



ACTION AGENDA
CITY OF LAKE WORTH
CITY COMMISSION REGULAR MEETING
CITY HALL COMMISSION CHAMBER
DECEMBER 13, 2016 – 6:00 PM

The meeting was called to order by Mayor Pam 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 (6:06 PM), Andy Amoroso, and Ryan Maier. Also present were City Manager Michael Bornstein, City Attorney Glen Goddeau, and Deputy City Clerk Melissa Ann Coyne.

2. INVOCATION OR MOMENT OF SILENCE:

A moment of silence was offered by Commissioner Ryan Maier.

3. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Andy Amoroso.

4. AGENDA - Additions/Deletions/Reordering:

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

- Delete Consent Agenda, Item F – Resolution No. 63-2016 - membership agreement for Property Assessed Clean Energy Program (PACE) and Green Corridor;
- Add Consent Agenda, Item GG – Authorize Drinking Water State Revolving Fund Amendment 1 to Loan Agreement DW501710 for the 2-inch watermain replacement project;
- Add Presentation F – Proclamation commemorating the retirement of Pamela J. Lopez, City Clerk;
- 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 recognizing Farmer Girl Restaurant for supporting the community every year on Thanksgiving Day**

Commissioner McVoy arrived, the time being 6:06 PM.

- B. **Palm Beach County Sheriff's Office Community Police update**
- C. **County Fire Rescue Station 91 recognition for Station of the Year award from the County Chamber of Commerce**
- D. **Palm Beach County Cultural Council update**
- E. **South Palm Park Neighborhood Association update**
- F. **(added) Proclamation recognizing the accomplishments of Pamela J. Lopez, City Clerk following 14 years of dedicated service to the City of Lake Worth.**

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:

- A. **City Commission Regular Meeting – November 1, 2016**
B. **City Commission Special Meeting – November 3, 2016**
C. **City Commission Work Session – November 3, 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 F, adding Item GG.

- A. **Resolution No. 58-2016 - record the official results of the municipal bond referendum election**

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

RESOLUTION NO. 56-2016 OF THE CITY OF LAKE WORTH, FLORIDA,
CERTIFYING THE OFFICIAL RESULTS OF A BOND REFERENDUM HELD

NOVEMBER 8, 2016; AND PROVIDE FOR AN EFFECTIVE DATE.

B. Resolution No. 59-2016 - set the general election ballot for March 14, 2017

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

RESOLUTION NO. 59-2016 OF THE CITY OF LAKE WORTH, FLORIDA, DIRECTING THE CITY CLERK TO PREPARE THE OFFICIAL BALLOT FOR THE CITYWIDE ELECTION TO BE HELD ON MARCH 14, 2017; PROVIDING AN EFFECTIVE DATE.

C. Resolution No. 60-2016 - second amendment to the Fiscal Year 2017 budget

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

RESOLUTION NO. 60-2016, A GENERAL APPROPRIATION RESOLUTION OF THE CITY OF LAKE WORTH, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, MAKING SEPARATE AND SEVERAL BUDGET AMENDMENTS AND CORRESPONDING APPROPRIATIONS FOR THE CITY'S 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; AND PROVIDING FOR AN EFFECTIVE DATE.

D. Resolution No. 61-2016 - amend Fiscal Year 2017 Comprehensive Fee Schedule

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

RESOLUTION NO. 61-2016 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING RESOLUTION 44-2016; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

E. Resolution No. 62-2016 - authorize the process for the issuance of General Obligation Bonds in an aggregate principal amount not to exceed \$40,000,000

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

RESOLUTION NO. 62-2016 - A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$40,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF LAKE WORTH, FLORIDA GENERAL OBLIGATION BONDS TO FINANCE THE COST OF ROADWAY IMPROVEMENTS WITHIN THE CITY; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SUCH BONDS; PLEDGING THE CITY'S FULL FAITH AND CREDIT AND TAXING POWER TO SECURE SUCH BONDS; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE.

