (5) Proven track record shall mean three (3) completed affordable housing
66 projects.

67
68 (b) *Declaration of surplus property.*

69
70 (1) In accordance with F.S. § 166.0451, an inventory list of all real property within
71 the city limits to which the city holds fee simple title shall be prepared at least
72 every three (3) years. Properties found to be appropriate for use as affordable
73 housing by the planning and zoning board shall be delineated on said inventory
74 list and provided to the city commission for public hearing. All properties listed
75 must include the address and legal description of each such property and specify
76 whether the property is vacant or improved. The city commission must review
77 the list at a public hearing and make a determination of the properties appropriate
78 for affordable housing. Following the public hearing, the city commission shall
79 adopt a resolution that includes an inventory list of property to be used as
80 affordable housing.

81
82 (2) The properties identified as appropriate for use as affordable housing on the
83 inventory list adopted by the city commission may be offered for sale and the
84 proceeds may be used to purchase land for the development of affordable
85 housing, or to increase the city fund earmarked for affordable housing, or may
86 be sold with a restriction that requires the development of the property as
87 permanent affordable housing, or may be donated to a nonprofit housing
88 organization for the construction or rehabilitation of a property for permanent
89 affordable housing.

90

91 (3) The city commission may also determine from the inventory list, or it may make
92 an independent decision that, there are properties that are unusable or not
93 needed for city purposes that are not appropriate for affordable housing. In such
94 event, the properties may be sold by competitive sealed bids, by a request for
95 proposals, or by unsolicited proposal or exchanged for other property that is
96 desired for city purposes. If not already included, these properties will then be
97 identified on the inventory list.

98
99 (4) The city may sell the property by any of the following means listed below.

100
101 (c) *Methods of sale.* The city commission may elect to dispose of city-owned surplus
102 property by any of the following means listed below.

103
104 (1) *Competitive sealed bids.*

105
106 a. *[Invitation for bids.]* An invitation for bids shall be issued which shall include
107 the specifications for the purchases sought including any special terms or
108 conditions of sale.

109
110 b. *Public notice.* Prior to bid opening, public notice of the invitation for bid shall
111 be published in a newspaper of general circulation once a week for two (2)
112 consecutive weeks and by any other such means as deemed appropriate by
113 the purchasing manager.

114
115 c. *Bid submission.* Bids shall be accepted only from persons or entities that are
116 in good standing with the city. Bids must be received no later than the time
117 and date and at the location specified for bid opening in the invitation for bid.
118 No bids shall be accepted after such time and date or at any other location
119 than specified. Bids received later, or at any other location specified, or from
120 a vendor not in good standing with the city, shall be returned unopened to the
121 bidder.

122
123 d. *Bid opening.* Bids shall be opened publicly at the time and place specified in
124 the invitation for bids. The name of each bidder, the amount of each bid, and
125 such other relevant information shall be recorded and such information shall
126 be posted.

127
128 e. *Bid cancellation or postponement.* The city may at any time, elect to cancel a
129 bid or postpone the date and/or time of bid submission or opening. After a bid
130 opening, the purchasing manager may cancel a bid if fewer than two (2)
131 responsive, and responsible bids are received.

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(2) *Request for proposals.*

- a. At any time, the city can issue a request for proposals for a property which may include any special terms or conditions of sale.
- b. All responses to the request for proposals must be received no later than the time and date and at the location specified in the request for proposals. No response shall be accepted after such time and date or at any other location than specified. A response received later, or at any other location than specified, or from a person or entity not in good standing, shall be returned unopened.
- c. Cancellation or postponement. The city may at any time, elect to cancel a request for proposals, or postpone the date and/or time of submission or opening. After a request for proposals opening, the purchasing manager may cancel a request for proposals if fewer than two (2) responsive, and responsible responses to the request for proposals are received.

(3) *Unsolicited proposal.*

- a. At any time, the city manager may recommend to the city commission that it consider an unsolicited proposal to purchase city-owned property that the city manager believes qualifies as surplus property. An unsolicited proposal shall be accepted only from persons or entities that are in good standing with the city. In considering the unsolicited proposal the city commission must make a finding that the property is surplus and not needed for city purposes.
- b. The city commission must evaluate the unsolicited proposal and consider the appraised value for the property in the manner as set forth below before accepting an unsolicited proposal.
- c. The city commission is under no obligation to accept an unsolicited proposal.

