

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

The meeting was called to order by Mayor Triolo on the above date at 6:01 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. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia, and City Clerk Pamela Lopez.

**2. INVOCATION:**

The invocation was offered by Reverend Elie Louissaint of Salem Haitian Evangelical Lutheran Church.

**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 Vice Mayor Maxwell to waive the rules to:

- Add to Presentations, Item D – Proclamation recognizing May as Internal Audit Month;
- Delete New Business, Item B; and
- Approve the agenda as amended.

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

**5. PRESENTATIONS:**

**A. Update provided by Representative Lori Berman**

Representative Lori Berman said it was an honor and privilege to represent Lake Worth and that her door was open to the community. She said the Legislators approved a \$77.1 billion State budget, which was \$10 billion higher than 2005. She cited the projects and money allocated to Palm Beach County, subject to Governor Scott's veto. She said the Legislators did not change any preemption to gun control; changed the preemption for vacation/time share rentals to allow local government regulations; changed

the public meeting location law; was disappointed that no legislation was approved to regulate sober homes, but said she would bring the issue back again next year; there were no changes to service tax or the Chapter 175/185 pension bill; and cited three Constitution Amendments that would be on the November 2014 ballot.

**B. Update provided by ROLOH (Residents of Lake Osborne Heights) Neighborhood Association**

Robert Waples, President, provided an update on the Residents of Lake Osborne Heights Neighborhood Association's activities. He said because of districting, they did not have the same representation as their surrounding neighborhoods, their property values were increasing, they were a diverse community with little to no absentee landlords, their boundaries were surrounded on three sides by Lake Osborne, they had the lowest crime in the City, they lived in a quiet park-like setting, and did not want that setting to change.

**C. Update provided by the Board of Trustees for Employees' Retirement System**

Karla White, Board of Trustees member, provided an update on the Board of Trustees for Employees' Retirement System's market value of the Fund.

Vice Mayor Maxwell left the meeting at 6:35 PM.

**D. (Added) Proclamation recognizing May as Internal Audit Month**

Mayor Triolo read a proclamation recognizing May as Internal Audit Month.

Vice Mayor Maxwell returned to the meeting at 6:38 PM.

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

Commissioner McVoy: commented that he served on a climate change national panel, said a climate change report was released today, many organizations were concerned about Florida's sea level, there were indications that the change in climate was extreme and temperature increases were happening fast, and the City needed to prepare or reduce its carbon contribution when planning the Lake Worth 2020 General Obligation Bond projects; he thanked Commissioner Szerdi for staying on top of the east/west traffic corridor; and said a number of people had contacted him about being against locating a baseball spring training facility at John Prince Park.

Vice Mayor Maxwell: asked City Clerk Lopez to announce the dates, times, and locations for the upcoming four district town hall meetings to discuss Lake Worth 2020.

Commissioner Amoroso: said he hosted County Commissioner Priscilla Taylor and showed her around the City, announced that the Earth Day event was great, and there was a great turnout at the Tropical Ridge playground grand opening.

Commissioner Szerdi: announced the Tropical Ridge playground was completed, said the Derby Day event was great, commented that he served as the City's liaison and attended Neighborhood Association President Council meetings, said staff was participating in many neighborhood association meetings, announced his attendance at the Treasure Coast Regional Planning Council meeting and said there was a lot of information and discussion about the All Aboard Florida high speed passenger rail project.

Mayor Triolo: commented that, in the past, there was a focus on the western section of the County, but now there was a focus on the east; said she would ask the Metropolitan Planning Organization for money to beautify the east; thanked everyone for attending the Prayer Breakfast event; said Representative Hager called the City about receiving a \$50,000 grant for the Northwest Ballfield; asked staff to focus on providing street lights in areas where needed; and announced an 8.19% preliminary property value increase.

Commissioner Amoroso left the meeting at 6:53 PM.

**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, Mary Lindsey, and Dustin Zacks.

The following individual spoke on issues written on her comment card.

Joyce Brown announced the Great Give Day event for a community foundation, she asked for donations, and thanked Mayor Triolo for serving as a judge at the Peeps Show.

Commissioner Amoroso returned to the meeting at 7:03 PM.

