

**MINUTES  
CITY OF LAKE WORTH  
REGULAR MEETING OF THE CITY COMMISSION  
FEBRUARY 2, 2016 – 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 (arrived 6:04 PM), Andy Amoroso, and Ryan Maier. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia, and City Clerk Pamela Lopez.

**2. INVOCATION OR MOMENT OF SILENCE:**

The invocation was offered by Father Paul Rasmus, St. Andrew's Episcopal Church, on behalf of Commissioner Christopher McVoy.

**3. PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Commissioner Ryan Maier.

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

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

- Reorder Consent Agenda, Item G to New Business as Item A – Crossing License Agreement with the Florida East Coast Railroad (FEC) regarding All Aboard Florida (AAF); and
- Approve the agenda as amended.

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

**5. PRESENTATIONS:**

**A. Proclamation declaring February 13, 2016 as Arbor Day**

Mayor Triolo read a proclamation declaring February 13, 2016, as Arbor Day.

Commissioner McVoy arrived at the meeting; the time being 6:04 PM.

Richard Stowe, Tree Board Chairperson, accepted the proclamation and announced upcoming events scheduled in observance of Arbor Day.

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

Commissioner McVoy: commented that there was a shooting in District 2 yesterday; said he was asked to join the Red Cross on January 30, 2016, they installed smoke alarms in mobile homes near Congress Avenue, held a Heath Fair, and commented that he was glad to be supportive of them. He said Bills regarding fracking were moving through Tallahassee, Broward County and Lake Worth were on record opposing fracking, but State Legislators were not listening.

Vice Mayor Maxwell: announced that there were three Bills in Tallahassee regarding vacation home regulations on the local level that were favorable to Home Rule. He announced that Loretta Sharpe had died peacefully earlier last week, she was a big part of the community, and said the family would hold a memorial mass sometime in February.

Commissioner Maier: offered his sympathy to Loretta Sharpe's family on her passing; thanked everyone, including the many volunteers, for participating in Project Homeless; and said he received a lot of comments from residents on both sides of the public space ordinance issue approved at the last meeting. Many supported his position and many stated that he was purporting a continued problem. He said people were more concerned about their own neighborhoods with burglaries and drug deals. This ordinance was not designed to defend their neighborhoods, streets, or homes from crime. It was designed to make the downtown area more attractive to businesses. He said sending a message that the City took a position to polish its facades was not more important than people.

Commissioner Amoroso: said the City had a booth at the County Fair, announced the Street Painting Festival was coming up in February and that volunteers were still needed, The Cottage Restaurant was rented, and the new tenants said they hoped it would be open in time for the Street Painting Festival.

Mayor Triolo: announced two community meetings on February 10 and 17, 2016, to learn about new lighting upgrades, automated electric and water meters, City facility upgrades, and new solar field. She thanked everyone for attending the State of the City Address and commented that staff was working on a summit to talk about the homeless issue and what could be done as a community.

**7. PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**

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

Monica Narsiff asked for speed bumps to be installed on the south side of

Wright Drive. She said there were serious speeding problems on the street with trucks and vehicles rarely stopping at major intersections. She commented that, when I-95 was shut down, drivers were diverted to Wright Drive.

Monica Bilotti asked what the Public Services employees were spraying as a herbicide near the Intracoastal.

Nanci Bradford said a murder was committed on her doorstep last night and that she saw part of it outside of her window. She asked for more police training.

Teila Brackmore Bradford said that last night a 21 year old neighbor was shot dead on her parent's doorstep and bullets went through their garage door. She asked what could be done in the community. She commented that eight years ago her father was mugged by someone who used a gun. She asked for more police training, said she was afraid to visit her parents, and asked if they should move.

The following individuals spoke on various issues; however, they did not write anything on their comment cards: Richard Guercio, Katie McGiveron, Jay Hayward, and Peggy Fisher.

