

**MINUTES
CITY OF LAKE WORTH
REGULAR MEETING OF THE CITY COMMISSION
JULY 19, 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, 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:

A moment of silence was offered by Vice Mayor Scott Maxwell.

3. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Andy Amoroso.

4. AGENDA - Additions/Deletions/Reordering:

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to approve the agenda as submitted.

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

5. PRESENTATIONS:

A. Proclamation declaring July 2016 as National Parks and Recreation Month

Mayor Triolo read a proclamation declaring July 2016 as National Parks and Recreation Month.

B. Apprentice Lineman Guillermo Canzares's graduation

Walter Gill, Assistant Electric Utility Director, explained the educational process of the apprenticeship/lineman program.

Mayor Triolo presented a Certificate of Completion of Apprenticeship, Certificate of Program Completion, and Certificate of Apprenticeship for Line Erector (Lineman) to Mr. Canzares.

C. Acknowledge the retirement of Power Plant Manager Dave Mulvay

Jack Borsch, Electric Utility Director, read the historical employment background of Dave Mulvay.

Mayor Pam Triolo presented a plaque to Mr. Mulvay for his years of service.

D. Presentation by the Treasure Coast Regional Planning Council regarding Chain of Lakes Blueway Trail project

Kim Delaney, Treasure Coast Regional Planning Council, said South Floridians loved their lives on the water. She explained in detail the 26 miles of lakes, canals, and waterways; Lake Worth spillway; linking waterways and creating access for all; boat lift and portage; enhancing quality of life and increased property values; Blueway Trail ensuring protection and preservation of natural habitats; and ecotourism and economic opportunities. She explained the vision for the future and momentum for the Blueway Trail initiative to continue building from all sectors. She said the ecotourism industry was important to Lake Worth, the Blueway Trail would enhance the industry and environmental stewardship, and marine jobs would be enhanced by more connection to the waterways. She advised that she would be the project manager and said the Treasure Coast Regional Planning Council wanted Lake Worth's input.

E. Mobility Plan and Fee overview by Louis Rotundo

Louis Rotundo, NUE Urban Concepts (NUC), explained that this overview was a precursor to the development of Mobility Plans and Mobility Fees for the City, should it elect to move in that direction. He explained that the current transportation system, along with government regulations such as concurrency and road impact fees, were focused on moving automobiles as quickly as possible through the City.

The enactment of Mobility Fees would provide the City with a controlled funding source that repurposed revenues away from funding motor vehicle capacity to one that funded complete street improvements that encouraged walking, jogging, bicycling, etc. He explained that Mobility Fees were intended to replace motor vehicle-focused policies such as transportation concurrency and roadway impact fees. The Mobility Plan would become a key component that set fees and would show the City's vision.

Comments/requests summaries:

1. Mayor Triolo requested this issue be discussed with staff then brought back to the residents.

2. Vice Mayor Maxwell asked what NUE Urban Concepts wanted.

Mr. Rotundo replied that he wanted to develop a plan for the City.

6. COMMISSION LIAISON REPORTS AND COMMENTS:

Commissioner McVoy: said he was concerned that a bond issue to repair roads was on the Consent Agenda without any discussion. He asked for discussion about how the roads would get fixed, based on the presentation by NUE Urban Concepts.

Vice Mayor Maxwell: said he worked during a cleanup event in the south end of the City on July 16, 2016, and asked staff to clean up its own property on Douglas Drive.

Commissioner Maier: announced his attendance at a Treasure Coast Regional Planning Council meeting and said he spoke about the green algae issue. He said the City approved an Energy Conservation Program at its last meeting, after which he met with Adopt A Family. He said Adopt A Family had a lot of great programs for children, and they could find affordable rental apartments for families. He said he was concerned that the Program would eliminate housing for low income individuals because it did not provide them with protection and could promote gentrification. He asked the Commission to review the Program before it was implemented. He said he was disappointed in the way the Agenda Additions/Deletions/Reordering section of the meeting was handled.

Commissioner Amoroso: commented that he received a lot of phone calls about a boil water notice. He explained that the City was replacing its water pipelines and there was a need for residents to boil their water. He announced that there was nothing wrong with the City's water. He reminded everyone to attend "Movie Night" in the downtown area; said he was happy to be appointed to a sober home committee along with the State Attorney; and was optimistic about having conversations about sober homes. He said work was being done in South Palm Beach and volunteers were needed.