(4) *Exchange of property.*

- a. At any time, the city commission, upon request or on its own motion, may determine it is in the best interest of the city for city-owned property that is or may, through the transaction, become surplus property be exchanged for other property within the city that the city desires to acquire for city purposes.
- b. An exchange of property shall be authorized only with persons or entities that are in good standing with the city. In considering the exchange of property

174 the city commission must make a finding that the property is, or through the
175 transaction will become, surplus and not needed for city purposes.

176 c. The city commission must evaluate the terms and conditions of the exchange
177 and consider the appraised value for the properties in the manner as set forth
178 below before authorizing an exchange of properties.

179
180 d. The city commission is under no obligation to authorize an exchange of
181 properties.

182
183 (d) *Appraisals for sale of property by sealed bids, request for proposals, ~~and~~ unsolicited*
184 *proposal, and exchanges.*

185
186 (1) *Sealed bids and request for proposals.*

187
188 a. The city, at its option, may determine the appraised value of a surplus
189 property by using one hundred (100) percent of the county property
190 appraiser's total market value for the property. This appraisal shall be
191 available for public view.

192
193 If this method is selected, then no sale by sealed bids shall be authorized
194 unless the bid on the property is equal to at least one hundred (100) percent
195 of current county property appraiser's total market value.

196
197 b. Independent property appraisal. The city, at its option, may determine the
198 value of the property based upon an independent property appraisal (IPA),
199 prepared by an individual who is both a member of the appraisal institute
200 (MAI) and a state certified general appraiser acceptable to the city
201 commissioners. This appraisal shall be available for public view.

202
203 Sales price shall not be less than one hundred (100) percent of the property
204 appraisal report. If the city elects to have the appraisal value determined by
205 an independent property appraisal, then this report shall be the value used in
206 considering the sale of the property.

207
208 (2) *Unsolicited proposal or exchange.*

209
210 a. If the city receives an unsolicited proposal to purchase or is considering
211 exchange of city-owned surplus property that has been assessed by the
212 county property appraiser at less than twenty-five thousand dollars
213 (\$25,000.00), then no formal appraisal shall be required. The property can be
214 sold to the proposer or valued for exchange at no less than one hundred
215 (100) percent of the amount assessed by the county property appraiser.

216
217 b. If the city receives an unsolicited proposal to purchase or is considering
218 exchange of city-owned surplus property that has been assessed by the

219 county property appraiser between twenty-five thousand dollars (\$25,000.00)
220 and fifty thousand dollars (\$50,000.00), then one formal appraisal shall be
221 required. The sale price or exchange value shall not be less than one hundred
222 (100) percent of the fair market value of the property according to an appraisal
223 report made as of a date not earlier than six (6) months before the date that
224 the city commission considers the proposer's request or a date not more than
225 six (6) months before or after the date of the appraisal report for the property
226 to be acquired by the city through the exchange.

227
228 c. If the city receives an unsolicited proposal to purchase or is considering
229 exchange of city-owned surplus property that has been assessed by the
230 county property appraiser for more than fifty thousand dollars (\$50,000.00),
231 then two (2) formal appraisals shall be required. At least one appraisal report
232 shall be prepared by an individual who is both a member of the appraisal
233 institute (MAI) and a state certified general appraiser. The appraiser selected
234 shall be acceptable to the city commissioners. Either the city or the proposer
235 or owner of property to be exchanged may provide the second appraisal
236 report. The sale price or exchange value shall not be less than eighty-five (85)
237 percent of the average of the two (2) appraisals. The appraisals shall be made
238 as of a date not earlier than six (6) months before the date that the city
239 commission considers the proposer's request or a date not more than six (6)
240 months before or after the date of the appraisals for the property to be
241 acquired by the city through the exchange.

242
243 d. Appraisals for property to be acquired by the city through an exchange must
244 meet the same appraisal requirements as set forth above for city-owned
245 property.

