



CITY OF LAKE WORTH

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ACTION AGENDA
CITY OF LAKE WORTH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, APRIL 21, 2015 - 6:00 PM

1. **ROLL CALL:** The Mayor and all Commissioners were present.
2. **INVOCATION:** Pastor Leonce Estimable, Church of God Christian Fellowship
3. **PLEDGE OF ALLEGIANCE:** Led by Commissioner Christopher McVoy
4. **AGENDA - Additions/Deletions/Reordering:**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to waive the rules to:
 - Reschedule Approval of Minutes, Item B to May 5, 2015; and
 - Approve the agenda as amended.**Vote:** Motion approved, 5-0
5. **PRESENTATIONS:** (there is no public comment on Presentation items)

There were no Presentation Items on the agenda.
6. **COMMISSION LIAISON REPORTS AND COMMENTS:**
7. **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**
8. **APPROVAL OF MINUTES:**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the following minutes, less Item B as submitted.
Vote: Motion approved, 5-0
 - A. City Commission Special Meeting - March 16, 2015
 - B. (Rescheduled to May 5, 2015) City Commission Meeting - March 24, 2015
 - C. City Commission Special Meeting - April 7, 2015
9. **CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)
There were no Consent Agenda items on the agenda.

10. PUBLIC HEARINGS:

- A. Resolution No. 13-2015 - abandon a portion of a 10 foot utility easement

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Resolution No. 13-2015 to abandon a 10 foot utility easement.

Vote: Motion approved, 5-0

11. UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

12. NEW BUSINESS:

- A. Resolution No. 14-2015 - authorize a Memorandum of Understanding with the County to submit a grant application to the US Dept. of Commerce, Economic Development Administration for infrastructure improvements in the Park of Commerce

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to approve Resolution No. 14-2015 to authorize the Mayor to execute the Memorandum of Understanding and submit an application to the U.S. Department of Commerce, Economic Development Administration for \$1,400,000 of grant funds.

Vote: Motion approved, 5-0

- B. Resolution No. 15-2015 - request County to place Boutwell Road and 10th Avenue North intersection on their Capital Improvement Program for 2016

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Maxwell to approve Resolution No. 15-2015.

Vote: Motion approved, 5-0

- C. Interlocal Agreement with Palm Beach County for the transfer of floating dock from Snook Islands to the Bryant Park Boat Ramp

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve an Interlocal Agreement with Palm Beach County for the donation and transfer of a section of the Snook Islands' dock system to the Bryant Park Boat Ramp.

Vote: Motion approved, 5-0

- D. Contract with Vance Construction to remove and transfer a portion of Snook Islands floating dock to the Bryant Park Boat Ramp

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to approve a contract with Vance Construction for the transfer of a section of the Snook Islands dock system to the Bryant Park Boat Ramp.

Vote: Motion approved, 5-0

Agenda Date: April 21, 2015 Regular Meeting

- E. Adopt the Lake Worth Urban Forest Management Plan for the inventory of all trees located within the City

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the adoption of the city-wide Lake Worth Urban Forest Management Plan.

Vote: Motion approved, 5-0

- F. Notice to nominate five Cultural Plaza Ficus Trees as historic

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to approve the notice to nominate five Cultural Plaza Ficus Trees as historic.

Vote: Motion approved, 5-0

13. LAKE WORTH ELECTRIC UTILITY:

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

There were no Lake Worth Electric Utility Consent Agenda items on the agenda.

- B. **PUBLIC HEARING:**

There were no Lake Worth Electric Utility Public Hearing items on the agenda.

- C. **NEW BUSINESS:**

- 1) Notification letter to Orlando Utilities Commission to extend the term of the purchased power agreement

Action: Motion made by Commissioner McVoy and seconded by Commissioner Amoroso to authorize the City Manager to execute a Notification Letter to Orlando Utilities Commission to extend the term of the Orlando Utilities Commission-Lake Worth Power Purchase Agreement for 2017.

Vote: Motion approved, 5-0

14. CITY ATTORNEY'S REPORT:

City Attorney Torcivia provided the following report:

Suggested reordering the agenda to have the Commission Liaison Reports and Comments and Public Participation of Non-Agendaed Items and Consent Agenda after the City's business because staff and the public, who came to listen to City business items, did not have to stay longer.

15. CITY MANAGER'S REPORT:

A. May 5, 2015 draft Commission agenda

City Manager Bornstein provided the following report:

- Said he was working to finalize the Federal Emergency Management Agency's (FEMA) issue about repaying funds received from FEMA for Hurricanes Francis and Jeanne. He explained that the City filed for \$29 million in federal funds and FEMA was asking for \$4 million back because they disagreed with the way the City filed its documentation. He said the City retained Alcade & Fay who were working on the FEMA issue. They were also working with Congresswoman Louis Frankel to create statute of limitation legislation.
- Reported that Attorney Carolyn Ansay from City Attorney Torcivia's office was reviewing the City's documentation to verify that FEMA had the same documents as the City.

City Attorney Torcivia commented that Attorney Ansay was successful in de-obligating FEMA funds and asked to retain Attorney Ernest B. Abbott, who had FEMA expertise, to help craft final arguments for the reduction of the amount of money FEMA wanted back from the City.

Consensus: To retain Attorney Ernest B. Abbott.

- Announced that the City requested State funds for Boutwell Road and the Park of Commerce; however, the State Legislators had not yet approved a budget. All requests for State funds were still in the air. He said balancing the State's budget by May 1, 2015, did not look good.
- Said efforts were being made to present the City's budget better. The budget was transparent unfortunately; however, people did not understand the information provided. Burton and Associates' tool would bridge the gap, and the effects of any changes made to the budget would be shown "in real time" during the budget process.
- He asked John Pickett, Laurel Decker, and William Thrasher to review the City's funds, particularly the Beach Fund, because they were the people who were instrumental in crafting the Casino Building's finances. He said he looked forward to them untangling the knots in the Beach Fund.

16. ADJOURNMENT: The meeting was adjourned at 9:16 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)