Vice Mayor Maxwell left the meeting at 7:29 PM and returned at 7:32 PM.

Mayor Triolo: spoke about the Palm Beach Sheriff Office's (PBSO) Prostitution Intervention Prevention Education (PIPE) program and said Human Immunodeficiency Virus (HIV) and Sexually Transmitted Disease (STD) testing and education was offered to prostitutes arrested in the City. She announced PBSO Deputy Victoria Johnson would serve as a Residential Liaison for the PBSO Behavioral Services Division to help mentally ill individuals. She announced the Lake Worth Art League's Art Al Fresco event at the Casino Building began on July 16, 2016, and pickleball was still

ongoing.

Commissioner Amoroso left the meeting at 7:32 PM and returned at 7:34 PM.

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: Richard Stowe and Peggy Fischer.

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

Robert Shalhoub said he was from the Town of Lake Clarke Shores and asked for dialog about the Blueway Trails project. He said he was the president of the Palm Beach County League of Cities and thanked Commissioner Amoroso for serving on the Sober Home Task Force. He said there would be a rate of return on investments in the millions and asked for representatives to be sent to the Blueway Trail meetings.

Jaidyn Brody announced the Second Annual Putting for Patients event to raise funds for the Leukemia and Lymphoma Society.

Karen Ryan said windows were missing in a house located at 1031 North J Street, The home was "red tagged", but not secured. She said homeless individuals were at the house.

David Silvers announced that he was a candidate for State Representative and would hold a "meet and greet" event at Callaro's Restaurant on July 20, 2016. He invited everyone to attend.

Katie McGiveron said the Lake Worth 2020 bond issue failed two years ago because of the "pork" that was included. Since then the roads were rotting. She said there was no dialog on the bond issue, and it should not have been placed on the Consent Agenda.

Lynn Anderson spoke about two Code Compliance Division employees who were terminated, said Peter Timm and Loretta Sharpe would be deeply missed, and asked the City to do something for both of them. She said Commissioner McVoy wanted to discuss the bond issue because it was a "big ticket" item. She commented that pickleball might be a good replacement for the shuffleboard courts.

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 – June 21, 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.

A. Resolution No. 28-2016 – set the tentative Fiscal Year 2017 millage rate

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

RESOLUTION NO. 28-2016 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING A TENTATIVE OPERATING MILLAGE RATE OF 5.4945 MILLS FOR FISCAL YEAR 2016-2017; ESTABLISHING A DATE AND TIME FOR THE FIRST HEARING ON THE TENTATIVE BUDGET AND PROPOSED MILLAGE RATE; AUTHORIZING THE CITY MANAGER TO SUBMIT THE REQUIRED FORMS TO THE PALM BEACH COUNTY PROPERTY APPRAISER; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Resolution No. 29-2016 – amend the recorded results of the municipal election

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

RESOLUTION NO. 29-2016 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING RESOLUTION NO. 15-2016 CERTIFYING THE OFFICIAL RESULTS OF THE MUNICIPAL ELECTION HELD MARCH 15, 2016

C. Resolution No. 34-2016 – call for a bond referendum election on November 8, 2016

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

RESOLUTION NO. 34-2016 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, CALLING A BOND REFERENDUM ON THE NOVEMBER 8, 2016 GENERAL ELECTION BALLOT FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR ROAD IMPROVEMENT PROJECTS IN AN AMOUNT NOT TO EXCEED FORTY MILLION DOLLARS; AND PROVIDING AN EFFECTIVE DATE.

