



**ACTION AGENDA**  
**CITY OF LAKE WORTH**  
**CITY COMMISSION MEETING**  
**CITY HALL COMMISSION CHAMBER**  
**TUESDAY, SEPTEMBER 20, 2016 - 6:00 PM**

**1. ROLL CALL:**

Present were Mayor Pam Triolo; Vice Mayor Scott Maxwell; and Commissioners Christopher McVoy, Andy Amoroso, and Ryan Maier.

**2. INVOCATION OR MOMENT OF SILENCE:** On behalf of Commissioner Ryan Maier

**3. PLEDGE OF ALLEGIANCE:** Led by Andy Amoroso

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

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

- Delete Presentations, Item B – Community Redevelopment Agency update;
- Delete Presentations, Item C – City Recreation Board update;
- Delete New Business, Item B – Ordinance No. 2016-28 – First Reading – adopt the County’s solicitation and distribution on public roads ordinance and schedule the public hearing date for October 4, 2016; 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:** (there is no public comment on Presentation items)

- A. Palm Beach Sheriff’s Office Community Police update
- B. (Deleted) Community Redevelopment Agency update
- C. (Deleted) City Recreation Board update

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

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

**8. PUBLIC HEARINGS:**

**A. Resolution No. 42-2016 – Second Public Hearing – establish the Fiscal Year 2016-2017 final general City millage rate**

City Attorney Torcivia read the following resolution by title only:

RESOLUTION NO. 42-2016 OF THE CITY OF LAKE WORTH, FLORIDA, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA; LEVYING MUNICIPAL TAXES ON ALL TAXABLE PROPERTY WITHIN THE CITY OF LAKE WORTH, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; REPEALING ALL RESOLUTIONS AND ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

**Action:** Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve Resolution No. 42-2016 which adopted a final millage rate of 5.4945 mils for the Fiscal Year 2016-2017.

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

**B. Resolution No. 43-2016 – Second Public Hearing – adopt the Fiscal Year 2016-2017 final City budget**

City Attorney Torcivia read the following resolution by title only:

RESOLUTION NO. 43-2016, A GENERAL APPROPRIATION RESOLUTION OF THE CITY OF LAKE WORTH, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, MAKING SEPARATE AND SEVERAL APPROPRIATIONS FOR ITS NECESSARY OPERATING EXPENSES, THE USES AND EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR THE EFFECTIVE DATE THEREOF.

**Action:** Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve Resolution No. 43-2016 on second public hearing to adopt the final Fiscal Year 2016-2017 annual operating budget of the City of Lake Worth.

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

**C. Ordinance No. 2016-25 – Second Reading and Public Hearing – amend jurisdiction and applicability to the Land Development Regulations**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-25 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 23, “LAND DEVELOPMENT REGULATIONS”, ARTICLE 1, “GENERAL PROVISIONS”, DIVISION 1, “GENERALLY”, SECTION 23.1-4, “JURISDICTION AND APPLICABILITY” TO CLARIFY

THAT NON-COMPLIANCE WITH CONDITIONS PLACED ON A DEVELOPMENT PROJECT SHALL BE DEEMED A VIOLATION OF THIS CODE AND SHALL BE SUBJECT TO THE CITY'S CODE COMPLIANCE PROCESS; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

**Action:** Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve Ordinance No. 2016-25 on second reading.

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

**D. Ordinance No. 2016-26 – Second Reading and Public Hearing – designate the restricted/committed/assigned fund balances for Fiscal Year 2016 in accordance with GASB 54**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-26 OF THE CITY OF LAKE WORTH, FLORIDA, ESTABLISHING COMMITTED FUND BALANCES; DESIGNATING THE CITY MANAGER TO ASSIGN FUND BALANCES IN ACCORDANCE WITH THE CITY OF LAKE WORTH CODE; AND PROVIDING FOR THE EFFECTIVE DATE.

**Action:** Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve Ordinance No. 2016-26 on second reading to designate the Committed Fund Balances for Fiscal Year 2016 in accordance with GASB 54.

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

**9. APPROVAL OF MINUTES:**

There were no Approval of Minutes items on the agenda.

