

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR MEETING OF THE CITY COMMISSION
CITY HALL COMMISSION CHAMBER
TUESDAY, JANUARY 19, 2021 - 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, Carla Blockson 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: led by Commissioner Scott Maxwell.

PLEDGE OF ALLEGIANCE: led by Commissioner Carla Blockson.

AGENDA - Additions/Deletions/Reordering:

There were no changes to the agenda.

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

A. COVID 19 update presented by Dr. Alina Alonso

Dr. Alina Alonso, Palm Beach County (PBC) Director of the Florida Department of Health, thanked the commission for having her and gave data about how the county was fighting the virus. She stated that Florida had 1,589,097 total cases, but the number of deaths, was decreasing and there were 98,000 total cases in PBC, averaging 600 cases per day. She said that the daily and total positivity numbers were being tracked carefully; she said the goal was to be under 5% for daily positivity, but the rate in PBC was 15.02%. She reported that the hospital and ICU percentages were above 25% and the COVID patients needed one-to-one staffing. She thanked the residents for wearing masks and maintaining social distancing to help keep the numbers lower than they would have been without the precautions. She spoke about the vaccine and said that PBC would be working with community partners to give the greatest attention to those over 65 who were first on the list and she announced that the PBC would give actual appointments to the 200,000 who had requested the vaccine; after that, the phone and email request lines would be operational. She said that residents could schedule an appointment at www.publix/covidvaccine to get vaccinated at Publix. She said that there was light at the end of the tunnel but it was six months away and urged everyone, including those vaccinated, to continue using masks, use sanitizer and maintain the six feet of social distancing.

Vice Mayor Amoroso asked if anything would be set up to bring the vaccine to residents who lived in buildings like the Towers.

Dr. Alonso replied that they were intending to set up community outreach when there were sufficient amounts of the vaccine available. She stated that large sites were being set up around the county and she intended to have fire rescue go into minority areas after holding

Town Hall meetings with community leaders to disseminate the information. She said that she was only receiving 4,000 vaccines a week which would be decreased to 2,000.

Vice Mayor Amoroso asked how PBC looked with regards to incoming President Biden's desire to give out 100 million doses out in his first 100 days.

Dr. Alonso responded that the State did not have the vaccines it was supposed to have and it would take some time to increase the amounts of vaccine to distribute.

Mayor Triolo expressed concern that people would show up for a vaccine at Publix who were not on the list to receive one.

Dr. Alonso stated that there was an Executive Order that only those over 65 or were first responders could receive the vaccine. She said that the people who contacted the county would get appointments; multiple submissions by the same individual would be deleted and the appointments would be given by the date requested.

Mayor Triolo said that the City had large locations that could be used for vaccinations.

Dr. Alonso said that the same model that was used for testing would be used for the vaccinations.

Vice Mayor Amoroso asked how visitors would be dealt with.

Dr. Alonso replied that anyone paying property taxes in Florida could be vaccinated in Florida. She said that recipients would have to provide drivers' licenses.

Commissioner Maxwell thanked Dr. Alonso for her presentation and asked how many residents in PBC were over 65. He inquired if people who received the vaccine were being tracked if they went out of the County to get it and what would happen if someone did not get a second dose. He asked how those without computers or not tech savvy could have access to the portals, if people could slack off with precautions and about the other strains.

Dr. Alonso responded that of the 93,000 vaccinated, many were health care workers who were vaccinated in Miami or Broward; perhaps 25% were over 65. She said that there was a dashboard report for the State. She suggested that those needing the second dose should return to wherever they got the first dose and said that the second appointments were being made for the patients with a five day window to get it after the four weeks. She stated that not getting the second dose would not nullify the first dose but it was recommended to get the second dose as that was how it was testing. She said that community groups have been set up to help their neighbors or friends and family will access the portal for those without computers and there was a phone system to set up appointments. She reported that some people were getting sloppy after being vigilant for so long and were getting COVID and/or spreading it. She stated that the second and third strains were in Florida, but people were not getting any sicker from the newer strains and the vaccine would work on all of the mutations.