D. Renew health, vision, dental, life insurance, short term disability and long term disability coverage for Fiscal Year 2017

- E. **Accept the Fiscal Year 2015 Comprehensive Annual Financial Report and Management Letter**
- F. **Indefinite suspension of an agreement with Alcalde & Fay, Ltd.**
- G. **Contract with Florida Design Drilling, Inc. for the Reverse Osmosis Water Treatment Plant Acid Dilution project**
- H. **Contract with Florida Design Contractors, Inc. for the Water Treatment Plant High Service Pump Improvements project**
- I. **Task Order No. 28 with Mock Roos & Associates for Construction Phase Engineering Services for the Water Treatment Plant High Service Pump Improvements project**
- J. **Second Amendment to a contract with LV Superior Landscaping, Inc. for city-wide lawn maintenance services**
- K. **Contract with Rosso Site Development, Inc. for the construction of the 11th Avenue South Greenway project**
- L. **Purchase Agreement with Alan Jay Fleet Sales for the Streets/Stormwater Division**
- M. **Purchase Agreement with Garber Chevrolet, Pontiac, GMC Truck for the Water Utilities Department**
- N. **Contract with B&B Underground Construction, Inc. for Tropical Drive and Barton Road Infrastructure Improvements**
- O. **Utility Easement and Bill of Sale by and between Bridgewater Lake Osborne, LLC and the City for Lift Station #28**
- P. **Ratify the appointments and reappointments of members to various City advisory boards**

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

Mayor Triolo recessed the meeting at 7:52 PM and reconvened at 8:09 PM.

10. **PUBLIC HEARINGS:**

- A. **Ordinance No. 2016-19 – Second Reading – Small Scale Future Land Use Map Amendment**

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 Commissioner Amoroso and seconded by Vice Mayor Maxwell to approve Ordinance No. 2016-19 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 Amoroso and Maier. NAYS: Commissioner McVoy.

B. Ordinance No. 2016-20 – Second Reading – Rezone annexed properties

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 No. 2016-20 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 Amoroso and Maier. NAYS: Commissioner McVoy.

11. UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

12. NEW BUSINESS:

A. Ordinance No. 2016-23 – First Reading – call for a charter referendum election and schedule the public hearing date for August 2, 2016

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-23 OF THE CITY OF LAKE WORTH, FLORIDA, CALLING FOR A REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY OF LAKE WORTH TO BE HELD ON NOVEMBER 8, 2016, AS TO WHETHER THE CITY OF LAKE WORTH CHARTER SHALL BE AMENDED IN THE FOLLOWING RESPECT: AMEND SECTION 2 OF ARTICLE III TO APPLY RETROACTIVELY TO THE MARCH 2016 GENERAL ELECTION AND APPLY TO ALL ELECTIONS THEREAFTER, SO THAT THE COMMISSIONERS AND THE MAYOR SHALL BE ELECTED TO THREE YEAR TERMS; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE VOTERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING AN EFFECTIVE DATE.

Action: Motion made by Commissioner Amoroso and seconded by Commissioner Maier to approve Ordinance No. 2016-23 on first reading and schedule the public hearing date for August 2, 2016.

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

Lynn Anderson said she was against three year terms.

Mary Watson said she was not in favor of the ordinance because it looked bad for the elected officials voting themselves retroactively. She said the ordinance was confusing for part-time residents and a three-year term would be confusing to voters. She said the ordinance did not make sense.

Comments/requests summaries:

1. Commissioner McVoy commented that he was not opposed to a three-year term, but the terms would be extended for three elected officials voting on this issue.
2. Commissioner McVoy commented that he would support a three-year term with an effective date sometime in the future when all of the current elected officials were no longer in office.
3. Commissioner Maier commented that voters elected the current elected officials for two-year terms.

4. City Attorney Torcivia explained that the ordinance could be amended so that the three-year term began with the March 2017 election and for those candidates running at a time in the future.
5. Mayor Triolo commented that it was difficult for newly elected officials to “get up to speed” on issues. She said she was open to allowing this item be placed on the November 8, 2016, ballot and letting the voters decide.

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

Action: Motion made by Commissioner Amoroso and seconded by Commissioner McVoy to table Ordinance No. 2016-23 to a time uncertain.

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

B. Resolution No. 35-2016 – Commissioner McVoy’s request to support the Muslim communities in and around the City

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

RESOLUTION NO. 35-2016 OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING SUPPORT FOR MUSLIM COMMUNITIES, AFFIRMING THE RELIGIOUS PLURALISM OF THE UNITED STATES, AND URGING LAKE WORTH AND ALL PALM BEACH COUNTY RESIDENTS TO STAND TOGETHER FOR PEACE AND UNDERSTANDING.

Action: Motion made by Commissioner Amoroso and seconded by Commissioner Maier to approve Resolution No. 35-2016.

