



AGENDA DATE: November 5, 2019 – Regular Meeting

DEPARTMENT: City Manager's Office

EXECUTIVE BRIEF

TITLE:

Conditional Sale and Transfer of 501 Lake Avenue to the Lake Worth Beach CRA for redevelopment

SUMMARY:

A request by the City of Lake Worth Beach Community Redevelopment Agency (CRA) to authorize the approval of a conditional sale and transfer agreement for 501 Lake Avenue so that it can be included in a comprehensive redevelopment project.

BACKGROUND AND JUSTIFICATION:

Over the course of the last year, the CRA in collaboration with the City assembled a grouping of nine (9) properties along South M and South L Streets all the way to 1st Avenue South. In addition, the CRA has a signed contract for the property located at 509 Lake Avenue. The goal is to combine the City's parcel at 501 Lake Avenue with the adjacent parcel at 509 Lake Avenue in order to facilitate a comprehensive redevelopment proposal for all eleven (11) parcels. Any redevelopment project for the parcels will be required to be brought forward to both the City's Historic Resources Preservation Board (HRPB) and City Commission for entitlement approvals at public hearings.

The City has incurred roughly \$340,000 in expenses inclusive of the purchase of the property and associated upgrades and renovations. The CRA has agreed to reimburse the City at least \$340,000 for 501 Lake Avenue at such time a redevelopment proposal is approved and contract is executed with a development team. The redevelopment contract and transaction likely are to be completed sometime in FY 2021 at which time the City will be reimbursed for the transfer and sale of the property to the CRA. Pursuant to the 2019 referendum, all proceeds the City receives from the sale will be used exclusively within downtown Lake Worth Beach.

MOTION:

Move to approve/disapprove a conditional sale and transfer of 501 Lake Avenue to the Lake Worth Beach CRA for an amount no less than \$340,000.

ATTACHMENT(S):

- Fiscal Impact Analysis
- Location Map
- Zoning Map

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	0	0	0	0	0
Operating Expenditures	0	0	0	0	0
External Revenues	0	0	\$340,000	0	0
Program Income	0	0	0	0	0
In-kind Match	0	0	0	0	0
Net Fiscal Impact	0	0	\$340,000	0	0
No. of Addn'l Full-Time Employee Positions	0	0	0	0	0

