



CITY OF LAKE WORTH

7 North Dixie Highway · Lake Worth, Florida 33460 · Phone: 561-586-1600 · Fax: 561-586-1798

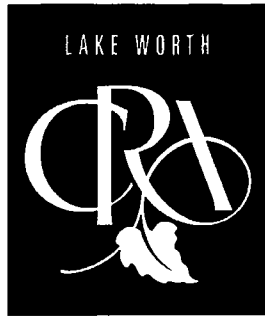
ADDITIONS/DELETIONS/REORDERING TO AGENDA CITY COMMISSION MEETING TUESDAY, JUNE 15, 2010 - 6:00 PM

8. CONSENT AGENDA:

- C. (Add) Resolution No. 13-2010 - authorize the Community Redevelopment Agency to conduct reviews on property acquisition related to the Neighborhood Stabilization Program-2

11. NEW BUSINESS:

- C. (Add) Support Hands Across the Sand event on June 26, 2010
- D. (Add) Resolution No. 14-2010 - support the provisions of Title 8, Section 12 of the United States Code as it relates to immigration and nationality



LAKE WORTH
COMMUNITY REDEVELOPMENT AGENCY
29 SOUTH J STREET, SUITE 1
LAKE WORTH, FLORIDA 33460-3787
www.lakeworthcra.org

Phone: (561) 493-2550
Fax: (561) 493-2549

MEMORANDUM

TO: Mayor, Vice-Mayor and Members of the Commission

CC: Susan Stanton, City Manager
Wayne Bergman, Planning Director

FROM: Joan C. Oliva, CRA Executive Director

DATE: June 15, 2010

SUBJECT: Resolution - 13-2010

EXPLANATION:

In January of this year, the Lake Worth CRA Consortium was awarded over \$23M in Neighborhood Stabilization Program 2 (NSP-2) funding appropriated under the American Recovery and Reinvestment Act of 2009. The program was initiated to arrest neighborhood decline and promote home ownership.

Because the CRA is receiving federal funding, the Agency is subject to the National Environmental Policy Act of 1969 and related regulations in 24 CFR Part 58. The Lake Worth CRA will be conducting environmental reviews within the district for this program. The CRA has been conducting environmental reviews since it's designation as a Brownfield area in 2004 and its subsequent grant award from the Environmental Protection Agency.

In accordance with regulations and to assist in expediting the process the CRA elected to conduct a detailed Tier-1 environmental review of the NSP target area prior to acquisition of properties. This process was discussed and approved by our local HUD office. On April 5, 2010 the CRA Board approved a contract with Cardno TBE to produce a Tier I Environmental Review in the NSP target area. Cardno TBE is one of four environmental engineering firms that provide continuing environmental services to the Agency. A draft environmental report of the target area was been submitted to HUD for review earlier this month.

Although the CRA has been responsible for these reviews for many years, the Department of Housing and Urban Development requested documentation from the City stating that the CRA is authorized to conduct reviews. Since an interlocal agreement or resolution was not put into place when the CRA was designated a Brownfield, Staff is requesting the approval of a Resolution now so the NSP acquisition process can move forward.

REQUEST:

The CRA is requesting the City approve a Resolution to authorize the CRA to conduct environmental reviews on behalf of the City with respect to acquisitions made by the Lake Worth CRA Consortium in concert with the Neighborhood Stabilization Program as required by 24 CFR Part 58 and; authorizing the Mayor, City Manager and City Clerk to execute any documentation required by HUD to authorize the CRA to perform the reviews.

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4 RESOLUTION NO. 13-2010 OF THE CITY OF LAKE WORTH, FLORIDA
5 AUTHORIZING THE CITY OF LAKE WORTH COMMUNITY REDEVELOPMENT
6 AGENCY TO CONDUCT ENVIRONMENTAL REVIEWS ON BEHALF OF THE
7 CITY OF LAKE WORTH WITH RESPECT TO PROPERTY ACQUISITIONS
8 ASSOCIATED WITH THE CITY OF LAKE WORTH COMMUNITY
9 REDEVELOPMENT AGENCY'S NEIGHBORHOOD STABILIZATION
10 PROGRAM - 2, AS REQUIRED BY 24 CFR PART 58, ENTITLED
11 "ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD
12 ENVIRONMENTAL RESPONSIBILITIES; AUTHORIZING THE MAYOR, CITY
13 MANAGER, AND CITY CLERK TO EXECUTE ANY DOCUMENT DEEMED
14 NECESSARY BY THE UNITED STATES DEPARTMENT OF HOUSING AND
15 URBAN DEVELOPMENT ("HUD") TO AUTHORIZE THE CRA TO PERFORM
16 THE ENVIRONMENTAL REVIEWS AS REQUIRED BY 24 CFR PART 58.