**8. APPROVAL OF MINUTES:**

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

**A. City Commission Meeting – April 1, 2014**

**B. City Commission Budget Work Session – April 8, 2014**

**C. City Commission Meeting – April 15, 2014**

**D. City Commission Special Meeting – April 22, 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 Szerdi to approve the Consent Agenda.

**A. Resolution No. 20-2014 – authorize the City to reimburse itself for costs incurred for the City's Road and Utilities Master Plan**

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

RESOLUTION NO. 20-2014 OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE CITY'S INTENT TO SEEK REIMBURSEMENT FOR CERTAIN CAPITAL EXPENDITURES TO BE MADE WITH RESPECT TO THE DESIGN AND CONSTRUCTION OF THE CITY OF LAKE WORTH'S ROAD AND UTILITIES MASTER PLAN PROJECTS FROM THE PROCEEDS OF ITS MASTER PLAN GENERAL OBLIGATION BONDS (IF APPROVED BY REFERENDUM); AND PROVIDING FOR AN EFFECTIVE DATE.

**B. Resolution No. 21-2014 – amend the Fiscal Year 2014 Comprehensive Fee Schedule to revise parking fees at the Bryant Park Public Facility Boat Ramp**

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

RESOLUTION NO. 21-2014 OF THE CITY OF LAKE WORTH, FLORIDA, APPROVING AND AUTHORIZING THE REVISIONS TO THE FISCAL YEAR 2013-2014 COMPREHENSIVE SCHEDULE OF FEES AND SERVICE CHARGES TO PROVIDE AN ANNUAL BOAT RAMP PARKING DECAL FEE FOR FLORIDA RESIDENTS AND AN ANNUAL BOAT RAMP PARKING DECAL FEE FOR NON-FLORIDA RESIDENTS; AMENDING RESOLUTION NOS. 41-2013, 61-2013, 68-2013, 05-2014, 09-2014 AND 19-2014; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**C. Resolution No. 22-2014 – submit an application to the Fiscal Year 2016 Small Matching Historic Preservation Grants Program**

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

RESOLUTION NO. 22-2014 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES FOR GRANT FUNDS PROVIDED THROUGH THE FISCAL YEAR 2015-2016 SMALL MATCHING HISTORIC PRESERVATION GRANTS PROGRAM IN THE AMOUNT OF UP TO \$50,000; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**D. Resolution No. 23-2014 – support the County Metropolitan Planning Organization’s effort to secure Transportation Investments Generating Economic Recovery (TIGER) grant funds**

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

RESOLUTION NO. 23-2014 OF THE CITY OF LAKE WORTH, FLORIDA, SUPPORTING EFFORTS OF THE PALM BEACH AND BROWARD COUNTIES METROPOLITAN PLANNING ORGANIZATIONS TO SECURE A TRANSPORTATION INVESTMENTS GENERATING ECONOMIC RECOVERY (TIGER) GRANT FOR QUIET ZONE AND OTHER SAFETY IMPROVEMENT IN THE CITY OF LAKE WORTH; RESCINDING RESOLUTION NO. 16-2014; AND PROVIDING FOR AN EFFECTIVE DATE.

**E. Resolution No. 24-2014 – submit an application to the Florida Inland Navigation District for grant funds to improve the Old Bridge Park Natural Area**

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

RESOLUTION NO. 24-2014 OF THE CITY OF LAKE WORTH, FLORIDA, APPROVING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION IN PARTNERSHIP WITH PALM BEACH COUNTY FOR FUNDING ASSISTANCE FOR GRANT FUNDS IN AN AMOUNT OF \$251,875 FROM THE FLORIDA INLAND NAVIGATION DISTRICT (FIND) THROUGH THE WATERWAY ASSISTANCE PROGRAM FOR THE OLD BRIDGE PARK NATURAL AREA IMPROVEMENTS PROJECT; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE FIND RESOLUTION FOR ASSISTANCE 2014 UNDER THE WATERWAYS ASSISTANCE PROGRAM THAT IS REQUIRED FOR SUBMISSION OF THE APPLICATION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**F. Resolution No. 25-2014 – second amendment to the Fiscal Year 2014 budget**

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

RESOLUTION NO. 25-2014, A GENERAL APPROPRIATION RESOLUTION OF THE CITY OF LAKE WORTH, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, MAKING SEPARATE AND SEVERAL BUDGET AMENDMENTS AND CORRESPONDING APPROPRIATIONS FOR THE CITY'S NECESSARY OPERATING EXPENSES, THE USES AND EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE.

