

**MINUTES
CITY OF LAKE WORTH
REGULAR MEETING OF THE CITY COMMISSION
JUNE 3, 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. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia, and City Clerk Pamela Lopez.

2. INVOCATION:

The invocation was offered by City Manager Bornstein.

2. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner John Szerdi.

4. AGENDA - Additions/Deletions/Reordering:

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

- Add to Consent Agenda, Item D - Resolution No. 30-2014 – conditional conveyance of property located at 110 North F Street to the Community Redevelopment Agency;
- Add to New Business, Item A additional backup material; 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 Bill Hager

Representative Hager explained the boundaries of District 89, said he completed four years as a State Legislator, and his name would be on the November 2014 election ballot for reelection. He commented that elected officials carried values with them, which predicted the way they would vote 95% of the time. The Florida Session ended with the adoption of a balanced budget. He said that, during the recession years, the State's budget was cut by \$15 billion to balance the budget. This year, education

was funded at its highest level and the focus continued to be on the economy and growing businesses. He said that everyone who wanted a job and wanted to work could. Money was delegated to expand the Port of Palm Beach; 6,000 jobs were created over the past four years; and Palm Beach State College's tuition rate was the lowest in the State. Florida had no state income tax, but competed for businesses with Texas, which also had no state income tax. Businesses were moving from high-tax states to low-tax states and Florida gained two Congressional seats while New York lost one seat due to growth.

Request/comment summary:

1. Vice Mayor Maxwell thanked Representative Hager for spearheading a Bill to regulate sober homes.
2. Commissioner Szerdi commented about the All Aboard Florida high speed railway plan and creating an east/west traffic movement.

B. Introduction of Water Treatment Plant Supervisor and Chief Operator by Mark Farrington and Larry Johnson

Larry Johnson, Water Utilities Director, introduced Tim Sloan as the new Water Treatment Plant Supervisor and Melvin Pinckney as the new Chief Water Treatment Plant Operator. He said both of them would be responsible for keeping the quality of water up.

C. Update provided by the City Recreation Board

Austin Brookley, Board Chairperson, provided an update on the City Recreation Board's activities, which included their work on the Easter Egg Hunt event. He said the members would be focusing on the Bicycle Giveaway event planned for the fall and on their website. Additionally, the members would continue to work with City staff.

D. Update provided by Parrot Cove Neighborhood Association

Anthony Marotta, President, provided an update on Parrot Cove Neighborhood Association's activities, which included information on their boundaries, number of homes, formation in 2001, dues, mission to help community efforts for improvement, membership in the Neighborhood Association Presidents Council, and newsletter publication. He announced that approximately 120 people attended an event at Bradley's Restaurant, they held a block party in April, and their next block party was planned for early August. He provided an update on their accomplishments, said the members were creating a new logo and would replace their street banners, were working on a plan to remove graffiti, would be participating in the annual July 4th Raft Race, and were currently working on a home and garden tour event in March 2015.

Request/comment summary:

1. Commissioner Szerdi commented that the Parrot Cove Neighborhood Association was working with The Cottages of Lake Worth organization.
2. Commissioner Amoroso suggested the association auction their old banners as a way to raise money.

6. COMMISSION LIAISON REPORTS AND COMMENTS:

Commissioner Amoroso: said he hosted a local art class this week, announced the July 4th events were coming up soon and volunteers were needed, said the LULA arts mural was going up on Lake Avenue, announced that he hosted a Park Avenue Restaurant Conciege event and that they were good at promoting Lake Worth, said he was excited about the opening of the Gulfstream Hotel, encouraged the City Manager and Commission to move forward with looking at ways to reduce the cost of lighting and to include the Dark Ideas with Siemen's recommendations.

Commissioner McVoy: apologized for being absent at the May 20, 2014, Commission meeting; said he was in Madison, WI to see what was going on there; commented that he was glad the City had a City Tree Board; said the trees were attractive; observed that Madison, WI had bicycle lanes everywhere; announced his bus trip to Washington, DC to bring attention to human right violations in Venezuela.

Vice Mayor Maxwell: announced that he attended two very nice Memorial Day ceremonies in Lake Worth and Lantana, reminded everyone that Memorial Day was a day to recognize American heroes, and encouraged everyone to attend Memorial Day events. He said he received many comments about the lack of doggy bag stations and asked for them to be installed in neighborhoods.

