

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR MEETING OF THE CITY COMMISSION
CITY HALL COMMISSION CHAMBER
TUESDAY, FEBRUARY 2, 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 Carla Blockson.

PLEDGE OF ALLEGIANCE: led by Commissioner Herman Robinson.

AGENDA - Additions/Deletions/Reordering:

There were no changes to the agenda.

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

- A. Presentation by Nicole Patterson, Principal of North Grade Elementary
Ms. Patterson relayed that North Grade Elementary was a dual language K-8 Title I school that opened in 1926 and had 43 classrooms in the main building, 17 concretables, a remodeled media center, four computer labs, a Science lab, Art and Music rooms, a parent center, a resource room, 12 Google certified staff, all classrooms had smartboards and every student had a Chromebook. She explained the student demographics and how the school grade was calculated. She spoke about the keys to the school's success such as staying positive during COVID, participation in motivating Reading Plus, Tutorial, Low 25% groups, I-Ready, Istation, Success Maker Academic programs, strategic use of support staff to target areas in need of improvement: small group instruction (Push in and virtual support during all Reading Blocks K-5 and all math blocks 3 -5), virtual parent training opportunities, before and after school tutorials and the extracurricular opportunities/clubs including virtual Band (beginning & advanced), virtual News Team, virtual Recorder Program, virtual Chorus, Special Olympics and PBSO's No Place for Hate & Shop with a Cop. She listed the many partnerships and grants that aided the school and the students. She said that the challenges and barriers were COVID 19, virtual learning/ hybrid teaching, having three schools in one with dual language/gifted/regular programs, a lack of oral language development due to cultural norms, attendance, parental participation, teacher retention and support, lack of early development learning and the transient population. She stated that the opportunities for growth included Google classroom/resources/certified teachers, computers in every child's hands, ensure the right interventions were in place to increase student gains, continue oral language development with all students, increase

explicit planning for whole and small group instruction, continue parent and community involvement and implement a summer program for non-English speaking students new to the program.

Vice Mayor Amoroso thanked Ms. Patterson and stated that he was stocking the school's food bank.

Ms. Patterson said that the students were going home on the weekends with backpacks filled with food. She expressed that the community had opened their hearts and their wallets.

Mayor Triolo said that the Mayor's Council would be working on attendance as well as honoring the teachers.

Ms. Patterson explained that the school was safe with protocols and social distancing and encouraged students to return to in person learning.

Commissioner Robinson asked if the SAC group was meeting and if the school was fully staffed.

Ms. Patterson replied that the meetings were both virtual and in person, depending on the attendees' preferences. She said that they were fully staffed but there were no substitute teachers.

COMMISSION LIAISON REPORTS AND COMMENTS:

Commissioner Robinson: said that for the next 28 days there needed to be conversations about racial equity. He stated that there were candidate debates and was surprised that residents did not know that they could vote for a candidate from each district. He requested commitment to proceed with decisions from the work sessions and announced that applications were being received for the charter committee.

Vice Mayor Amoroso: reported that he had been very busy with meetings for all of the committees on which he served and that the Palm Beach League of Cities had a packet with legislative issues for the upcoming session. He said that there were three maps from the CRA for restaurants, shops and murals with location instructions. He stated that there were green bags that would be left downtown to use when shopping in place of plastic bags. He announced that there would be a forum regarding policing on the following Wednesday night at the Osborne Center.

Commissioner Blockson: announced that there were still volunteers working on the unity wall and she had attended the Haitian Church which had taken over the Scottish Rite; she was trying to visit the churches in the City to see what was needed.

Commissioner Maxwell: said that his focus was to help those without computer/internet access to have actionable results for obtaining vaccine information. He wondered if it was appropriate for the commission to have a plaque created for the unity wall since it was owned by residents,

not the City. Commissioner Blockson stated that the first part of the wall was reserved for a plaque and said it was a great idea. The commission gave consensus for a plaque.

Mayor Triolo: stated that the project on 10th Avenue North should be revisited regarding what the City could do to improve the grade. She said that new businesses were moving to the City and there were positive reports from the Gulfstream Hotel.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

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

Diane Brown wrote that it was very important to continue with the dedication of six million dollars of sales tax money was set aside by the commission to rebuild the pool at the Casino building.

Don Rosenshine wrote that there was more enthusiasm for the pool at the Casino and the six million should not be reallocated to another project until the pool was completed.

APPROVAL OF MINUTES:

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

- A. Regular Meeting - January 5, 2021
- B. Regular Meeting - January 19, 2021

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

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.

- A. Work Order #6 with the Paving Lady

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

PUBLIC HEARINGS:

There were no Public Hearings on the agenda.

UNFINISHED BUSINESS:

- A. Clarification of Direction on 17 South M Street - Leisure Services Offices Relocation study

City Manager Bornstein stated that there was concern expressed about the building on S M Street and there was a feasibility study regarding moving the building. He explained that the scope had been limited and there was no language about Bryant Park; the commission had not approved nor discussed moving the structure to Bryant Park. He said that a feasibility study was still necessary regarding moving the building, but any mention of Bryant Park had been removed.

