

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR MEETING OF THE CITY
TUESDAY, FEBRUARY 18, 2020 - 6:00 PM**

ROLL CALL: Present were Mayor Pam Triolo; Vice Mayor Andy Amoroso; and Commissioners Scott Maxwell, Omari Hardy and Herman Robinson. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia and City Clerk Deborah M. Andrea.

INVOCATION OR MOMENT OF SILENCE: on behalf of Commissioner Omari Hardy.

PLEDGE OF ALLEGIANCE: led by Commissioner Scott Maxwell.

AGENDA - Additions/Deletions/Reordering:

There were no changes to the agenda.

PRESENTATIONS: (there was no public comment on Presentation items)

A. Mayor Triolo read the Proclamation in memory of Deputy Pierre Rouzeau.

COMMISSION LIAISON REPORTS AND COMMENTS:

Vice Mayor Amoroso: stated that he was honored to attend the TPA Smart Street Summit and had just returned from Tallahassee, where he chased money for Lake Worth Beach. He said that Tallahassee wanted to make the rules for all the cities about short term rentals and that our City should make the decisions for itself and its residents. He reported that he was following a couple of bills that might affect businesses in all communities as well as the residential area of the City. He announced that he would be the Grand Marshall for St. Patrick's Day parade this year and was working on green initiatives.

Commissioner Robinson: said that it was critical who represented the City in Tallahassee. He announced that the Lake Worth Business Committee would had a presentation about the Historic Gulfstream Hotel on the February 26 in the Casino Ballroom. He said that there was a lot of exciting growth happening in Lake Worth and extended his condolences to Deputy Pierre's family stating that he was a fine man, a family man and a Lake Worth man.

Commissioner Hardy: stated that it was African American History Month, which celebrated the achievements and struggles of the African American people. He said that many persecuted ethnicities could find commonalities with the African American experience and vice versa. He urged everyone to find the commonalities, bridge any differences and work together to become a more tolerant, and open county.

Commissioner Maxwell: expressed how much Deputy Rouzeau would be missed.

Mayor Triolo: said that she had met Deputy Rouzeau when she first ran for office and that the City was blessed to have had him in LWB. She stated that the City was working on convincing the State of Florida to allocate \$2.5 million dollar for the ocean current energy project, which was important for making consistent energy harnessing the power of the current; it was the wave of the future and would bring jobs and renewal energy for the world. She spoke about the importance of the Census and for City residents to be properly counted in order to get services for the community. She explained that if the City residents were undercounted, the City could not get the funding and urged everyone to be counted.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

No one from the public spoke.

APPROVAL OF MINUTES:

There were no Minutes on the agenda.

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

Action: Motion made by Commissioner Maxwell and seconded by Commissioner Hardy to approve the Consent Agenda.

- A. Resolution No. 06-2020 – approving an Agreement with the Palm Beach County Supervisor of Elections (SOE) for the 2020 election
- B. Resolution No. 05-2020 supporting the approval of SB182 and HB 6043 to remove the preemption related to single-use plastic bags and polystyrene materials
- C. Payment of a Fiscal Year 2019 Invoice to SAFEbuilt for Code Compliance (Use and Occupancy Inspection) Services
- D. Payment of Two Fiscal Year 2019 Invoices to Lawton Connect for Printing Services
- E. Authorization of payment to Kimley-Horn and Associates, Inc. for Neighborhood Road Program Construction Engineering Inspection services for a Fiscal Year 2018-2019 invoice
- F. Authorize Drinking Water State Revolving Fund Amendment 2 to Loan Agreement DW501720 for the 2-inch watermain phase 3 replacement project

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

PUBLIC HEARINGS:

There were no Public Hearing items on the agenda.