Commissioner Robinson asked how many vaccines would be distributed by Dr. Alonso and if there were other places to get it.

Dr. Alonso replied that she would be the one distributing the vaccine for the county.

Commissioner Blockson asked about the phases for getting the vaccines, if Governor DeSantis would change the parameters and what could the City do to help her.

Dr. Alonso showed the three phases of vaccine distributions and explained that phase one would last for a few months and be given to some first responders and those over 65. She said that phase two could be for those with co-morbidities and the vaccine distribution would be greater and phase three would be for the rest of the population. She said that the communities should mobilize to be ready before the vaccine was available and suggested that the City speak with Fire Rescue about how to set up and to get the word out to the community.

Mayor Triolo stated that the City was ready whenever the vaccine was available.

B. 2021 Legislative Agenda presented by Richard Pinsky

Richard Pinsky, lobbyist for the City, showed a list of the delegates in Palm Beach County, highlighting those in the City's districts, the upcoming committee and session dates. He spoke about the issues that would be addressed and that most would be related to COVID-19 such as unemployment, vaccinations and schools, the ongoing Home Rule versus State Preemption related to vacation rentals and polystyrene materials, Sober Homes, water issues including septic conversions, sea level rise and storm water run-off and the \$2.75 billion revenue deficit for the fiscal 2021-2022 State budget with a Medicaid \$1.2 billion funding shortfall. He stated that there was a bill introduced to tax online sales which will cover \$700 million of the shortfall. He discussed the two most important projects seeking funding for the City's legislative agenda; sea level rise and stormwater outfall mitigation with a \$550,000.00 funding request at a 50% match for the cost of \$1.1 million and a to-be-determined funding request for ocean current wave energy engineering and design of landfall and offshore connections and cabling specifications. He said that a city would have to sign an affidavit that the city had 50% of the money for a project in order to receive a 50% match from the State. He reported that FAU's administration had decided to make ocean current energy their top funding priority and there was hope that the Biden administration would support energy initiatives.

Commissioner Maxwell asked Mr. Pinsky if there would be funding relief for renters or owners and what the components of vacation rentals and sober home legislation.

Mr. Pinsky replied that there were some ideas being discussed such as extending the eviction moratorium and tax breaks on affordable housing. He stated that there were loopholes that had been found and would be closed and there would be another preemption related to the pandemic to not allow more regulation by communities.

Vice Mayor Amoroso asked if all of the COVID funding would come from the county or if they should ask the State directly. He stated that \$1 million of the penny sales tax should be allocated for Parks and Recreation.

Mr. Pinsky responded that hospitals would be compensated for shortfalls, but there would not be any funding for local relief from the State; it would come from the Federal Government. He said that a year ago there were far more asks from cities, but the 50%

match was reducing the amount. He suggested that the City would be in the running for funding if they presented 50% of the amount requested.

City Manager Bornstein stated that FAU discovered it could compete in the energy field and there would be a meeting the next day to determine what funding would be requested for the ocean current project. He said that it was important to fund good projects, but also to kill the bad ones that would harm the City.

Mayor Triolo asked if the City could ask for funding for projects at the Osborne Center and other places.

City Manager Bornstein replied that projects had to be shovel ready and detail work would need to be done.

Mayor Triolo asked if the committees had been assigned and who was on a committee favorable to the City's asks.

Mr. Pinsky replied affirmatively and said that meetings began last week with all members in attendance. He stated that the County's delegation was well liked, but they were not in leadership positions other than Mike Caruso, who would sponsor the City's funding requests.

Commissioner Robinson asked if the budget shortfall could be attributed to the previous governor and if there would be a conversation about regulating insurance.

Mr. Pinsky answered that Governor DeSantis had upped the budget tremendously when he took office and the shortfall was due to the lack of revenue from tourism and the cost of the pandemic. He said that there would be a discussion to reduce health care and prescriptions costs plus the liability of the COVID protocols for hospitals and small businesses.

The meeting recessed at 7:44 PM and reconvened at 7:53 PM.

