

**MINUTES  
CITY OF LAKE WORTH BEACH  
REGULAR CITY COMMISSION MEETING  
CITY HALL COMMISSION CHAMBER  
TUESDAY, DECEMBER 1, 2020 - 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 Beach, Florida.

**ROLL CALL:** Present were Mayor Pam Triolo; Vice Mayor Andy Amoroso; and Commissioners Scott Maxwell 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:** was led by Mayor Pam Triolo.

**PLEDGE OF ALLEGIANCE:** was led by Commissioner Scott Maxwell.

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

Presentation B, Proclamation for World AIDS Day, was added to the agenda. Consent C was moved to New Business D. Public Hearings A, Ordinance No. 2020-19, was moved to the December 15, 2020 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.

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

A. Mayor Triolo read the Proclamation for Farmer's Girl Restaurant.

B. (added) Mayor Triolo read the Proclamation for World AIDS Day and expressed regret at not being able to read the proclamation at the Compass event occurring subsequently to the meeting.

**COMMISSION LIAISON REPORTS AND COMMENTS:**

**Commissioner Maxwell:** said that he hoped everyone had a wonderful Thanksgiving. He announced that he had participated in a turkey and grocery giveaway of 18 tons of food for the neediest families in the City and volunteered at Farmer Girl Restaurant on Thanksgiving Day. He wished everyone the best for the holidays.

**Commissioner Robinson:** stated that one got from giving and Thanksgiving was a wonderful time of year to give to others. He expressed appreciation to Ed Liberty for informing FDOT that the bridge lights were their responsibility and sent condolences to May Goodstein's family. He said that he looked forward to the December 15 meeting where agenda review could be discussed as well as a public private partnership for the oceanfront park.

Vice Mayor Amoroso: reported that the food donation would be continued on Tuesdays through the end of December. He thanked Commissioner Maxwell for donating extra food, Emeric Jeancome, Assistant Event Coordinator, and the parking team for volunteering at the food giveaway and thanked everyone who voted for him for Best Elected Official.

Mayor Triolo: announced that the LWB Jaguars won their district games and would be advancing. She wished everyone a Happy Thanksgiving and said that the tree lighting was done virtually where she read “The Night Before Christmas”. She said that the Jazzy Seniors did so much for the community and she attended the bench dedication at the Osborne Center. She relayed that the lights at South Palm Park would be up on December 12. She said that there was a conversation with the U.S. Conference of Mayors regarding Covid and suggested having a member of the County speak about the vaccine distribution plan to come.

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

Deborah Andrea, City Clerk, read the comment submitted by the following:

Wes Blackman wrote to implore the City to increase its messaging about the importance of wearing masks, social distancing and discouraging even small gatherings to provide needed public health and safety information until the crisis passed.

**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 Vice Mayor Amoroso and seconded by Commissioner Robinson to approve the Consent Agenda.

- A. Consideration of settlement with Plaintiff, Glenda Funes, in the amount of \$47,500 (inclusive of attorney’s fees)
- B. Resolution No. 53-2020 – FY 2020 – 2021 State Aid to Libraries Grant Application
- C. (moved to New Business D) CRA purchase of vacant property to facilitate Development located at 1003 North F Street, Lake Worth Beach, FL from the City of Lake Worth Beach (“City”)
- D. Interlocal Agreement between Palm Beach County and City of Lake Worth Beach for design of utility adjustments for Lake Osborne Drive over Lake Bass Canal Bridge Replacement project
- E. Resolution No. 35-2020 – Amended to correct scrivener’s error in the original resolution

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

**PUBLIC HEARINGS:**

Mayor Triolo reminded the Commission that the ordinances were all second readings with presentations at the previous meeting.

- A. (moved to the December 15, 2020 meeting) Ordinance No. 2020-19 - Second Reading - adopting the Florida Building Code 2020 7th Edition
- B. Ordinance No. 2020-15 – Second Reading - amending Chapter 23 “Land Development Regulations” regarding changes to commercial vehicle parking, open air operations, temporary banner signage for new construction and landscaping requirements

City Attorney Goddeau read the ordinance by title only.

