

**MINUTES
CITY OF LAKE WORTH
REGULAR MEETING OF THE CITY COMMISSION
APRIL 1, 2014 – 6:00 PM**

The meeting was called to order by Mayor Triolo on the above date at 6:02 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 and Commissioners Christopher McVoy, Andy Amoroso, and John Szerdi. Vice Mayor Scott Maxwell was absent. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia, and City Clerk Pamela Lopez.

2. INVOCATION:

The invocation was offered by Dr. Tommy Wood of First Baptist Church of Lake Worth.

3. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner John Szerdi.

4. AGENDA - Additions/Deletions/Reordering:

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

- Delete New Business, Item C; and
- Approve the agenda as amended.

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

5. PRESENTATIONS:

A. Proclamation declaring April 1, 2014 as Lake Worth High School Ethics Team Recognition Day

Mayor Triolo read a proclamation declaring April 1, 2014, as Lake Worth High School Ethics Team Recognition Day.

B. Proclamation declaring April 6-12, 2014 as National Volunteer Week

Mayor Triolo read a proclamation declaring April 6-12, 2014 as National Volunteer Week.

C. Proclamation declaring May 2014 as Foster Care Month

Mayor Triolo read a proclamation declaring May 2014 as Foster Care Month.

D. Update provided by Eden Place Neighborhood Association

Mark Pickering, President, provided information about the Eden Place Neighborhood Association's establishment, their boundaries, and acknowledged the President of the Neighborhood Association Presidents' Council for helping them get reestablished. He announced that the association received grant money for banners and invited the Commission to attend their April 21, 2014, meeting.

6. COMMISSION LIAISON REPORTS AND COMMENTS:

Commissioner McVoy: said he was inspired to be a part of the March 30, 2014, PrideFest parade and event and was grateful to the organizers for all of their work. He announced that 12 dioceses organized a Stations of the Cross event in support of immigration reform on March 29, 2014.

Commissioner Szerdi: thanked all of the City's volunteers for the time they donate; announced his attendance at a Treasure Coast Regional Planning Council meeting, said the members discussed All-Aboard Florida, and advised that he would ask them to make an All-Aboard Florida presentation to the Commission. He announced an Easter Egg Hunt at South Palm Park on April 19, 2014, and Reggae Festival on April 11, 2014, at Bryant Park. He said the Neighborhood Association Presidents' Council was gearing up and working on the July 4th Raft Race event.

Commissioner Amoroso: announced his attendance at the Downtown Jewel Neighborhood Association's Flofing Tournament, Marriage of Equality in support of legalizing gay marriages in Florida, and PrideFest events. He announced an Easter Egg Hunt at South Palm Park on April 19, 2014, and Easter Egg Hunt at Bryant Park hosted by the City Recreation Board.

Mayor Triolo: said PrideFest was amazing, thanked the Mayor of West Palm Beach for attending, and thanked the volunteers who worked on the event; announced her attendance at the Police/Employees Pension Board meetings and said the Finance Director was appointed vice chairperson; said she would provide an update to the Commission on pension board activities; announced her attendance at a Joint Sister City meeting with elected officials and staff from the Town of Mangonia Park and Cities of Riviera Beach, West Palm Beach, and Lake Worth to discuss regional issues to pool information; and announced her attendance at a Stakeholder's meeting with Park of Commerce property owners on March 27, 2014, and said staff's information was well received. She announced a Peeps Show event would be coming soon.

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, Loretta Sharpe, Nadine Burns, and Greg Rice.

Mayor Triolo read the comment written by Suzanne Squire. Ms. Squire wrote that [the Commission] did not know what she wanted [and] if [they] did not [then the Commission should] ask. [She wrote to] please ask her. Do not tell her what she [would] "get." It assumed [that] she was stupid and it assumed [the Commission] was impolite.

Mayor Trolo read the comment written by AnnaMaria Windich-Hunt. Ms. Windich-Hunt wrote that [the] Lake Worth Recreation Committee was having a fundraiser at the E.R. Bradley Restaurant on April 10, 2014, from 7:00 – 9:00 PM. Mel and Vinney, Kat Mahoney, and Alan Anapu would be performing. The tickets cost \$10.00 and the restaurant and bar [were] opened and available. Raffle prizes [included a] cruise for two valued at \$450 and a Lake Worth experience valued at \$500.

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

Frank Campo said he received a parking ticket while attending the Green Market at the beach. He said he was shocked to receive the ticket and never was ticketed in Lake Worth. He commented that he received the City's form to dispute the ticket; however, the form stated that he could be responsible for court cost if the ticket was challenged. He said he paid the ticket rather than incur the court costs and asked the City to look into the court cost issue.

Request/comment summary:

1. Commissioner McVoy suggested information on the proposed Lake Worth 2020 projects be added to the website so that the public could offer their input and ideas.

8. APPROVAL OF MINUTES:

Action: Motion made by Commissioner Szerdi and seconded by Commissioner McVoy to approve the following minutes as submitted:

A. City Commission Meeting – March 18, 2014

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

9. CONSENT AGENDA:

There were no Consent Agenda items on the agenda.

