

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
TUESDAY, JANUARY 21, 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 Christy L. Goddeau and City Clerk Deborah M. Andrea.

INVOCATION OR MOMENT OF SILENCE: on behalf of Commissioner Herman Robinson.

PLEDGE OF ALLEGIANCE: led by Commissioner Scott Maxwell.

AGENDA - Additions/Deletions/Reordering:

Presentation items B and C, proclamations to commemorate the retirements of Scott Sanders and Henry Rhiney, were added to the agenda and New Business B, Second Amendment to the Incentive Agreement with The Mid, was added and then deleted from the meeting, to be heard at a future meeting.

Action: Motion made by Commissioner Maxwell and seconded by Commissioner Robinson to approve the agenda as amended.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell and Robinson. NAYS: None. (Commissioner Hardy was absent for the vote)

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

- A. Mary Lindsey gave a presentation about the incredible library, completed in 1941 that the citizens of Lake Worth built with their own money and no taxpayer funds. She spoke about the new hours of operation due to the recent staff cuts, the artwork, which would be curated, a leasing program to obtain books, the Spanish family library selection and various programs that the library had, including BiblioArte, for the children of the City. She reported that many patrons used the library each month.
- B. (added) Mayor Triolo read the proclamation to commemorate the retirement of Scott Sanders. Jamie Brown, Public Works Director, presented a service award in honor of his 24 years with the City.
- C. (added) Mayor Triolo read the proclamation to commemorate the retirement of Henry Rhiney. Jamie Brown presented him with a service award for his 29 years of service to the City.

COMMISSION LIAISON REPORTS AND COMMENTS:

Vice Mayor Amoroso: stated that Martin Luther King (MLK), Jr. festivities were fabulous and many people attended the parade and speeches. He said that he would be attending the Palm Beach League of Cities luncheon and the Sober Home Task Force. He announced that the Street Painting Festival and Gay Pride Week were coming up.

Commissioner: Robinson: said that he enjoyed the three MLK celebrations, the presentations for the two retiring employees and hearing about the children using library, who were the future. He came close to hitting a bicyclist and cautioned everyone to pay attention on our roads.

Commissioner Hardy: stated that he attended the ground breaking for the Mid, which would be the first luxury apartment complex in the City. He said that the MLK celebration was a wonderful event and there were many great volunteers. He reported attending Palm Beach County Days in Tallahassee where he spoke with legislators about appropriations for the City and was hopeful that the City would get funding.

Commissioner Maxwell: wished everyone a Happy New Year and said that the City would have a dynamic 2020 as there were many things going on. He stated that the MLK events were wonderful and Retha Lowe did a great job. He expressed admiration for Mary Lindsey's library presentation.

Mayor Triolo: reported that she attended the MLK events and thanked Retha Lowe, Paul and Carla Blockson and Ted Brownstein. She stated that The Mid ground breaking was incredible and it was great to see it coming together. She said that it was good to work with the schools in Palm Beach County to encourage our kids and attended a presentation about VPK with Erica Whitfield. She announced that the beach now had its own PalmTran route 62, the "Beach Bus". She said that she attended the Color of Hope bike ride for Haiti, the Mayor's parade at the County Fair where they rode around the fair and awarded scholarships and the Census Community meeting; an accurate count was important and she thanked staff and everyone who had stepped up. She announced that the TPA was opening an office in West Palm Beach. She said that there would be several community crime walks each year, the first one held on Saturday at 3:00 PM; PBSO would be there and she invited everyone to attend.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

Todd Townsend spoke against a public private partnership, because someone else could set the hours of operation and such for the pool. He stated that the CRA would ruin the downtown with the parking garage.

Philip Scott Rice said that he served on many organizations involved with mitigating the opioid crisis and had learned that Lake Worth Beach was overlooked for resources in addressing the crisis. He offered his services to help with the issue.

Sandra Ekberg said that the Gulfstream condominium did not have enough parking spaces for the residents and requested that the City address the parking issue.

Richard Disiedue suggested two solutions to the parking situation at the Gulfstream condominium, open the row of parking spaces that faced the park to all night parking and have "resident only" parking spaces when the Gulfstream Hotel reopened.

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 Hardy and seconded by Vice Mayor Amoroso to approve the Consent Agenda.