Comments/requests summary:

1. Mayor Triolo said that a Parks Master Plan was necessary and had been discussed for many years. She stated that there needed to be an understanding about what the residents wanted.

City Manager Bornstein apologized for creating confusion regarding Bryant Park.

2. Commissioner Robinson expressed pleasure in reconsidering decisions and was disturbed that the City would act as a developer, putting something in a neighborhood without speaking with the neighborhood. He said that there was an issue about what to do with the building and there was not enough planning about what to do with the area. He asked how many lots were in the five block area and suggested moving the building to the parking lot at the golf course.

City Manager Bornstein stated that the study would relay the costs and feasibility of moving the building which had historic value. He requested a motion for clarification.

Action: Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve the feasibility study removing any mention of Bryant Park. **Motion was rescinded.**

City Clerk Andrea read the comments submitted by the following:

Cliff Kohlmeyer wrote in opposition to removing the historic structure.

Claudia Harrison, Chief Communications Officer at Compass Community Center, wrote in opposition to relocating the house at 17 S M Street.

Silvia Rotela wrote to oppose relocating the house at 17 S M Street.

Lisa Koeper wrote in opposition to moving the historic structure.

Diane Lombardo wrote that she was deeply troubled by the proposed L & M Street Project and the fate of 17 S. M Street.

Richard Stowe wrote in opposition to moving the structures at 17 S M Street.

Richard Guercio wrote that he opposed the project.

The following individuals read their comments via Zoom:

Chuck Royce said that it seemed from the comments that the house would not be moved to Bryant Park and therefore had no further comment.

Tom Conboy said that he was disappointed that the item had been approved at the previous meeting with old information.

City Manager Bornstein clarified that the Howard Park grant work was related to CBDG funding and had been submitted with information available at the time. He explained that the building on south M had been purchased for a potential parking garage, which fell through and that the CRA had been contacted to see if there was any interest in a project for the lot.

Mayor Triolo stated that a rendering had been put out when there was no project and residents were upset about a project that did not exist. She said that the residents had been upset for no reason because the cart was put before the horse.

City Manager Bornstein apologized for releasing data showing what could be built on the lot and said that there were no projects being considered at that time.

Mayor Triolo said that putting unapproved information out created confusion in the community.

Commissioner Robinson stated that the problem was with one building and the commission had a responsibility to express their ideas, direction and concerns to the public regarding a project that could go there. He said that he wanted further discussion with the CRA about a development that would blend with the neighborhood and stated that time was money and he was tired of putting decisions off.

Mayor Triolo reiterated the need for a Parks Master Plan. She said that Commissioner Robinson had spoken with developers about the ballfields without discussing the issue with the community. She said that there were no plans that warranted moving the building and requested that the study be put off until there was a project pending.

Commissioner Robinson said that he had not spoken with any developers regarding the ballfields, a Parks Master Plan was off topic and it was the commission's responsibility to act on their investments as the City's underutilized assets were growing.

Commissioner Blockson said that the commission should give direction to staff, not the other way around and expressed frustration with no decisions being made. She suggested taking a pause to listen to the neighborhoods before giving direction to the City Manager.

Vice Mayor Amoroso stated that an overall Parks Master Plan was needed, including addressing the issues at the golf course. He said that there were buildings in the parks and had been some at Bryant Park previously.

Commissioner Robinson stressed the need to move the development on South M Street forward and not talk about other issues.

Mayor Triolo stated that the property had to be used for parking because the land was purchased with sales tax money.

Commissioner Maxwell said that the issue would not be resolved at the meeting and stated that there should be a step back taken as there was no proposed project or developer to discuss.

Commissioner Robinson opined that the CRA should be given direction to incorporate the building into a development project and make it the developer's problem.

Vice Mayor Amoroso iterated that a CRA bought land and put projects together to bring revenue to a City.

Action: Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to table funding a feasibility study until a project came forward that would necessitate moving the building.

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

NEW BUSINESS:

A. Ordinance No. 2020-20 – First Reading – amending Chapter 23 “Land Development Regulations” regarding changes to temporary uses, home occupations and several minor modifications related to development standards for parking and accessory dwelling units, and maintenance easements on zero lot line properties

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2020-20 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 18 “UTILITIES,” ARTICLE 7 “STORMWATER UTILITY”, SECTION 18-103. – “ON SITE DRAINAGE” BY REQUIRING MAINTENANCE EASEMENTS FOR ZERO LOT LINE LOTS; AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS, BY ADDING A NEW SECTION 23.2-37. – “TEMPORARY USE PERMIT” TO CREATE AN APPROVAL PROCESS FOR TEMPORARY USES; AMENDING ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1 “GENERALLY,” SECTION 23.3-6 “USE TABLES” TO ESTABLISH TEMPORARY USES PERMITTED BY ZONING DISTRICT; AMENDING ARTICLE 4, “DEVELOPMENT STANDARDS,” SECTION. 23.4-1. – “SECONDARY (ACCESSORY) DWELLING UNITS,” SECTION 23.4-6. – “HOME OCCUPATIONS,” SECTION 23.4-10. – “OFF-STREET PARKING” TO CLARIFY DEVELOPMENT STANDARDS RELATED TO ACCESSORY DWELLING UNITS AND PARKING AS WELL AS PROVIDE ADDITIONAL FLEXIBILITY FOR HOME OCCUPATION USES IN MIXED USE DISTRICTS, AND ADDING A NEW SECTION 23.4-22 – “TEMPORARY USES” TO ESTABLISH DEVELOPMENT REVIEW STANDARDS FOR TEMPORARY USES; BY AMENDING ARTICLE 5 “SUPPLEMENTARY REGULATIONS” SECTION 23.5-7. – “CONCURRENCY