Mayor Triolo: announced her attendance at the Memorial Day services, thanked everyone for attending, and said the City's Veterans Day Parade would be coming soon.

Request/comment summary:

1. Commissioner Amoroso commented that the City never had a policy about doggy bag stations and neighborhood associations paid for them. He suggested businesses could pay for the bags in exchange for having their names on them.

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: Mary Lindsey, Loretta Sharpe, Peter Timm, Dustin Zacks, and Richard Stowe.

The following individuals spoke on issues written on their comment cards.

Michael Kase said people liked to walk their dogs, advertisements on doggy bags could fund the doggy stations, supported bicycle lanes and energy saving efficiency, said he's removed graffiti from trash cans, spoke about traffic flow arrows, and asked why there were no signs at the Casino Building to advertise rental availability for conferences or receptions.

Mark Parrilla said he reported water spewing from the ground near Pinecrest Cemetery and staff responded immediately at 7:00 PM on a Friday. He said he wanted to give praise to the City's staff for their quick response.

Tammy Pansa offered to maintain the doggy stations if she was given a key; said the Port of Palm Beach was a unique natural resource, dive site, and tourist area that would be lost if it was dredged; and said there was free neuter and spay services for dogs and cats being offered.

Request/comment summary:

1. Commissioner Szerdi commented that there was money in the Energy Conservation Fund for digital electrical meters that could be installed inside homes for individuals to monitor their usage.
2. Commissioner McVoy requested verification of the payout amount for the \$63.5 million General Obligation Bond.

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 Work Session – April 22, 2014**
- B. City Commission Meeting – May 6, 2014**
- C. City Commission Work Session – May 13, 2014**
- D. City Commission Meeting – May 20, 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 Commissioner Amoroso and seconded by Commissioner McVoy to approve the Consent Agenda, as amended.

A. Resolution No. 27-2014 – declare expenditures of City funds as valid public purposes

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

RESOLUTION NO. 27-2014 OF THE CITY OF LAKE WORTH, AMENDING CITY RESOLUTION 06-2014 DECLARING EXPENDITURES OF CITY FUNDS FOR FOOD/REFRESHMENTS FOR CERTAIN EVENTS - AS VALID PUBLIC PURPOSES; AND, PROVIDING FOR AN EFFECTIVE DATE.

B. Resolution No. 28-2014 – submit an application for Fiscal Year 2014 Edward Byrne Memorial Justice Assistance Grant Program funding

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

RESOLUTION NO. 28-2014 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE FOR GRANT FUNDS PROVIDED THROUGH THE FISCAL YEAR 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$33,102; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

C. Ratify a member to the Library Board

D. (Added) Resolution No. 30-2014 – conditional conveyance of property located at 110 North F Street to the Community Redevelopment Agency

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

RESOLUTION NO. 30-2014 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE CONDITIONAL CONVEYANCE OF 110 N. F STREET TO THE LAKE WORTH COMMUNITY DEVELOPMENT AGENCY; AUTHORIZING THE CITY MANAGER TO ASSIST THE CRA IN GRANTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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.

12. NEW BUSINESS:

A. Resolution No. 29-2014 – call for a bond referendum election on August 26, 2014

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Resolution No. 29-2014.

City Manager Bornstein explained that the Resolution provided for a bond referendum question to be placed on the August 26, 2014, Primary Election. The General Obligation Bonds, in the amount of \$63.5 Million, would fund roadways, sidewalks, streetlights, streetscapes, drainage and water and sewer facilities within the City. These projects have been commonly referred to as the Lake Worth 2020 Plan.

City Attorney Torcivia read the following resolution by title only:

RESOLUTION NO. 29-2014 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, CALLING A BOND REFERENDUM FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS TO CONSTRUCT CERTAIN CAPITAL IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Torcivia explained that theoretically the improvements could be paid through an assessment; however, it was not realistic because of the way assessment amounts were calculated. In the State of Florida, there had been no successful assessments for roadway improvements and that the City could expect the assessment to be challenged by property owners. He read the following ballot question into the record:

Official Ballot
City of Lake Worth, Florida
Bond Referendum Election – August 26, 2014

APPROVAL OF "LAKE WORTH 2020" BONDS FOR PUBLIC INFRASTRUCTURE PROJECTS WITHIN THE CITY.

