

**MINUTES  
CITY OF LAKE WORTH BEACH  
REGULAR CITY COMMISSION MEETING  
BY TELECONFERENCE  
TUESDAY, SEPTEMBER 15, 2020 - 6:00 PM**

The meeting was called to order by Mayor 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 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:** was led by Mayor Pam Triolo.

**PLEDGE OF ALLEGIANCE:** was led by Vice Mayor Andy Amoroso.

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

There were no changes to the agenda.

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

There were no Presentations on the agenda.

**COMMISSION LIAISON REPORTS AND COMMENTS:**

Vice Mayor Amoroso: did not make any comments.

Commissioner Maxwell: thanked the Electric Utility for their prompt response in addressing the lighting issues in District One.

Commissioner Robinson: reported that the painting of the Wall of Unity was rained out but would be held the following Saturday. He stated that the Census should be a priority and was thankful for the City's balanced budget. He expressed disappointment in the Palm Beach County Board of County Commissioner's budget which did not include money for body cameras for deputies until 2023. He announced that Viva La Playa had a successful opening and the library would reopen next week. He said that he looked forward to receiving more grants and stated that the City should prioritize paying all employees a minimum of \$15 an hour next year.

Commissioner Hardy: congratulated Lee Lipton and his team on the opening of Viva La Playa at the beach. He said that it was positive that the Sheriff's office was moving towards using body cameras, but expressed dismay that they would not be in use until 2023. He stated that the county should deal with the COVID infection and not re-open the schools, which was very risky.

Mayor Triolo: announced that she was able to meet the linemen at the Electric Utility and read the proclamation to them in person; she said that they deserved respect for the risks they took on behalf of the City. She said that the City needed everyone to fill out the census. She thanked everyone at Viva La Playa and said that the food was excellent and was a great addition to the beach.

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

Deborah Andrea, City Clerk, stated that there were no public comments.

**APPROVAL OF MINUTES:**

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

- A. Budget Work Session #4 - August 27, 2020
- B. Regular Meeting - September 1, 2020

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

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

**Action:** Motion made by Vice Mayor Amoroso and seconded by Commissioner Maxwell to approve the Consent Agenda.

- A. Resolution No. 34-2020 – FY 2020 – 2021 Community Development Block Grant Agreement
- B. Community Code Compliance Collections Agreement with Coast Professional, Inc.

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

**PUBLIC HEARINGS:**

There were no Public Hearings on the agenda.

**UNFINISHED BUSINESS:**

There were no Unfinished Business items on the agenda.

**NEW BUSINESS:**

- A. Discussion about how the Commission will fill the District 2 seat

**Action:** Motion made by Commissioner Maxwell and seconded and amended by Vice Mayor Amoroso to table the item until one of the first meetings after qualifying.

Commissioner Hardy objected stating that motions were not allowed on discussion items.

City Attorney Torcivia explained that there could be a motion to table any item. He said that the Commission could appoint a successor by majority vote when the seat was vacated.

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

B. Discussion on how to reduce speeding on Lake and Lucerne Avenues

City Clerk Andrea asked if the Mayor would like to hear public comments read before she started the timer.

Commissioner Hardy asked to review the rules of the meetings regarding having the Commissioner who brought forth the item be the first to discuss the item.

Mayor Triolo stated that the TPA would facilitate discussions with FDOT.

City Clerk Andrea asked if she should set the timer for five minutes per Commissioner.

City Attorney Torcivia said that he was not aware of any rules regarding an order of speaking, but each Commissioner would have five minutes to speak so that the item would not exceed 30 minutes.

Commissioner Hardy said that there was a hit and run recently and stated that there should be changes to the corridor to slow the traffic down and it should be a priority.

Commissioner Maxwell said that FDOT would need to be part of a traffic study and that everyone agreed that the traffic needed to be slowed down. He stated that a plan would be needed to prevent cars from cutting through the City.

Commissioner Robinson said that speeding in the neighborhoods was always a concern and that it was a good thing if people were coming to the City. He opined that a work session date should be set.