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18 WHEREAS, the City of Lake Worth Community Redevelopment Agency ("CRA")
19 is a recipient of Neighborhood Stabilization Program – 2 ("NSP2") grant from the
20 United States Department of Housing and Urban Development ("HUD"), and
21 pursuant to 24 CFR Part 58, as part of the NSP2 property acquisition
22 requirements, an environmental review of the property to be acquired by the CRA
23 must be conducted; and

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25 WHEREAS, Part 24 CFR Section 58.1, provides for "Responsible Entities" to
26 conduct an environmental review for a particular project or activity and for
27 obtaining approval of a Request for Release of Funds; and

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29 WHEREAS, the definition of Responsible Entity, as contained in Part 24 CFR
30 Section 58.2, includes units of general local government, which includes the City
31 of Lake Worth ("City"); and

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33 WHEREAS, in order to assure HUD that the CRA is authorized to conduct
34 environmental reviews on behalf of the City, the City Commission finds that the
35 CRA is a unit of local government, and has the authority pursuant to Section
36 163.370, Florida Statutes, to conduct the environmental reviews on behalf of the
37 City; and

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39 WHEREAS, the City Commission finds that this Resolution serves both a
40 municipal and public purpose, and further authorizes the Mayor, City Manager,
41 and City Clerk to execute any documents HUD deems necessary in order to
42 provide for the CRA to perform the environmental reviews as required by 24 CFR
43 Part 58.

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

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Section 1. That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. That, as the City of Lake Worth is a Responsible Entity pursuant to Part 24 CFR Section 58.2, the City Commission authorizes the Lake Worth Community Redevelopment Agency ("CRA") to conduct environmental reviews on behalf of the City, and declares that the CRA has the authority pursuant to Section 163.370, Florida Statutes, to conduct environmental reviews on behalf of the City.

Section 3. That the City Commission finds that this Resolution serves both a municipal and public purpose, and further authorizes the Mayor, City Manager, and City Clerk to execute any documents HUD deems necessary in order to provide for the CRA to perform the environmental reviews as required in 24 CFR Part 58.

Section 4. That this Resolution shall take effect immediately upon adoption.

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

- Mayor René A. Varela
- Vice Mayor Jo-Ann Golden
- Commissioner Cara Jennings
- Commissioner Suzanne Mulvehill
- Commissioner Scott Maxwell

The Mayor thereupon declared this Resolution duly passes and adopted on the 15th day of June, 2010.

LAKE WORTH CITY COMMISSION

By: _____
René A. Varela, Mayor

ATTEST:

Pamela J. Lopez, City Clerk



CITY OF LAKE WORTH

7 North Dixie Highway · Lake Worth, Florida 33460 · Phone: 561-586-1600 · Fax: 561-586-1798

MEMORANDUM: June 14, 2010

AGENDA DATE: June 15, 2010, Regular Meeting

TO: Mayor and City Commission

FROM: Commissioner Cara Jennings, District 2

TITLE: **SUPPORT “HANDS ACROSS THE SAND” EVENT AT LAKE WORTH BEACH ON JUNE 26, 2010.**

BACKGROUND:

On April 20, 2010, a British Petroleum offshore oil rig “Deepwater Horizon” exploded, killing workers on the rig and spilling tens of thousands of barrels of crude oil into the Gulf of Mexico. The devastating consequences of this event for Gulf Coast communities and the fragile wetlands, bayous and coastal waters are unknown at this time.

According to an Associated Press statement of June 11, 2010 “Scientists now say the blown-out well could have been spewing as much as 2 million gallons of crude a day before a cut-and-cap maneuver started capturing some of the flow, meaning more than 100 million gallons may have leaked into the Gulf of Mexico since the start of the disaster in April. That is more than nine times the size of the 1989 Exxon Valdez disaster, previously the worst oil spill in U.S. history.”