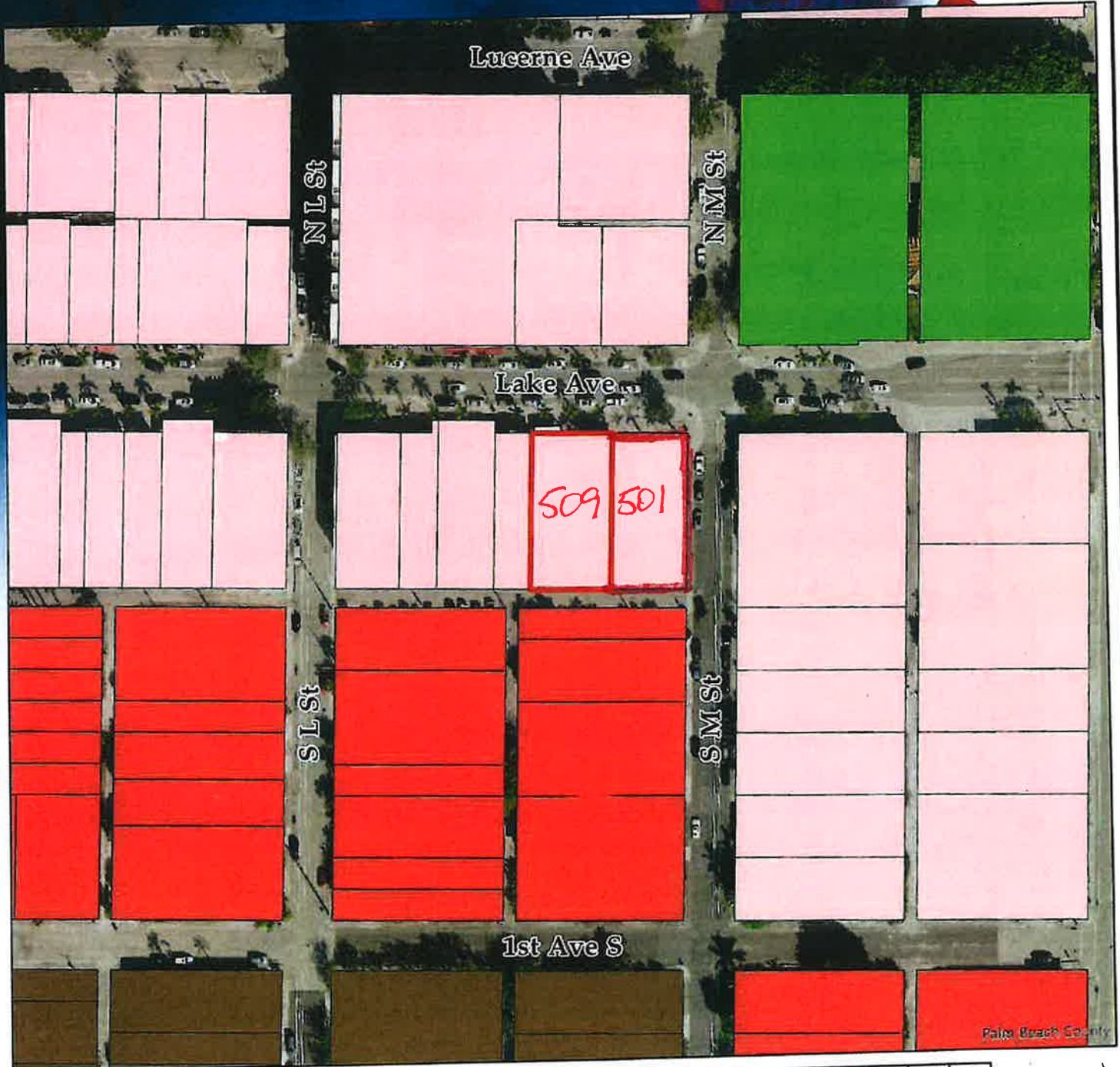
B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Department Fiscal Review:_____



Zoning Map 501 Lake Avenue

Department for Community Sustainability / Planning, Zoning & Historic Preservation



Map Legend

- Medium-Density Multi-Family Residential, 30 du/net acre (MF-30)
- Downtown (DT)
- Mixed Use - East (MU-E)
- Public (P)
- 501 Lake Avenue

