

**MINUTES
CITY OF LAKE WORTH
REGULAR MEETING OF THE CITY COMMISSION
JUNE 21, 2016 – 6:00 PM**

The meeting was called to order by Mayor Triolo on the above date at 6:02 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 Ryan Maier. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia, and Records and Information Manager Deborah Andrea.

2. INVOCATION OR MOMENT OF SILENCE:

Invocation was offered by Dr. Reverend Leah Brown on behalf of Commissioner Amoroso.

3. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Maier.

4. AGENDA - Additions/Deletions/Reordering:

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

- Add to Presentations, Item B – PBSO presentation on Community Policing; and
- Approve the agenda as amended.

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

5. PRESENTATIONS:

A. Proclamation declaring June 27, 2016 as National HIV Testing Day

Mayor Triolo read the proclamation declaring June 27, 2016 as National HIV Testing Day.

B. (Added) PBSO presentation on Community Policing

Captain Todd Baer introduced a new lieutenant, A. J. Johnson, to the City. He explained in detail code partnership, worst first code issues, crime issues, and red-tagged; “Breaking the Cycle” for risk children, anti-bullying

to teach children not to be bullies, and "Shop with a Cop" for children in Lake Worth programs; effects and turnout for the safety patrol picnic and crime walks; ongoing battle with prostitution; maps of areas people needed to stay away from; and update on sober homes and narcotic overdoses.

Vice Mayor Maxwell left the meeting at 6:12 PM and returned at 6:21 PM.

Comments/requests summaries:

1. Commissioner Amoroso requested one of the children's programs be moved to the City's pool.
2. Mayor Triolo requested information on the number of narcotic overdose cases that were linked to sober homes.

6. COMMISSION LIAISON REPORTS AND COMMENTS:

Vice Mayor Maxwell: said he hoped everyone would attend the July 4th raft race; said the Casino Building's leaks may be worse than he thought and asked the Commission to reconsider a vote taken to extend a tolling agreement with REG Architects and Morganti.

Comments/requests summaries:

1. Mayor Triolo requested staff come back with a report on the Casino Building before the Commission would take a vote. She commented that she was unable to vote on the subject without backup material instead of just allegations.
2. City Attorney Torcivia commented that he would invite outside counsel, handling the Casino Building issue, to the July 19, 2016, Commission meeting if there was additional information.
3. Commissioner McVoy commented that it was not good to comment on the Casino Building leaks.

Commissioner McVoy: provided no report.

Commissioner Amoroso: commented on the July 4th events and said vendor spaces were still available and volunteers were still needed. He asked what it would take to remove a boat from the Intracoastal Waterway and the process for removal.

Commissioner Maier: announced his attendance at a Flag Day ceremony and a vigil for the Orlando shooting victims. He said the Sister City Board members met; however, there was no quorum. He commented that he wanted the Sister City Board members to meet so that changes could be

made. He said there was discussion about water standards, transit oriented program, and various items of interest at a Metropolitan Planning Organization meeting. He announced a homeless project was scheduled on July 15, 2016, and said anyone wanting more information should call the Homeless Coalition.

Mayor Triolo: thanked Commissioner Amoroso for arranging a vigil for the Orlando victims. She commented that it was an honor to be a part of the vigil. She said she received a letter from Orlando Mayor Dyer. She announced a blood drive on June 23, 2016, at City Hall from 9:30 AM to 3:00 PM. She announced the City was named as "Tree City USA" at an Arbor Day celebration and commended staff. She said she was working with County School Board member Erica Whitfield about greenways and she viewed a video on Lake Worth's greenways and parks. She announced that Duffy's Restaurant would be creating a test kitchen in Lake Worth on June 23, 2016, and welcomed them to the City.

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: Maryann Polizzi, Greg Rice, and Michelle Sylvester.

The following individual spoke on an issue written on his comment card:

Wes Blackman commented that he liked using the City's pool and went on June 15, 2016. He said it rained that day and saw one of the food vendor's using a wet/dry vacuum to remove water from the rain. He commented that it was just a typical rain shower that day.