Shall the City of Lake Worth be authorized to issue bonds to acquire and improve roadway, sidewalk, streetlight, streetscape, drainage and water and sewer facilities located within the City in one or more series not exceeding a total principal amount of \$63,500,000, payable from an annual ad valorem tax maturing not later than 30 years from the date of each issuance and bearing interest at a rate not exceeding the maximum legal rate?

For bonds _____ Against bonds _____

Request/comment summary:

1. Mayor Triolo commented that the money could never be used for anything other than its intended use, and the usage would be written in the bonds' covenants.

Commissioner McVoy provided a PowerPoint presentation on his concerns. He said he was in support of the tranches distribution, but had issues with rising sea level and climate changes due to global warming disruption. As a coastal community, any changes in climate or sea level would affect Lake Worth. An engineer study, done in 2012, reported that any changes in infrastructure needed to take into consideration the rising sea level. He said the study pointed out that major storms, storm frequency coupled with higher sea level rise, and storm water risks. Other parts of the country were paying attention to the climate change and Miami Beach, Ft. Lauderdale, and Broward County were very active in putting a community resiliency plan forward. He said the City was responsible for its citizens' protection and limiting its liability due to inactivity.

He suggested the following:

- 1) Conduct formal assessment of the City's vulnerability to climate change;
- 2) Assess the costs and infrastructure implications of assessment; and
- 3) Incorporate the costs into the bond referendum.

He said he was convinced that the City had done his first suggestion, but could not support placing the bond question on the ballot at this time.

Request/comment summary:

2. Commissioner Szerdi commented that staff spent a lot of time on some of the issues suggested by Commissioner McVoy.
3. Commissioner Szerdi commented that Camp Dresser & McGee, who performed the engineering study, could not come up with a solution.
4. Commissioner Szerdi commented that the City could have constructed the new Casino Building on pilings, but chose not to.
5. Commissioner Szerdi commented that backflow preventers could be installed to mitigate the dissipation of water.
6. Commissioner Szerdi commented that there were many smart people trying to figure out how to address sea level rising. On the State and Federal levels, people were failing to come up with a solution due to the lack of technology currently available. At this time there was no way to

determine a cost to add to the bond.

Mayor Triolo announced that it was time for public comment.

JoAnn Golden said she was a former Commissioner who served between 2007 and 2011; said she had the same concerns as Commissioner McVoy; commented that 18% of the bond money went towards green products, but there was nothing green about the City and making sure residents were safe; Public Utilities just ripped out alleys; asked about coordination of the projects with sea level rising; and that the City held four quick district meetings with little public input and comment.

Peter Timm said the cost of the bond was \$138 million, asked what would happen if there was not enough money to finish all of the projects, and asked if the City could tax the residents more. He cited the number of residential and commercial properties that would pay for the bond.

Loretta Sharpe commented that the residents elected their officials to tell them about what were the most important things for the City. She said the County Property Appraiser came to a public Lake Worth meeting and explained that infrastructure was included in determining property values. She said residents hired the Commission, and they were doing the best job they could. If grant money was received, then the amount of the bond would be reduced.

Mark Parrilla asked the Commission to vote unanimously on placing the question on the August 26, 2014, ballot. This vote would send a message to the community that the Commission did hear from the public. He thanked the Commission for being forward thinkers. He said a former Commissioner had told him there was no money to pave roads in the Genesis Neighborhood, but this Commission found \$700,000 for roadway improvements. He supported the issue going to the voters.

Barbara Jean Weber said each of the Commissioners had interesting ideas and truths in what they were saying. There was also truth in what the residents were saying. Everyone wanted what was best for the City. She asked if the project could be broken into pieces, if the Park of Commerce improvements could be isolated, if the bond could be broken up to just include roads and sidewalks, and if federal grant funds were available. She asked that her comments and questions be given thought.