10. PUBLIC HEARINGS:

There were no Public Hearings items on the agenda.

11. UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

12. NEW BUSINESS:

A. Ordinance No. 2014-10 – First Reading – amend beach parking regulations and schedule the public hearing date for April 15, 2014

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2014-10 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 7, BEACHES, PARKS AND RECREATION; ARTICLE II, BEACH PARKING; SECTIONS 7-17 AND 7-21, TO REVISE SAID SECTIONS TO ALLOW FOR THE ISSUANCE OF SEASONAL RESIDENT PARKING DECALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

Action: Motion made by Commissioner Szerdi and seconded by Commissioner Amoroso to approve Ordinance No. 2014-10 on first reading and schedule the public hearing date for April 15, 2014.

Juan Ruiz, Leisure Services Director, explained that the ordinance would allow seasonal residents to purchase beach parking decals as directed by the City Commission on March 18, 2014. The fee for seasonal residents, as directed by the City Commission, would be scheduled on April 15, 2014.

Request/comment summary:

1. Commissioner McVoy requested the ordinance be amended to allow for a one-year trial period and to track statistics on residents versus seasonal parking usage to determine if the ordinance needed to be amended.
2. Mr. Ruiz suggested not amending the ordinance and allow staff time to track usage and bring the information back to the Commission. He said the ordinance could be amended at any time.

3. Commissioner McVoy suggested a different looking parking decal for resident and seasonal so that staff would know, at a glance, who was using the parking lot.
4. Commissioner Amoroso commented that the City would allow two motorcycles or scooters to park in one decal parking space.

Mayor Triolo announced that it was time for public comment.

Loretta Sharpe suggested the City track tenant usage and supported increasing the decal parking fee to \$100 for residents, tenants, and seasonal.

Peter Timm said the County dictated the number of parking decal spaces and did not understand why County residents would be allowed to purchase a parking decal for \$100.

Laurie Witkin commented that the beach was the best reason to live in Lake Worth. She said she understood the need for the beach to make money; however, she did not support allowing seasonal residents to purchase decals. She said she had a concern with having enough parking spaces for full-time residents and she suggested year round residents be given a priority to find a parking space. She said she supported having different decals to differentiate between year round residents versus seasonal residents.

Greg Rice commented that the community said they wanted to be inclusive of all of its residents during PrideFest, but now the publics' comments were separating year round residents from seasonal residents. He said a property owner had a vested right in the City, but Canada did not allow its residents to stay in the United States year round. He supported being an inclusive community.

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

B. Ordinance No. 2014-11 – First Reading – amend Bryant Park boat ramp parking and schedule the public hearing date for April 15, 2014

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2014-11 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 7, BEACHES, PARKS AND RECREATION; ARTICLE V, "BOAT RAMP PARKING"; SECTION 7-54, "BOAT RAMP PARKING" TO ALLOW FOR THE LEISURE SERVICES DIRECTOR TO PROMULGATE RULES AND PROCEDURES REGARDING BOAT RAMP

PARKING PERMITS; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

Action Motion made by Commissioner Szerdi and seconded by Commissioner McVoy to approve Ordinance No. 2014-11 on first reading and schedule the public hearing date for April 15, 2014.

Juan Ruiz, Leisure Services Director, explained that the ordinance would allow Palm Beach County residents to purchase an annual Bryant Park boat ramp parking decal. He said a resolution establishing the fee would be scheduled on April 15, 2014.

Request/comment summary:

1. Commissioner Amoroso suggested event vendors be allowed to park their trailers at the boat ramp.
2. Commissioner Szerdi suggested information on regularly scheduled boat ramp parking closures be added to the website.

Mayor Triolo announced that it was time for public comment.

Peter Timm said he remembered when there was not enough parking for boat trailers and asked if the County was telling the City how much to charge. He said he did not support allowing nonresidents to purchase an annual boat ramp parking decal.

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

C. (deleted) Agreement with Alcalde & Fay, LTD for federal government relations and comprehensive grant services

D. Agreement with Siemens Industry, Inc. for audit and energy performance contracting services

City Manager Bornstein explained that the agreement would allow for the development of energy conservation measures to provide guaranteed savings to fund the energy savings improvements. He said Siemens Industry would audit the City's facilities in order to determine what energy conservation measures (ECM) could be installed to provide energy savings to the City. The audit would include reviewing current and future energy consumption, projected savings, maintenance costs, simple payback, life cycle costs, analysis methods, and calculations. Once the audit was completed, he said Siemens Industry would submit the audit to the City for review. If the audit was accepted by the City, the City would be obligated to enter into an energy performance contract with Siemens Industry and/or pay the \$148,500 audit fee.

Action: Motion made by Commissioner Szerdi and seconded by Commissioner Amoroso to approve an agreement with Siemens Industry, Inc.