C. FDOT presentation about 10th Ave N. and I-95 interchange

Humberto Arrieta, PE, FDOT Project Manager, introduced and turned the presentation over to Andrew Nunes, PE, Consultant Project Manager American Consulting Professionals, LLC (ACP). Mr. Nunes stated that the environmental review, consultation, and other actions required by applicable federal environmental laws for this project were being, or had been, carried out by the FDOT. He reported that SR-9/I-95 had 10 Lanes divided Interstate with a posted speed limit of 65 mph and 10th Avenue North had four lanes divided west and east of I-95 with a posted speed limit of 40 mph. He explained that a Project Development and Environment (PD&E) Study was a process followed by FDOT to evaluate engineering alternatives, environmental impacts and social, cultural and economic impacts associated with a planned transportation project and spoke about the study process and project limits. He iterated that the project's primary criteria were to reduce congestion and improve interchange operations and avoid any traffic spillback onto I-95, improve safety conditions by reducing conflicts and accommodate future traffic demand through the 2045 design year and the secondary criteria were to improve multimodal (pedestrian and bicycle) connectivity, improve freight access and mobility and

enhance emergency evacuation. He went over the existing crash data and lane configurations and spoke about the two different build alternatives, TUDI (tight urban diamond interchange) versus DDI (diverging diamond interchange) as well as the impacts and cost of each. He stated that the next steps would be to move to the final design in March or April with the project beginning in 2025.

Mayor Triolo asked Jamie Brown, Public Works Director, about the effect of the project on the schools and if there were preferred pedestrian crossing methods for safety.

Mr. Brown said that the presentation was necessary because the City had two interchanges off of I95. He replied that the City recommended having a signal for safety reasons rather than a flashing beacon.

Mr. Nunes stated that pedestrians would be in median protected by barrier walls.

Mr. Arrieta said that the new configuration was much safer than the existing one.

Commissioner Blockson said that it was very difficult to turn onto 10th Avenue from A Street and asked about the alternatives to get to a better level of service.

Mr. Nunes replied that the level of service would be a D which was acceptable.

Mayor Triolo said that her suggestion was to look at better improvements due to more concern at the 10th Avenue interchange because of the young children walking there.

Vice Mayor Amoroso asked what would be done to address A Street issues turning into 10th Avenue North.

Mo Al-Turk, PBC Engineer, responded that the corridor would be retimed to improve coordination between the signals and they were working with FDOT on the highway ramp signals; improvement would happen soon.

Commissioner Maxwell asked if the project would definitely happen and if he missed input from the commission. He asked when the project would be completed and if it was usual for projects to be good for 20 years.

Mr. Al-Turk replied that it was a done deal and the commission had been invited to give input.

Mr. Arrieta stated that the project would be completed in FY 2027.

Mayor Triolo said that this would be the first funding for traffic improvements spent in 30 years in the City.

Commissioner Maxwell inquired how the school children would get across the road.

City Manager Bornstein stated that there would be less traffic and crossings in the new design.

Commissioner Robinson said he had experienced the divergent diamonds in Utah and they did improve the intersections. He asked if the diamonds raised the speeds and if Boca Raton would accept a D level of service.

Mr. Arrieta stated that the speeds would be decreased and he was not familiar with the levels of service at other locations.

Commissioner Robinson stated that the A Street intersection was a frustration and wondered why it would not be addressed.

Mayor Triolo said that the funding would be from the Federal Government and the intersection would be improved; the City could still provide input into the design.

City Manager Bornstein said that space would be freed up in the intersection, but A Street was not included in the project. He stated that the intersection would benefit, but a redesign of the entire intersection was needed, but it was a City intersection.

Mayor Triolo explained that the City could make enhancements to bring the grade up.

Mr. Arrieta explained that every interchange was unique and A Street did not affect the project.

Commissioner Maxwell asked about unintended consequences of the project and if a more efficient overpass would increase traffic in the City.

Linda Hess, PE with ACP, explained that all factors were considered when the levels of service were determined.