As one response to this economic and environmental catastrophe, local groups have organized to participate in a second “Hands Across the Sand” (HATS) event at Lake Worth public beach. The City of Lake Worth was a co-sponsor of the first HATS event held on February 13, 2010. As was stated in the January memo authored by Commissioner Mulvehill “Hands Across the Sand is devoted to protecting our coastline and waterways from the devastating environmental effects of oil exploration and support industries.”

Requested City support for the June 26, 2010 event includes: joining many local organizations including Surfrider, Sierra Club, Compass, Greenpeace, the Palm Beach County Environmental Coalition and Equality Florida as a co-sponsor of the event, posting the event on the City’s website and message boards, participating in press releases, allowing partner groups to set up tables on the boardwalk and having additional beach staff on-hand for increased beach crowds if needed.

The Commission should also be aware that June 26 is the same day the City is hosting the Second Annual Fishing Tournament in celebration of the re-opening of the Lake Worth Pier.

OFFICE OF MANAGEMENT & BUDGET BACKGROUND:

Not applicable.

BUDGETARY IMPACT:

Not applicable.

CONSEQUENT ACTION:

Direct staff to provide minor assistance as needed including posting of the event on the message boards, approving City logo for joint press release, scheduling appropriate beach staff and informing staff of groups tabling at the event.

REVIEWED BY AND RECOMMENDATION:

Reviewed and recommended by Commissioner Jennings.

POTENTIAL MOTION:

I MOVE TO APPROVE/DISAPPROVE SUPPORTING THE HANDS ACROSS THE SAND EVENT ON June 26, 2010, AT THE LAKE WORTH BEACH IN PARTNERSHIP WITH AREA ORGANIZATIONS.

Attachment:

January 5, 2010 Agenda Memo supporting the first Hands Across Sand event



CITY OF LAKE WORTH

7 North Dixie Highway · Lake Worth, Florida 33460 · Phone: 561-586-1600 · Fax: 561-586-1798

MEMORANDUM DATE: December 28, 2009

AGENDA DATE January 5, 2010, Regular Meeting

TO: Mayor and City Commission

FROM: Commissioner Suzanne Mulvehill, District 4

TITLE: **SUPPORT THE HANDS ACROSS THE SAND EVENT ON FEBRUARY 13, 2010 AT THE LAKE WORTH BEACH IN PARTNERSHIP WITH THE SURFRIDER FOUNDATION.**

BACKGROUND:

Hands across the Sand is a state-wide event that is being conducted for citizens of Florida to have an opportunity to show their opposition to oil drilling as close as three to ten miles off our coast. The event at Lake Worth Beach will be organized by the Surfrider Foundation on Lake Worth Beach on February 13, 2010, beginning at noon. Residents will have an opportunity to join hands and form a line of people showing support for our beaches and opposition to oil drilling.

The City's support of this event is aligned with the City of Lake Worth's Resolution No. 60-2009, which was unanimously approved on December 15, 2009, opposing the approval of oil drilling in Florida waters in areas other than those already approved for oil leasing and oil exploration. This resolution further states that a Congressional ban against offshore drilling has been in effect since 1981, the purpose of which was to reduce the chance of environmental damage from oil spills and to protect our tourism industry.

It would be requested that the City post the event on the City's website. Surfrider would take care of all public relations announcements for the event. There is no charge for this event. Guests who do not have a beach decal would pay for parking and join hands at the surf's edge at noon.

Hands across the Sand is devoted to protecting our coastline and waterways from the devastating environmental effects of oil exploration and support industries.

Visit www.handsacrossthesand.com for more information.

Agenda Date: January 5, 2010 Regular Meeting

OFFICE OF MANAGEMENT & BUDGET BACKGROUND:

Not Applicable.

BUDGETARY IMPACT:

Not Applicable.

CONSEQUENT ACTION:

Not Applicable

REVIEWED BY AND RECOMMENDATION:

This has been reviewed and recommended by Commissioner Suzanne Mulvehill.

POTENTIAL MOTION:

I MOVE TO APPROVE/DISAPPROVE SUPPORTING THE HANDS ACROSS THE SAND EVENT ON FEBRUARY 13, 2010, AT THE LAKE WORTH BEACH IN PARTNERSHIP WITH THE SURFRIDER FOUNDATION.

RESOLUTION NO. 60-2009 OF THE CITY OF LAKE WORTH, FLORIDA, OPPOSING THE APPROVAL OF OIL DRILLING IN FLORIDA'S WATERS IN AREAS OTHER THAN THOSE ALREADY APPROVED FOR OIL LEASING AND OIL EXPLORATION.