8. APPROVAL OF MINUTES:

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

- A. Special City Commission Meeting – June 7, 2016**
- B. City Commission Meeting – June 7, 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 Commissioner McVoy and seconded by Commissioner Amoroso to approve the Consent Agenda.

A. Resolution No. 32-2016 - application for FY 2016 Edward Byrne Memorial Justice Assistance Grant funding

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

RESOLUTION NO. 32-2016 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE FOR GRANT FUNDS PROVIDED THROUGH THE FISCAL YEAR 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$34,437; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

B. Ratify a board member to the City Tree board

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

10. PUBLIC HEARINGS:

There was no Public Hearings items on the agenda.

11. UNFINISHED BUSINESS:

There was no Unfinished Business items on the agenda.

12. NEW BUSINESS:

A. Interlocal Agreement between the City and the Lake Worth Community Redevelopment Agency to establish the Residential Conservation and Rehabilitation Program

Action: Motion made by Commissioner Amoroso and seconded by Commissioner McVoy to approve the Interlocal Agreement and the annual funding in the amount of \$75,000.

Jack Borsch, Electric Utilities Director, explained that the agreement between the City and Lake Worth Community Redevelopment Agency (CRA) set forth the terms and conditions for a residential conservation and rehabilitation program. He explained that the program, provided to owner/occupied residential structures, was primarily related to energy conservation. The program would be administered by a consortium of representatives from the City, CRA, and several non-profit organizations.

Comments/requests summaries:

1. Vice Mayor Maxwell asked about the criteria for qualifying.

Joan Olivia, CRA Executive Director, replied that a Lake Worth resident could apply for a ten-year forgivable loan if they remained in the home for ten years.

2. Commissioner Maier asked why Adopt a Family was involved and if a structural inspection would trigger a code violation if deficiencies were found.

Ms. Olivia explained the process and said Adopt a Family did the economic inspection. She advised that an energy audit, not code audit would be done.

3. Commissioner Maier requested the agreement be amended to include language to address code deficiencies.

City Attorney Torcivia replied that if a life safety issue was found, then the City had to protect the family.

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 and Amoroso. NAYS: Commissioner Maier.

Mayor Triolo recessed the meeting at 7:28 PM and reconvened at 7:47 PM. Commissioner McVoy returned to the meeting at 7:48 PM.

B. Ordinance No. 2016-22 – First Reading – establishing an Arts Advisory Council

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-22 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING CHAPTER 2 “ADMINISTRATION”, ARTICLE XXIII “ARTS ADVISORY COUNCIL”; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

Action: Motion made by Commissioner Maier to approve Ordinance No. 2016-22. Motion died for lack of a second.

Comments/requests summaries:

1. Commissioner Amoroso requested this ordinance not move forward at this time.
2. Mayor Triolo commented that she wanted to be very clear that the City needed, and artists in the community wanted to be a part of a solution and not just be a cultural center. She supported waiting for more information, wanted the board to represent all arts in the City, and wanted to nurture artists to be well rounded.
3. Commissioner Amoroso requested groups be brought in who did not know the artist. The board would be based on what the community wanted.
4. Vice Mayor Maxwell requested a copy of each City boards' mission and asked if the City needed all of its current boards.
5. Commissioner McVoy asked if the City needed an arts council. He said there was not "much on the books" that clearly spelt out what was needed.
6. Commissioner Maier requested the ordinance be tabled because the goal of the board should be to support local artists. He said he did not want the Cultural Council to be a member, but wanted board members from the City.

Action: Motion made by Commissioner Amoroso and seconded by Commissioner McVoy to table the ordinance to a time uncertain.

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. 2016-21 - First Reading – establishing an Education Advisory Council

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-21 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING CHAPTER 2 "ADMINISTRATION", ARTICLE XXIV "EDUCATION ADVISORY COUNCIL"; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

Action: Motion made by Commissioner Amoroso and seconded by Commissioner Maier to approve Ordinance 2016-21.