Request/comment summary:

1. Commissioner McVoy suggested the agreement be amended to change the Scope of Energy Audit Section A *Collect General Facilities(s) Information* from 24-36 months to 48 months and Section C *Establish Base Year Consumption and Reconcile with End Use Consumption Estimates* from 24 months to 48 months.
2. Hector Samario, Siemens Industry representative, agreed to the changes. He said the report and presentation to the City would be available in 120 days.
3. Mayor Triolo and the Commission agreed to the suggested changes to the Siemens Industry agreement as proposed by Commissioner McVoy.

Mayor Triolo announced that it was time for public comment.

Peter Timm said the City did the same thing a few years ago for City facilities only. He commented that the City could not afford to pay for the audit.

Mayor Triolo read the comment written by Suzanne Squire. Ms. Squire wrote asking if Siemens Industry would hire Lake Worth or Palm Beach County residents and if not, then [she wrote asking if] the City would pay for their out of area travel to audit the City. [She wrote asking] if Energize Lake Worth was the same thing being requested and the City paid \$199,000 for the same service. [She wrote asking the Commission] not to waste taxpayer money.

Loretta Sharpe said she used 540,000 gallons of water last month, after having the problem checked by a private company, she said she was told that she had a leak under her house.

Vote: Voice vote on the amended agreement showed: AYES: Mayor Triolo and Commissioners McVoy, Amoroso, and Szerdi. NAYS: None.

Mayor Triolo recessed the meeting at 7:43 PM and reconvened at 7:58 PM.

13. LAKE WORTH ELECTRIC UTILITY:

A. PRESENTATION:

1) Update on the electric utility system

No update was provided.

B. CONSENT AGENDA:

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

C. PUBLIC HEARING:

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

D. NEW BUSINESS:

1) Agreement with Level One, LLC for Utility billing processing, printing and mailing services

Donna Ryan-Ruiz, Customer Service Manager, explained that the agreement would authorize Level One, LLC to process, print and mail the City's utility bills and associated documents. The annual projected cost was \$200,000. She advised that Level One could provide the service, including postage costs for \$0.46 per bill. She said the City currently processed and printed utility bills and other mailing inserts in-house. She commented that the City's equipment was antiquated and inefficient, the process was labor intensive, and the cost was not effective. She said the contract with Level One would reduce the City's costs and provide better communication to the citizens of Lake Worth. She commented that the utility bill would be redesigned to make it easier for the customer to understand.

Request/comment summary:

1. Commissioner Amoroso suggested charging for advertisement inserts in the utility bills.
2. Commissioner McVoy suggested including a 24-month usage comparison instead of 12-month and kilowatt hour and gallon usage information.

Action: Motion made by Commissioner Szerdi and seconded by Commissioner Amoroso to approve the agreement with Level One, LLC.

Mayor Triolo announced that it was time for public comment.

Peter Timm commented that the City currently sent its bills to Tampa and now would be sending them to Pennsylvania. He said no company worked at a loss, and they would want to make a profit. He commented that he was not sure if this agreement was a good or bad deal.

Loretta Sharpe said she disagreed with Mr. Timm's comments, the agreement would be a cost savings, Level One could print the City's newsletter, and asked the Commission to vote "yes."

Request/comment summary:

3. Mayor Triolo requested information on how much it currently cost the City per bill.

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

2) Contractor Agreement with Industrial Maintenance Group, Inc. for replacement of protective coatings

Dave Mulvey, Power Plant Manager, explained that the agreement provided for water blasting and spray coatings on containment areas at the Power Plant. He advised that the Electric Utilities Advisory Board reviewed and recommended approval of the agreement with Industrial Maintenance Group, Inc. on March 19, 2014.

Action: Motion made by Commissioner McVoy and seconded by Commissioner Szerdi to approve an agreement with Industrial Maintenance Group, Inc. for \$199,250; and approve the transfer of funds from the Electric Utilities Machinery & Equipment account to Capital Improvement Program Containment Area Coatings account.

Mayor Triolo announced that it was time for public comment.

Peter Timm said he was concerned that the company was guaranteeing the work for seven or eight years while other companies were only offering a two year guarantee.

Peggy Fisher advised that the Electric Utilities Advisory Board members saw the coating; however, she said she was concerned that the Board was being used because the members did not review the bids and did not recommend approval of the agreement as stated in the staff report.

Loretta Sharpe commented that the company was guaranteeing its product for ten years and the amount was \$200,000 compared to over \$400,000 spent for a contract six years ago.

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

14. CITY ATTORNEY'S REPORT:

City Attorney Torcivia reported that he just received a Notice of Voluntary

Dismissal in the case of Laurel Decker versus City of Lake Worth regarding building height restrictions. He said Ms. Decker voluntarily dismissed the lawsuit.

15. CITY MANAGER'S REPORT

A. April 15, 2014 – draft Commission agenda

City Manager Bornstein did not provide a report.

16. ADJOURNMENT:

Action: Motion made by Commissioner McVoy and seconded by Commissioner Amoroso to adjourn the meeting at 8:32 PM.

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



PAM TRIOLO, MAYOR

ATTEST:


PAMELA J. LOPEZ, CITY CLERK



Minutes Approved: May 6, 2014

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