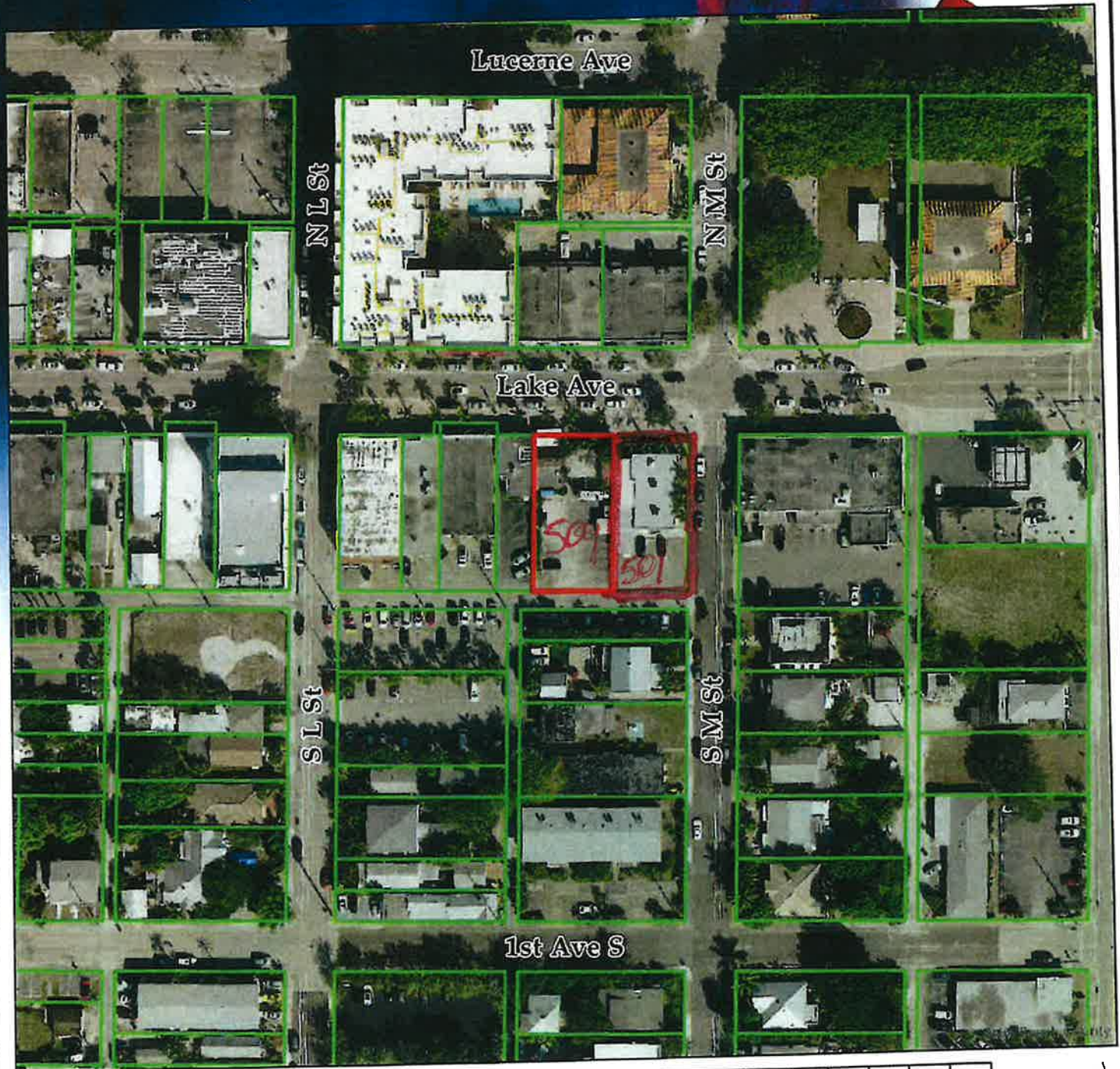


Palm Beach County



Location Map 501 Lake Avenue

Department for Community Sustainability / Planning, Zoning & Historic Preservation



Map Legend

 501 Lake Avenue

0 65 130 260 Feet



ACTION AGENDA
CITY OF LAKE WORTH BEACH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, NOVEMBER 5, 2019 - 6:00 PM

1. **ROLL CALL:** Present were Mayor Pam Triolo; Vice Mayor Andy Amoroso; and Commissioners Scott Maxwell, Omari Hardy and Herman Robinson. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia and City Clerk Deborah Andrea.
2. **INVOCATION OR MOMENT OF SILENCE:** on behalf of Commissioner Omari Hardy.
3. **PLEDGE OF ALLEGIANCE:** led by Vice Mayor Andy Amoroso.
4. **AGENDA - Additions/Deletions/Reordering:**
There were no changes to the agenda.