**8. APPROVAL OF MINUTES:**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve the following minutes, as submitted:

**A. City Commission Meeting – January 19, 2016**

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

**9. CONSENT AGENDA:**

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

**A. Resolution No. 08-2016 – declare an intent to abandon a 40 ft. strip of land on 4<sup>th</sup> Avenue South**

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

RESOLUTION NO. 08-2016 OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER THE ABANDONMENT OF THE 40 FOOT WIDE STRIP OF 4<sup>TH</sup> AVENUE SOUTH RIGHT-OF-WAY RUNNING EAST TO WEST FROM THE WESTERN EDGE OF S. EAST COAST STREET RIGHT-OF-

WAY TO THE EASTERN EDGE OF THE FLORIDA EAST COAST RAILWAY COMPANY RIGHT-OF-WAY (A DISTANCE OF APPROXIMATELY 112 FEET); SETTING A PUBLIC HEARING TO HEAR AND CONSIDER OBJECTIONS TO AND PROTESTS AGAINST THE PROPOSED ABANDONMENT; PROVIDING AN EFFECTIVE DATE.

- B. Agreement with The Florida Division of Blind Services, Bureau of Business Enterprise to provide snack vending machine services**
- C. Amendment to Agreement with Utility Services Co., Inc. for Water Tank Maintenance – North Elevated Tank**
- D. Ratify Contract with Kaman Industrial Technologies Corporation for emergency sewer pump repair service**
- E. Settlement Agreement with the Village of Palm Springs regarding Public Services Taxes and Franchise fees**
- F. Purchase two refuse collection vehicles from Palm Peterbilt Truck Centers**
- G. (Reordered to New Business as Item A) Crossing License Agreement with the Florida East Coast Railroad (FEC) regarding All Aboard Florida (AAF)**

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

**10. PUBLIC HEARINGS:**

- A. Ordinance No. 2016-08 – Second Reading and Public Hearing – revise the special assessment procedure and the collection of such assessments for the clearing of nuisance lots**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-08 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 12 "HEALTH AND SANITATION", ARTICLE III "LOTS AND LANDS CONSTITUTING NUISANCES", SECTION 12-38, SECTION 12-39, SECTION 12-40 AND SECTION 12-42 TO REVISE THE PROCEDURE FOR THE COLLECTION OF COSTS INCURRED FOR THE CLEARING OF LOTS; PROVIDING FOR SEVERABILITY, REPEAL OF LAWS IN CONFLICT, CODIFICATION, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve Ordinance No. 2016-08 on second reading.

Mayor Triolo announced that this was the 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 Maier. NAYS: None.

**B. Ordinance No. 2016-09 – Second Reading and Public Hearing – revise the special assessment procedure and the collection of such assessments for the boarding and securing of structures**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-09 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION”, ARTICLE VII “ABATEMENT OF NUISANCES”, SECTION 2-75.2 AND SECTION 2-75.2.5 TO PROVIDE THAT THE COSTS OF THE BOARDING AND SECURING OF A VACANT PROPERTY ARE SPECIAL ASSESSMENTS AND TO PROVIDE FOR THE ANNUAL NOTICE OF THE SAME; TO AMEND SUBSECTION 2-75.2.7 TO STREAMLINE THE PROCEDURE FOR THE COLLECTION OF COSTS INCURRED FOR THE BOARDING AND SECURING OF STRUCTURES; PROVIDING FOR SEVERABILITY, REPEAL OF LAWS IN CONFLICT, CODIFICATION, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Action: Motion made by Commissioner McVoy and seconded by Commissioner Amoroso to approve Ordinance No. 2016-09 on second reading.

Mayor Triolo announced that this was the 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 Maier. NAYS: None.

**C. Ordinance No. 2016-10 – Second Reading and Public Hearing – revise the special assessment procedure and the collection of such assessments for the demolition of unsafe structures**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-10 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 9 “BUILDINGS AND STRUCTURAL REGULATIONS”, ARTICLE I “IN GENERAL”, SECTION 9-2.2 TO PROVIDE THAT THE COSTS OF THE DEMOLITION OF AN UNSAFE BUILDING ARE A SPECIAL ASSESSMENT AND TO PROVIDE FOR THE ANNUAL NOTICE OF THE SAME; TO AMEND SUBSECTION 9-2.2(P) TO STREAMLINE THE PROCEDURE FOR THE COLLECTION OF COSTS INCURRED FOR THE DEMOLITION OF UNSAFE BUILDINGS; PROVIDING FOR SEVERABILITY, REPEAL OF LAWS IN

CONFLICT, CODIFICATION, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Action: Motion made by Commissioner Amoroso and seconded by Commissioner Maier to approve Ordinance No. 2016-10 on second reading.

Mayor Triolo announced that this was the 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 Maier. NAYS: None.