UNFINISHED BUSINESS:

- A. US-1 Multimodal Corridor Study

Action: Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to approve proceeding with a traffic study illustrating the impacts of lane repurposing on current and future vehicle congestion with the understanding that the City's contribution shall be in-kind services (to be agreed upon with the TPA) or an amount not to exceed \$30k. Motion was amended by Commissioner Hardy and seconded by Vice Mayor Amoroso to increase the amount of the City's commitment to \$45,000.

Valerie Neilson, Deputy Director of Multimodal Development at the Palm Beach Transportation Planning Agency (TPA) stated that the Mission was to collaboratively plan, prioritize and fund transportation for a safe, efficient and connected multimodal transportation system along US 1. She reported that the study had started with six months of public outreach across 14 communities within 42 miles along US 1 to enhance transit services and increase safety. She said that the overview of the study was the health impact assessment, transit assessment and road assessment. She showed a conceptual opportunity area in Lake Worth Beach of the typical roadway sections.

Comments/requests summary:

1. Vice Mayor Amoroso spoke in favor of the idea but said that calming was necessary in the various roadways for the through streets people used as cut throughs. He suggested wider sidewalks with a bike lane and bus pull offs and was in favor of Palm Tran and a middle turn lane.

Ms. Neilson said the TPA was looking at bus lanes and had spoken to Palm Tran to get bus shelters with solar power and Wi-Fi.

Vice Mayor Amoroso said that a new traffic light might be needed where the Mid was located at 16th or 17th Avenues North.

Commissioner Maxwell left the meeting at 7:23 PM and returned at 7:25 PM.

2. Commissioner Hardy thanked Ms. Neilson for giving the presentation and opined that the design was a good idea, as it would turn US 1 into a street from a car sewer. He stated that Dixie Highway was not good for pedestrians nor bicyclists and that people did not realize the traffic crashes along the corridor. He said that the entire corridor should be done to make it safe, not just a portion, and that there should be a protected bike lane. He said that the 12 ft. wide travel lane needed to be replaced with 11 ft. due to the transit vehicles, which was better for bicyclists.
3. Commissioner Maxwell thanked Ms. Neilson for the presentation. He said that looking at the issue pragmatically; there were three components, bikes, pedestrians and drivers. He said that no one used the bike lanes and that his concern was that the diet would create a chokehold, adding to the existing problem with cut through traffic.

Ms. Neilson said that the road diet had been successful across the county and had not affected Broward traffic. She stated that everyone had expressed these concerns but they had not been true.

Commissioner Maxwell said that there should be a reach out to all the residents so that the intended results were what the residents wanted. He spoke in favor of having the traffic slow down and the businesses come to life. He asked what impact there would be if the City did not participate. He expressed excitement about the project but wanted to see how it would work.

Ms. Neilson said it would be a long process; the City should look at the traffic study and the resident outreach and then decide what to do.

4. Mayor Triolo said that there was crime on the City streets and having good people on the street would bring more eyes to get the criminals out; this could be good for the businesses along US 1, as it seemed to be a much friendlier look.

Ms. Neilson said there was only so much space to expand the road and slow down the traffic.

Mayor Triolo said that she had been in favor of doing this for years.

Ms. Neilson said it was repurposing the space for their needs.

5. Vice Mayor Amoroso agreed with Commissioner Hardy to do the entire corridor. He asked Jamie Brown, Public Works Director, about the 6th Ave roadway.

Mr. Brown responded that the road had been narrowed with bulb-outs.

6. Commissioner Robinson said that education was expensive but ignorance was more

expensive. He said that he would support the study and asked about turning onto Lake Avenue and about the timeline between the study and the request to fund the project.

Ms. Neilson replied that the traffic study would look at all the turning movements. She said that it was a long process and a small investment from the City would reap a large reward. She stated that if the study and resolution were ready by May 2021, the TPA would program the City into the new fifth year. She said that the TPA would fund the design and construction.

Commissioner Robinson stated that it would be smart to wait until to see how the West Palm Beach project did.