WHEREAS, a Congressional ban against offshore drilling has been in effect since 1981, the purpose of which was to reduce the chance of environmental damage from oil spills and to protect our tourism industry; and

WHEREAS, a 2007 report by the U.S. Department of Energy shows that opening the Florida coast to drilling would not have a significant impact on domestic crude oil prices before the year 2030, if ever; that it is not economically feasible to drill for oil in the OCS; and that even if all available areas were opened, at the peak of production, it would have little, if any, effect on price; and

WHEREAS, the previous findings were corroborated in a June 2008 report by the Center for Economic and Policy Research, showing that had Congress continued to increase fuel efficiency standards over the past 22 years, we would now have 16 times the savings in oil consumption that we could achieve by drilling for the next 20 years in now-protected areas; and

WHEREAS, Florida's economy depends on its multi-billion dollar tourism industry, which resulted in more that 82 million visitors coming to Florida in 2008, during which period tourism generated over \$4.0 billion in taxable sales; and

WHEREAS, tourism account for one-third of Florida's budget revenue and 96% of those visitors cite the beaches as an influential factor in their decision to visit Florida; and

WHEREAS, according to a 2005 study by Florida Atlantic University and the Florida Department of Environmental Protection, beach tourism alone contributed \$37.2 billion in state revenue in 2004 and tourism in general accounts for one-third of Florida's budget revenues annually, and

WHEREAS, tax revenues generated from Florida's growing tourism industry are critical to continued funding of essential governmental services, including transportation, schools, and public safety; and

WHEREAS, environmental specialists contend the major risk from drilling platforms is the wastewater they routinely discharge which contains drilling fluids and heavy metals including mercury; and

WHEREAS, According to Oil Industry data, an oil rig in the Gulf of Mexico can dump up to 90,000 tons of drilling fluid and metal cuttings over its lifetime. These contaminants accumulate in the marine food web and may contaminate local beaches and have a negative effect on the environment and the tourism industry; and

WHEREAS, it is our belief that despite technological advances in oil drilling technology, there is no positive assurance that catastrophic damage to our coastline, beaches, plant and fish life could be avoided during normal operating conditions or during storm situations; and

WHEREAS, lifting the moratorium on mineral leasing in Florida territorial waters poses an intolerable threat to the beaches, eco-systems, waterways, and economy of Florida:

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

Section 1. We strongly encourage all elected officials at the City, County, State and Federal levels to oppose legislative attempts to allow offshore oil drilling expansion past the areas already approved for pre-leasing, leasing and oil production activities; and

Section 2. To take immediate steps to encourage and assist in the development of alternative sources of non-fossil fuel renewable energy.

Section 3. This Resolution shall take effect immediately upon its passage.

The passage of this Resolution was moved by Commissioner Jennings, seconded by Vice Mayor Golden, and upon being put to a vote, the vote was as follows:

Mayor René A. Varela	AYE
Vice Mayor Jo-Ann Golden	AYE
Commissioner Scott Maxwell	AYE
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE

The Mayor thereupon declared this Resolution duly passed and adopted this 15th day of December, 2009.

LAKE WORTH CITY COMMISSION



Mayor René A. Varela

ATTEST:



City Clerk Pamela J. Lopez



HANDS ACROSS THE SAND

Hands Across The Sand Is Coming Soon To Your Beach

[Home](#) | [Key Beaches](#) | [Organize Your Beach](#) | [Supporters](#) | [Contact Us](#)

Opportunity

[Click here to organize your beach](#)

In the near future the Citizens of Florida will have an opportunity to show their opposition to oil drilling as close as 3 to 10 miles off our coast. This movement will be made of people of all walks of life and will cross political affiliations. This movement is not about politics; it is about protection of our shoreline, our tourism, our valuable properties and our way of life. Let us share our knowledge, energies and passion for protecting our waterways and beaches from the devastating effects of oil drilling.

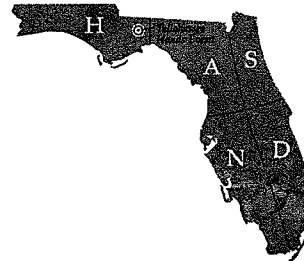


Event Date

Join us in creating what could become the largest public gathering in the history of our state: February 13, 2010.