**11. UNFINISHED BUSINESS:**

**A. Resolution No. 06-2016 – establish opening/closing hours for “public property” owned by the City**

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

RESOLUTION NO. 06-2016 OF THE CITY OF LAKE WORTH, FLORIDA, RELATING TO THE USE OF CITY-OWNED PUBLIC PROPERTY AND ESTABLISHING HOURS OF OPERATION; PROVIDING THAT CONFLICTING RESOLUTIONS ARE REPEALED; AND, PROVIDING FOR AN EFFECTIVE DATE.

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to approve Resolution No. 06-2016 as amended.

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

Noam Brown said cities across the country were frequently being legally challenged for violating human rights. He cited lawsuits filed for punishing homeless people and said this resolution was an ineffective approach.

Mayor Triolo read the comments written by Shauna Coolican. Ms. Coolican wrote asking to focus on real solutions and not distract the Sherriff's Department by criminalizing homelessness.

Mayor Triolo read the comments written by Karla Engel. Ms. Engel wrote asking to please do everything [the Commission] could to interrupt and deter all drug dealing in the city. Children's safety was paramount.

Mayor Triolo read the comments written by Anela Kingston. Ms. Kingston wrote that running, playing, climbing, and meeting other children was what she was all about. She loved to be in the fresh air and was fond of windy days. She wrote that she went to safe parks not in the City because they were dirty and had needles. She wrote asking to begin to make the Cultural Plaza and Library a place where kids could go again. Her

mothers were talking about setting hours in the Cultural Plaza was the first step in creating a park that was close to her home. Setting hours would be the first step in allowing the police to make sure that she had a clean and safe place to play. Setting hours was about keeping her safe and nothing else. Children deserved a proper park downtown—it was their downtown too.

Henry Calway said he did not know how a resolution could be passed and not allow the homeless to sleep. Some people did not have homes at all and had to fight injustices all over the place. He said he would challenge any of the Commission to sleep at the Cultural Plaza. He supported having universal housing.

Cirilo DeSantrago commented that he was in defense of Follow Travelers Committee Action Group, was not homeless, would not wish that on anyone, and challenged anyone to sleep on the streets. He said he walked through Lake Worth all the time, had friends who were homeless, and felt bad that he had a place to sleep while they did not. He commented that he had slept on a roof because he feared police harassment.

Tyler Miller said this item was an intent to arrest the homeless and drug addicts that could not get out of a cycle. If approved, they would be pushed into streets and backyards. He asked people to find real, humanitarian solutions. If the resolution was approved, he said he would continue to fight it.

JoAnn Golden said that these closing hours made humans a nuisance, and this was an inhuman resolution. The homeless needed to sleep, and the hours proposed was at the time when people slept. It was important for people to not allow their children to walk in parks without shoes on.

Leah Shubin said she opposed the unjust resolution. She lived in Delray Beach and came to Lake Worth to oppose it. She said she met someone who was homeless and was arrested for sleeping in the park in Miami. The homeless were human beings and it was important to give them compassion. Delray Beach closed their public bathrooms and benches, and the homeless were now begging for money on their streets.

Timothy Swenson said this resolution imposed hours when people without homes had no place to sleep and could not get a job. There were a lot of situations where people were crossing the country's borders then had no place to live in order to find work. He said he saw public art exhibits in the City that were about human rights; however, he found it odd that the City would have a resolution to close parks. Any hours to close parks to people criminalized poverty.

Mayor Triolo read the comments written by John Pope. Mr. Pope wrote that Lake Worth was one of the best little cities on the east coast. Please do not drag it through the mud in front of the world.

Ryan Hartman said he heard a majority of the Commission talking about homeless and the Mayor cried for the homeless during the last Commission meeting. Crime was crime and using drugs or urinating in public were already crimes. Bryant Park always had park hours and crime was still there. He said he did not know how placing hours at the Cultural Plaza would stop crime there.

Carlos Naranjo commented that other cities had similar ordinances and Lake Worth wanted to engage in a similar action that would end up in court. This resolution could cause individuals to have criminal records. He said there was a need to uphold the humanity of people.

Niko Segal-Wright said the comments made were directed at the resolution and not an ordinance approved at the last meeting. It was established that no one wanted to criminalize the homeless. There was a real issue with drug addition. There may have been the best intentions when the resolution was created, but if it resulted in people being arrested because there was no place to send them, then the homeless would be given the option to either trespass or sleep in parking lots or neighborhoods. He asked for the ordinance to be repealed and have public bathrooms.