- G. **Voluntary Termination of License Agreement issued to Dale R. and Kathleen A. Hulen on property located at 509 Sunrise Court**
- H. **Palm Beach County Easement Agreement to allow the installation of an irrigation pump for Lake Worth Road landscape improvements**
- I. **Variance Agreement with Leonidas Colarte to allow brick pavers on a driveway and City right-of-way at 145 Vassar Drive**
- J. **Reallocate Capital Improvement Plan funds for 10<sup>th</sup> Avenue South utility improvements project**
- K. **Purchase two bulk waste refuse trucks from Nextran Truck Center**

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

10. **PUBLIC HEARINGS:**

- A. **Ordinance No. 2014-12 – Second Reading and Public Hearing – amend Chronic Nuisance Property Code related to exemptions from chronic nuisance activities**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2014-12 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE XIX "CHRONIC NUISANCE PROPERTY CODE", DIVISION 1 "CHRONIC NUISANCE SERVICES", SECTION 2-201 "PATTERN OF NUISANCE ACTIVITY", TO MODIFY THE EXEMPTIONS OF NUISANCE ACTIVITY; AMENDING SECTION 2-208, "METHOD OF NOTICE; CONSTRUCTION", TO MODIFY THE NOTICE REQUIREMENTS; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2014-12 on second reading.

Mayor Triolo announced that it was time for public comment.

Peter Timm said this ordinance would allow for the collection of fines through a special assessment; however, the next agenda item did not mention collection. He said he wanted to make sure the City collected money.

William Waters, Community Sustainability Director, explained the ordinance provided for additional triggering calls for service, shared responsibilities between the City Attorney's Office and Code Compliance Division, clarified the 12-month jurisdiction of the special magistrate over a property, changed the types of abatement activity to be considered in an action plan, automatically scheduled a hearing as part of a notice of violation, clarified how costs were determined and assessed, and removed the delinquent payment process.

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

**B. Ordinance No. 2014-13 – Second Reading and Public Hearing – amend Chronic Nuisance Property Code related to special assessments**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2014-13 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE XIX "CHRONIC NUISANCE PROPERTY CODE", DIVISION 2 "LEVY AND COLLECTION OF NON-AD VALOREM ASSESSMENTS", SECTION 2-221 "UNPAID CHRONIC NUISANCE SERVICE COSTS; NON-AD VALOREM ASSESSMENT" TO DEFINE THE TERM "CHRONIC NUISANCE SERVICES COSTS"; PROVIDING LEGAL AUTHORITY FOR THE LEVY AND COLLECTION OF ABATEMENT SERVICES AS SPECIAL ASSESSMENTS; AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION AND AN EFFECTIVE DATE.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2014-13 on second reading.

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

City Attorney Torcivia explained that the City had a model code to collect funds through special assessments for lot clearing and board up costs. He said other violation fines would be imposed through the Special Magistrate.

Palm Beach Sheriff's Office Captain Silva said his staff and City staff met regularly to coordinate efforts. He said the fruits of their labor would

manifest itself soon. He explained that letters and notices of code violations were sent and now those property owners were responding before the violation went before the Special Magistrate.

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

**C. Ordinance No. 2014-14 – Second Reading and Public Hearing – amend Buildings and Structural Regulations**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2014-14 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 9 "BUILDINGS AND STRUCTURAL REGULATIONS", ARTICLE I "IN GENERAL", SUBSECTION 9-2.2(G) TO CLARIFY THE TIMELINE FOR A REQUEST FOR HEARING; AMENDING SUBSECTION 9-2.2(H) TO CLARIFY THE REQUIRED INFORMATION IN A NOTICE OF VIOLATION; AMENDING SUBSECTION 9-2.2(I) TO ALLOW FOR DIFFERENT FORMS OF NOTICE TO RUN CONCURRENTLY AND TO INCLUDE A TIME LIMITATION ON THE RECEIPT OF CERTIFIED MAIL; AMENDING SUBSECTION 9-2.2(P) TO PROVIDE FOR THE MAILING OF THE INVOICE OF COSTS BY REGULAR MAIL; AMENDING SUBSECTION 9-2.2(Q) TO CLARIFY THE SPECIAL ASSESSMENT PROCESS; AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY, REPEAL OF LAWS IN CONFLICT, CODIFICATION AND AN EFFECTIVE DATE.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Szerdi to approve Ordinance No. 2014-14 on second reading.

