

**MINUTES  
CITY OF LAKE WORTH  
REGULAR MEETING OF THE CITY COMMISSION  
JANUARY 6, 2015 – 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 Pastor Sherry Colby, Victory Worship Center.

**3. PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Commissioner Andy Amoroso.

**4. AGENDA - Additions/Deletions/Reordering:**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to waive the rules to:

- Add to Presentations, Item C – Proclamation declaring January 5-9, 2015, as First Responder Appreciation Week;
- Delete Consent Agenda, Item F – Agreement with AT&T to extend the City's primary rate interface (PRI) contract for one year;
- Reorder Consent Agenda, Item G to New Business as Item A – Agreement with Mock Roos and Associates for engineering design, permitting, and bid phase services for the 2 Inch Watermain Replacement Program, Year 1; 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. Proclamation declaring January 17, 2015, as Arbor Day**

Mayor Triolo read a proclamation declaring January 17, 2015, as Arbor Day.

**B. Certificates of Appreciation to Captains James Nevad and Steve Appleby for their years of service**

Mayor Triolo read the professional historical backgrounds of Fire/Rescue Captains James Nevad and Steve Appleby and presented both with Certificates of Appreciation for their years of service to the City.

**C. (Added) Proclamation declaring January 5-9, 2015, as First Responder Appreciation Week**

Mayor Triolo read a proclamation declaring January 5-9, 2015, as First Responder Appreciation Week.

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

Vice Mayor Maxwell: wished everyone a Happy New Year and Happy Holiday; said he hoped for great things to happen in 2015, that the City would reap benefits from Tallahassee, and receive tax dollars into the City; and said he was looking for positives things to happen in 2015.

Commissioner McVoy: wished everyone a Happy New Year; announced the passing of Robert Thompson in December; said Mr. Thompson was dedicated to his neighborhood, was a lifelong ballroom dancer, and hoped the City could move towards personalizing the Casino Ballroom with a picture of Mr. Thompson dancing; and commented that he attended a same-sex marriage gathering at the West Palm Beach Courthouse on January 6, 2015.

Commissioner Amoroso: said he was part of the marriage equality issue and watched 70 same-sex couples get married in Delray Beach; said he worked with volunteers to create a Visitor's Center at City Hall Annex; announced the Visitor Center's grand opening on January 9, 2015, at 10 AM; announced the 10<sup>th</sup> Annual Festival of Trees event at the Cultural Plaza on January 17, 2015; said he was working with various organizations on a Safer Roads Program, commented that there was a need for street calming devices, and announced the Rotary Club donated and would install 100 reflector strips on roads.

Commissioner Szerdi: wished everyone a Happy New Year; said he was looking forward to 2015; announced his attendance at the Neighborhood Association President Council's meeting last weekend and commented that a lot of things were happening with that group; announced John Faus was the new Neighborhood Association Presidents Council President; announced the next Front Porch event at the Cultural Plaza on January 16, 2015, and said blue lights would be hung honoring first responders; said he received a free tree during the Festival of Tree event two years ago and that

the tree provided shade on his property; and announced the Royal Poinciana Neighborhood Association scheduled a cleanup event on F Street on January 24, 2015.

Mayor Triolo: announced that members of the Metropolitan Planning Organization would be taking a tour, using public transportation, of funding requested areas, including Lake Worth on January 15, 2015; and commented that she was positive about 2015 and seeing things, that had been worked on, come to fruition.

**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: Katie McGiveron, Barbara Aubel, and Peter Timm.

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

Susan Ona announced a new Information Center opened on January 6, 2015, to make people aware of the wonderful things that were going on in the City. The Center was located inside the City Hall Annex, and said she hoped the volunteers working at the Information Center could be of assistance to the City. She invited everyone to attend the grand opening at 10 AM on January 9, 2015.

Derelda Morgan said that, for the past several years, she complained to the City about property located in front of her building at 1611 South Johnson Street. She asked that the property be cleaned up because it was creating a habitat for wild animals.

Comments/requests summaries:

1. City Attorney Torcivia commented that it was impossible to fund the City's Lake Worth 2020 infrastructure improvements through property assessments because each of the improvements were different. He announced a public meeting on January 27, 2015, to hear citizens' ideas on funding the infrastructures. He offered to research the property assessment issue again; however, he said the last time he researched the issue, it could not be done.
2. Vice Mayor Maxwell invited everyone to attend the January 27, 2015, public meeting and bring their ideas on how to fund the Lake Worth 2020 infrastructure improvements.
3. Mayor Triolo requested potholes on 2<sup>nd</sup> Avenue South be patched before the Street Painting Festival.