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

A. Barton Elementary presentation by Denise Sanon

B. Proclamation for Paws on the Avenue's 20th Anniversary

C. Royal Poinciana Neighborhood Association Update by Ramsay MacLeod

D. Proclamation recognizing the American Legion Vogel-Lee Post 47 on its 100th Anniversary

E. Proclamation declaring November 2019 as Retinoblastoma Awareness Month

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

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

8. **APPROVAL OF MINUTES:**

Action: Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to approve the following minutes:

A. Regular Meeting - October 1, 2019

B. Work Session - October 10, 2019

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

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

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

- A. Task Order 17 with Wantman Group Inc. (WGI) for the Pavement Condition Study update
- B. Purchase Order with Rehrig Pacific for the procurement of Solid Waste garbage carts through the US Communities Cooperative Purchase Agreement
- C. Interlocal Agreement with the members of the Coastal Resiliency Partnership to conduct a Climate Change Vulnerability Assessment
- D. Lease Agreement with Lutheran Services Florida, Inc. to operate Head Start Program
- E. Authorization of Funding for two (2) Contract Agreements with IPS Group, Inc. for continued meter equipment and handheld unit services
- F. Ratification of appointment and reappointments to various advisory boards
- G. Resolution No. 65-2019 - declaring the elimination of bullying as a goal of the City brought forward by Commissioner Hardy
- H. Authorization to Execute Relocation and Reconstruction Agreement IDON Media, LLC
- I. Purchase Order with Nextran Truck for a Mack Grapple truck and Mack Rear Load truck for the Solid Waste and Recycling Division
- J. Task Order No. 14 with Wantman Group, Inc., for program management and support services for the Neighborhood Road Program for FY 2020

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

10. **PUBLIC HEARINGS:**
There were no Public Hearings on the Agenda.

11. **UNFINISHED BUSINESS:**

Action: Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve the adoption of the Fiscal Year 2020-2024 Capital Improvement Plan.

Action: Amended motion made by Commissioner Hardy and seconded by Commissioner Robinson to approve the adoption of the Fiscal Year 2020-2024 Capital Improvement Plan with the Mayor Triolo compromise of \$5 million for roads, \$6 million plus any revenue from the 2nd floor of the casino building for the pool, \$1.5 million for the motor pool building, \$1.295 for government projects and \$900,000 for cyber security.

A. Adopt the five year Capital Plan FY 2020-2024

Vote on amended motion: Voice vote showed: AYES: Mayor Triolo and Commissioners Hardy and Robinson. NAYS: Vice Mayor Amoroso and Commissioner Maxwell.

Vote on original motion: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

12. NEW BUSINESS:

- A. Ordinance No. 2019-10 - First reading - Ballot language for up to a 30 year lease on Municipal Beach Complex by referendum on March 17, 2020 and set the second reading and public hearing for December 3, 2020**

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2019-10 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, CALLING FOR A REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY OF LAKE WORTH BEACH TO BE HELD ON MARCH 17, 2020, AS TO WHETHER ARTICLE II, SECTION 3 OF THE CITY OF LAKE WORTH BEACH CHARTER, ENTITLED "CITY-OWNED PROPERTY EAST OF THE A1A ROADWAY", SHALL BE AMENDED TO ALLOW FOR A LEASE OF UP TO 30 YEARS; PROVIDING FOR NOTICE AND ADVERTISING OF THE REFERENDUM; PROVIDING FOR REFERENDUM CANVASSING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING LAWS; PROVIDING FOR AN EFFECTIVE DATE.

Action: Motion made by Commissioner Hardy and seconded by Commissioner Robinson to approve Ordinance 2019-10 on first reading and set the second reading and public hearing for December 3, 2019.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

- B. Ordinance No. 2019-11 - First reading - Ballot language to extend the Jewell-Steinhardt Cove Nature Preserve lease with Palm Beach County to a total term of 99 years and set the second reading and public hearing for December 3, 2020**

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2019-11 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, CALLING FOR A REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY OF LAKE WORTH BEACH TO BE HELD ON MARCH 17, 2019, AS TO WHETHER TO EXTEND THE LEASE TERM TO ALLOW PALM BEACH COUNTY TO MANAGE THE JEWELL-STEINHARDT COVE FOR A TOTAL TERM OF NINETY-NINE (99) YEARS; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE VOTERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING AN EFFECTIVE DATE.

