

**MINUTES  
CITY OF LAKE WORTH BEACH  
ELECTRIC UTILITY CITY COMMISSION MEETING  
BY TELECONFERENCE  
TUESDAY, JUNE 30, 2020**

The meeting was called to order by Mayor Pam Triolo on the above date at 6:00 PM by teleconference from 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, Omari Hardy (absent for the roll, arrived shortly thereafter) and Herman Robinson. Also present were City Manager Michael Bornstein, City Attorney Christy L. Goddeau and City Clerk Deborah M. Andrea.

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

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

Ramsay Stevens wrote to ask the Commission to respond to the EUAB's formal request to discuss policy opportunities to make the community more economically and environmentally sustainable.

**APPROVAL OF MINUTES:**

**Action:** Motion made by Vice Mayor Amoroso and seconded by Commissioner Maxwell to approve the following minutes:

A. May 26, 2020

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

**NEW BUSINESS:**

A. Resolution No. 21-2020 – Establishing a Payment Plan for Utility Accounts

**Action:** Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve Resolution No. 21-2020, establishing a Payment Plan for Utility Accounts

Ed Liberty, Electric Utility Director, explained that there were 1,845 accounts that would have been subject to disconnection. He said that partial payments of \$408,336 had been made while \$637,226 was still outstanding; the numbers changed on a daily basis. He went over the Aging Report and said that the resolution would add 12.8% as of June 26 from the report. He stated that Customer Service staff had made thousands of phone calls and that there were 63 approved applications for assistance. He announced that letters regarding the payment plan had gone out with the goal for customers to sign up before their service was disconnected. He said that the payment plan would be portable and had a 12-month repayment period for residential customers and 36 months for commercial customers.

Comments/requests summary:

1. Vice Mayor Amoroso asked when the first disconnects would happen, when late fees would resume and for information about the County assistance program.

Mr. Liberty replied that disconnects would resume on July 17 for those accounts having meters read that day. He said that late fees would resume after July 17, but not for people who were late because of the pandemic.

Franco Bellitto, Customer Service Manager, responded that the commitments for payments from the County came in every day; he said that there would be a one-time lump sum payment for each account that had received assistance.

2. Commissioner Maxwell inquired if there would be any other blocks of money available to assist with utility bill payments. He asked Mr. Liberty what would happen if someone defaulted on the payment plan.

Mr. Bellitto replied that the money was from the Federal Government's CARES Act.

Mr. Liberty said that any deposit on hand would apply to the remaining balance and then the rest would go to collections.

Mr. Bellitto stated that a customer who did not make the monthly repayments would be off the plan and would owe the City the entire past due balance, would have to go on the prepayment plan and a percentage would be applied to repaying the balance. He said that the prepay policy would be brought to the Commission.

3. Commissioner Hardy asked how it would be determined whether a customer was late paying their bill or the repayment plan and what the consequences would be for a missed payment.

Mr. Bellitto replied that the bills would have a running total of what was owed towards the debt; he had worked with the vendor to show what was owed for service and what was owed towards repayment. He said that Customer Service would speak to customers about assistance and then present options that would work with their budgets. He clarified that the repayment plan would add an amount to the customer's bill for a new total including both the current bill and the repayment amount; the customer would go into default the entire amount due on the bill was not paid.

Commissioner Hardy expressed appreciation to Mr. Bellitto and his staff for their hard work. He opined that the debt might not be collectible and asked why the repayment time period was shorter for residential than commercial accounts.

Mr. Liberty replied that the guidance regarding the repayment periods had come from the Commission.

**Action:** Amended Motion made by Commissioner Hardy and seconded by Commissioner Robinson to amend the resolution on line 56, to read that the repayment of all past due amounts would be 36 months for both residential and commercial customers.

**Vote on amended motion:** Voice vote showed: AYES: Commissioners Hardy and Robinson. NAYS: Mayor Triolo, Vice Mayor Amoroso and Commissioner Maxwell.

**Action:** Subsidiary Motion made by Commissioner Hardy and seconded by Commissioner Robinson to shorten the repayment period for commercial customers to 12 months to match that of residents.

4. Commissioner Maxwell stated that residential customers were more transient and he did not favor a longer repayment plan for residential accounts.

Mr. Liberty stated that the disconnects were exponentially higher for residential customers; historically 86% were for residential accounts. He said that there were 23,500 residential accounts and 3,500 commercial accounts.

Mayor Triolo asked if there could be a compromise of 12 months for residential customers and 24 months for commercial customers.

Commissioner Maxwell agreed to the compromise.

Commissioner Hardy stated that commercial bills were larger and perhaps would need a longer repayment period; business owners chose to take a risk by opening a business, which was not a reason to give them more leeway.

Commissioner Robinson opined that businesses should be treated the same as residents. He asked how FPL would deal with repayments and if both the water and electricity would be shut off. He asked if the landlords and Code Enforcement were notified when utilities were disconnected and stated that there should be a policy to address that issue. He asked if he could make a motion to enact a notification policy.

Mr. Liberty replied that FPL had released the time period for repayments and that water would be shut off a few days after the electric.

Mayor Triolo stated that Customer Service had and would continue to reach out to the customers.

Mr. Bellitto responded that Customer Service did not notify the landlords. He said that electric service was disconnected first and then water and sewer would be disconnected seven days later. He stated that staff had helped customers as much as possible and would continue to do so.

Commissioner Robinson asked about modifying the collection policy.

Mr. Liberty said that the new policy was to wait 60 days to send an account to collections rather than 30 days; there had not been any collection referrals since the pandemic began.

Mayor Triolo said that commercial accounts subsidized other accounts in the City and were charged much higher rates.

5. Vice Mayor Amoroso stated that there had been conversations about how to help City businesses, which were the heart of the City. He said that he would have a problem with notifying landlords because it would add a burden to the people who could not pay their bills.

6. Commissioner Maxwell said that the terms of the payment plan had been discussed previously and asked why landlords should be notified.  
Commissioner Robinson said that there should be notification to landlords for financial reasons and for health and to Code Enforcement for health and safety reasons.

Commissioner Maxwell stated that it would be difficult to see the evictions that would occur when the moratorium was lifted and it would be hard for customers to repay their debt to the City. He said that local governments were strapped and did not have the financial resources to help everyone.

7. Commissioner Hardy said that commercial customers had higher bills because they used a lot of power and had higher rates. He stated that he did not realize the differential in the payment periods for residential and commercial at the last meeting and expressed concern for poor residents.

**Vote on subsidiary motion:** Voice vote showed: AYES: Commissioners Hardy and Robinson. NAYS: Mayor Triolo, Vice Mayor Amoroso and Commissioner Maxwell.

City Attorney Goddeau explained that it would not be illegal to notify the landlords, but would be have to be a policy decision.

**Action:** Motion by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve the resolution with a payment plan of 12 months for residential accounts and 24 for commercial accounts.

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

**ADJOURNMENT:**

**Action:** Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to adjourn the meeting at 7:27 PM.

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

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Pam Triolo, Mayor

ATTEST:

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Deborah M. Andrea, CMC, City Clerk

Minutes Approved: July 28, 2020

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