Rosie Ryburn commented that she could not talk about the resolution without talking about the ordinance. If the resolution was passed, it would result in people going into the prison system. This resolution would not alleviate the problem. Homeless individuals were real, living human beings and this was a way to push people away. She said it would be worth looking at homeless model solutions instead of passing a resolution that would increase harm to those who had no home.

Mayor Triolo read the comment written by David Gibson. Mr. Gibson wrote that he was considering moving to Lake Worth. It seemed like a great place to live. Passage of this resolution would make it less attractive to him.

Aaliyana Smith said she attended many protests and did not enjoy closing down the parks to the homeless. She said she heard about one homeless person who was generous to people, but someone beat him to death. She said she was not a fan of people thinking they were better than others. She commented that she saw homeless people and they were human beings.

Michael Chase Fox said he was trying to organize citizens on both sides

of the issue to find a real solution. People, at this meeting, should not say disparaging remarks against the Commission because everyone was trying to put up their hands to help. The Lake Worth Citizens Advisory Group was there to help the homeless. It was a working group that was talking with City employees around the State. He asked the Commission to delay action on the resolution.

AnnaMaria Hunt commented that she supported the resolution. She said she was a volunteer at the City's Volunteer Information Center, which was located at a place where people paid their bills. She said she had to walk through a gauntlet of people who were not homeless. They were agitators who just recently came into the City for the election.

Peggy Fisher said she wanted to echo the comments made by the last two people who spoke, and supported the resolution. All humans were valuable, including the Commission. Comments made implying that the Commission did not have feelings for all people were divisive. The resolution was to set hours at the Cultural Plaza. She suggested the Palm Beach Sheriff's Office Captain be asked how many homeless were arrested.

Darrin Engel said the issue was about public park and space and not about the homeless. It was about the ability to use public space without being exposed to illegal activities, which were caused by people who did not have a place to live. There was a need to enforce the illegal activities. The underlying issues with alcohol and sober homes would not be issued away over night.

Mayor Triolo read the comments written by Michelle Sylvester. Ms. Sylvester wrote in support of park hours to close at 12:00 AM to 6:00 AM, setting hours similar to most parks across the nation.

Heidi Wallace said she was homeless and had a safe haven at City Hall. This resolution would take that safety away and she would not have any place to go. She said she understood that the resolution was not an attack on her, but it did affect her. The homeless wanted to help the City find a solution. This resolution would hurt a lot of good people. This law was bias and prejudicial. She commented that drug use was being done all day long.

Dylan Harrison commented that, as a youth, he partook in drugs, but no longer shot drugs or abused alcohol because he could not pay his rent. If anyone wanted to detox or go to an outreach center, he offered to take them. He said no one was sleeping at the Cultural Plaza. The people at the Cultural Plaza were just partying. He said that whoever opposed this resolution, he would contribute campaign money to vote those Commissioners out of office.

Mayor Triolo read the comments written by Ben Ellis. Mr. Ellis wrote that he would like to note that setting hours in a public park was not anti-homeless it was pro safety. To say [people] could not take steps to better their community without a total solution to homelessness was a logical fallacy. [Residents] could not wait for a perfect solution to homelessness to better his City.

Greg Rice said he supported the resolution because the County had passed a similar ordinance regulating hours. He asked if the group speaking at this meeting also spoke at the County when they were discussing their ordinance. He said he lived across from the Cultural Plaza and around 10 or 11 PM, there were mostly young men there using a lot of profanity. He said he called the Palm Beach Sherriff's Office all the time. This problem was not just a Lake Worth problem, but a national problem. Homelessness was a bigger problem than Lake Worth could handle. He said he hoped the Commission would make the right choice.

Elexa Harrison said this resolution was not about equality, but about not being able to walk passed a park without being afraid. There were places for the homeless to go. People with homes were not privileged. This issue was about children being able to walk without being scared.

Kimberly Cooper said she was a recovering addict. Shortly after she moved to Lake Worth she became clean and got a job. She said she had been offered drugs, and people were antagonizing her to buy drugs. As a recovered addict, former homeless individual, and a humanitarian, she said none of the people in the Cultural Plaza were homeless. After a similar ordinance was passed, it became difficult for her to find a shelter when she was homeless. This forced her to find a detox and reach out to get help.