Action: Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to approve Ordinance 2019-11 on first reading and set the second reading and public hearing for December 3, 2019.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

- C. Ordinance No. 2019-12 - First reading - Ballot language for up to a 30 year lease on Parks, City-Owned Waterfront Property and City-Owned Downtown Property by referendum on**

March 17, 2020 and set the second reading and public hearing for December 3, 2019

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2019-12 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, CALLING FOR A REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY OF LAKE WORTH BEACH TO BE HELD ON MARCH 17, 2020, AS TO WHETHER ARTICLE II, SECTION 4 OF THE CITY OF LAKE WORTH BEACH CHARTER, ENTITLED "SALE OF PARKS, CITY-OWNED WATERFRONT PROPERTY, AND CITY-OWNED DOWNTOWN PROPERTY ONLY BY REFERENDUM", SHALL BE AMENDED TO ALLOW FOR A LEASE OF UP TO 30 YEARS; PROVIDING FOR NOTICE AND ADVERTISING OF THE REFERENDUM; PROVIDING FOR REFERENDUM CANVASSING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING LAWS; PROVIDING FOR AN EFFECTIVE DATE.

Action: Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to approve Ordinance 2019-12 on first reading and set the second reading and public hearing for December 3, 2019.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

- D. Ordinance No. 2019-13 - First reading - Amending Chapter 23, "Land Development Regulations," to authorize adoption of new Major Thoroughfare Design Guidelines by Resolution to replace the existing 2001 design guidelines and set the second reading and public hearing for December 3, 2020**

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2019-13 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, REPEALING THE 2001 "DESIGN GUIDELINES FOR OLD TOWN HISTORIC DISTRICT AND MAJOR THOROUGHFARES" IN ITS ENTIRETY; AMENDING CHAPTER 23, "LAND DEVELOPMENT REGULATIONS", ARTICLE 2, "ADMINISTRATION", DIVISION 3 "PERMITS" SECTION 23.2-31 "SITE DESIGN QUALITATIVE STANDARDS" AND SEVERAL SECTIONS OF ARTICLE 3, "ZONING DISTRICTS" TO REMOVE ALL REFERENCES TO THE MAJOR THOROUGHFARES GUIDELINES FROM THE CODE OF ORDINANCES AND PROVIDING FOR THE ADOPTION OF NEW MAJOR THOROUGHFARE DESIGN GUIDELINES BY RESOLUTION; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

Action: Motion made by Commissioner Hardy and seconded by Commissioner Maxwell to approve Ordinance No. 2019-13 – Amending Chapter 23 Land Development Regulations to authorize adoption of new Major Thoroughfare Design Guidelines by Resolution to replace the existing 2001 Design guidelines major thoroughfares and setting a public hearing for December 3, 2019 for second reading.

Vote: Voice vote showed: AYES: Mayor Triolo and Commissioners Maxwell, Hardy and Robinson. NAYS: None. ABSENT: Vice Mayor Amoroso.

- E. Ordinance No. 2019-14 - First Reading - Amendments to Chapter 23, "Land Development Regulations," of the City of Lake Worth Beach Code of Ordinances and set the second reading and public hearing for December 3, 2020**

