

**MINUTES
CITY OF LAKE WORTH
REGULAR MEETING OF THE CITY COMMISSION
JANUARY 28, 2014 – 6:00 PM**

The meeting was called to order by Mayor Triolo on the above date at 6:00 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth, Florida.

1. ROLL CALL:

Present were Mayor Pam Triolo; Vice Mayor Scott Maxwell; and Commissioners Christopher McVoy, Andy Amoroso, and John Szerdi (arrived 6:16 PM). Also present were City Manager Michael Bornstein, Assistant City Attorney Christy Goddeau, and City Clerk Pamela Lopez.

2. INVOCATION:

The invocation was offered by Pastor Sherry Colby of Victory Worship Center.

3. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Christopher McVoy.

4. AGENDA - Additions/Deletions/Reordering:

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

- Reorder Consent Agenda, Item E to New Business as Item D;
- Delete Lake Worth Electric Utility New Business, Item 1; and
- Approve the agenda as amended.

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

5. PRESENTATIONS:

There were no Presentations items on the agenda.

6. COMMISSION LIAISON REPORTS AND COMMENTS:

Commissioner McVoy: did not provide a report.

Vice Mayor Maxwell: said he was working with Senator Nelson and Congresswoman Frankel's offices to extend invitations to the City to learn about its infrastructure improvement needs.

Commissioner Amoroso: said he participated in the Community Redevelopment Agency's (CRA's) clean-up event in the Tropical Ridge neighborhood; attended the Art, Seafood, and Sand Sculpture Festivals last weekend; said new bicycle racks were installed; and thanked LULA and the CRA for last weekend's events.

Mayor Triolo: said she met with federal and state officials and other individuals about traffic and infrastructure improvement needs during her attendance at the United States Conference of Mayors meeting in Washington, DC.

Commissioner Szerdi: was absent during this portion of the meeting.

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

The following individuals spoke on various issues; however, they did not write anything on their comment cards: Peter Timm and Loretta Sharpe.

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

Mike Capo asked for additional time to speak about issues from Canadian part-time residents.

Consensus: To allow Mr. Capo to speak for four minutes to allow for translation time to those Canadian individuals in attendance.

Mr. Capo submitted a petition asking for "snowbirds" to be allowed to purchase beach parking decals, said the bocce court and trolley bus service were taken away from him, asked why his Canadian driver license was not accepted in order to purchase a beach parking decal, said he did not see any more Neighborhood Crime Watch signs or City staff working in parks, and said he was most concerned with his inability to vote for the Lake Worth officials or receive a homestead exemption because he was a property owner. He asked how he could vote and receive a homestead exemption because it was not fair.

Commissioner Szerdi arrived at the meeting, the time being 6:16 PM.

Request/comment summary:

1. Commissioner Amoroso requested staff look into allowing the purchase of beach parking decals to part-time residents.
2. Vice Mayor Maxwell suggested Mr. Campo find a spokesperson to represent the "snowbirds" then schedule a work session with the Commission to discuss past and current actions by the City. He

suggested Mr. Campo make an appointment with the City Manager and gather the affected part-time residents.

8. APPROVAL OF MINUTES:

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

A. City Commission Special Meeting – January 7, 2014

B. City Commission Meeting – January 7, 2014

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

9. CONSENT AGENDA:

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to approve the Consent Agenda, less Item E.

A. Resolution No. 06-2014 – declare expenditures of City funds as valid public purposes

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

RESOLUTION NO. 06-2014 OF THE CITY OF LAKE WORTH, AMENDING CITY RESOLUTION 66-2013 DECLARING EXPENDITURES OF CITY FUNDS FOR FOOD/REFRESHMENTS FOR CERTAIN EVENTS - AS VALID PUBLIC PURPOSES; AND, PROVIDING FOR AN EFFECTIVE DATE.

B. Second Amendment to the Interlocal Agreement for the Beach Redevelopment Project to modify the project elements and extend the project end time

C. Reapprove an amended Thrift Store Interlocal Agreement with the County for the disposal of obsolete or unnecessary City equipment and materials

D. Amendment 001 to CDBG Interlocal Agreement for 5th Avenue North Improvements Project to modify a reference to the project location

E. (Reordered to New Business as Item D) Ratify members to various City advisory boards

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

10. PUBLIC HEARINGS:

There were no Public Hearings items on the agenda.

11. UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

Vice Mayor Maxwell left the meeting at 6:29 PM.

12. NEW BUSINESS:

A. Ordinance No. 2014-07 – First Reading – amend the City Tree Board to provide for the election of its officers and schedule the public hearing date for February 11, 2014

Assistant City Attorney Goddeau read the following ordinance by title only:

ORDINANCE NO. 2014-07 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 2, ARTICLE IX OF THE CODE OF ORDINANCES, AMENDING SECTION 2-83, "MEMBERSHIPS, TERMS AND VACANCIES" TO PROVIDE FOR ELECTION OF BOARD OFFICERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Action: Motion made by Commissioner Szerdi and seconded by Commissioner Amoroso to approve Ordinance No. 2014-07 on first reading and schedule the public hearing date for February 11, 2014.