246
247 (e) *Sale provisions for sale of property by sealed bids.*

248
249 (1) The city commission at a public meeting shall approve the sale to the highest
250 bidder, subject to the conditions set forth in this section, within forty-five (45) days
251 from the deadline date set for receiving bids.

252
253 (2) All bids must include a deposit check for five (5) percent of offering price or five
254 hundred dollars (\$500.00), whichever is greater.

255
256 (3) In the event of a default on the part of any purchaser of city-owned real property
257 in making full payment or otherwise failing in the performance of the purchaser's
258 obligations under the contract of purchase, the amount of the deposit shall be
259 forfeited unless the contract shall otherwise provide.

260
261 (4) Notwithstanding any rules of general practice for apportioning costs of the sale
262 of property, purchasers of city-owned property shall pay all closing costs,
263 including but not limited to costs of the survey, abstracting, title insurance,
264 brokers fees, real estate commissions, purchaser's attorney's fees and all

265 documentary stamps, as well as the appraisal costs. Any costs incurred by the
266 city must be reimbursed to the city prior to closing.

267
268 (5) The city shall be responsible for all advertisements and or publication expenses
269 which it elects to undertake for the property.

270
271 (6) The city shall have the right at any time to reject any and all bids and to cancel
272 any scheduled sales.

273
274 (f) *Sale provisions for sale of property by request for proposals.*

275
276 (1) The city commission, at a public meeting, shall review the proposals received,
277 and shall select and award the proposal based upon the criteria set forth in the
278 request for proposals. The sale price may be determined at the public meeting
279 or at a subsequent public meeting after negotiation with staff. The sale shall be
280 subject to the conditions set forth in this section.

281
282 (2) All proposals must include a deposit check for five (5) percent of offering price or
283 five hundred dollars (\$500.00), whichever is greater.

284
285 (3) In the event of a default on the part of any purchaser of city-owned real property
286 in making full payment or otherwise failing in the performance of the purchaser's
287 obligations under the contract of purchase, the amount of the deposit shall be
288 forfeited unless the contract shall otherwise provide.

289
290 (4) Notwithstanding any rules of general practice for apportioning costs of the sale
291 of property, purchasers of city-owned property shall pay all closing costs,
292 including but not limited to costs of the survey, abstracting, title insurance,
293 brokers fees, real estate commissions, purchaser's attorney's fees and all
294 documentary stamps, as well as the appraisal costs. Any costs incurred by the
295 city must be reimbursed to the city prior to closing.

296
297 (5) The city shall be responsible for all advertisements and/or publication expenses
298 which it elects to undertake for the property.

299
300 (6) The city shall have the right at any time to reject any and all proposals and to
301 cancel any scheduled sales.

302
303 (g) *Sale provisions for sale of property by unsolicited proposal.*

304
305 (1) The city commission, at a public meeting, shall discuss the unsolicited proposal
306 and determine whether to approve the sale of the property. The sale price may

307 be determined at the public meeting or at a subsequent public meeting after
308 negotiation with staff.

309
310 (2) Should the city commission approve the sale, notwithstanding any rules of
311 general practice for apportioning costs of the sale of property, the purchaser of
312 city-owned surplus property shall pay all closing costs, including, but not limited
313 to, costs of the survey, abstracting, title insurance, brokers fees, real estate
314 commissions, purchaser's attorney's fees and all documentary stamps, as well
315 as the appraisal costs. Any costs incurred by the city must be reimbursed to the
316 city prior to closing.

317
318 (3) The sale must take place no later than six (6) months from the date of approval
319 by the city commission.

320
321 (h) Exchange provisions for exchange of property.

322
323 (1) The city commission, at a public meeting, shall discuss the terms and
324 conditions of the exchange and determine whether to approve the exchange of
325 property. The exchange value of each property to be exchanged and any other
326 terms and conditions of the exchange may be determined at the public meeting
327 or at a subsequent public meeting after negotiation with staff.

328
329 (2) Prior to such public meeting of the city commission where a determination may
330 be made, the city must publish, once a week for at least two (2) weeks, in a
331 newspaper of general circulation in the city, a notice setting forth the terms and
332 conditions of the exchange.