Key Beach Locations

Click a region for a growing list of key beaches where Hands will occur.



*Hands Across The Sand...
We are Protesting to Protect*

Hands Across The Sand is devoted to protecting our coastline and waterways from the devastating environmental effects of oil exploration and support industries.

[Click here for a growing list of](#)



CITY OF LAKE WORTH

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MEMORANDUM: June 15, 2010

AGENDA DATE: June 15, 2010, Regular Meeting

TO: Mayor and City Commission

FROM: Commissioner Scott Maxwell, District 1

TITLE: **RESOLUTION NO. 14-2010 - SUPPORT THE PROVISIONS OF TITLE 8, SECTION 12 OF THE UNITED STATES CODE AS IT RELATED TO IMMIGRATION AND NATIONALITY**

BACKGROUND:

In accordance with the Division of Election, all candidates wishing to qualify for public office are required to file the following documents: State of Florida Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates, provide a copy of the candidates voter registration, Loyalty Oath/Oath of Candidate, Statement of Candidate, Logic and Accuracy Test Acknowledgement, Form 1 Statement of Financial Interests, and pay a qualifying fee.

In addition, the City of Lake Worth Charter states that any person who has been domiciled within the City for a period of not less than six months immediately preceding the first day of the qualifying period shall be eligible to qualify for office.

Each candidate who qualifies for office signs the Loyalty Oath which states that a candidate solemnly swears or affirms that he/she will support the Constitution of the United States and of the State of Florida.

Each of the elected members of the City Commission met the requisite qualifications for serving the residents of Lake Worth and pledged his or her support for the Constitution of the United States and of the State of Florida,

This resolution is asking the City Commission to support the provisions of Title 8, Section 12 of the United States Code as it relates to immigration and nationality. Information regarding Title 8 can be found at www.law.cornell.edu/uscode/8/ch12.html; information regarding the State of Florida Constitution can be found at <http://floridalegalanswers.com/flconstitution/index.html>; and information regarding the City of Lake Worth Charter can be found at www.municode.com.

Agenda Date: June 15, 2010, Regular Meeting

OFFICE OF MANAGEMENT & BUDGET BACKGROUND:

Not applicable

BUDGETARY IMPACT:

Not applicable

CONSEQUENT ACTION:

Not applicable

REVIEWED BY AND RECOMMENDATION:

This item was reviewed and recommended for approval by Commissioner Scott Maxwell.

POTENTIAL MOTION:

I MOVE TO APPROVE/DISAPPROVE RESOLUTION NO. 14-2010.

Attachment:
Resolution

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RESOLUTION NO. 14-2010 OF THE CITY OF LAKE WORTH, FLORIDA SUPPORTING THE PROVISIONS OF TITLE 8, SECTION 12 OF UNITED STATES CODE AS THEY RELATE TO IMMIGRATION AND NATIONALITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, each member of the Lake Worth City Commission has met the requisite qualifications for serving the residents of Lake Worth as outlined in its City Charter; and

WHEREAS, each member of the Lake Worth City Commission has pledged their honor and allegiance The United States of America, the State of Florida and the City of Lake Worth; and

WHEREAS, each member of the Lake Worth City Commission has orally and by their hand, sworn to uphold the Constitution of the United States, the Constitution of The State of Florida and City Charter of Lake Worth; and

WHEREAS, each member of the Lake Worth City Commission has pledged to drive policies that decrease our crime, revives our city’s economy and improves the overall livability of our community, and

WHEREAS, each member of the Lake Worth City Commission wishes to assure the residents of Lake Worth that they believe in the sanctity of the concept of “Rule of Law”, and

WHEREAS, each member of the Lake Worth City Commission desires to re-affirm these previously described truths.

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

Section 1. That the Lake Worth City Commission does hereby unconditionally recognize, support and defend the provisions set forth in Title 8, Section 12 of United States Code Relating to Immigration And Nationality.

Section 2. That this Resolution shall take effect immediately upon adoption.

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

- Mayor René A. Varela
- Vice Mayor Jo-Ann Golden
- Commissioner Cara Jennings
- Commissioner Suzanne Mulvehill
- Commissioner Scott Maxwell

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The Mayor thereupon declared this Resolution duly passes and adopted on the 15th day of June, 2010.

LAKE WORTH CITY COMMISSION

By: _____
René A. Varela, Mayor

ATTEST:

Pamela J. Lopez, City Clerk