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

City Clerk Lopez explained that this ordinance would add a provision to elect a Chairperson, Vice Chairperson, and Secretary from members serving on the City Tree Board for a term of one calendar year.

Vice Mayor Maxwell returned to the meeting at 6:31 PM.

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

B. Agreement with Mock Roos & Associates for design and bid phase services for the Water Treatment Plant Disinfection System and Instrumentation Improvements

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Szerdi to approve an agreement with Mock Roos & Associates for design and bid phase services for the Water Treatment Plant Disinfection System and Instrumentation Improvements at a cost not to exceed \$78,992 during Fiscal Year 2014.

Mayor Triolo announced that it was time for public comment.

Peter Timm said the City paid for the same service in 2008, asked why the City was going to pay twice, and asked the City to use the former plan.

Larry Johnson, Water/Sewer Director, explained that the agreement provided for design and bid phase services for the construction of a Water Treatment Plant Disinfection System and Instrumentation Improvements to comply with new Four-Log Virus Inactivation requirements at a cost not to exceed \$78,992. He explained that there was an increase in health disinfection requirements and there was a need to redesign the improvement. He said the City was not paying twice for the same work.

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

C. Agreement with Mock Roos & Associates for permitting, bid and construction phase services for the Rehabilitation of Regional Forcemain Air Release Valves

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to approve the agreement with Mock Roos & Associates for permitting, bid and construction phase services for the Rehabilitation of Regional Forcemain Air Release Valves at a cost not to exceed \$45,700 during Fiscal Year 2014.

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

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

D. (formerly Consent Agenda, Item E) Ratify members to various City advisory boards

Action: Motion made by Commissioner Szerdi and seconded by Vice Mayor Maxwell to ratify the Mayor's appointment of William Shinedling to the Finance Advisory Board for an unexpired term ending on July 31, 2015; Jason Vazquez to the Recreation Board for an unexpired term ending on July 31, 2016; and Anthony Marotta to the Planning and Zoning Board for an unexpired term ending on July 31, 2016.

Commissioner McVoy said the former process to appoint advisory board members was lengthy, but offered an opportunity for each of the applicants to be interviewed by the Commission as a whole. The former process gave the Commission and applicant an opportunity to learn from each other, allowed for interaction, and was transparent. The current process allowed each of the Commissioners to make an appointment. He said he did not approve of the new process and was concerned about the influential Planning and Zoning Board member's application not being included in the agenda backup material. He said he did not want to vote "yeah" or "nay" on an applicant in which he had no backup material.

City Clerk Lopez explained the history of the former advisory board appointment process and said she had never included board applicant applications in the Commission's backup material because each of the appointing Commission members had reviewed the applications and interviewed their appointing members. The item before the Commission was ratification of appointments as required by the Code.

Request/comment summary:

1. Mayor Triolo requested board members' applications be included in the agenda back up material for future appointment ratifications.

Mayor Triolo announced that it was time for public comment.

Loretta Sharpe said all of the voluntary board members' terms did not expire at the same time, supported appointing the members tonight, and said there was a need to hear from the board applicants because it was more transparent.

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

13. LAKE WORTH ELECTRIC UTILITY:

A. CONSENT AGENDA:

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

B. PUBLIC HEARING:

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

C. NEW BUSINESS:

- 1) (Deleted) Contract with Level One, LLC for Utility billing processing, printing and mailing services**

14. CITY ATTORNEY'S REPORT:

Assistant City Attorney Goddeau provided the following report:

- Announced her need to amend the City Attorney's desire for advice concerning pending litigations in the case of Town Homes of Pineapple at Lake Worth, LLC versus the City of Lake Worth and the case of City of Lake Worth versus Board of Trustees of the Lake Worth Firefighter's Pension Trust Fund during a closed door attorney-client session from 3:30 PM to 4:30 PM on February 4, 2014.

15. CITY MANAGER'S REPORT

- A. February 11, 2014 – draft Commission agenda**

City Manager Bornstein did not provide a report.

16. ADJOURNMENT:

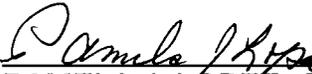
Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to adjourn the meeting at 7:03 PM.

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

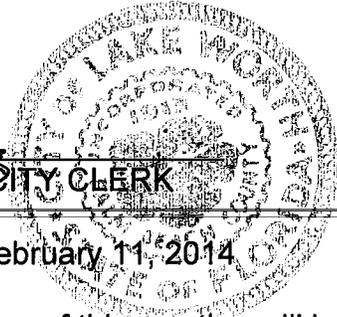


 PAM TRIOLO, MAYOR

ATTEST:



 PAMELA J. LOPEZ, CITY CLERK



Minutes Approved: February 11, 2014

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