7. Commissioner Maxwell asked if it would be possible to get on-street parking. He said that all Dixie Highway businesses should be invited to the planning and discussions about the plan.
8. Mayor Triolo asked if there was a way to customize the project through various sections to add parking because some areas had additional land that could have parking and other places did not.

Ms. Neilson said that the Commission would have to look and the study and decide between on street parking or a dedicated bus lane.

9. Commissioner Hardy opined that the only way to do the project was to reduce the number of lanes to add bike and pedestrian lanes. He said that lanes had been reduced in many other cities and would work for Lake Worth Beach.

Mr. Brown said that if the Commission moved forward, the entire roadway should be studied, not just downtown. He stated that the CRA would put \$25,000 and the TPA would contribute \$50,000 towards the \$120,000 study and outreach but there would be \$45,000 needed from the City. He said that the project would fully funded by the DOT.

Ms. Neilson said that the City had to do public outreach and the traffic study.

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

Drew Bartlett, from the CRA board, stated that he came to support and advocate for getting the extra information to make a decision.

Richard Sammons spoke in support of the study.

Thomas Conboy recommended getting the study done.

Anne Fairfax said that she hoped there was support for the road to move Lake Worth Beach forward and suggested getting funding from corporate sponsors.

Richard Stowe spoke in favor of the traffic study, getting public outreach, adding curb parking and shade trees on Dixie Hwy.

Tammy Panza stated that she was not sure a bottleneck would work. She said that the Commission should take the project carefully and thoughtfully and that there should be a pullout lane for buses.

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

The meeting recessed at 7:36 PM and reconvened at 7:46 PM.

NEW BUSINESS:

A. Letter of Intent with 1017 Lake Ave, LLC, for The Bohemian

Action: Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve the Letter of Intent with 1017 Lake Ave, LLC, for the Bohemian.

William Waters, Community Sustainability Director, introduced the applicants from Affiliated Development who had a small presentation.

Jeff Burns, CEO, said that there had been a groundbreaking for the Mid and their company believed in Lake Worth Beach. He spoke about a new project called the Bohemian, which was a mixed use transit oriented multifamily development located on East Coast Street by the railroad tracks, and included a public parking garage. He said that the amenities would be high end, the site was three parcels currently under contract and would bring in half a million dollars in tax revenue. He stated that the project was a unique opportunity for the southern end of the City. He spoke about timeline being on a fast track, looking to begin construction in April 2021. He said that the project would have a great economic impact for the City and be good for downtown with 120 public parking spaces for City events. He announced that they would request GATT funding from the CRA and the County and would seek a density bonus and utility incentives from the City. He explained the master lease for the parking garage with the first payment due perhaps in 2022; they were asking for \$2,458,958 in year one with the certificate of occupancy, \$72,000 in years two through eight and \$144,000 in years nine through thirty-five.

Comments/requests summary:

1. Commissioner Hardy stated that the Mid was great thing for the City and expressed pleasure that the applicants were committing to the City.
2. Commissioner Robinson congratulated the applicants on their creativity although he was not ready to vote on allocating all the money at the meeting. He expressed concern about investing in parking structures.
3. Commissioner Robinson asked more about the funding and if the tax revenue would go to CRA then what would happen after the CRA ended. He cautioned about spending money wisely.
4. Mayor Triolo reminded the Commissioners that this was a transit-oriented development with a platform for people to get off the train and walk around; it was near the train that would eventually stop in all the communities.

Mr. Burns said that the rail company was looking for density, commuters riding the train to where they lived and where they worked. He stated that the site excited them because they believed in public transportation and public parking.

5. Vice Mayor Amoroso thanked the applicants for bringing a second project to the City. He said that he trusted both the CRA and City staff regarding the numbers. He stated that the City had let too many projects go and that this project should move ahead.
6. Commissioner Hardy asked about the size of the site.

Mr. Burns replied that it was just over two acres.