333
334 (3) Following the required notice, the city commission may authorize the exchange
335 of properties by resolution.

336
337 (4) Should the city commission authorize the exchange, notwithstanding any rules
338 of general practice for apportioning costs of the sale of property, the party
339 receiving city-owned surplus property through exchange shall pay all closing
340 costs, including, but not limited to, costs of survey(s), abstracting, title
341 insurance, brokers fees, real estate commissions, its attorney's fees and all
342 documentary stamps, as well as the appraisal costs. Any costs incurred by the
343 city must be reimbursed to the city at or prior to closing.

344 (i) Exceptions.

345
346 (1) Notwithstanding the foregoing sections, the city commission, at a scheduled
347 public meeting by a simple majority vote, may waive the requirements regarding
348 minimum bid amount, method of sale and sale of surplus property, and convey
349 property to the Lake Worth Community Redevelopment Agency or for property
350 located in a residentially zoned area, convey said real property to a 501(c)3
351 organization with a proven track record in the affordable housing industry. In such

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event, the Lake Worth Community Redevelopment Agency or the 501(c)3 organization shall be responsible for paying all closing costs, including but not limited to, the cost of the survey, abstracting, title insurance, broker's fees, real estate commissions, attorney's fees and documentary stamps, as well as appraisal costs and any costs that the city incurred in obtaining clear title of the property.

- (2) The Lake Worth Community Redevelopment Agency and the 501(c)3 organization awarded city surplus real property must apply for a building permit within one hundred twenty (120) days of obtaining clear marketable title or the property reverts back to the city. The city commission in its discretion may extend this time period.

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

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

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

Section 6. Effective Date. This ordinance shall become effective ten (10) days after its final passage.

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

- Mayor Betty Resch
- Vice Mayor Herman Robinson
- Commissioner Christopher McVoy
- Commissioner Sarah Malega
- Commissioner Kim Stokes

The Mayor thereupon declared this ordinance duly passed on first reading on the _____ of _____ 2022.

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:

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Mayor Betty Resch
Vice Mayor Herman Robinson
Commissioner Christopher McVoy
Commissioner Sarah Malega
Commissioner Kim Stokes

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: Community Sustainability

TITLE:

Discussion of Mobile Food Vending and Cottage Food Vending

SUMMARY:

Discussion of current policy and future policy direction regarding mobile food vending and cottage food vending.

BACKGROUND AND JUSTIFICATION:

Mobile food vending within the City has been allowed within approved mobile food vending courts for several years; however, there is interest in discussing the parameters and locations where the courts can be allowed. Also, there is interest in how cottage food vending is regulated and addressed. Overview will provide an update on both topics and options for broadening these uses.

MOTION:

N/A (seeking direction to staff)

ATTACHMENT(S):

Presentation
Current Zoning Map



City of
Lake Worth
Beach
FLORIDA

The Art of Florida Living.SM



City of
Lake Worth
Beachsm
FLORIDA



08/16/2021



CITY OF LAKE WORTH BEACH

Community
SustainabilitySM

Mobile and Cottage Food Vending in Lake Worth Beach

**City Commission Regular Meeting
March 1, 2022**



Mobile Food Vending

- 1. Mobile Food Vending is allowed through a conditional use approval within the Artisanal Industrial Zone and the Industrial Park of Commerce Zone as well as the FEC Overlay Zone.**
- 2. Conditional Uses are reviewed for approval by either the Planning & Zoning Board or the Historic Resources Preservation Board depending on the location**
- 3. Mobile Food Vending can take place within an approved Mobile Food Vending Court as either a principal or accessory use**
- 4. More than one (1) vendor may be located in the same approved court.**

Mobile Food Vending



Mobile Food Vending

- 5. Mobile Food Vending is allowed in association with City sanctioned special events as a temporary use**
- 6. Mobile Food Vending is not allowed to be undertaken from the City's public rights of way**
- 7. All Mobile Food Vending requires an active Lake Worth Beach Business License**