Comments/requests summaries:

1. Mayor Triolo commented that there was a need for an Education Advisory Council board because of the City's diverse population. She explained that the members would hear from children about their needs on a regular basis.
2. Commissioner Amoroso requested direction about early learning, feeding children, and providing back to school supplies.
3. Commissioner McVoy commented that he was highly in favor of education. He said interaction about education attracted people to the community.
4. Commissioner McVoy commented that he was concerned about asking people to serve on the board, but not vote. He supported everyone being able to vote. He requested the ordinance be amended so that all members could vote.

City Manager Bornstein replied that it was a good idea to bring in the County School Board.

City Attorney Torcivia replied that School Board members may find themselves voting against School District employees. He suggested empowering students and parents' representatives.

5. Mayor Triolo requested tabling the ordinance until after the Mayor's Education Council meeting held sometime in July.

Commissioners Amoroso and Maier withdrew their motion and second.

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

Greg Rice suggested everyone read a book by Delray Beach's mayor. He said, if the City wanted to bring in good people, then they had to have a good education advisory board.

Action: Motion made by Commissioner McVoy and seconded by Commissioner Maier to table Ordinance 2016-21 until after the Mayor's Education Council's July meeting.

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

- D. Resolution No. 33-2016 - Directing the development of a preliminary assessment roll for non-ad valorem assessments levied for the costs of unpaid lot clearing, board and secure, and demolition special assessments and the establishing of the date and time of a public hearing to adopt the final assessment roll**

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

RESOLUTION NO. 33-2016 OF THE CITY OF LAKE WORTH, FLORIDA, DIRECTING THE DEVELOPMENT OF A PRELIMINARY ASSESSMENT ROLL FOR THOSE NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED FOR THE COSTS OF PROVIDING LOT CLEARING, BOARDING AND SECURING, AND DEMOLITION SERVICES TO ELIMINATE NUISANCE CONDITIONS ON PRIVATE REAL PROPERTY WITHIN THE INCORPORATED AREA OF THE CITY AND WHICH COSTS REMAIN DELINQUENT AND UNPAID AS OF JUNE 1, 2016; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Resolution 33-2016.

Comment/request summary:

1. Mayor Triolo commented that the non-ad valorem assessment was only for property owners, not all City residents, who incurred a cost for unpaid lot clearing, board and secure, and/or demolition.

William Waters, Community Sustainability Director, explained the resolution directed the Finance Director to prepare an initial Chronic Nuisance Services Assessment Roll based on the chronic nuisance service costs, which were defined to include costs such as lot clearing, board and secure, and demolition costs that remained delinquent and unpaid as of June 1, 2016, and to establish the date and time of the public hearing to receive comments and to consider the adoption of the final Chronic Nuisance Services Assessment Roll.

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.

E. Ordinance No. 2016-19 – First Reading – Small Scale Future Land Use Map Amendment and schedule the public hearing date for July 19, 2016

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-19 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY PROVIDING A SMALL SCALE AMENDMENT CHANGE TO THE FUTURE LAND USE MAP OF CERTAIN PROPERTIES MORE FULLY DESCRIBED IN EXHIBIT "A" FROM A COUNTY LAND USE DESIGNATION OF COMMERCIAL HIGH INTENSITY/8 DWELLING UNITS PER ACRE AND COMMERCIAL LOW INTENSITY/8 DWELLING UNITS PER ACRE (CH/8;CL/8) TO A CITY OF LAKE WORTH LAND USE DESIGNATION OF MIXED USE WEST (MU-W); PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

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

William Waters, Community Sustainability Director, explained that the ordinance amended the City's Future Land Use Map, including a small scale amendment to its Comprehensive Plan as part of the annexation of an enclave consisting of 14 parcel totaling 8.19 acres pursuant to an Interlocal Agreement with the County.

Comment/request summary:

1. Commissioner McVoy commented that the area was surrounded by water and that it would be a great area for a park. He asked if the island had to have the same zoning as the rest of the parcels. He asked that the island be removed because it made no sense to give it a designation of mixed use. He said he would rather see the property as a park because of its unusual location.

Mr. Waters replied that the island was private property, and the City could not lower the zoning below what the County gave it since it was being annexed into the City.

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 Amoroso and Maier. NAYS: Commissioner McVoy.

