



ACTION AGENDA
CITY OF LAKE WORTH
CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, JANUARY 05, 2016 - 6:00 PM

1. **ROLL CALL:** The Mayor and All Commissioners were present.
2. **INVOCATION OR MOMENT OF SILENCE:** Offered by Pastor Mike Olive, Common Ground, on behalf of Mayor Pam Triolo
3. **PLEDGE OF ALLEGIANCE:** Led by Commissioner Christopher McVoy
4. **AGENDA - Additions/Deletions/Reordering:**

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

- Reorder Consent Agenda, Item E to New Business as Item D – Task Order with Keith & Schnars for a Traffic Calming Study & Associated GIS Base Map – Phase 1;
- Reschedule Public Hearings, Items A.1, A.2, and A.3 to January 19, 2016 - Property located 200 feet west of the 10th Avenue North and Boutwell Road Intersection:
 - (1) Ordinance No. 2016-01 - Second Reading - voluntary annexation of 6.54 acres
 - (2) Ordinance No. 2016-02 - Second Reading - Small Scale Future Land Use Map Amendment
 - (3) Ordinance No. 2016-03 - Second Reading - rezone property; and
- Approve the agenda as amended.

Vote: Motion approved, 5-0

5. **PRESENTATIONS:** (there is no public comment on Presentation items)
 - A. Proclamation declaring January 18, 2016 as Martin Luther King, Jr. Day
 - B. Accept a Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada
 - C. Sea Level Rise Conference
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, as submitted.

Vote: Motion approved, 5-0

A. City Commission Meeting - December 8, 2015

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

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

Vote: Motion approved, 5-0

A. Resolution No. 01-2016 - oppose the Trans-Pacific Partnership

B. Resolution No. 02-2016 - support a statewide prohibition on fracking to explore and produce oil and natural gas in Florida

C. Resolution No. 03-2016 - agreement with Palm Beach County for improvements to Tropical Drive and Barton Road

D. Purchase Order to Garber Chevrolet, Pontiac, GMC Truck for two replacement vehicles for the Code Compliance Division

E. (Reordered to New Business as Item D) Task Order with Keith & Schnars for a Traffic Calming Study & Associated GIS Base Map - Phase 1

F. Second Amendment to an Agreement with D.S. Eakins Const. Corp. for crews with equipment for specialized underground utility repairs

G. First Amendment to an Agreement with Sulphuric Acid Trading Company, Inc. to purchase bulk sulfuric acid for the Reverse Osmosis Water Treatment Plant

H. First Amendment to an Agreement with Harcros Chemicals, Inc. to purchase caustic soda for water treatment and odor control

I. Amendment to an Agreement with LHoist North America of Alabama, LLC to purchase bulk quicklime for the Water Treatment Plant

J. Agreement with Odyssey Manufacturing Co. to purchase sodium hypochlorite (bleach)

K. Agreement with Craven Thompson and Associates for engineering design, bid and construction phase services for the 2-Inch Watermain Replacement Program, Years 2 through 6

L. Restrictive Covenant for Benzaiten Center for Creative Arts Grant (FEC Train Depot)

M. Settlement on attorney's fees for City of Lake Worth v. C & E Holding of Palm Beach County, Inc.

- N. Agreement with Florida Railroad, LLC for acquisition of certain rights of way and an easement for the Boutwell Road Infrastructure Project

10. PUBLIC HEARINGS:

- A. (Rescheduled to January 19, 2016) Property located 200 feet west of the 10th Avenue North and Boutwell Road Intersection:

- 1) Ordinance No. 2016-01 - Second Reading - voluntary annexation of 6.54 acres
- 2) Ordinance No. 2016-02 - Second Reading - Small Scale Future Land Use Map Amendment
- 3) Ordinance No. 2016-03 - Second Reading - rezone property

- B. Ordinance No. 2016-04 - Second Reading and Quasi-Judicial Public Hearing - rezone a portion of the Gulfstream Hotel

Note: City Attorney Torcivia swore in individuals who provided testimony. Other individuals provided public comment, were not sworn in and did not provide testimony.

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to approve Ordinance No. 2016-04 on second reading.

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

Note: City Attorney Torcivia announced that the ordinance was not read by title only as required by State Law. He asked for the ordinance to be voted on again after he read the ordinance title.

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to approve Ordinance No. 2016-04 on second reading.

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

- C. Ordinance No. 2016-05 - Second Reading - amend the hours of sales for alcoholic beverages

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2016-05 on second reading.

Vote: Motion approved, 5-0

11. UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

12. NEW BUSINESS:

- A. Ordinance No. 2016-06 - First Reading - provide regulations for "public property" and schedule the public hearing date for January 19, 2016

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2016-06 on first reading and schedule the public hearing date for January 19, 2016.

Vote: Motion approved, 5-0

- B. Ordinance No. 2016-07 - First Reading - amend various ordinances to include sexual orientation and gender identity or expression and schedule the public hearing date for January 19, 2016

Action: Motion made by Commissioner McVoy and seconded by Commissioner Amoroso to approve Ordinance No. 2016-07 on first reading and schedule the public hearing date for January 19, 2016.

Vote: Motion approved, 5-0

- C. Resolution No. 04-2016 - declare the City's intent to use the uniform method of collecting non-ad valorem assessment for certain nuisance abatements

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Resolution No. 04-2016.

Vote: Motion approved, 5-0

- D. (Formerly Consent Agenda, Item E) Task Order with Keith & Schnars for a Traffic Calming Study & Associated GIS Base Map – Phase 1

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the Task Order.

Vote: Motion approved, 4-1 (Commissioner McVoy dissenting)

13. LAKE WORTH ELECTRIC UTILITY:

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

- 1) Update on the electric utility system

No update was provided.

- B. **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.

PUBLIC HEARING:

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

- C. **NEW BUSINESS:**

- 1) Florida Municipal Electric Association membership dues for Fiscal Year 2015-2016

Action: Motion made by Commissioner McVoy and seconded by Commissioner Amoroso to approve the Florida Municipal Electric Association annual membership dues for Fiscal Year 2015-2016 in the amount of \$33,345.

Vote: Motion approved, 5-0

14. CITY ATTORNEY'S REPORT:

City Attorney Torcivia wished everyone a Happy New Year.

15. CITY MANAGER'S REPORT:

City Manager Bornstein provided the following report:

- Commented that he was very excited about the upcoming year with “cool” things happening;
- There was good input from the community tonight and said he was upbeat and positive; and
- Wished everyone a Happy New Year.

A. January 19, 2016 draft Commission agenda

16. ADJOURNMENT: The meeting was adjourned at 9:32 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.