William Waters, Community Sustainability Director, explained that the ordinance clarified notice and hearing request requirements which included limiting the time required for return receipt mail, mailing invoices, and special assessment language.

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. Ordinance No. 2014-15 – Second Reading and Public Hearing – amend definition of appraised value and clarify methods of sale**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2014-15 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 1 GENERAL, SECTION 2-1 "SALE OF CITY

OWNED PROPERTY" TO AMEND THE DEFINITION OF APPRAISED VALUE AND CLARIFY THE METHODS OF SALE; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to approve Ordinance No. 2014-15 on second reading.

Mayor Triolo announced that it was time for public comment.

Peter Timm said the appraised value would decrease to 150% and asked how much more would the City reduce its properties.

William Waters, Community Sustainability Director, explained that the ordinance amended the definition of appraised value and provided clarification regarding the methods of sale of City surplus real property.

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

**E. Ordinance No. 2014-16 – Second Reading and Public Hearing – amend the foreclosure registry program**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2014-16 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE VII "ABATEMENT OF NUISANCE, SECTION 2-75.11 "FORECLOSURE REGISTRATION PROGRAM" TO REQUIRE THE REGISTRATION OF VACANT AND UNIMPROVED PROPERTIES NOT IN FORECLOSURE; TO AMEND AND ADD DEFINITIONS; TO PROVIDE THAT THE FEE FOR REGISTRATION SHALL BE ADOPTED BY RESOLUTION; TO ALLOW BOARDING UP OF VACANT PROPERTIES AS A MEANS OF SECURITY; AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

William Waters, Community Sustainability Director, explained that the ordinance would require vacant and unimproved properties, not in foreclosure, to be registered; amended and added definitions; and allowed for the boarding up of properties as a means of security.

Action: Motion made by Commissioner McVoy and seconded by Commissioner Szerdi to approve Ordinance No. 2014-16 on second reading.

Mayor Triolo announced that it was time for public comment.

Peter Timm asked how the City would collect the fees.

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

Mayor Triolo recessed the meeting at 7:30 PM and reconvened at 7:46 PM.

**11. UNFINISHED BUSINESS:**

There were no Unfinished Business items on the agenda.

**12. NEW BUSINESS:**

**A. All Aboard Florida by the Treasure Coast Regional Planning Council**

Kim Delaney, Treasure Coast Regional Planning Council (TCRPC) Strategic Development Coordinator, explained that they were in active discussions regarding the proposed All Aboard Florida project since it was introduced by Florida East Coast Industries in March 2012.

She said the Florida East Coast industries application provided for a high-speed express intercity passenger rail service on the Florida East Coast Rail Corridor and State Road 528; the station locations included Miami, Ft. Lauderdale, West Palm Beach, and Orlando; the service frequency was 16 hourly trains in each direction between 6:00 AM and 9:00 PM; construction would begin in 2014 and initial service provided in 2016; and the permit activity was pending an environmental impact statement. She discussed the project's action, timeframe, and environmental impact statement's minimum considerations analysis.

She said the TCRPC's responsibilities included assisting local governments in cooperating and coordinating issues of greater than local impact and on a broad array of other planning and economic development initiatives.

The TCRPC was aware of the Federal Railroad Administration's (FRA) publication of a draft environmental impact statement in the next several months. Given the extensive feedback received through TCRPC's public outreach and education activities, a summary of key issues and concerns were adopted at its March 21, 2014, meeting which was provided to FRA for their consideration as it completed the draft summary. She said the areas of concern were:

Additional passenger rail stations,  
Grade crossing improvements and quiet zones,  
Bridge and marine navigation conflicts,  
Access to broadband capacity,  
Freight rationalization,  
Land use and transportation impacts,  
Tri-Rail coastal link access negotiations, and

Wildlife impacts.

She said the TCRPC had a website for project related documents and reports, project status and timeline, and project related contact information.

Note: This item was informational only, no action was required.