7. Commissioner Hardy said that the density would be 85 units per acre, which was exactly what the City needed.

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

Mayor Triolo read the comments written by AnnaMaria Windisch Hunt. Ms. Hunt wrote that the building could be higher in that part of town, a Grandview-type would be better between Lake and Lucerne Avenues and that East Coast Avenue was too far to walk.

Todd Velez requested a granite marker for Ira Stanphill, an icon in the City.

Vote:

Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell and Hardy. NAYS: Commissioner Robinson.

- B. Ordinance No. 2020-02 - amending Chapter 23 Entitled "Land Development Regulations" of the Code of Ordinances and setting the second reading and public hearing for March 3, 2020

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2020-02 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 ENTITLED "LAND DEVELOPMENT REGULATIONS" OF THE CODE OF ORDINANCES BY AMENDING ARTICLE 1 "GENERAL PROVISIONS" RELATING TO DEFINITIONS; ARTICLE 3 "ZONING DISTRICTS" BY CREATING A CULTURAL ARTS DISTRICT OVERLAY; AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Action: Motion made by Commissioner Hardy and seconded by Commissioner Maxwell to approve Ordinance 2020-02 amending Chapter 23, Article 1, Definitions and Article 3, Division 9, Section 23.3-29 of the City of Lake Worth Beach Code of Ordinances and setting the second reading and public hearing for March 3, 2020.

William Waters, Community Sustainability Director, reminded the Commission that the idea for a Cultural Arts Overlay was discussed in May 2018, at which time the Commission gave clear direction to reduce the overlay district area and have the dwelling units owner-occupied only. He reported that the Commission had approved the amendment to the Comp Plan in April 2019, which included the Arts and Culture Master Plan and a provision for a cultural arts overlay. He stated that the proposed ordinance would implement several aspects of the Arts and Culture Master Plan, including an overlay district. He showed a map illustrating what the district could be under the Comp Plan and the revised boundaries under the proposed ordinance. He stated that any changes could be incorporated between the first and second readings.

Comments/requests summary:

1. Commissioner Maxwell asked how many residences could be involved within the boundaries.

Mr. Water responded that there were about four dozen homes.

Commissioner Maxwell said that less than 50 single-family homes would be involved.

2. Commissioner Hardy said he was in favor of the district as approved in the Comp Plan and although he would not vote against the district, it should have gone east of Dixie Highway.

Mr. Waters said there were some single family homes east of Dixie and in the Downtown area that could have businesses in them. He urged caution by testing the waters along F Street and seeing how it went and then expanding the area in a few years.

3. Vice Mayor Amoroso said that an entertainment overlay district was allowed previously for the houses around the Downtown, but then Code came along and the owner had to make improvements to follow ADA and code regulations. He agreed with taking small steps to see if people stepped up to keep up with code regulations for spaces open to the public.

Commissioner Robinson left the meeting at 8:37 PM and returned at 8:38 PM.

Mr. Waters said that owners might have to make some improvements, which were not as demanding as those for full commercial use. He stated that anyone who bought an older property would have the 50% rule that if the renovations were more than 50% of the property, the property had to be brought up to Code. He said that the business licenses would clarify what was permissible depending on the use in the home businesses.

4. Mayor Triolo asked if the ordinance would apply only for owner occupied property.

Mr. Waters replied that it would only be for owner-occupied for now but could change in the future depending on how it worked.

5. Commissioner Hardy said that tenants could get a business license and asked for an example of when an owner had more rights than a tenant.

Mr. Waters replied that the owner would be held responsible for any infractions or violations by the tenant.

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

Tammy Pansa requested that the code be friendlier and clearer.

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

CITY ATTORNEY'S REPORT:

City Attorney Torcivia did not provide a report.

CITY MANAGER'S REPORT:

City Manager Bornstein did not provide a report.

ADJOURNMENT:

Action: Motion made by Vice Mayor Amoroso and seconded by Commissioner Hardy to adjourn the meeting at 8:49 PM.

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