Mobile Food Vending



Mobile Food Vending

- 1. Mobile Food Vending could be extended to other zoning districts of the City such as Mixed-Use Dixie Highway, Mixed-Use East and Mixed Use West**
- 2. Mobile Food Vending could be allowed within the City's public rights of way but they would not be regulated under the City's Land Development Regulations**
- 3. Use of the right of way would be governed by the right of way use permit process managed by Public Services**
- 4. Mobile Food Vending does require a business license**



Cottage Food Vending

- 1. Cottage food vending is governed by Florida Statutes**
- 2. There is a preemption preventing the City from restricting and/or regulating the use**
- 3. No cottage food vending applications have been received**
- 4. Technically cottage food vending is allowed within the City as long as it meets all requirements and restrictions of Florida Statutes**

Cottage Food Vending

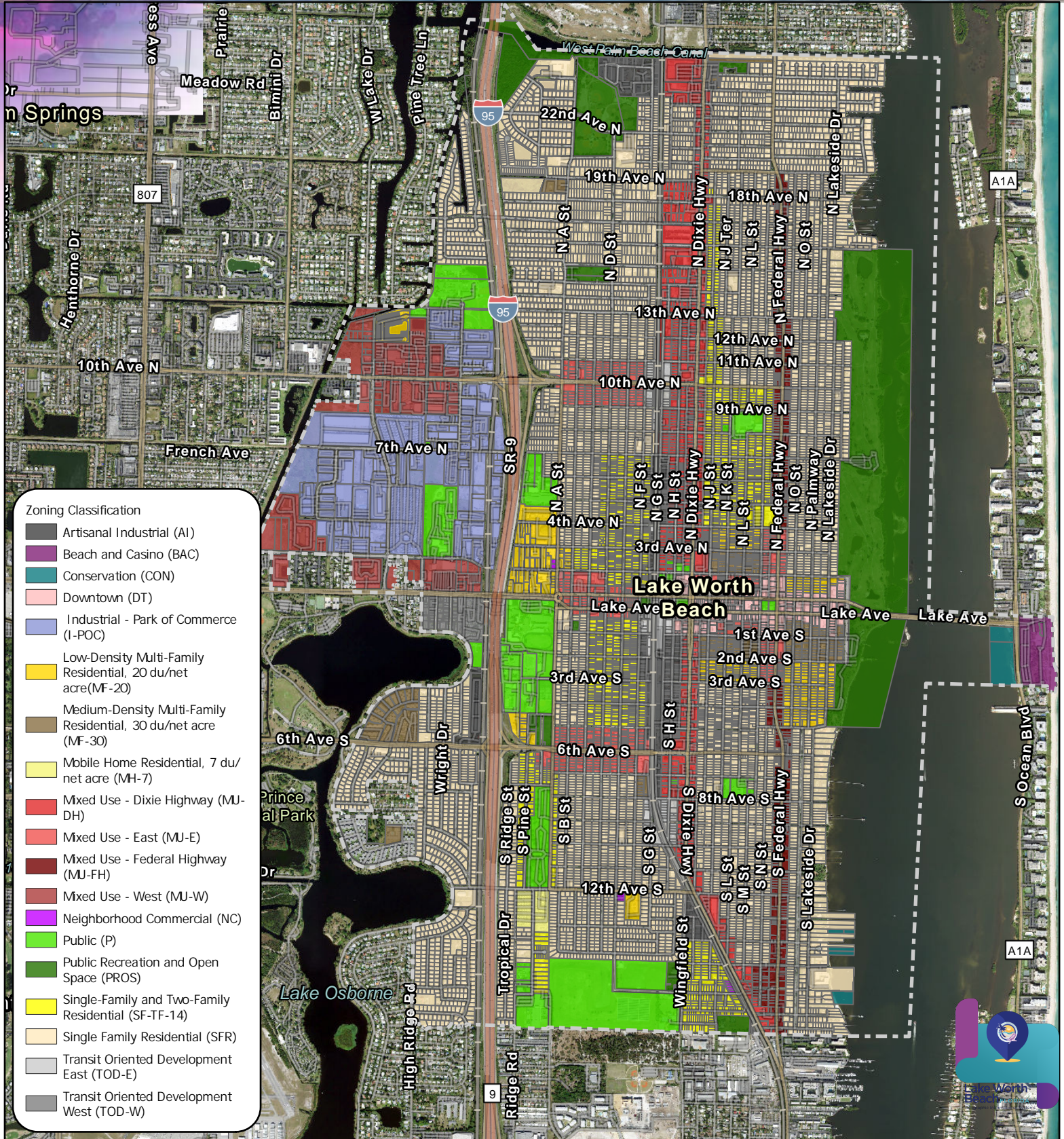




Questions

Zoning Classification

City of Lake Worth Beach, FL



Zoning Classification

- Artisanal Industrial (AI)
- Beach and Casino (BAC)
- Conservation (CON)
- Downtown (DT)
- Industrial - Park of Commerce (I-POC)
- Low-Density Multi-Family Residential, 20 du/net acre (MF-20)
- Medium-Density Multi-Family Residential, 30 du/net acre (MF-30)
- Mobile Home Residential, 7 du/net acre (MH-7)
- Mixed Use - Dixie Highway (MU-DH)
- Mixed Use - East (MU-E)
- Mixed Use - Federal Highway (MU-FH)
- Mixed Use - West (MU-W)
- Neighborhood Commercial (NC)
- Public (P)
- Public Recreation and Open Space (PROS)
- Single-Family and Two-Family Residential (SF-TF-14)
- Single Family Residential (SFR)
- Transit Oriented Development East (TOD-E)
- Transit Oriented Development West (TOD-W)

Map Legend

- Parcel Boundary
- Municipal Boundary

0 0.15 0.3 0.6 Miles



EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: March 1, 2022

DEPARTMENT: City Attorney

TITLE:

Stipulation of Dismissal in lawsuit brought by Gulf Stream of Lake Worth Condominium Association, Inc.

SUMMARY:

The proposed Stipulation of Dismissal will resolve the lawsuit brought by the Gulf Stream of Lake Worth Condominium Association, Inc., against the City of Lake Worth Beach.

BACKGROUND AND JUSTIFICATION:

On October 9, 1988, the City abandoned the 10-foot wide platted alleyway that runs north to south between the parcels owned by HH Gulfstream Land Holdings, LLC, the owner of the Gulfstream Hotel (“Hotel”). The abandoned alleyway is generally located just west of 1 Lake Avenue and runs the distance of the Hotel’s property. In exchange for the abandonment, the then-owner of the Hotel granted the City an easement “for the passage of vehicular and pedestrian traffic, together with the customary uses attendant thereto, including drainage and utilities” for the alleyway. The Hotel’s grant of easement states that the easement shall continue to exist until the City Commission holds a public hearing to abandon the easement following at least fifteen (15) days’ public notice to all persons owning property within two (200) hundred feet of the alleyway. If the easement is abandoned by the City, the easement reverts back to the owner of the Hotel.

In June 2021, the City and Restoration St. Louis, Inc., entered into a Letter of Intent wherein the City agreed to consider releasing the easement as part of Restoration St. Louis, Inc.’s redevelopment of the Hotel.

On October 4, 2021, the Gulf Stream of Lake Worth Condominium Association, Inc. (“Association”), filed a lawsuit against the Hotel owner and the City of Lake Worth Beach. The Association is seeking a prescriptive easement over three (3) parking spaces on the Hotel’s property which allegedly have been utilized by the Association for years. The Association is also seeking a prescriptive easement over the alleyway that runs between the Hotel’s parcels, which the Association claims it has used for years. The Association is seeking declaratory relief against the City with regards to the City’s easement rights over the alleyway.

The City’s outside counsel coordinated with the counsel for the Association to prepare the attached stipulation of dismissal. The stipulation provides for a dismissal of the lawsuit against the City with prejudice with each party paying its own incurred attorney’s fees. The stipulation documents the fact that the City has not yet abandoned the easement and, that if the City is going to pursue abandonment of the easement, the City will need to comply with the notice and public hearing requirements in the grant of easement. The attorneys for the Hotel have reviewed the stipulation and do not have any objections to the same. If the stipulation is approved, the

City's outside counsel will sign the stipulation on behalf of the City and the same will be filed with the court.