- B. (Deleted) Report from Internal Auditor and Proclamation recognizing May as Internal Audit Month**
- C. Resolution No. 26-2014 – amend the Fiscal Year 2014 Comprehensive Fee Schedule to include Code Compliance, Building, and Planning, Zoning, and Historic Preservation Divisions**

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

RESOLUTION NO. 26-2014 OF THE CITY OF LAKE WORTH, FLORIDA, APPROVING AND AUTHORIZING THE REVISIONS TO THE FISCAL YEAR 2013-2014 COMPREHENSIVE SCHEDULE OF FEES AND SERVICE CHARGES TO PROVIDE FOR A TWO (2) TIER FEE UNDER THE FORECLOSURE REGISTRY PROGRAM; AN ADMINISTRATIVE SERVICING/PROCESSING FEE FOR THE BUILDING DIVISION; AND A COST RECOVERY FEE FOR RECOUPING ACTUAL CONSULTANT COSTS INCURRED BY THE CITY DURING DEVELOPMENT APPLICATION REVIEWS, AMENDING RESOLUTION NOS. 41-2013, 61-2013, 68-2013, 05-2014, 09-2014 AND 19-2014; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Resolution No. 26-2014.

Mayor Triolo announced that it was time for public comment.

Peter Timm asked owners of vacant properties were required to pay the fee.

Greg Rice asked for clarification of the fees, the difference between vacant and abandoned property, and the cost recovery from outside consultants.

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

- D. Ordinance No. 2014-17 – First Reading – amend Use & Occupancy and revocation of business license requirements and schedule the public hearing date for May 20, 2014**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2014-17 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 14, "BUSINESS TAX RECEIPTS AND BUSINESS REGULATIONS", SECTION 14-35, "USE AND OCCUPANCY CERTIFICATES AND INSPECTIONS REQUIRED", TO CLARIFY THE REQUIREMENTS FOR CERTAIN INSPECTIONS; PROVIDING A SAVINGS CLAUSE, A CONFLICTS CLAUSE, A CODIFICATION CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Szerdi to approve Ordinance No. 2014-17 on first reading and schedule the public hearing date for May 20, 2014.

Mayor Triolo announced that it was time for public comment.

Peter Timm said an inspection would be required for a new tenant.

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

**E. Ordinance No. 2014-18 – First Reading – amend City park and recreational facility regulations and schedule the public hearing date for May 20, 2014**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2014-18 OF THE CITY OF LAKE WORTH, FLORIDA, RENAMING, REORGANIZING AND AMENDING CHAPTER 7, ARTICLE I, TO CREATE REGULATIONS FOR CITY PARKS AND RECREATIONAL FACILITIES; AMENDING CHAPTER 7 TO CREATE ARTICLE VI, ENTITLED "MUNICIPAL BEACH AREA AND MUNICIPAL BEACH" TO CREATE REGULATIONS FOR THE MUNICIPAL BEACH AREA; 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 Amoroso and seconded by Commissioner Szerdi to approve Ordinance No. 2014-18 on first reading and schedule the public hearing date for May 20, 2014.

Juan Ruiz, Leisure Services Director, explained that, after the completion of the Lake Worth Beach Complex, there was a need to update park regulations to better match the property in order to ensure the proper use and enjoyment of all visitors. Additionally, staff found that certain controls and regulations needed to be placed on persons using public parks, recreational areas, and municipal beach area resources in order to ensure maximum enjoyment by the general public, protect and preserve natural and man-made park resources, and reduce the risk of injury to those using the

areas. He cited the proposed regulations.

Mayor Triolo announced that it was time for public comment.

Peter Timm said he thought the ordinance would regulate rowdy patrons.

Wes Blackman asked the Commission to look at regulating bicycle use and animal prohibitions.

Request/comment summary:

1. Commissioner McVoy suggested creating a committee with Wes Blackman and individuals who use the bicycle lanes to find a favorable solution.
2. Commissioner McVoy commented that he was concerned about allowing dogs on the grass area at the beach.

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

**F. Construction Contract with Rosso Site Development, Inc. for 10<sup>th</sup> Avenue South Roadway Improvements Project**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve a Construction Contract with Rosso Site Development, Inc.

Mayor Triolo announced that it was time for public comment.