- D. (was read after Presentation A) Mayor Triolo read the proclamation in recognition of C.H. "Mac" McKinnon and expressed her condolences to the McKinnon family. Nancy Whitehead, Mr. McKinnon's daughter, thanked the Commission for the honor and said how much her parents loved working on behalf of the City.

COMMISSION LIAISON REPORTS AND COMMENTS:

Mayor Triolo: thanked everyone who attended the Martin Luther King, Jr. (MLK) events and the unity wall.

Vice Mayor Amoroso: did not speak.

Commissioner Robinson: said that the unity wall showed community involvement and the racial equity workshop was eye opening.

Commissioner Maxwell: said that the weather was perfect for the MLK events and thanked the committee for their great work. He reported that a lot of the food distribution was being affected by the pandemic and that Mr. Livingston was interested in putting an awning system on the front of his building to cover the tables and requested that the permitting fees be reduced.

Commissioner Blockson: thanked everyone for their participation in the MLK events and the

unity wall. She stated that there were 15 artists who participated and the vision for the wall would be discussed at a community meeting the following evening. She clarified that the City was not involved with the wall other than making sure it was architecturally sound; the stakeholders would decide what would be put on the wall.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

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

Melissa Salerno wrote that painting “All Lives Matter” on the unity wall was the opposite of unity.

Renee Hoyt wrote that the painting of “All Lives Matter” on the unity wall needed to be rectified.

Angie Wegner wrote in opposition to having “All Lives Matter” on the unity wall.

Marina Desideria wrote that “All Lives Matter” was meant to undermine the importance of why black lives matter.

Cheryl Raskin wrote that there were locations requested for traffic calming in her neighborhood and she would provide a list to the City.

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 Vice Mayor Amoroso to approve the Consent Agenda.

- A. Agreement with Waste Management, Inc. for the Solid Waste Division’s Roll-Off Collection Services
- B. Change Order 01 - Final to B&B Underground Construction Inc. for the 2-inch Watermain Replacement, Year 4 Program Project
- C. Work Order #3 with Shenandoah General Construction, LLC for 10th Avenue North stormwater lining
- D. Ratification of an appointment to the Historic Resources Preservation Board

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

PUBLIC HEARINGS:

- A. Ordinance No. 2020-21 – Second Reading - Prohibition on Distribution of Plastic Straws at City Facilities

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2020-21 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 15, "OFFENSES – MISCELLANEOUS" OF THE CITY'S CODE OF ORDINANCES, BY CREATING A NEW ARTICLE VIII, TO BE ENTITLED, "PROHIBITION ON DISTRIBUTION OF PLASTIC STRAWS AT CITY FACILITIES"; PROVIDING FOR EXCEPTIONS, EDUCATION, ENFORCEMENT, AND PENALTIES; AND, PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE

Mayor Triolo stated that this was the second reading of the ordinance.

Action: Motion made by Vice Mayor Amoroso and seconded by Commissioner Maxwell to approve Ordinance No. 2020-21 - Prohibition on Distribution of Plastic Straws at City Facilities.

City Clerk Andrea said that there were no public comments.

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

UNFINISHED BUSINESS:

There was no Unfinished Business on the agenda.

NEW BUSINESS:

A. Resolution No. 02-2021 – Establishing the City's Charter Review Committee

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 02-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, ESTABLISHING A CHARTER REVIEW COMMITTEE TO REVIEW, RECOMMEND, AND SUBMIT PROPOSED AMENDMENTS TO THE CITY'S CHARTER; PROVIDING FOR COMPOSITION, OBJECTIVE, MEETINGS, AND ASSISTANCE OF THE COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE

Action: Motion made by Commissioner Maxwell and seconded by Commissioner Robinson to approve Resolution No. 02-2021 – Establishing the City's Charter Review Committee.

City Manager Bornstein explained that the committee would serve for 180 days with one appointee per commissioner.

Comments/requests summary:

1. Commissioner Robinson stated that the culmination would be to bring an issue to the ballot in March 2022.
2. Vice Mayor Amoroso asked if the committee would be given direction. He said that there was a group working already.