- A. Approve Task Order # 8 with Wantman Group, Inc. for professional services for parking study phase two.
- B. Work Order No. 5 with Globaltech, Inc. for design-build services for miscellaneous improvements at the master lift station

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

PUBLIC HEARINGS:

- A. Ordinance No. 2020-01 – second reading - amending Chapter 2, Article XIX "Chronic Nuisance Property Code", Division 1 "Chronic nuisance services," by repealing ordinance 2017-12, replacing it with a new ordinance to insert provisions unintentionally removed from Ordinance 2017-12 and providing for additional nuisance activities

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2020-01 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, REPEALING ORDINANCE 2017-12 WHICH AMENDED DIVISION 1 "CHRONIC NUISANCE SERVICES" OF CHAPTER 2 "ADMINISTRATION", ARTICLE XIX "CHRONIC NUISANCE PROPERTY CODE", TO PROVIDE FOR ADDITIONAL VIOLATIONS RELATING TO OVERDOSING AND CODE ENFORCEMENT, POSTING NOTICES, ENTERING INTO AGREEMENTS WITH PROPERTY OWNERS, AND ADDITIONAL PENALTIES AND REPLACING IT WITH A NEW ORDINANCE TO INSERT PROVISIONS UNINTENTIONALLY REMOVED FROM ORDINANCE 2017-12 AND PROVIDING FOR ADDITIONAL NUISANCE ACTIVITY; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

Action: Motion made by Vice Mayor Amoroso and seconded by Commissioner Maxwell to approve Ordinance 2020-01 to repeal and replace Ordinance 2017-12.

Comments/requests summary:

1. Commissioner Robinson asked why it would take three years to hold property owners responsible.

City Attorney Goddeau explained that a property owner could be cited after the second repeat offense. She stated that the intent was to have a code process and the ordinance gave the City another tool to make those property owners who became chronic nuisances to make with an action plan and come into voluntary compliance.

2. Commissioner Hardy raised the issue of differentiating between victims of crimes like domestic violence not having to worry about being cited for chronic nuisance. He stated that property owners should not be held responsible when they were victims of a crime.

City Attorney Goddeau said that there as an exception in the ordinance so that a victim of a crime would not be subject to chronic nuisance.

Commissioner Hardy said that due to Good Samaritan laws, if there were calls for service related to overdoses, care should be taken that the calls for service would not be labeled chronic nuisance, not for domestic violence and/or for overdose calls.

3. Commissioner Maxwell asked about second repeat offenses.

City Attorney Goddeau explained that the decision was made to bring the offenses forward as a chronic nuisance after the second repeat of the offense.

Commissioner Maxwell asked what would preclude an owner from saying "it was not theirs" regarding the dumpster violations.

4. Vice Mayor Amoroso said that the police officers were very well trained in domestic violence calls. He reported that he received many calls about illegal dumping and the property owners were told that it was their problem if it was on their property. He expressed hope that the dumping would be caught with all the cameras in the city.
5. Commissioner Robinson asked would be done if there were a dumping into a dumpster the day after it had been collected.

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 Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

NEW BUSINESS:

- A. Resolution No. 03-2020 - adopting the Lake Worth Beach Opportunity Zone Master Plan

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 03-2020 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, ADOPTING THE LAKE WORTH BEACH OPPORTUNITY ZONE MASTER PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Action: Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve Resolution No. 03-2020 adopting the Lake Worth Beach Opportunity Zone Master Plan.

William Waters, Community Sustainability Director, said that WGI had done a master plan study for the City's opportunity zone area last spring and that there were meetings with the neighborhoods involved last summer. He spoke about the potential benefits such as jobs, housing, improved roads and new businesses and stated that residents favored having a laundromat, healthcare facility or grocery store. He described the five nodes in the zone and showed examples of each: Mixed use/Residential, Transit Oriented Development, Neighborhood Core, Artisanal/Makers District and Health and Tech Incubator, which followed the requirements of the City's zoning districts and the future land use plan. He said that Community Sustainability would work on the missing middle types of housing that were lacking in the City such as townhomes, apartment and condos. He stated that the final plan document would be available on the website and have pamphlets for developers; the Business Development Board and Palm Beach County had requested links to the document. He reported that legislation was pending to extend the benefit window for opportunity zones, which ended at the end of 2019.

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 Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

- B. (added then deleted) Second Amendment to the Incentive Agreement with The Mid.

CITY ATTORNEY'S REPORT:

City Attorney Goddeau provided the following report:

- Stated that she was working on the Second Amendment for The Mid, which could be presented at a special meeting the following Monday or Tuesday.

CITY MANAGER'S REPORT:

City Manager Bornstein provided the following report:

- Announced that the pier would be closed until Friday due to inclement weather and ocean swells.
- Said that the Casino Ballroom won the Wedding Wire Couples Choice Award for wedding venue for the fourth year in a row.

ADJOURNMENT:

Action: Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to adjourn the meeting at 7:24 PM.

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

Minutes Approved: February 4, 2020

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