Commissioner Maxwell explained that there were a lot of cars downtown and many cars cut through the City to avoid traffic lights. He said that it would be necessary to know where the cars came from and that people drove irresponsibly. He stated that a work session would be needed with input from FDOT.

Mayor Triolo said that discussions were usually for work sessions and then the item would move to a meeting agenda.

City Manager Bornstein reported that the last time Lake and Lucerne Avenues a major makeover was with federal funding projects. He said that he had been directed to work with FDOT about the avenues' ownership and a major makeover was needed. He stated that speeding was a problem in many cities and funding would be necessary to proceed; FDOT did not have any funding available.

Mayor Triolo said that the TPA had plans in the work for those areas and the City could apply for funding for local initiatives.

Jamie Brown, Public Works Director, explained that there would be two projects involving Lake and Lucerne Avenues, traffic circle improvements on 8<sup>th</sup> St. between Lake and Lucerne in 2022 and roadway millage and resurfacing on Lake and Lucerne in 2023 that were in preliminary engineering.

Commissioner Hardy said that cars could not move quickly if there was traffic and the two

issues required different solutions. He stated that City residents were speeding, not just people cutting through the City.

Vice Mayor Amoroso agreed with the other Commissioners and said that a work session would be needed with participation from FDOT and TPA.

Commissioner Robinson said that the City would not have the money to address the issues; FDOT owned the streets and should pay.

Vice Mayor Amoroso iterated that parking was an issue downtown and that people had used the Gulfstream Hotel parking area, which would not be available when the hotel was renovated and open.

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

Lorien DeBruyn wrote that she had witnessed multiple car accidents on the downtown streets of Lucerne & Lake Avenues and urged the City to act.

Anthony Fall wrote to ask that the Commission put speed bumps and stop signs on Lake and Lucerne Avenues to address the issues there.

Anna Karabensh wrote to request that the Commission consider ways to slow traffic on Lake and Lucerne (in particular west of Dixie Hwy) and promote safe passage for cyclists and pedestrians along those roadways.

Jaime & Star Triana wrote that their vehicle was totaled by a hit and run accident while parked in front of their unit on Lucerne Avenue.

Nick Nardone wrote that there have been half a dozen accidents on Lucerne by speeding drivers and requested that pedestrian signs be installed.

C. Resolution stating that the City will not honor nor celebrate Columbus Day and that it will instead honor and celebrate Indigenous People's Day

Commissioner Hardy asked City Manager Bornstein to search his Administrative Orders for the meeting procedures.

Mayor Triolo asked where the backup was as she had not received anything.

City Clerk Andrea replied that she had emailed the backup to the Commissioners after she received it at 4:02 PM that afternoon.

Mayor Triolo asked when the backup had to be added to the agenda.

City Clerk Andrea replied that the backup for the meeting was to have been added by September 8; according to rule 12 in the rules and procedure resolution, an item had to be added to the agenda by noon 11 days before the scheduled meeting.

City Attorney Torcivia responded that any changes to the agenda would have to be submitted in writing by 5 PM the Friday before the meeting.

Commissioner Hardy stated that he was not seeking to add anything to the agenda and the item made it to the agenda.

Mayor Triolo stated that the Commission needed to look over the backup, but nothing had been added so the item was not on the agenda; she moved on to the next item.

**Action:** No action was taken as the backup had not been added to the agenda in time.

**LAKE WORTH ELECTRIC UTILITY:**

**NEW BUSINESS:**

- 1) Policy Direction regarding the resumption of City utility disconnects for non-payment and amendment to Resolution 21-2020 to remove the reference to July 16, 2020 and insert “to the end of the City moratorium on utility disconnects currently in place”

**Action:** Motion made by Vice Mayor Amoroso and seconded by Commissioner Maxwell to approve the resumption of City utility shutoffs for non-payment effective October 1 and amend Resolution 21-2020 to remove the reference to July 16, 2020 and insert “to the end of the City moratorium on utility disconnects currently in place”.

**Action:** Amendment to the motion by Commissioner Robinson that water should not be disconnected until an apartment or building was vacant. **Amendment was not accepted** by Vice Mayor Amoroso.