ORDINANCE 2020-15 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 1 “GENERAL PROVISIONS,” DIVISION 2, “DEFINITIONS,” SECTION 23.1-12 - DEFINITIONS; ARTICLE 4, “DEVELOPMENT STANDARDS” - SECTION 23.4-15 - CEMETERIES/MAUSOLEUMS/COLUMBARIUMS.; ARTICLE 4, “DEVELOPMENT STANDARDS” SECTION 23.4-19 -OUTDOOR STORAGE; ARTICLE 4, “DEVELOPMENT STANDARDS” NEW SECTION 23.4-22 - PARKING, STORING OR KEEPING OF COMMERCIAL VEHICLES IN NON-RESIDENTIAL DISTRICTS; ARTICLE 4 “DEVELOPMENT STANDARDS” SECTION 23.5-1(12) TEMPORARY SIGNS; ARTICLE 6 “ENVIRONMENTAL REGULATIONS”, SECTION 23.6-1 LANDSCAPE REGULATIONS OF THE CITY’S CODE OF ORDINANCES; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

**Action:** Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve Ordinance No. 2020-15 amending Chapter 23 “Land Development Regulations” regarding changes to commercial vehicle parking, open air operations, temporary banner signage for new construction and landscaping requirements.

City Clerk Andrea stated that there were no public comments.

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

- C. Ordinance No. 2020-17 – Second Reading - Approve the establishment of a mixed-use urban planned development for Village Flats

City Attorney Goddeau read the ordinance by title only.

ORDINANCE NO. 2020-17 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY APPROVING THE CREATION OF A MIXED USE URBAN PLANNED DEVELOPMENT DISTRICT, LOCATED AT 1216, 1220, 1230, & 1310 LAKE AVENUE, AND 1207, 1209, 1211, 1213, 1215, & 1401 LUCERNE AVENUE CONSISTING OF APPROXIMATELY 1.1 ACRES AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, THAT IS LOCATED WITHIN THE MIXED USE – EAST (MU-E) ZONING DISTRICT WITH A FUTURE LAND USE DESIGNATION OF MIXED USE – EAST (MU-E) THAT INCLUDES THE SPECIFIC DEVELOPMENT STANDARDS DESCRIBED IN EXHIBIT B; APPROVING A CONDITIONAL USE PERMIT; APPROVING DENSITY AND HEIGHT BONUS INCENTIVES THORUGH

THE CITY'S SUSTAINABLE BONUS INCENTIVE PROGRAM; APPROVING A MAJOR SITE PLAN FOR THE CONSTRUCTION OF A MIXED USE URBAN PLANNED DEVELOPMENT CONSISTING OF 41 RESIDENTIAL UNITS INCLUDING 10 LIVE/WORK UNITS; PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

**Action:** Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve Ordinance No. 2020-17 - approving the establishment of a mixed-use urban planned development for Village Flats.

City Clerk Andrea said that there were no public comments.

Comments/requests summary:

1. Commissioner Robinson asked if the project had had any changes since the presentation to the CRA and if the park would be public.

William Waters, Community Sustainability Director, replied that there had been changes based on comments from various City departments, the park element had been added and one building had been made smaller. He said that the park would only be for residents.

Commissioner Robinson expressed concern about phase 2 and opined that the project could be improved.

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

- D. Ordinance 2020-18 (PZB 20-01300002) - Second Reading - Request for a City-initiated rezoning for 118 North A Street, 116 North A Street, 127 North B Street, 121 North B Street, 119 North B Street, 113 North B Street, 1500 Lucerne Avenue, and 128 North C Street from either Single Family – Two Family Residential (SF-TF-14) or Multi-family Residential 20 (MF-20) to Mixed Use – East (MU-E)

City Attorney Goddeau read the ordinance by title only.

ORDINANCE NO. 2020-18 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP FROM THE ZONING DISTRICTS OF SINGLE FAMILY – TWO FAMILY RESIDENTIAL (SF-TF-14) AND MULTI-FAMILY RESIDENTIAL 20 (MF-20) TO MIXED USE – EAST (MU-E) ON PROPERTIES GENERALLY LOCATED NORTH OF LUCERNE AVENUE, SOUTH OF 2ND AVENUE NORTH, AND BETWEEN NORTH A STREET AND NORTH D STREET, AND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

**Action:** Motion made by Vice Mayor Amoroso and seconded by Commissioner Robinson to approve Ordinance No. 2020-18 - City-initiated rezoning.

City Clerk Andrea stated that there were no public comments.