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2019-14 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS," ARTICLE 2 "ADMINISTRATION" DIVISION 3, "PERMITS," SECTION 23.2-33 "CITY OF LAKE WORTH SUSTAINABLE BONUS INCENTIVE PROGRAM" TO COMPLY WITH THE CITY'S COMPREHENSIVE PLAN AND BY AMENDING SECTION 23.2-35 "DEVELOPMENT OF SIGNIFICANT IMPACT" TO INCREASE REVIEW THRESHOLDS; BY AMENDING ARTICLE 3 "ZONING DISTRICTS," DIVISION 6, "PLANNED DEVELOPMENT," SECTION 23.3-25 "PLANNED DEVELOPMENT DISTRICT" TO INCLUDE A TRANSFER DEVELOPMENT RIGHTS PROGRAM; BY AMENDING ARTICLE 4 "DEVELOPMENT STANDARDS," SECTION 23.4-13 "MEDIUM AND HIGH INTENSITY CONDITIONAL USES," TO ELIMINATE LOT SIZE REQUIREMENTS IN INDUSTRIAL/MANUFACTURING FACILITIES AND CREATE REGULATIONS FOR RECYCLING FACILITIES; AND FOR OTHER PURPOSES; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

Action: Motion made by Commissioner Hardy and seconded by Commissioner Robinson to approve Ordinance No. 2019-14 – amendments to Chapter 23 of the City of Lake Worth Beach Code of Ordinances and set the second reading and public hearing for December 3, 2019.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

- F. Formation of a Blue Ribbon Charter Review Committee brought forward by Commissioner Robinson**

Action: Motion made by Commissioner Robinson to establish a Blue Ribbon Charter Review Committee. Motion died for lack of a second.

Action: Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to establish of a Blue Ribbon Charter Review Committee with equal appointments by the Commissioners and a deadline for recommendations in time for the November 2020 election. Motion died for lack of a second.

Action: Motion made by Mayor Triolo (passed the gavel to Vice Mayor Amoroso) and seconded by Commissioner Robinson to move the discussion regarding the establishment of a Blue Ribbon Charter Review Committee to a work session.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

- G. Set date for Special Commission meeting to discuss the future of our Ocean Park brought by Commissioner Robinson**

Action: Motion made by Commissioner Hardy and seconded by Commissioner Robinson to approve setting a date for a Special Commission meeting to discuss the future of our Ocean Park.

Action: Amended motion made by Commissioner Hardy and seconded by Commissioner Robinson to approve a work session in January to discuss zoning and the comp plan for the beach, the 3Ps with the advisor, merits of RFPs, RFQs, ITNs, etc., leases and unsolicited bids for the Ocean Park.

Vote: Voice vote showed: AYES: Mayor Triolo and Commissioners Hardy and Robinson. NAYS: Vice Mayor Amoroso. ABSENT: Commissioner Maxwell.

H. Discussion to establish a budget process that does not include a bifurcated final budget

Action: Motion made by Commissioner Hardy and seconded by Commissioner Robinson to approve Commissioner Robinson's request to establish a process that does not bifurcate the final budget.

Vote: Voice vote showed: AYES: Commissioners Hardy and Robinson. NAYS: Mayor Triolo, Vice Mayor Amoroso and Commissioner Maxwell.

I. Conditional Sale and Transfer of 501 Lake Avenue to the Lake Worth Beach CRA for redevelopment

Action: Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to approve a conditional sale and transfer of 501 Lake Avenue to the Lake Worth Beach CRA for an amount no less than \$340,000.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

13. LAKE WORTH ELECTRIC UTILITY:

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

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

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

1) Participation in the Florida Municipal Power Agency solar energy project subject to the Electric Utility Director, City Manager and City Attorney's review and approval of the finalized contracts and authorization to the City Manager to execute the same once approved

2) Purchase Order(s) to McWayne Poles for the Purchase & Delivery of Ductile Iron Poles

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

C. PUBLIC HEARING:

There were no Public Hearing items on the agenda.

D. NEW BUSINESS:

There were no New Business items on the agenda.

14. CITY ATTORNEY'S REPORT:

City Attorney Torcivia did not provide a report.

15. CITY MANAGER'S REPORT:

A. Draft Agenda – December 3, 2019, Regular City Commission Meeting

City Manager Bornstein did not provide a report.

16. ADJOURNMENT:

Action: Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to adjourn the meeting at 10:34 PM.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.