Robert Gordon said the City had in-house employees who were willing to work on projects like this, said he could not do work on the building or plumbing, but could perform work outside the building

Peter Timm said he did not understand the location of the project and if it was a road or bicycle path.

Jamie Brown, Public Services Director, explained that the contract would authorize construction of a new roadway, sidewalks containing American With Disability Act (ADA) ramps, curbs and gutters, pavement, sodding, and striping/signage along 10<sup>th</sup> Avenue South east of South E Street and one block north to 9<sup>th</sup> Avenue South.

Vice Mayor Maxwell left the meeting at 9:08 PM and returned at 9:10 PM.

Vice Mayor Maxwell left the meeting at 9:12 PM and returned at 9:12 PM.

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

**G. Construction Contract with B&B Underground Contractor's Inc. for 10<sup>th</sup> Avenue South Utility Improvements project**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to approve a Construction Contract with B&B Underground Contractor's, Inc.

Mayor Triolo announced that it was time for public comment.

Peter Timm asked what the City was burying because of the cost of the contract.

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

**H. Construction Contract with B&B Underground Contractor's, Inc. for watermain improvements at 14 and 15 Avenues North and Crestwood Blvd.**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Szerdi to approve a Construction Contract with B&B Underground Contractor's, Inc.

Mayor Triolo announced that it was time for public comment.

Peter Timm asked for an explanation of the contract.

Commissioner Amoroso left the meeting at 9:17 PM.

Larry Johnson, Water Utilities Director, explained that the contract provided for the construction of a new watermain with fire hydrants, roadway reconstruction, and minor restoration work for 14 and 15 Avenues North and Crestwood Blvd.

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

Mayor Triolo left the meeting at 9:19 PM and gave the gavel to Vice Mayor Maxwell.

Commissioner Amoroso returned to the meeting at 9:20 PM.

**13. LAKE WORTH ELECTRIC UTILITY:**

**A. PRESENTATION:**

**1) Electric utility system timeline**

An Electric Utility Advisory Board (EUAB) member explained the process to create the timeline of important dates for three options.

Lisa Maxwell, EUAB Chairperson, explained that the timeline to complete either the rebuilding/upgrading of the Lake Worth Power Plant was November 1, 2020; selling the utility was September 1, 2021; or purchasing wholesale power was March 1, 2017. She said staff prepared a Request For Proposals for both the rebuilding/upgrading of the Power Plant and selling the utility.

Mayor Triolo returned to the meeting at 9:28 PM and resumed the gavel.

Request/comment summary:

1. Commissioner Amoroso requested a timeline for the legal aspect for each option be overlaid.
2. Commissioner Szerdi requested more time to review the timeline information and have further discussion with the EUAB members before he could provide them with direction.
3. Commissioner McVoy requested information on the pros/cons to municipalities owning their own utilities.
4. Vice Mayor Maxwell suggested scheduling a work session to discuss only the timeline and options after the Commission had time to digest the information.
5. Commissioner Amoroso directed the EUAB members to determine the pros/cons of selling the City's electric utilities.

Note: No action was taken on this item.

**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) Contract with Service Electric Company for repair and maintenance of 138kV transmission line**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve a contract with Service Electric Company for the repair and maintenance of the 138kV transmission line in an amount of \$662,950; and approve the authorization of a contingency of \$37,050 if needed as identified.

Mayor Triolo announced that it was time for public comment.

Peter Timm said the City needed to sell its electric utilities because of the cost to repair and maintain it.

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

**14. CITY ATTORNEY'S REPORT:**

City Attorney Torcivia did not provide a report.

**15. CITY MANAGER'S REPORT**

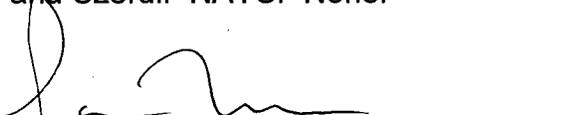
**A. May 20, 2014 – draft Commission agenda**

City Manager Bornstein did not provide a report.

**16. ADJOURNMENT:**

Action: Motion made by Commissioner Szerdi and seconded by Commissioner McVoy to adjourn the meeting at 9:56 PM.

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

  
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PAM TRIOLO, MAYOR

ATTEST:

  
PAMELA J. LOPEZ, CITY CLERK



Minutes Approved: June 3, 2014

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