**Vote:** Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell

and Robinson. NAYS: None.

**UNFINISHED BUSINESS:**

There were no Unfinished Business items on the agenda.

**NEW BUSINESS:**

- A. Proposed ban on plastic straws in facilities owned, operated or managed by the City of Lake Worth Beach

**Action:** Motion made by Vice Mayor Amoroso and seconded by Commissioner Maxwell to request that the City Attorney prepare an ordinance related to the ban of plastics in City owned or City managed properties and at City sponsored events.

Comments/requests summary:

1. Vice Mayor Amoroso stated that a lot of business owners were stepping up and would use alternatives to plastics; the lease agreements contained a plastic ban. He said that residents were being encouraged to bring their own bags.
2. Mayor Triolo asked if the plastic ban was only for the City.

Vice Mayor Amoroso replied affirmatively and said that education was being implemented for the merchants and residents.

City Manager Bornstein stated that the intent was to bring an official ordinance back related to City events and City-owned property.

Vice Mayor Amoroso iterated that they did not want to force business owners to do anything costly at the present time.

City Clerk Andrea said that there were no public comments.

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

- B. Discussion item brought forward by Comm. Robinson regarding additional required public meetings for development projects

Comments/requests summary:

1. Commissioner Robinson stated that the public deserved transparency and was requesting that developers be required to meet with the community to give them information.
2. Mayor Triolo asked if the process was different for the CRA and the City.

City Manager Bornstein responded that the CRA was not a regulatory agency, the Commission was; the CRA operated in a free manner, but a development would have to go through the City's regulatory process to ensure it met all the requirements.

Mayor Triolo stated that a project would have to go to the Planning and Zoning Board and/or the Historic Preservation Board, all public meetings where the public could comment, before being presented to the Commission, where the public could also comment.

3. Commissioner Maxwell asked how many public meetings would take place before a project was approved.

Mr. Waters responded that there was a minimum of five public meetings for a CRA project; a meeting with the review team, followed by a PZB meeting with the public invited to comment, followed by two readings with the Commission.

Commissioner Maxwell said that projects moved through the process with the public stating that they did not know about the project. He said that it was bothersome to say that there was not transparency which was against the State's Sunshine Law. He stated that the City had many residents who were involved, but many chose not to be so adding another public meeting would not change anything.

4. Vice Mayor Amoroso said that he did not understand the attacks on the CRA, which had brought many projects to increase the tax base in the City, and Community Sustainability had won multiple awards.

Commissioner Robinson stated that he was looking for more information from the specific developers to improve the process and have the community celebrate a development. He said that he was not attacking the CRA and that the developer should have a meeting with the community. He opined that transparency was a perception and he was attempting to eliminate the perception that the City was not transparent.

5. Mayor Triolo said that there was an issue in the past that had 54 meetings but the public said no information was given. She stated that the process was lengthy and the public should feel that they were able to express their opinions.

City Clerk Andrea read the public comments submitted by the following:

Cliff Kohlmeyer wrote in favor of an ordinance to ensure there was adequate public input in the planning stages of any major development.

Ramsay MacLeod wrote in favor of an ordinance to ensure there was meaningful public input in the planning stages of any major development.

David Simms wrote in support of requiring public meetings for all future developments in the City.

Katy Norusis wrote in favor of an ordinance to ensure there was meaningful public input in the planning stages of any major development.

Catherine Kohlmeyer wrote in favor of an ordinance to ensure there was meaningful public input in the planning stages of any major development.

John Wright wrote in support of Commissioner Robinson's proposal.

Lori B. Long wrote in favor of an ordinance to ensure there was meaningful public input in the planning stages of any major development.

Betty Resch wrote in support of Commissioner Robinson's proposal.

Tom Conboy wrote that the CRA and/or the City should engage the services of a professional, neutral, AICP-certified urban planner, to conduct a public meeting/charette to allow residents to share ideas and goals for the downtown.

Christopher McVoy wrote in support of any Commissioner's efforts to make sure that residents and businesses of Lake Worth Beach have meaningful opportunities to participate in the planning stages of new projects.

David Savage wrote in favor of more public involvement in the planning stages of any project.

Barbara Reeve wrote in favor of an ordinance to ensure there was meaningful public input in the planning stages of any major development.