MOTION:

Move to approve / not approve Stipulation of Dismissal in lawsuit brought by Gulf Stream of Lake Worth Condominium Association, Inc.

Fiscal Impact Analysis – N/A
Stipulation of Dismissal
Grant of Easement

GRANT OF EASEMENT

ORB 5598 Pg 1069

Know all men by these presents, that GULFSTREAM ASSOCIATES, LTD., a Florida limited partnership (hereinafter called "grantor"), for and in consideration of the sum of ten dollars (\$10.00) or other good and valuable consideration, the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed, and by these presents does grant, sell and convey, unto the CITY OF LAKE WORTH, FLORIDA, a municipal corporation, an easement for the passage of vehicular and pedestrian traffic, together with the customary uses attendant thereto, including drainage and utilities, over, under, through, across and along all that certain real property described as follows:

That certain 10 foot wide strip of land lying west and adjacent to the following described parcel:

Lots 9, 10, 11 and the northerly 24.50 feet of Lot 12, Block 33, THE PALM BEACH FARMS COMPANY PLAT NO. 2, LUCERNE TOWNSITE (now known as Lake Worth), according to the Plat thereof as recorded in Plat Book 2, Pages 29 through 40, of the Public Records of Palm Beach County, Florida, said land lying in the Lucerne Townsite, Palm Beach County, Florida,

to have and to hold the same, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said CITY OF LAKE WORTH, its licensees, agents, successors and assigns forever. It is expressly understood that in the event the City, its successors or assigns abandon or vacate the easement herein granted, that the same shall revert back to grantor, its successors or assigns; provided, however, that no such abandonment or vacation by the City shall be effective until after the City Commission has held a public hearing, to hear and consider objections to and protests against the proposed abandonment or vacation, following at least fifteen (15) days' notice of the time, place and object of such hearing mailed to all persons whose names appear on the then-current tax rolls who own land lying within two hundred feet (200') from the perimeter of the land subject to the easement.

Grantor shall be responsible for normal maintenance of the property subject to this easement. Furthermore, if at any time during the term of this easement, the alley on said property is constructed of material other than the then standard material for City streets, grantor shall replace or repair, at its own expense and as soon as practicable, any damage to the base and/or surface of the alley. Grantor shall not commence any construction on the property subject to this easement without first obtaining the City's approval, which approval shall not be unreasonably withheld.

Each and every covenant contained herein shall run with the land, and this document shall be recorded in the Public Records of Palm Beach County, Florida.

88-063436
10.00 Doc
Con JOHN B DUNKLE, CLERK - PB COUNTY, FL .50

PLEASE RECORD AND RETURN TO:

CITY OF LAKE WORTH
OFFICE OF CITY CLERK
CITY HALL
LAKE WORTH, FLORIDA
33460

EXHIBIT

=C4

Pg. 2 GRANT OF EASEMENT

Witnesses:

[Signature]
[Signature]


Grantor:

GULFSTREAM ASSOCIATES, LTD.
By [Signature]
[Signature]

STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS

The foregoing instrument was acknowledged before me this 21st
day of Oct, 1986, By STEPHAN N. ALEX

GENERAL PARTNER Name
on behalf of GULFSTREAM ASSOCIATES, LTD.; a
Title
Florida limited partnership.

Camelam
Notary Public
State of Florida


My commission expires

Highly E. U. State of Florida
My Comm. expires June 1, 1987

ACCEPTANCE

The CITY OF LAKE WORTH, FLORIDA, a municipal corporation, does hereby accept the foregoing grant and easement and the terms and conditions thereof.

In witness whereof, the CITY OF LAKE WORTH has caused this acceptance to be executed this 21st day of October, 1986.

CITY OF LAKE WORTH

ATTEST:

[Signature]
City Clerk

This instrument prepared by:

John B. Waddell, Esquire
101 North "J" Street
Lake Worth, Florida 33460

RECORD VERIFIED
PALM BEACH COUNTY, FLA
JOHN B. DUNKLE
CLERK CIRCUIT COURT

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION

Case No.: 502021CA011313XXXXMB

GULF STREAM OF LAKE WORTH
CONDOMINIUM ASSOCIATION, INC.,
a Florida not for profit corporation,
individually and on behalf of its members,

Plaintiff,

v.