F. Ordinance No. 2016-20 – First Reading – rezone property and schedule the public hearing date for July 19, 2016

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-20 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY PROVIDING A ZONING MAP AMENDMENT CHANGE TO REZONE CERTAIN PROPERTIES MORE FULLY DESCRIBED IN EXHIBIT A FROM A COUNTY MULTI FAMILY (RH)/COMMERCIAL ZONING DISTRICT TO A CITY OF LAKE WORTH ZONING DESIGNATION OF MIXED USE WEST (MU-W); PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance 2016-20 on first reading and schedule the public hearing date for July 19, 2016.

William Waters, Community Sustainability Director, explained that this ordinance would rezone an enclave consisting of 14 parcels totaling 8.19 acres.

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 Amoroso and Maier. NAYS: Commissioner McVoy.

G. Follow Up Discussion of City's Surplus Properties Disposition

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve reauthorization of the sale of 14 City surplus properties and to retain as City properties 601 North E Street and 732 South C Street.

William Waters, Community Sustainability Director, explained that the Commission approved Resolution No. 16-2015 authorizing the sale of 20 City properties either through a Request for Proposal (RFP) or Invitation to Bid. The properties were advertised and the City received five proposals for vacant lots and two bids for one historic apartment building. The bids were brought to the Commission on April 4 and April 19, 2016, to approve the sales agreements. He said there were 12, not 14 parcels for sale.

Staff was requesting further direction and authorization to re-advertise the disposition of the remaining 12 parcels through an RFP process. He said neighborhood associations voiced a desire for the City to retain ownership of 601 North E Street and 732 South C Street.

Comments/requests summaries:

1. Mayor Triolo asked if a church at 7th Avenue and H Street could be sold to them for much needed parking.

Mr. Waters explained the bid process and said the church did not bid on this lot when it was first advertised. He commented that he did not believe the parcel was big enough for much parking because of the City's parking regulations.

2. Vice Mayor Maxwell requested a work session to discuss the many non-profit entities in the City taking away much needed tax revenue.

Mr. Waters replied that the amount of non-profit and exempted tax properties had grown. He said he was researching this issue and would bring information to the Commission.

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

Peggy Fisher requested one of the two properties be donated to the church on H Street for their parking to give them use of the lot for parking.

Action: Amended motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to direct staff to re-advertise the 12 parcels described above and retain as City properties 601 North E Street and 732 South C Street.

Comments/requests summaries:

3. Commissioner Amoroso requested the church be notified of the exact number of parking spaces they could have. He asked staff to explain to the Pastor how to handle the bid.

4. Mayor Triolo commented that she wanted to visit the church to learn if they wanted to purchase the lot.

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 Lake Worth Electric Utility New Business no items on the agenda.

14. CITY ATTORNEY'S REPORT:

City Attorney Torcivia did not provide a report.

15. CITY MANAGER'S REPORT

City Manager reported on the following:

- Announced that the County was working with Florida Fish and Wildlife Conservation to have boats removed from the Intracoastal Waterway. He explained that the City did not have the ability to remove them. He said he would provide a report;
- Reported that senior staff attended a regional climate change meeting;
- Announced a work session was scheduled on July 7, 2016, to discuss potholes. He said a study may not be ready, but information would be available;
- Announced a phone survey about road and funding was done regarding the amount of a bond referendum. He commented that there would be discussion during the July 7, 2016, work session on whether to have a bond referendum in November 2016 or March 2017;
- Reported that discussion about the Casino Building leaking could be scheduled at another meeting; and
- The City's raft, for the July 4th Raft Race, was a new creation and did not leak.

16. ADJOURNMENT:

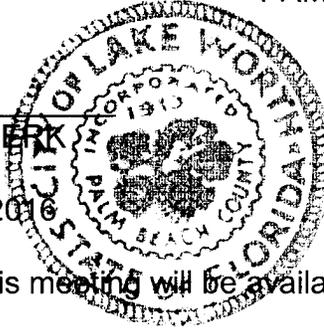
Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to adjourn the meeting at 8:55 PM.

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


PAM-TRIOLO, MAYOR

ATTEST:


PAMELA J. LOPEZ, CITY CLERK



Minutes Approved: July 19, 2016

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