Tammy Pansa said she lived near the downtown area and disliked what was going on at Bryant Park. She said she did not dislike the homeless, but the people causing trouble were not homeless. Once this resolution was adopted, she said no one would be arrested. This resolution was being used as a tool to defray people. They were looking for publicity, which had nothing to do with this issue. There were many who would offer food or money to the homeless.

Ryan Parker said he was a former Lake Worth homeless person. There were programs in the County to help turn a homeless person's life around. If someone chose to live out in the open, then they were not entitled to public housing. He said he got a job, was now in college, married, and had a car.

Haylee Becker said she was from Ft. Lauderdale and spoke about other hate ordinances in her community. She said throwing people into jails would not help the homeless. She commented that Housing and Urban

Development funding was being cut in those communities that had similar ordinances against the homeless. She said Ft. Lauderdale was now fighting many lawsuits.

Commissioner Amoroso left the meeting at 7:28 PM.

Virginia Savietto said she grew up in Lake Worth in the 1990s, and the City was a lot more unsafe than before. She commented that she was committed to working with Lake Worth, was a House Representative District 87 candidate, and wanted support from the residents. She said she was present to establish a relationship with Lake Worth.

Commissioner Amoroso returned to the meeting at 7:31 PM.

Captain Todd Baier said robberies, drug use, and burglaries were the largest three crimes committed in the City. Currently, he said he received complaints about homeless, prostitution, and lawlessness. He announced that the Palm Beach Sheriff's Office (PBSO) did not target the homeless and that they were afforded protection under the law. He explained if a homeless individual wanted to be transported to a County shelter; however, there were no beds available, that person would not be arrested. If someone was loitering and they had a home, they would be arrested. He said most people in the Cultural Plaza were the lawless and not the homeless. This resolution would help, but was not the cure all. The same laws and ordinances were in effect for the past 20 years in Lake Worth. The PBSO deputies would use discretion and target lawlessness and repeat offenders.

Comments/requests summaries:

1. Commissioner McVoy asked if activities were already illegal, then PBSO could arrest them.

Captain Baier replied that this was a problem because the Cultural Plaza currently never closed. This resolution was a deterrent and tool to be used against the lawless.

2. Commissioner McVoy commented that there were assertions made that if the resolution was approved, then the lawless or homeless population would be pushed into the neighborhoods where they would be more dispersed and harder to find. He suggested getting a diverse group together and listing out what was really bothering them, discuss if there were tools, and discuss what could be done.

Captain Baier replied that PBSO enforced the law and sometimes people did get displaced. The City was scheduling a Homeless Summit. He said PBSO did not target the homeless, but there was an element of people who were not homeless.

3. Commissioner Maier asked if the resolution allowed the PBSO to search people.

Captain Baier replied that if the person was being arrested and transported, then they would be searched.

4. Commissioner Maier asked for a scenario that would occur if an individual did not want to identify themselves as homeless or did not want to go into a sheriff's car.

Captain Baier replied that if an individual was resisting an officer or did not want to identify themselves, it would be a misdemeanor. He said that, in his whole career, no one had ever refused to identify themselves.

5. Mayor Triolo commented that people from the public were attacking her about homelessness. She said she was compassionate about the homeless and was working to find solutions. Homelessness was not a Lake Worth problem, but a national problem. She said she was working with County Commissioner Shelley Vana to find homeless shelters close to Lake Worth. The Lord's Place and Goodwill opened in Lake Worth. This was a community that lifted people up and did not tear them down. One of the speakers tonight spoke to her about the effective date of an ordinance approved at the last meeting. He did not want to talk to her about the homeless. Another speaker said he would stay in Lake Worth until he could prove that the PBSO were arresting the homeless. This resolution was not about the homeless, but about crime in public spaces. A homeless individual told her that the drug addicts were stealing from the homeless and asked the City to do something about the drug addicts. She said she was planning a Homeless Summit to ask about finding solutions to move forward. The City was trying to do this for all of the people, especially for the homeless.