**Action:** Friendly amendment made by Commissioner Maxwell to not bifurcate the utility bill and continue with the entire disconnect (which reverted back to the original motion).

Comments/requests summary:

1. Mayor Triolo said that FPL had released a statement that they would resume issuing final notices in September and the City should follow FPL’s policy and not resume disconnections until October. She stated that the City should continue to work with the customers who could not pay to set up payment plans and that disconnection might be the only way to learn if the units were occupied or vacant.
2. Commissioner Robinson insisted that the water be left on in the interest of health and safety and in service to the community even if the electricity is shut off. He stated that water was essential for life and it would be inhumane to shut it off.
3. Vice Mayor Amoroso asked for clarity on the motion on the table.
4. Commissioner Maxwell said that operations needed to know which properties were actually occupied. He stated that the City had gone beyond trying to contact those who were behind in their payments and perhaps the customers would contact the City when their utilities were disconnected. He said that the City was not in the position to keep this going and how would they recoup the unpaid bills.
5. Commissioner Robinson asked if the City could maintain humane conditions by leaving the water on since it would not break the bank.

City Clerk Andrea explained the motion and the two amendments.

6. Commissioner Maxwell stated that he heard the arguments regarding keeping the water on and asked what the City should do about all the unpaid bills. He said that he was not being inhumane, but the City had bent over backwards to contact the customers in arrears and operations needed to know who was still out there; this was the way to make that determination because a customer would reach out to the City when their service was disconnected. He asked Commissioner Robinson how to deal with the finances.

Commissioner Robinson stated that turning off the electricity would get the customers' attention. He expressed concern with collecting the debts, but it would not be a financial hardship for the City to keep the water on.

Commissioner Hardy asked what the motion was.

City Attorney Torcivia explained that the original motion was on the table but had not been seconded.

Commissioner Maxwell seconded the original motion.

**Action:** Subsidiary motion made by Commissioner Hardy and seconded by Commissioner Robinson that water shut offs would not be included in the policy.

7. Mayor Triolo said that she had requested that the disconnects be for both electric and water to resume next month in line with FPL's policy. She questioned whether she should vote on the item because her life and livelihood were in danger due to the death threats and hate mail she had received after the video was posted indicating that she had turned people's power off.

Commissioner Hardy asked for a point of information, if there was a rule about having to vote on an issue.

City Attorney Torcivia responded that Commissioners had to vote unless there were a conflict of interest or they were absent from the room.

Commissioner Hardy said that as public officials, criticism should be expected, but personal attacks were unacceptable. He stated that he had lambasted Mayor Triolo over not holding a special meeting regarding shutoffs and avoiding responsibility to be a leader.

Mayor Triolo explained that there were no orders for virtual meetings at that time and she was moving her father to Florida. She stated that Commissioner Hardy called the media after he already knew that disconnections had been stopped.

Commissioner Maxwell said that there had been untold negative publicity for the City because there was documentation that Commissioner Hardy already knew that no one was without service at the time of the meeting.

Commissioner Robinson left the meeting at 7:21 PM.

8. Commissioner Hardy explained that he had put forth the motion because he said that no one should have their utilities shut off and wondered if there was support to continue the full moratorium and if not, at least to keep the water on.
9. Commissioner Maxwell agreed with Mayor Triolo that the moratorium should continue until the end of September and that would be the end of the road for the conversation.

**Action:** **Subsidiary motion withdrawn** by Commissioner Hardy and replaced by a motion made by Commissioner Hardy to extend the moratorium until October 6, the next City Commission regular meeting. **Motion failed for lack of a second.**

10. Vice Mayor Amoroso stated that if the City was going to match FPL then the disconnects should resume on October 1 without having another meeting and continuing the issue.

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

**CITY ATTORNEY'S REPORT:**

City Attorney Torcivia 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 Maxwell to adjourn the meeting at 7:30 PM.

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

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Pam Triolo, Mayor

ATTEST:

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Deborah M. Andrea, CMC, City Clerk

Minutes Approved: October 6, 2020

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