F. (Deleted) Resolution No. 63-2016 - membership agreement for Property Assessed Clean Energy Program (PACE) and Green Corridor

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

RESOLUTION NO. 63-2016 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, CREATING A PROPERTY ASSESSED CLEAN ENERGY PROGRAM AND JOINING THE CLEAN ENERGY GREEN CORRIDOR PROGRAM IN ACCORDANCE WITH SECTION 163.08, FLORIDA STATUTES; ADOPTING AN INTERLOCAL AGREEMENT PURSUANT TO SECTION 163.01, FLORIDA STATUTES RELATING TO THE CORRIDOR; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

G. Resolution No. 64-2016 - adopt a policy and procedure for addressing expired building permits within the City

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

RESOLUTION NO. 64-2016 OF THE CITY OF LAKE WORTH CITY COMMISSION, ADOPTING A POLICY AND PROCEDURE FOR ADDRESSING EXPIRED BUILDING PERMITS WITHIN THE CITY; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

H. Resolution No. 65-2016 - agreement with the South Florida Water Management District for \$28,690 in Cooperative Funding Program grant funds

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

RESOLUTION NO. 65-2016 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND THE CITY FOR GRANT FUNDS PROVIDED THROUGH THE COOPERATIVE FUNDING PROGRAM IN THE AMOUNT OF \$28,690; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

I. Resolution No. 66-2016 - Local Agency Program agreement with Florida Department of Transportation

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

RESOLUTION NO. 66-2016 OF THE CITY OF LAKE WORTH, FLORIDA, APPROVING THE LOCAL AGENCY PROJECT AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY IN THE AMOUNT OF \$729,512 IN TRANSPORTATION ALTERNATIVE PROGRAM GRANT FUNDS FOR THE 5TH AVENUE SOUTH BICYCLE AND PEDESTRIAN TRAIL PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS; PROVIDING FOR AN

EFFECTIVE DATE; AND FOR OTHER PURPOSES.

J. Resolution No. 67-2016 - agreement with the County for use of Community Development Block Grant funds for improvements on 2nd Avenue South

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

RESOLUTION NO. 67-2016 OF THE CITY OF LAKE WORTH, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY IN THE AMOUNT OF \$258,118 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE 2ND AVENUE SOUTH STREET IMPROVMENTS PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

K. Resolution No. 68-2016 - interlocal agreement with Northern Palm Beach County Improvement District for the administration of the City's master stormwater permit

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

RESOLUTION NO. 68-21016 OF THE CITY OF LAKE WORTH, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF AN NPDES FOURTH CYCLE PERMIT INTERLOCAL AGREEMENT WITH NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT, THE LEAD PERMITTEE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

L. Resolution No. 69-2016 - authorize the City Manager or designee to sign Florida Department of Transportation agreements

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

RESOLUTION NO. 69-2016 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEE TO SIGN FLORIDA DEPARTMENT OF TRANSPORTATION CONSTRUCTION AGREEMENTS ON BEHALF OF THE CITY OF LAKE WORTH, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

M. Resolution No. 70-2016 - declaration of intent to abandon a public alleyway at the request of Sacred Heart Catholic Church and schedule the public hearing date for January 10, 2017

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

RESOLUTION NO. 70-2016 OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER THE ABANDONMENT OF A 10-FOOT WIDE RIGHT OF WAY EXTENDING NORTH AND SOUTH APPROXIMATELY 400 FEET LYING IN BLOCK 108

ACCORDING TO THE PLAT OF THE PALM BEACH FARMS CO. PLAT NO. 2, AS RECORDED IN PLAT BOOK 2, PAGES 29 THROUGH 40, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND SITUATED BETWEEN FIFTH AVENUE NORTH (ON THE NORTH) AND FOURTH AVENUE NORTH (ON THE SOUTH) AND BETWEEN NORTH "M" STREET (ON THE WEST) AND FEDERAL HIGHWAY (ON THE EAST); SETTING A PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS, OBJECTIONS AND PROTESTS FOR OR AGAINST THE PROPOSED ABANDONMENT; PROVIDING AN EFFECTIVE DATE.