Ginny Powell wrote in support of Commissioner Robinson's proposal regarding public meetings.

Don Rosenshine wrote to inquire how the CRA prioritized their projects, expended their funds and by which procedures they abided.

Gael Silverblatt wrote in support of a proposal to have additional public meetings before an RFP was sent out by the CRA.

Richard Stowe wrote in support of public meetings where residents could engage in discussion before the CRA issued an RFP.

6. Mayor Triolo asked City Attorney Goddeau for a suggestion on how to proceed.

City Attorney Goddeau responded that an ordinance should be drafted regarding a policy that all developers in the City be required to hold public meetings specific to the development to provide more public information.

Commissioner Robinson said that other communities had similar requirements for developers.

Mayor Triolo stated that the City had numerous meetings for City-owned projects. She asked Commissioner Robinson to clarify his intentions for the item.

Commissioner Robinson replied that he sought a requirement for a meeting with the developer to provide information to the affected residents.

City Manager Bornstein stated that the CRA had a different process and a developer would be judged on the RFP requirements; there would have to be a developer chosen first.

7. Vice Mayor Amoroso asked for clarification about how the CRA worked and said that the CRA brought value to the City.

City Manager Bornstein responded that there were many infill properties in the City that were covered by the CRA. He said that there was a 30% poverty level in the City and the CRA's intent was to balance that by bringing development to the City. He stated that there was no project submitted for L and M Streets.

Vice Mayor Amoroso relayed that no city brought the public in before an RFP was issued. He said that there were lawsuits being filed which ended any conversation.

Commissioner Robinson opined that it would make it easier for a developer to have input from the community and lawsuits were filed to get attention.

Mayor Triolo stated that people were investing in the City and there were new businesses opening in the middle of a pandemic. She said that an ordinance would have to be specific and it would be difficult for a developer to discuss a project that did not exist.

8. Commissioner Maxwell iterated that the City needed growth and development, but the project belonged to the developer and the community should have input, but could have a chilling effect because some residents were against any change. He said that rules, regulations and stipulations had been put in place in the past decade and it was time to move forward.

Commissioner Robinson asked staff to bring back a requirement that a developer meet with residents after being chosen.

Mayor Triolo asked if there would be another meeting after the plans were drawn up.

Vice Mayor Amoroso stated that the process was working and the public did not show up to meetings; he said that he was not comfortable requiring another meeting when there were five already.

Mayor Triolo requested that Commissioner Robinson bring an item back with backup from other cities regarding the meeting requirement.

The meeting recessed at 7:52 PM and reconvened at 8:05 PM.

- C. Resolution No. 54-2020 Municipal CARES ACT Interlocal Agreement with Palm Beach County

City Attorney Goddeau did not read the resolution.

RESOLUTION NO. 54-2020 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY SEEKING \$1,032,897 IN FUNDING MADE AVAILABLE UNDER PALM BEACH COUNTY'S MUNICIPAL CARES ACT REIMBURSEMENT PROGRAM; AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT AND ALL RELATED DOCUMENTS; PROVIDING FOR AN



EFFECTIVE DATE; AND FOR OTHER PURPOSES

**Action:** Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve Resolution No. 54-2020 - Municipal CARES ACT Interlocal Agreement with Palm Beach County.

City Manager Bornstein explained that the County had received money from the government and the City was seeking reimbursement for money spent related to the pandemic.

Comments/requests summary:

1. Commissioner Maxwell asked if the reimbursement included informational materials in three languages.

City Manager Bornstein replied that it did. He thanked staff for tracking all of the emergency expenses,

City Clerk Andrea stated that there were no public comment cards.

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

D. (moved from Consent C) CRA purchase of vacant property to facilitate Development located at 1003 North F Street, Lake Worth Beach, FL from the City of Lake Worth Beach (“City”)

**Action:** Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve the CRA purchase of vacant property to facilitate Development located at 1003 North F Street.

Comments/requests summary:

1. Commissioner Robinson said that he had no objection to the sale but the item should not have been on the Consent Agenda.

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

**CITY ATTORNEY'S REPORT:**

City Attorney Goddeau 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 Robinson to adjourn the meeting at 8:11 PM.

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

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Pam Triolo, Mayor

ATTEST:

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Deborah M. Andrea, CMC, City Clerk

Minutes Approved: January 5, 2021