MANAGEMENT AND PUBLIC FACILITY CAPACITY” TO REQUIRE MAINTENANCE EASEMENTS ON ZERO LOT LINE LOTS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE

City Attorney Torcivia stated that the Mayor had discretion to have the presentation before a motion was made.

Erin Sita, Community Sustainability Assistant Director, stated that the ordinance was part of a series of amendments in 2020 to address code updates prioritized by the City Commission at the March 5, 2020 work session. She summarized that the proposed amendments in Exhibits A and H standardized access easement requirements for zero lot line lots, in Exhibits B and G added new Section 23.2-37. – Temporary Use Permit to create a new temporary use review permit process and review standards (Exhibit B) and created new Section 23.4-22 – Temporary uses to establish supplementary development standards for temporary uses (Exhibit G), in Exhibit C amended the City’s use tables to establish permitted temporary uses by zoning district, in Exhibit D clarified the size and construction standards for accessory dwelling units, in Exhibit E allowed for additional flexibility for home occupation office uses in mixed use districts and in Exhibit F clarified and consolidated parking requirements for accessory dwelling units (ADUs).

William Waters, Community Sustainability Director, explained that because there was a greater interest in working from home, a series of parameters and performance standards were created to allow a broader professional type of home occupation in properties already located in mixed-use districts. He iterated that the approval would be case by case basis through a conditional use approval in a preapproved project with a limited number of employees and clients. He said that there was a need for smaller office spaces that could eventually grow into bigger businesses that would require brick and mortar spaces. He stated that the change in parking for ADUs would not open up any other areas to ADUs.

Action: Motion made by Commissioner Robinson and seconded by Commissioner Blockson to approve Ordinance No. 2020-20 on first reading and schedule the second reading and public hearing for February 16, 2021.

Comments/requests summary:

1. Commission Robinson stated that the amendments would eliminate any ADUs in single family dwellings.

Mr. Waters stated that ADUs were not allowed in single family areas and could be discussed by the various neighborhoods before staff would bring anything forward. He said that the existing ADUs were grandfathered in.

Vice Mayor Amoroso asked if staff would be bringing ADUs back, asked about home occupations in different districts and if sober homes would be allowed.

Mr. Waters replied that ADUs would be brought back at commission direction and that home occupations would only be allowed in mixed-use districts on a project by project

basis with a public hearing. He explained that it would be a limited allowance and medical was excluded, therefore no sober homes would be allowed.

Vice Mayor Amoroso wanted to ensure that the door would not be opened on uses that were not previously allowed, like medical billing with a large number of employees.

Mr. Waters stated that it would be difficult to get an approval and a business could only have a few employees.

City Manager Bornstein asked Mr. Waters why the use would be allowed.

Mr. Waters iterated that young people were starting businesses in their homes with one or two employees and people were working from home because of the pandemic, which was not allowed. He said that many small businesses had started and then moved into bigger spaces when the businesses grew; there was great interest in home occupations. He said that live-work units had more uses other than professional offices with commercial uses.

City Clerk Andrea read the comment submitted by the following:

Richard Stowe wrote to request that the commission remove the sixty percent formula of habitable floor area formula from ADUs.

Mr. Waters stated that the issues Mr. Stowe raised were not in the ordinance.

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 did not provide a report.

CITY MANAGER'S REPORT:

A. Leadership Academy

City Manager Bornstein said that the curriculum for the Leadership Academy, which had been brought forward by the commission, had been developed for residents and business owners with participation from the commission and staff, with site visits in the future. He stated that the program would start in the next month or so to show residents what took place in the City, including the challenges facing staff and the commission. He said that a contract for Racial Equity And Leadership (REAL) 102 would be brought back for commission consideration and there had been positive feedback on REAL 101 from the staff participants. He stated that the City would be watching PBSO's criminal justice program with interest and that working with Healthier Lake Worth would provide valuable data for visioning sessions and moving forward. He said that better days were ahead after a tough year and expressed gratitude for the positive energy in the City.

B. Capital Projects (CIP)

City Manager Bornstein said that he had received requests for information about CIP. He stated that the projects were over \$150 million dollars and a written report would be brought back to the next meeting with data showing the funding sources for the projects and how much investment the City had done and was continuing to do at the commission's direction.

ADJOURNMENT:

Action: Motion made by Vice Mayor Amoroso and seconded by Commissioner Blockson to adjourn the meeting at 7:56 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: March 2, 2021