HH GULFSTREAM LAND HOLDINGS,
LLC, a Delaware limited liability
company; and the CITY OF LAKE
WORTH BEACH FLORIDA, a municipal
corporation organized under the laws of
the State of Florida,

Defendants.

_____ /

STIPULATION OF DISMISSAL

Plaintiff, Gulf Stream of Lake Worth Condominium Association, Inc. (“Plaintiff”) and Defendant, the City of Lake Worth Beach, Florida (“Defendant”), pursuant to Rule 1.420(a)(1), Florida Rules of Civil Procedure, stipulate that all claims Plaintiff alleged against Defendant in this lawsuit are dismissed **with prejudice**, with each party paying its own incurred attorney’s fees and costs.

Defendant also stipulates that, at this time, it has not released the easement attached to the Complaint as Exhibit “C”. If Defendant is going to release the easement (attached to the Complaint

as Exhibit “C”), Defendant will hold a public hearing with 15 days’ notice provided to property owners within 200 feet.

DATED February 17, 2022.

NASON, YEAGER, GERSON,
HARRIS & FUMERO, P.A.
Attorneys for Plaintiff
750 Park of Commerce Blvd., Ste. 210
Boca Raton, FL 33487
Tel.: (561) 982-7114
Fax: (561) 982-7116

By: /s/ Gregory Hyden
R. Gregory Hyden
Florida Bar No. 50839
GHyden@nasonyeager.com

LYDECKER LLP
Attorneys for Defendant
1221 Brickell Avenue, 19th Floor
Miami, FL 33131
Tel.: (305) 416-3180
Fax: (305) 416-3190

By: /s/ Vivian Bauza
Forrest L. Andrews, Jr.
Florida Bar No. 17782
fla@lydecker.com
Vivian Bauza
Florida Bar No. 90885
vb@lydecker.com

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was electronically served on March 2, 2022 on all parties registered to receive electronic service in Florida’s ePortal via the service e-mail generated by the ePortal upon filing of same.

/s/Vivian Bauza
VIVIAN BAUZA



AGENDA
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, MARCH 15, 2022 - 6:00 PM

ROLL CALL:

INVOCATION OR MOMENT OF SILENCE: led by Commissioner Christopher McVoy

PLEDGE OF ALLEGIANCE: led by Commissioner Sarah Malega

AGENDA - Additions / Deletions / Reordering:

PRESENTATIONS: (there is no public comment on Presentation items)

COMMISSION LIAISON REPORTS AND COMMENTS:

CITY MANAGER'S REPORT:

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

APPROVAL OF MINUTES:

- A. Regular Meeting - February 15, 2022
- B. Pre-agenda Work Session - February 23, 2022
- C. Joint Work Session - February 23, 2022

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

PUBLIC HEARINGS:

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. Agreement for Integrated Parking Management System with ParkMobile, LLC
- B. Amendment #3 with AE Engineering for additional professional CEI Services
- C. FY 2022 Stantec Agreement for Comprehensive Financial Analysis
- D. Resolution No. xx-2022 – Fifth Operating Budget Amendment for FY 2022 to appropriate \$75,000 of JAG grant funding to implement a pilot communications platform using kiosks.
- E. Establishing a new resolution for authorized signers that will supersede and repeal any previous resolutions in conflict.

F. Re-purpose \$75,000 allocated to the PBC School Board WiFi Project to be used to fund the City Hall EV Charging Stations.

CITY ATTORNEY'S REPORT:

UPCOMING MEETINGS AND WORK SESSIONS:

ADJOURNMENT:

The City Commission has adopted Rules of Decorum for Citizen Participation (See Resolution No. 25-2021). The Rules of Decorum are posted within the City Hall Chambers, City Hall Conference Room, posted online at: <https://lakeworthbeachfl.gov/government/virtual-meetings/>, and available through the City Clerk's office. Compliance with the Rules of Decorum is expected and appreciated.

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)