

**MINUTES
CITY OF LAKE WORTH
SPECIAL MEETING OF THE CITY COMMISSION
DECEMBER 9, 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; Vice Mayor Scott Maxwell; and Commissioners Christopher McVoy, Andy Amoroso, and John Szerdi. Also present were City Attorney Glen Torcivia and City Clerk Pamela Lopez.

2. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Christopher McVoy.

3. AGENDA - Additions/Deletions/Reordering:

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

- Add to New Business, Item A – Notification letter to Orlando Utilities Commission on Release of Gas Transportation contracts; and
- Approve the agenda as amended.

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

4. UPDATES/FUTURE ACTION/DIRECTION:

A. Building Performance & Sustainability – Performance contracting Project Update

Hector Samario, Project Lead with Siemens, explained that the objective was a guaranteed savings/revenues that would meet or exceed the project cost. If savings were not realized, he said Siemens would cover the guaranteed shortfall. He provided updates on facilities, street lighting, and photovoltaic or renewable energy (solar); and explained in detail advanced metering infrastructure and compressed natural gas.

B. Water Utility Department Annual Report for Fiscal Year 2014

Larry Johnson, Water Utility Director, explained in detail the Water Department background and Water and Wastewater Systems' operation and performance measures.

Vice Mayor Maxwell left the meeting at 7:20 PM and returned at 7:22 PM.

Mr. Johnson explained in detail completed construction projects.

Mayor Triolo recessed the meeting at 7:39 PM and reconvened at 7:53 PM.

C. Water Utility Department Update of Ordinance and Policies and Procedures Manual

Larry Johnson, Water Utility Director, explained in detail a proposed ordinance renaming the Code of Ordinance Chapter 18 *Water and Sewers* to *Water Utilities* and amendments for the administration of the Water Utilities. He said the policies would include health and safety improvements, improved regulations, provided for all rates and fees to be established by resolution, and included water and sewer expansion programs.

5. UNFINISHED BUSINESS:

A. Purchase Agreement with E-Z-Go Division of Textron, Inc. for 70 golf carts for the Lake Worth Golf Course

Action: Motion made by Commissioner Amoroso and seconded by Commissioner Szerdi to approve the execution of a purchase agreement with E-Z-Go, a Division of Textron, Inc., for the purchase of 70 new golf carts with trade-in value for the City's existing 70 golf carts.

Juan Ruiz, Leisure Services Director, explained the wear and tear of golf carts. He said that, years ago, the City made a decision to lease fleets of golf carts; however, in recent years, a decision was made to purchase. This item was to again lease the golf carts. He provided a brief update on memberships and revenues.

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.

B. Resolution No. 70-2014 – Master Lease Agreement with TCF Equipment Finance for the financing and leasing of 70 golf carts

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

RESOLUTION NO. 70-2014 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT WITH TCF EQUIPMENT FINANCE, A DIVISION OF TCF

NATIONAL BANK, TO FINANCE THE PURCHASE OF GOLF CARTS; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS AND AN EFFECTIVE DATE.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Resolution No. 70-2014 approving the execution of the Lease Purchase Agreement with TCF Equipment Finance for 70 new golf carts.

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:

6. NEW BUSINESS:

A. (Added) Notification letter to Orlando Utilities Commission on Release of Gas Transportation contracts

City Attorney Torcivia explained that a notification letter to Orlando Utilities Commission (OUC) releasing gas transportation contracts was required. He said approval of the letter would allow the City to obtain its gas transportation contracts back from the OUC upon the expiration of the City's agreement with them. He advised that the City needed to exercise this option by January 1, 2015. He read staff's executive brief, which explained the summary and background and justification of this item.

Action: Motion made by Vice Mayor Maxwell to table this item to a time uncertain.

City Attorney Torcivia telephoned City Manager Bornstein to comment on the item.

Comment/request summaries:

1. Commissioner Amoroso commented that this item was not brought before the Electric Utility Advisory Board (EUAB) for discussion and there was no staff member present to explain the issue.

City Manager Bornstein, via telephone, commented that there was no cost to the City. He said that, at first, staff thought this letter could be signed administratively; however, it was later learned that it required action by the Commission.

2. Vice Mayor Maxwell reminded everyone that there was a motion on the floor to table this item. He said this item was added to the agenda at the beginning of this meeting, he did not know anything about this issue, and

was not comfortable with this item.

Commissioner McVoy seconded the motion to table to a time uncertain.

Comment/request summaries:

3. City Attorney Torcivia suggested the Commission could schedule a special meeting, prior to January 1, 2015, so that staff could explain the item; however, the Commission would be punishing themselves by scheduling a special meeting prior to the Christmas holiday.
4. Commissioner McVoy commented that he was highly uncomfortable with this item without an explanation from staff.
5. Commissioner Amoroso suggested a joint meeting with the EUAB to have discussion on this item.

Vote: Voice vote to table the item showed: AYES: Vice Mayor Maxwell. NAYS: Mayor Triolo and Commissioners McVoy, Amoroso, and Szerdi.

Action: Motion made by Commissioner Szerdi and seconded by Commissioner Amoroso to authorize the Mayor to execute the notification letter to Orlando Utilities Commission for the City to take permanent release of the gas transportation contracts.

Mayor Triolo announced that it was time for public comment.

Peggy Fisher said the Commission would be punishing the Electric Utility Advisory Board if a special meeting was scheduled. She commented that, as a member of the Board, she was not told the truth by staff and that it "left a bad taste in her mouth" to continue serving on the Board. She said she would not attend a special meeting because the Electric Utility Director did not do his job and because it was not appropriate to punish the EUAB members.

Comment/request summaries:

6. Commissioner Amoroso commented that he supported moving forward with this item because it had no fiscal impact; however, he said he was uncomfortable with the item.

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

Action: Motion made by Commissioner McVoy to reconsider the last vote.

Mayor Triolo passed the gavel to Vice Mayor Maxwell and seconded the motion.

Vice Mayor Maxwell 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.

Mayor Triolo resumed the gavel.

Action: Motion made by Commissioner Amoroso and seconded by Commissioner McVoy to approve executing the letter with instructions to City Manager Bornstein not to mail the letter until December 22, 2014, so that, if any member of the Commission had questions, they could meet with staff. If after meeting with staff, a member of the Commission still had concerns, then a special meeting would be scheduled prior to December 31, 2014, to reconsider this vote.

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.

7. ADJOURNMENT:

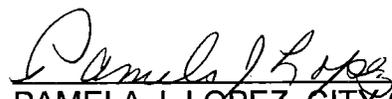
Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to adjourn the meeting at 8:43 PM.

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

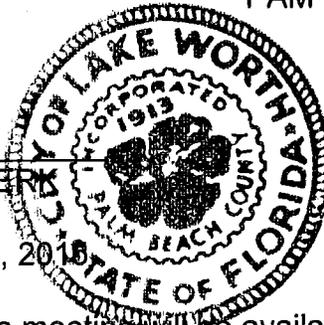


PAM TRIOLO, MAYOR

ATTEST:



PAMELA J. LOPEZ, CITY CLERK



Minutes Approved: January 6, 2015

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