Michael Chase Flack said Commissioner McVoy's comments were on target. He said he was attending San Francisco State University when there was an earthquake and saw people left with nothing. He comment that he had friends who owned 10 properties in Lake Worth, and they were an example of good landlords, but they may be put in a position to not be such good landlords or may have to leave Lake Worth. He asked what the City would do with people who currently put money into their rental

properties. If the bond drove rental property owners' profits and losses thinner, then they may choose to take the lower road.

Terry Brokovich said he supported the Lake Worth 2020 Plan and supported the referendum question going to the voters. He asked for a change in the resolution because some of the wording regarding capital improvements was missing. He said he hoped the bond could be paid off earlier than 30 years, agreed with the bond, and said the City needed to get out of the 1960's and 1970's.

Scott Eller commented that he traveled a lot and was seldom in Lake Worth. He asked about the number of roadway improvements in College Park and more curbing. He said he would be in favor of delaying the bond because of Commissioner McVoy's comments and asked the City to look deeper into getting grant funds.

Richard Stowe asked the Commission to vote against the resolution. He said he was a former chairperson of the Santa Barbara Transportation Committee, and they paid for their roadways through a utility tax. He said having a question on the August ballot would have less voter turnout and suggested it be placed on the November ballot. He said haste made waste and asked the Commission to slow down and consider putting this on the November ballot.

Wes Blackman said there was a regional inequality of property values in Palm Beach County. If his house was located one-half mile north of its current location in Lake worth, it would be worth \$150,000 more. Everyone needed to look at the reason for this inequality. This bond would be doing something different. He said he would have to pay \$330 per year and was willing to pay and take a risk in order to raise or better Lake Worth's footing over other Palm Beach municipalities.

Herman Robinson asked, "If not now, then when?" The referendum question was to ask for money for basic needs. If not done now, it would cost more later. There was a momentum going on and it needed to keep going. There was a need to count on the voters to be the salesmen. The voters needed to sell Lake Worth to people who would invest here. There was a need to send a message that Lake Worth residents were willing to invest in their own community.

Mayor Triolo read the comment card written by Steve Ellman. Mr. Ellman wrote asking what Lake Worth 2020 was designed to stand for. [Was it] carrying out climate conditions and sea level or likely future climate conditions and sea level.

Greg Rice said this issue was extremely critical to the City. There was a comment made about moving the question onto the November ballot; however, the Palm Beach County Supervisor of Elections told municipalities

not to place anything on the November ballot due to its length. The City paid the highest utility rate, but people still moved into the City. Infrastructures were not addressed in the past because of other priorities. He said no one wanted to pay more in taxes, but the improvements would cost somebody.

Mayor Triolo recessed the meeting at 8:07 PM and reconvened at 8:22 PM.

Request/comment summary:

7. Commissioner McVoy commented that he supported allowing the issue to go to the voters, but that it was not ready to go to them.
8. Commissioner Amoroso commented that the Commission was actively pursuing federal grant moneys. He said there had been no infrastructure improvements made in 40 years, and that the Commission was hearing from the public.
9. Commissioner Szerdi commented that since April 16, 2013, there were 16 public meetings held in which the topic was discussed. It began with discussions under the name of the Roadway and Utilities Master Plan (RUMP) and later was renamed to Lake Worth 2020.
10. Vice Mayor Maxwell commented that this was the single most important issue a Commissioner would have to vote on in 100 years. If the Commission knew what to do to address sea level rise and climate change, and their specific costs, then the Commission would include it into the bond. The problems would not fix themselves, but continue to worsen. He said this was the reason why the Commission were asking voters to dig deeper in their pockets.
11. Mayor Triolo commented that Lake Worth 2020 addressed the basic level of public safety.

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

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:

There were no Lake Worth Electric Utility New Business items on the agenda.

14. CITY ATTORNEY'S REPORT:

City Attorney Torcivia did not provide a report.

15. CITY MANAGER'S REPORT

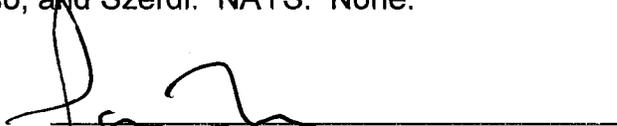
A. June 17, 2014 – draft Commission agenda

City Manager Bornstein did not provide a report.

16. ADJOURNMENT:

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to adjourn the meeting at 9:11 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: June 17, 2014

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