- N. Resolution No. 71-2016 - declaration of intent to abandon a public right of way at the request of Stateside Partners LLC and schedule the public hearing date for January 10, 2017**

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

RESOLUTION NO. 71-2016 OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER THE ABANDONMENT OF A 10 FOOT WIDE RIGHT OF WAY EXTENDING 150 FEET LYING IN BLOCK 16, BOUNDED ON THE EAST BY THE WEST LINE OF LOTS 12 THROUGH 17 AND BOUNDED ON THE WEST BY THE EAST LINE OF LOTS 4 THROUGH 9; BOUNDED ON THE NORTH BY THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 9; BOUNDED ON THE SOUTH BY THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 4, ACCORDING TO THE PLAT OF THE PALM BEACH FARMS CO. PLAT NO. 2, THE TOWNSHIP OF LUCERNE, AS RECORDED IN PLAT BOOK 2, PAGES 29 THROUGH 40, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS MORE SPECIFICALLY DESCRIBED IN THE RESOLUTION; SETTING A PUBLIC HEARING TO HEAR AND CONSIDER OBJECTIONS TO AND PROTESTS AGAINST THE PROPOSED ABANDONMENT; PROVIDING AN EFFECTIVE DATE.

- O. Construction contract with One Call Property Services, Inc. for the construction of the Domino Park Improvements Project**
- P. Task Order No.13 with Baxter Woodman, Inc. for engineering design and construction management of the 2nd Avenue South - Dixie to Federal Highways project**
- Q. Agreement with US Sweeping, Inc. for City-wide street sweeping services**
- R. Agreement with Akal Properties for right of way dedication and permanent easement on Boutwell Road and 10th Avenue North**
- S. Purchase Order with Isuzu Truck of Ocala for the purchase of a new container carrier truck for the Refuse Division**
- T. Purchase Order with Garber Automall for a new vehicle for the Water Utilities**

Department

- U. Purchase Order with Pat's Pump and Blower for an aquatech vacuum truck and Rechten International Trucks for a cab and chassis**
 - V. Change Order Authorization to the Energy Services Agreement with Siemens Industry, Inc.**
 - W. Task Order No. 41 with Mock Roos & Associates, Inc. for construction phase engineering services for the Water Treatment Plant chlorine system improvements project**
 - X. Agreement with Intercounty Engineering, Inc. for the Water Treatment Plant chlorine system improvements project**
 - Y. Agreement with Unifirst Corporation for uniform and uniform related services for City employees**
 - Z. Amendment to Agreement with LHoist North America of Alabama, LLC for the purchase of bulk quicklime for the Water Treatment Plant**
 - AA. First Amendment to an Agreement with Ben Few & Company, Inc. for risk management services**
 - BB. Amendment to an Economic Development Administration Agreement regarding Boutwell Road**
 - CC. Interlocal Agreement with the County regarding Boutwell Road**
 - DD. Settlement with Patricia Barron**
 - EE. Ratify a board member to the Finance Advisory Board**
 - FF. Resolution No. 72-2016 - authorize the Community Redevelopment Agency to issue debenture in the amount of up to \$4,000,000**
- City Attorney Goddeau did not read the following resolution by title only:
- RESOLUTION NO. 72-2016 OF THE CITY OF LAKE WORTH, FLORIDA, AUTHORIZING THE LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY TO ISSUE A DEBENTURE IN THE AMOUNT OF UP TO \$4,000,000.00 FOR PROPERTY ACQUISITION AND OTHER COMMUNITY REDEVELOPMENT AGENCY PROJECTS; AND PROVIDING AN EFFECTIVE DATE.
- GG. (Added) Authorize Drinking Water State Revolving Fund Amendment 1 to Loan Agreement DW501710 for the 2-inch watermain replacement project**

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

10. PUBLIC HEARINGS:

There were no Public Hearings items on the agenda.

11. UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

12. NEW BUSINESS:

A. Ordinance No. 2017-01 - First Reading - call for a charter referendum election and schedule the public hearing date for January 10, 2017

City Attorney Goddeau read the following ordinance by title only:

ORDINANCE NO. 2017-01 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 MARCH 14, 2017, AS TO WHETHER THE CITY OF LAKE WORTH CHARTER SHALL BE AMENDED IN THE FOLLOWING RESPECT: AMEND SECTION 2 OF ARTICLE III TO APPLY TO THE MARCH 2018 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 Commissioner Maier to approve Ordinance No. 2017-01 on first reading and schedule the public hearing date for January 10, 2017.

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

B. Ordinance No. 2017-02 - First Reading - prohibit conversion therapy on minors and schedule the public hearing date for January 10, 2017

City Attorney Goddeau read the following ordinance by title only:

ORDINANCE NO. 2017-02 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 15, OFFENSES, TO ADD ARTICLE VII, PROHIBITING THE PRACTICE OF CONVERSION THERAPY ON MINORS; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

Action: Motion made by Commissioner Amoroso and seconded by Commissioner McVoy to approve Ordinance No. 2017-02 on first reading and schedule the public hearing date for January 10, 2017.

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

C. Ordinance No. 2017-03 - First Reading - compensation adjustment for elected officials and schedule the public hearing date for January 10, 2017

City Attorney Goddeau read the following ordinance by title only:

ORDINANCE NO. 2017-03 OF THE CITY OF LAKE WORTH, FLORIDA, SETTING SALARIES AND OTHER BENEFITS FOR THE MAYOR AND COMMISSIONERS OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES, INCLUDING ORDINANCE NUMBER 2012-33; AND PROVIDING FOR AN EFFECTIVE DATE.

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to approve Ordinance No. 2017-03 on first reading and schedule the public hearing date for January 10, 2017.

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

Mayor Triolo recessed the meeting at 8:10 PM and reconvened at 8:21 PM.

13. LAKE WORTH ELECTRIC UTILITY:

A. PRESENTATION:

1) Update on the electric utility system

No update was provided.

B. CONSENT AGENDA:

There were no Lake Worth Electric Utility Consent Agenda items on the agenda.

C. PUBLIC HEARING:

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

D. NEW BUSINESS:

1) Agreement with Turbine Technology Services Corporation for the Gas Turbine Unit-2

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve an agreement with Turbine Technology Services Corporation in an amount not to exceed \$100,000.

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

2) Annual Florida Municipal Electric Association membership dues for Fiscal Year 2017

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Maxwell to approve the Florida Municipal Electric Association annual membership dues for Fiscal Year 2016-2017 in the amount of \$35,820.

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

3) Professional Service Agreement with Spectrum Systems

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the Professional Services Agreement with Spectrum Systems in an amount not to exceed \$29,060.

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

4) Proposal with Mock Roos & Associates, Inc. for Park of Commerce Phase 1A design engineering services

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve a Proposal with Mock Roos and Associates for an amount not to exceed \$39,850.

Commissioner Maier returned to the meeting at 8:23 PM.

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

5) The City of Lake Worth Electric Distribution System Upgrade from 4.16kV to 26.4kV

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve the proposed electric distribution system upgrade from 4.16kV to 26.4kV in the amount of \$14,750,000.

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

14. CITY ATTORNEY'S REPORT:

City Attorney Goddeau did not provide a report.

15. CITY MANAGER'S REPORT:

A. January 10, 2016 – draft Commission agenda

City Manager Bornstein did not provide a report.

16. ADJOURNMENT:

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to adjourn the meeting at 8:50 PM.

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