



CITY OF LAKE WORTH

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ACTION AGENDA
CITY OF LAKE WORTH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, APRIL 07, 2015 - 6:00 PM

1. **ROLL CALL:** The Mayor and all Commissioners were present.
2. **INVOCATION:** Pastor Charley Westbrook, First Baptist Church
3. **PLEDGE OF ALLEGIANCE:** Led by a member of the Boy Scouts
4. **AGENDA - Additions/Deletions/Reordering:**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to waive the rules to:
 - (Reorder Consent Agenda, Item B to New Business as Item C) Resolution No. 12-2015 – declaration of intent to abandon a portion of a 10 foot utility easement and schedule the public hearing date for April 21, 2015; and
 - Approve the agenda as amended.**Vote:** Motion approved, 5-0
5. **PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. Proclamation declaring April 12-18, 2015 as National Library Week
 - B. Recognition of Lake Worth Lifeguard Chief Tim Ehmke and Lifeguards Doug Yoakum and Nicholas Merelli for their actions on March 19, 2015
 - C. City Tree Board update
 - D. Bryant Park Neighborhood Association update
 - E. Overview of the Fiscal Year 2015-2017 Palm Beach County Urban County Program and the Community Development Block Grant Program
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:** There were no approval of Minutes on the agenda.

Agenda Date: April 7, 2015 Regular Meeting

9. CONSENT AGENDA: (public comment allowed during Public Participation of Non-Agendaed items)

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the Consent Agenda, less Item B.

Vote: Motion approved, 5-0

A. Resolution No. 11-2015 - accept \$20,023 in Fiscal Year 2014-2015 State Aid to Libraries Program grant funds

B. (Reordered to New Business as Item C) Resolution No. 12-2015 - declaration of intent to abandon a portion of a 10 foot utility easement and schedule the public hearing date for April 21, 2015

C. Settlement Agreement with The Townhomes of Pineapple Ridge at Lake Worth, LLC and Best Built Construction, Inc.

10. PUBLIC HEARINGS:

A. Ordinance No. 2015-02 - Second Reading and Second Public Hearing - amend the Comprehensive Plan to include a water supply plan and amend various elements

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2015-02 on second reading.

Action: Amended motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2015-02 with revisions to Exhibit A on second reading.

Vote: Amended motion approved, 5-0

11. UNFINISHED BUSINESS:

A. Update on the modified 7th Avenue South improvement design between A and F Street

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the modified 7th Avenue South improvement design between A and F Streets.

Vote: Motion approved, 5-0

12. NEW BUSINESS:

A. Amendment No. 1 to Agreement with Mock, Roos & Associates to furnish Professional Services for Park of Commerce - Phase 1 Infrastructure Improvements

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Amendment No. 1 to the Agreement with Mock, Roos & Associates to furnish Professional Services for Park of Commerce – Phase 1 Infrastructure Improvements for an increased fee of \$62,830 and increased the contract time of 60 days.

Vote: Motion approved, 5-0

Agenda Date: April 7, 2015 Regular Meeting

B. Employment Agreement with Michael Bornstein as City Manager

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to approve the continuation of City Manager services with Michael Bornstein.

Action: Amended motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to increase Mr. Bornstein's salary \$10,000; give him an additional one week of vacation; and approve the continuation of services with Michael Bornstein as City Manager.

Action: Amended motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to extend Mr. Bornstein's contract five years; increase his salary \$10,000; give him one additional week of vacation; and approve the continuation of services with Michael Bornstein as City Manager.

Vote: Amended motion approved, 3-2 (Commissioners McVoy and Maier dissenting)

C. (Formerly Consent Agenda, Item B) Resolution No. 12-2015 – declaration of intent to abandon a portion of a 10 foot utility easement and schedule the public hearing date for April 21, 2015

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to change Seventh Avenue North to 10th Avenue North; approve amended Resolution No. 12-2015; and schedule the public hearing date for April 21, 2015.

Vote: Motion approved, 5-0

13. LAKE WORTH ELECTRIC UTILITY:

A. **PRESENTATION:** (there is no public comment on Presentation items)

1) Update on the electric utility system

No one provided an update on the electric utility system.

B. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agenda items)

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.

Agenda Date: April 7, 2015 Regular Meeting

14. CITY ATTORNEY'S REPORT:

City Attorney Torcivia announced his desire for advice concerning pending litigation in the case of Joseph Viera, et al versus City of Lake Worth, Case No. 502010CA000606XXXXMB during a closed door attorney/client session at 4:15 PM on April 21, 2015. Those in attendance would be the Mayor, Vice Mayor, City Commissioners, City Manager, himself, and a Court Reporter. The estimated length of the session was 45 minutes.

15. CITY MANAGER'S REPORT:

City Manager Bornstein did not provide a report.

A. April 21, 2015 Draft City Commission Agenda

16. ADJOURNMENT: The meeting was adjourned at 9:39 PM.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

NOTE: ONE OR MORE MEMBERS OF ANY BOARD, AUTHORITY OR COMMISSION MAY ATTEND AND SPEAK AT ANY MEETING OF ANOTHER CITY BOARD, AUTHORITY OR COMMISSION.