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

## 12. NEW BUSINESS:

### A. (Formerly Consent Agenda, Item G) Crossing License Agreement with the Florida East Coast Railroad (FEC) regarding All Aboard Florida (AAF)

Commissioner Maier explained that he asked that this item be removed from the Consent Agenda for discussion. He said he was not opposed to the item, but items on the Consent Agenda were supposed to be non-

controversial. He commented that people may think that this item was controversial. He asked someone to explain the item.

City Attorney Torcivia explained that the crossing license agreement allowed the Florida East Coast Railroad (FEC) to name All Aboard Florida (AAF) as a third party beneficiary to the City's existing license agreements with FEC. He said over the last two years, the City had been working closely with the Metropolitan Planning Organization, Florida League of Cities, FEC, AAF, and the City's legal counsel to review and provide feedback on the FEC's plan to create an express passenger rail service from Miami to Orlando. As part of the project, all of the existing railroad crossings in the proposed double track corridor must be upgraded with additional safety measures to allow for passenger rail service. The AAF agreed to fund 100% of the improvements for the City, in return for being named as a third-party beneficiary to the existing license agreements between the City and FEC.

He explained that he requested FEC consider updating the license agreements since some were as old as 1949 and in need of revisions. He advised that the FEC refused to make any changes to the existing license agreements. In order for the City to have AAF fund 100% of the initial development costs, the City must agree to name AAF as a third party beneficiary to the existing licenses without any changes.

City Manager Bornstein explained that every time someone crossed the railroad track, they were crossing the FEC's property.

#### Comments/requests summaries:

1. Commissioner McVoy announced that he spoke to Attorney Neil Schiller at length about All Aboard Florida to educate himself. He commented that he supported passenger and freight rail, but that he was responsible for protecting the people. He asked if there would be a meeting to discuss what was being transported through the cities.
2. Commissioner Maier commented that he was aware of Lake Worth's regional neighbors who were against All Aboard Florida because there were no stops in their cities. Now these cities would not receive any benefits. He said there was a reason why the FEC did not want to let go of their very old contracts with cities.
3. Mayor Triolo announced that there would be a commuter stop in Lake Worth, but not an All Aboard Florida stop.

In response to the Commission's comments, Attorney Neil Shilla, Becker & Poliakoff, explained that there would be 32 additional trains per day going through Lake Worth, but as yet there was no schedule. The impact would be as minimal as possible and quiet zones would

become a reality. He announced that \$5.6 million would be spent just in Lake Worth. He cited the benefits of All Aboard Florida and said public and private bonds would fund the project. The project was going forward and the FEC wanted to do right by the City. He said they would evaluate the FEC's relationship with Lake Worth and all cities and recognized that communication could be better.

4. Commissioner Amoroso asked when there would be quiet zones.

Attorney Shilla replied that some of the construction had already begun and everything would be constructed at the same time so not to be disruptive to the community. He announced that the construction in Lake Worth would begin in 2017. He commented that Tri-Rail would be moved to the FEC rails.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve a Crossing License Agreement with the Florida East Coast Railroad.

Mayor Triolo announced that this was the 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 Maier. NAYS: None.

**13. LAKE WORTH ELECTRIC UTILITY:**

**A. CONSENT AGENDA:**

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:**

There were no New Business items on the agenda.

**14. CITY ATTORNEY'S REPORT:**

City Attorney Torcivia did not provide a report.

**15. CITY MANAGER'S REPORT**

**A. February 16, 2016 – draft Commission agenda**

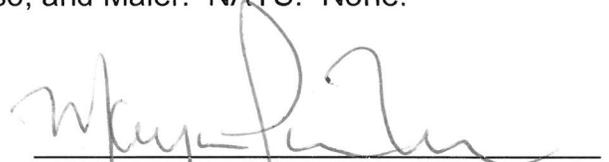
City Manager Bornstein did not provide a report.

Mayor Triolo said she wanted to recognize Loretta Sharpe's passing. Ms. Sharpe would be greatly missed and said she was glad she spent her last hours with her.

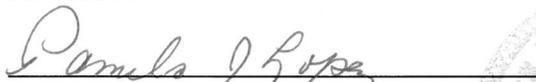
**16. ADJOURNMENT:**

Action: Motion made by Commissioner Amoroso and seconded by Commissioner McVoy to adjourn the meeting at 8:12 PM.

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

  
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PAM TRIOLO, MAYOR

ATTEST:

  
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PAMELA J. LOPEZ, CITY CLERK

Minutes Approved: February 16, 2016

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