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

**Action:** Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the Consent Agenda.

**A. Task Order No. 11 for Construction Management and Administrative services and two amendments to agreements with Baxter & Woodman, Inc. dba Mathews Consulting**

**B. Agreement with B&B Underground Construction, Inc. for the 8th Avenue South Watermain Improvements project**

**C. Interlocal Agreement with the Town of South Palm Beach for maintenance**

of a lift station

- D. **Task Order No. 4 with Kimley-Horn and Associates, Inc. to provide transportation and traffic professional services**
- E. **Agreement with W. Craig Lawson, P.A. for legal services**
- F. **Accepting the Proposal for Insurance Coverage submitted by Public Risk Insurance Agency (PRIA)**
- G. **Settlement and General Release Agreement with Belki Hernandez**
- H. **Ratify a board member to the Electric Utility Advisory Board**

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

**11. UNFINISHED BUSINESS:**

There were no Unfinished Business items on the agenda.

**12. NEW BUSINESS:**

**A. Ordinance No. 2016-27 – First Reading – adopt the County’s curbstoning ordinance and schedule the public hearing date for October 4, 2016**

City Attorney Torcivia read the following Ordinance by title only:

ORDINANCE NO. 2016-27 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 7, “BEACHES, PARKS AND RECREATION”, ARTICLE VI, “MUNICIPAL BEACH AREA AND MUNICIPAL BEACH”, SECTION 7-69, “COMMERCIAL ACTIVITIES; PEDDLING”; AMENDING CHAPTER 21, “TRAFFIC”, ARTICLE I, “IN GENERAL”, SECTION 21-21, “APPLICABILITY OF “PALM BEACH COUNTY CURBSTONING ORDINANCE” TO PROVIDE THAT THE PALM BEACH COUNTY CURBSTONING ORDINANCE SHALL APPLY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF LAKE WORTH; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

**Action:** Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2016-27 on first reading and schedule the public hearing date for October 4, 2016.

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

**B. (Deleted) Ordinance No. 2016-28 – First Reading – adopt the County’s solicitation and distribution on public roads ordinance and schedule the public hearing date for October 4, 2016**

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

ORDINANCE NO. 2016-28 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 19, “STREETS AND SIDEWALKS”, ARTICLE VI, “PEDESTRIAN AND VEHICULAR RIGHTS-OF-WAY AND OTHER PUBLIC PROPERTY”, SECTION 19-87, “PEDDLERS, SOLICITORS, OR CANVASSERS PROHIBITED IN DOWNTOWN AREA AND MAJOR THOROUGHFARES; EXCEPTIONS” AND ADOPTING SECTION 19-89, “APPLICABILITY OF “PALM BEACH COUNTY SOLICITATION AND DISTRIBUTION ON PUBLIC ROADS ORDINANCE” TO PROVIDE THAT THE PALM BEACH COUNTY SOLICITATION AND DISTRIBUTION ON PUBLIC ROADS ORDINANCE SHALL APPLY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF LAKE WORTH; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

**13. LAKE WORTH ELECTRIC UTILITY:**

**A. CONSENT AGENDA:**

There were no Lake Worth Utility consent items on the agenda.

**B. PUBLIC HEARING:**

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

**C. NEW BUSINESS:**

**1) Notification letter to Orlando Utilities Commission (OUC) to extend the term of the purchased power agreement**

Jack Borsch, Electric Utility Director, explained that the letter excised the City’s option to extend the term of an agreement with Orlando Utilities Commission (OUC) for a fifth year at the same terms and conditions. He said the notice to extend the term of an agreement must be given no later than December 31, 2016.

**Action:** Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to authorize the City Manager to execute a Notification Letter to Orlando Utilities Commission to extend the term of the Orlando Utilities Commission-Purchased Power Agreement through 2018.

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

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

City Attorney Torcivia provided the following report:

- Hudson Holdings filed a lawsuit

**CITY MANAGER'S REPORT:**

A. September 20, 2016 - draft Commission agenda

City Manager Bornstein City Manager Bornstein provided the following report:

- Aggravated over an article in the Post about an employee which skipped over the facts,
- There was an October 5, 2016, deadline for a report on the casino. A workshop would be scheduled on October 6, 2016, at the casino for a presentation of the solution for the balconies and doors.

3. **ADJOURNMENT:** The meeting was adjourned at 7:38 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.