4. Vice Mayor Maxwell commented that there was a code violation case against the vacant property near 1611 South Johnson Street that had not yet come to conclusion. The property needed to be cleaned; however, he said he was under the impression that it had been cleaned.
5. Vice Mayor Maxwell commented that he hoped the City could do something about potholes on 2<sup>nd</sup> Avenue South and for more people to come forward and ask for improvements so that collectively, a solution to fund infrastructures could be found.
6. City Manager Bornstein commented that staff was addressing the condition, left by the contractor, of a city-owned construction staging site along Lake Osborne.
7. Commissioner McVoy commented that the Lake Worth 2020 infrastructure project message he had been hearing from the community was regarding: 1) what needed to be done; 2) shortcomings by the City to get its message out; and 3) the City not offering a solution. He suggested asking the public why they did not vote to approve the General Obligation Bond to fund Lake Worth 2020 projects' on the August 26, 2014, ballot.

**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 Meeting – November 4, 2014**
- B. Special City Commission Meeting – December 2, 2014**
- C. City Commission Meeting – December 2, 2014**
- D. Special City Commission Meeting – December 9, 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 Amoroso to approve the Consent Agenda, less Items F and G.

- A. Resolution No. 01-2015 – Fiscal Year 2014/2015 third budget amendment**

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

RESOLUTION NO. 01-2015, 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, 2014 AND ENDING SEPTEMBER 30, 2015; AND PROVIDING FOR AN EFFECTIVE DATE.

**B. Resolution No. 02-2015 – agreement with the Supervisor of Elections Office for equipment use and election services**

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

RESOLUTION NO. 02-2015 OF THE CITY OF LAKE WORTH, FLORIDA, APPROVING AN AMENDED AGREEMENT FOR VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES BY AND BETWEEN THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS AND THE CITY OF LAKE WORTH; DESIGNATING THE CITY'S CANVASSING BOARD; AND PROVIDING AN EFFECTIVE DATE.

**C. Resolution No. 03-2015 – set the general election ballot scheduled on March 10, 2015**

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

RESOLUTION NO. 03-2015 OF THE CITY OF LAKE WORTH, FLORIDA, DIRECTING THE CITY CLERK TO PREPARE THE OFFICIAL BALLOT FOR THE CITYWIDE ELECTION TO BE HELD ON MARCH 10, 2015; PROVIDING AN EFFECTIVE DATE.

**D. Resolution No. 04-2015 – extend the Economic Development Electricity Incentive Rate program**

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

RESOLUTION NO. 04-2015 OF THE CITY OF LAKE WORTH, FLORIDA, FOR THE CONTINUATION OF THE ECONOMIC DEVELOPMENT ELECTRICITY INCENTIVE RATE PROGRAM AS ESTABLISHED THROUGH RESOLUTION NO. 07-2013 FOR QUALIFIED COMMERCIAL CUSTOMERS OF THE CITY ELECTRIC UTILITY; PROVIDING TERMS, CONDITIONS, APPLICABLE CREDITS AND AN AGREEMENT FOR THE PROGRAM; AND, PROVIDING A DATE FOR TERMINATION OF THE PROGRAM.

**E. Resolution No. 05-2015 – adopt the 2015 Revised Palm Beach County Local Mitigation Strategy**

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

RESOLUTION NO. 05-2015 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE ADOPTION OF THE 2015 REVISED PALM BEACH COUNTY LOCAL MITIGATION STRATEGY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- F. (Deleted) Agreement with AT&T to extend the City's primary rate interface (PRI) contract for one year**
- G. (Reordered to New Business as Item A) Agreement with Mock Roos and Associates for engineering design, permitting, and bid phase services for the 2 Inch Watermain Replacement Program, Year 1**
- H. Utility Easement dedicated by P.B.T., Inc. as a condition of site plan approval for Badcock Furniture Store located at 1630 South Dixie Highway**
- I. Ratify board members to various City advisory boards**
- J. General Release Agreement with Leona Funder**

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

**10. PUBLIC HEARINGS:**

- A. Ordinance No. 2015-01 – Second Reading and Public Hearing – designate a Residential Planned Development (RPD) located at 2430 Lake Worth Road**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2015-01 OF THE CITY OF LAKE WORTH, FLORIDA, APPROVING A RESIDENTIAL PLANNED DEVELOPMENT KNOWN AS THE VILLAGE AT LAKE OSBORNE; PROVIDING FOR DEVELOPMENT STANDARDS, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Szerdi to approve Ordinance No. 2015-01 on second reading.