City Manager Bornstein replied that guidance would be provided and the committee could be given specific direction.

3. Mayor Triolo asked if the members would serve at the pleasure of the commission, if they were subject to Sunshine and who the staff liaison would be.

City Attorney Torcivia replied that the members would serve at the commission's pleasure and had to adhere to the Sunshine Laws. He stated that there was a blank in the resolution for the deadline for submission of names to the committee and suggested the commission pick either of the next two meetings as the deadline.

The commission agreed that March 2, 2021 should be filled in on the resolution.

Commissioner Robinson said that people could submit applications to Silvina Donaldson, Executive Assistant to the Commission.

City Clerk Andrea stated that there were no public comments.

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

B. Discussion about Education Advisory Committee

City Manager Bornstein said that the discussion was a result of a request by Erica Whitfield.

Commissioner Robinson stated that he had spoken with several people but no one had volunteered to serve.

Mayor Triolo said that she learned through her Mayor's Education Council, that the major concerns were attendance, both online and in person. She stated that there was a suggestion for an incentive program, but no funding was available, and a recognition program for teachers where the teachers would nominate their colleagues resulting in recognition at a commission meeting and a gift certificate. She stated that she would approach the City's business community for donations and suggested that the commission's travel budget be used.

Vice Mayor Amoroso asked if the School Board would pay for anything and if there was a blueprint from other cities on how they were doing recognitions. He said that the commission should be mindful of the money in the travel budget and suggested expanding the Mayor's Education Council for the Education Committee rather than setting up something new.

City Manager Bornstein said that he had some discretionary funds that could be used.

Mayor Triolo said that the COVID environment made recognition more important.

City Clerk Andrea said that there were no public comments.

LAKE WORTH BEACH ELECTRIC UTILITY (LWBEU):

PRESENTATION:

- 1) Update by the Electric Utility Director
Ed Liberty, EU Director, announced that a letter of intent had been entered with FPL for a second tie-line into the City, which would be momentous for the City. He thanked FMPA for their help with the matter. He explained that the letter was not an agreement. He stated that there were monthly meetings and the design would be similar to the Hypoluxo Station with the tie-line being operational in December 2022. He reported that a special project team had been assembled that would Jody Finklea, General Counsel FMPA; Christy Goddeau, City Attorney's Office; Carl Turner, Project Manager from FMPA; Power Engineers; David Martyniuk, LWBEU Transmission & Substation Engineering Manager; Paul Nicholas, LWBEU Engineering Services Manager; Mark Mezzancello, Construction Management/Inspection; Tom McKee, LWBEU Services Manager. He said that a new substation would be built at the site with one or two new transformers. He thanked Mayor Triolo for her support of the project.

Mayor Triolo stated that the City had worried for years about having a single tie-line and thanked everyone from FMPA for their assistance and the EU staff for their hard work.

Mr. Liberty stated that there would be a lot of work to do.

Vice Mayor Amoroso thanked EU staff and FPL for partnering with the City.

City Manager Bornstein complimented Mr. Liberty and the FMPA on bringing this important occurrence to the City.

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

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

- 1) Work Order No. 6 with The L.E. Myers Co., for Electric Distribution System construction services

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

CITY ATTORNEY'S REPORT:

City Attorney Torcivia wished everyone a Happy and healthy New Year.

CITY MANAGER'S REPORT:

- A. Draft Agenda – February 2, 2021
- B. Update of Race, Equity And Leadership ("REAL") meetings
 - Reported that there was a follow up process internally with staff

- A partnership with Healthier Lake Worth would be built for the outward component
- There was interest in REAL 102 which had a tool kit
- The City would continue with the process as directed by the Commission

ADJOURNMENT:

Action: Motion made by Commissioner Maxwell and seconded by Commissioner Blockson to adjourn the meeting at 9:47 PM.

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

Pam Triolo, Mayor

ATTEST:

Deborah M. Andrea, CMC, City Clerk

Minutes Approved: February 2, 2021