Commissioner McVoy explained that the resolution affirmed, for the City, a basic tenet of the United States of America, being freedom of religion. He said freedom of religion included the free practice of all religions, without fear of persecution, discrimination, or threats to personal safety.

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

Lisa Stewart said there was no need for this resolution, but Lake Worth could be a beacon for other cities. She said this resolution was a wonderful thing. She commented that the Imam and Ted Brownstein were instrumental in getting this done. She announced that the True Islam Program would be shown at St. Andrew’s Episcopal Church in November.

Mohamed Pazhoor announced that he was a proud American citizen and owner of a voting booth manufacturing company. He said he provided employment to many municipalities who used his voting machines during

elections. He said he was setting up a factory in Lake Worth, served as a Board of Director for the Muslims Community of Palm Beach County, and was proud of the elected officials for considering this resolution.

Afifa Khaliq said she was a social justice advocate and thanked Commissioner McVoy for bringing this resolution forward. She said she was a proud American and encouraged the Commission to consider this resolution.

Ghazala Salam congratulated Commissioner McVoy for placing this resolution on the agenda. She said everyone was familiar with the anti-Muslim rhetoric, was proud to be an American, and served as Chairperson of the Status of Women in Broward County and Board of Woman Voters.

Bassem Alhalabi said he was a professor at Florida Atlantic University, lived in Boca Raton, and was proud to be a part of this history-making event.

Samir Kakli said he was a youth leadership training and did not live in Lake Worth, but the City was now making him like it more. He said the City was a "breath of fresh air" and was on the leading edge.

Betty Resch thanked Commissioner McVoy for bringing this resolution forward because the City was doing a positive thing and welcoming everyone.

Comments/requests summaries:

1. Commissioner Amoroso asked if a reporter from the Palm Beach Post could write an article about this issue.
2. Commissioner Maier commented that he was proud to be a part of this resolution.

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

C. Designate a voting delegate for the business meeting during the 2016 Florida League of Cities 90th annual conference on August 18-20, 2016 in Hollywood, Florida

Action: Motion made by Commissioner Amoroso and seconded by Commissioner McVoy to appoint Vice Mayor Maxwell as the voting delegate for the Florida League of Cities Annual Business Meeting at the Florida League of Cities annual conference on August 18-20, 2016, in Hollywood, Florida.

Mayor Triolo announced that this was 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 Public Hearing 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:

A. Status Report on Casino Ballroom

Rick Chavez, attorney representing the City, provided an update on the repairs, which commenced on July 18, 2016. He said a contractor expected to have an area completed in approximately 30 days.

City Attorney Torcivia commented that if tests showed that a product being used worked on the Casino Building doors, then it would be used in other areas that needed repairs. Experts would be able to tell the City, at the 30-day period and when a Tolling Agreement with REG Architects and Morganti ended on October 6, 2016. He advised that if the testing failed, then the City could file a lawsuit.

City Manager Bornstein commented that, if the product worked after 30 days, the issue would have to be brought back to the Commission.

Robert Carlson, attorney representing Morganti, said the contractor was going to have to find out if the product worked, then do the project in sections. He commented that the Casino Building could be shut down or the contractor could work in sections to minimize the downtime.

Comments/request summaries:

1. Commissioner Amoroso requested the building be fixed without losing any income.
2. Vice Mayor Maxwell asked when the issue of fixing the Casino Building would end.

City Attorney Torcivia replied that the issue would end when the City was satisfied.

Commissioner Amoroso left the meeting at 9:06 PM and returned at 9:09 PM.

Action: Motion made by Vice Mayor Maxwell to file a litigation lawsuit against Morganti and REG Architects. Motion died for lack of a second.

15. CITY MANAGER'S REPORT

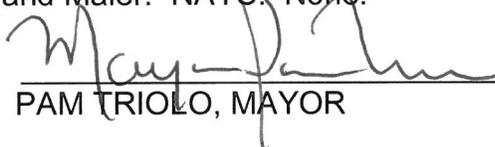
A. August 2, 2016 – draft Commission agenda

City Manager Bornstein did not provided a report.

16. ADJOURNMENT:

Action: Motion made by Commissioner McVoy and seconded by Commissioner Maier to adjourn the meeting at 9:11 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: August 2, 2016

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