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

Comment/request summary:

1. Commissioner McVoy thanked the developer for working with neighbors on the east side of the project and asked if there was a provision for sidewalks between two new residential developments.

Vice Mayor Maxwell left the meeting at 7:06 PM.

William Waters, Community Sustainability Director, explained that the developer was willing to install a sidewalk, but there was no right-of-way or room on the south side of 2<sup>nd</sup> Avenue North. He said the north side of 2<sup>nd</sup> Avenue North was in the County.

Vice Mayor Maxwell returned to the meeting at 7:07 PM.

Mr. Waters explained that several governmental entities were looking to complete roads in that area because Lake Worth Road was a pathway for pedestrians and bicyclists to the tri-rail station. He said there was a high probability for improvements in the next five years.

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

**11. UNFINISHED BUSINESS:**

There were no Unfinished Business items on the agenda.

**12. NEW BUSINESS:**

**A. (Formerly Consent Agenda, Item G) Agreement with Mock Roos and Associates for engineering design, permitting, and bid phase services for the 2 Inch Watermain Replacement Program, Year 1**

Commissioner McVoy explained that he removed this item from the Consent Agenda because the agreement was over \$100,000. He said he was concerned that the design agreement was part of the Lake Worth 2020 infrastructure plan, about the cost for the citywide project, and the funding mechanism.

Larry Johnson, Water Utility Director, explained that \$500,000 for this project was included in the Fiscal Year 2015 budget as the first year of a 2-inch watermain replacement program. He said there was always an understanding with the Commission that this was a multi-year project to replace watermains throughout the City. This agreement was to perform the first year's design work.

He said the Commission had directed staff to fund this project separate from Lake Worth 2020's projects. Staff could come back with a Lake Worth 2020 funding mechanism in the future. He explained that this project would begin in District 4 because it was a small scale project in order for staff to gain experience and learn how to predict ways to improve the larger scale projects.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Szerdi to approve the agreement with Mock Roos and Associates for engineering design, permitting, and bid phase services for the 2 Inch Watermain Replacement Program, Year 1 for a price not to exceed \$99,925.

Mayor Triolo announced that this was the time for public comment.

Peter Timm said he thought the improvements would be paid through a water rate increase.

Mr. Johnson explained that the Commission had directed staff to fund this project through Water Fund revenues. There would be a 5% rate increase and additional five year rate increases to fund the entire \$14 million program. He said funding would come from water rates and not through Lake Worth 2020 or any other Lake Worth 2020 related funding.

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

**13. LAKE WORTH ELECTRIC UTILITY:**

**A. PRESENTATION:**

**1) Update on the electric utility system**

There were no electric utility system updates.

**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 offered no report.

**15. CITY MANAGER'S REPORT**

**A. January 20, 2015 – draft Commission agenda**

City Manager Bornstein reported on the following:

- Announced more art lofts would be constructed on the recently demolished former health department building property located on Lucerne Avenue west of the railroad tracks;
- Announced his attendance at a Tropical Ridge Neighborhood Association meeting; and
- Reported that there was an uptick of code activities, said he was looking forward to more positive things happening, and everyone would see a lot of code improvements this year.

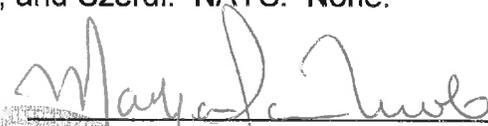
**16. ADJOURNMENT:**

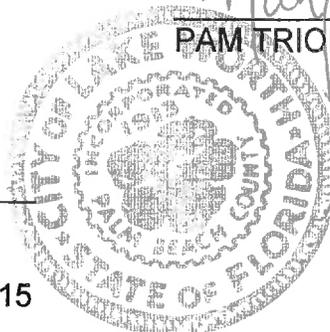
**Action:** Motion made by Vice Mayor Maxwell and seconded by Commissioner Szerdi to adjourn the meeting at 7:32 PM.

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

ATTEST:

  
PAMELA J. LOPEZ, CITY CLERK

  
PAM TRIOLO, MAYOR



Minutes Approved: January 20, 2015

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

