

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, JUNE 4, 2024 – 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:04 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:31) Present were Mayor Betty Resch, Vice Mayor Malega and Commissioners Christopher McVoy (via Zoom), Mimi May and Reinaldo Diaz. Also present were Interim City Manager Jamie Brown, City Attorney Elizabeth Lenihan and City Clerk Melissa Ann Coyne.

INVOCATION OR MOMENT OF SILENCE: (1:40) was led by Commissioner Reinaldo Diaz.

PLEDGE OF ALLEGIANCE: (2:54) was led by Vice Mayor Sarah Malega.

ADDITIONS/DELETIONS/REORDERING: (3:15)

Consent Agenda D, Proclamation declaring June 7, 2024 as National Gun Violence Awareness Day, was reordered as Presentation D. New Business was reordered to follow the Consent Agenda. The June 14 pre-agenda work session was rescheduled to 1 PM.

Action: Motion made by Commissioner Diaz and seconded by Commissioner McVoy to approve the agenda as amended.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Malega and Commissioners McVoy, May and Diaz. NAYS: None.

PRESENTATIONS: (there is no public comment on Presentation items) (5:24)

A. Proclamation declaring June 3 - 7, 2024 as Code Compliance Week (8:38)

B. Proclamation declaring June 2024 as PTSD Awareness Month (11:40)

C. Proclamation declaring June 2024 as LGBTQIA+ Month (14:11)

D. (moved from Consent Agenda D) Proclamation declaring June 7, 2024 as National Gun Violence Awareness Day (5:41)

COMMISSION LIAISON REPORTS AND COMMENTS: (20:24)

Action: Consensus to support participation in the litigation related to PFAS (Per- and polyfluoroalkyl substances).

Action: Consensus to spend the \$50,000 set aside for tree planting recommended by Neighbors Encouraging Shade Trees (NEST).

The meeting recessed at 6:42 PM and reconvened at 6:48 PM.

CITY MANAGER'S REPORT: (43:43)

Interim City Manager Brown provided the following report:

- The Landscaping Scope of Services put together by the Tree and Landscape Board would be on the June 18 meeting
- Florida Mango Road was officially open following the force main break
- Historical markers were installed at I.A Banks Cemetery on May 31
- There would be a Ribbon Cutting on Thursday, June 13 for Memorial Park at 6 PM
- The annual Emergency Management meeting for staff would be held on Thursday, June 13
- The FDOT Federal Highway project from 5th Avenue South to 6th Avenue North would start on June 18

CITY ATTORNEY'S REPORT: (47:10)

The City Attorney desires advice from the City Commission concerning pending litigation, specifically regarding settlement negotiations and strategy related to litigation expenditures in the case of *City of Lake Worth Beach v. 1 Jeanne 923, LLC*, 15th Judicial Circuit Court (Case No. 50-2024-CA-001688), and is requesting an attorney-client session to be scheduled for June 18, 2024, at 5:00 p.m. The estimated length of the attorney-client session will be approximately one (1) hour.

The session will be attended by the members of the City Commission: Mayor Betty Resch, Vice Mayor Sarah Malega; Commissioner Christopher McVoy, Commissioner Mimi May, and Commissioner Reinaldo Diaz; Interim City Manager Jamie Brown, City Attorney Glen Torcivia, and outside counsel Brian Sherman. A certified court reporter will also be present to ensure that the session is fully transcribed, and the transcript will be made public upon the conclusion of the above-cited, ongoing litigation.

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to move Public Participation to follow Unfinished Business.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Malega and Commissioner May. NAYS: Commissioners McVoy and Diaz.

(moved to follow Unfinished Business) **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**

APPROVAL OF MINUTES: (50:20)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to approve the following minutes:

- May 9, 2024 - special meeting
- May 10, 2024 - pre-agenda work session
- May 15, 2024 - budget work session 1
- May 21, 2024 - regular meeting

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Malega and Commissioners McVoy, May and Diaz. NAYS: None.

CONSENT AGENDA: (public comment allowed during Public Participation of Non-Agendaed items) 50:27)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to approve the Consent Agenda.

- A. Resolution No. 15-2024 – authorizing retroactive amendments to the City of Lake Worth Beach (FPDP) 401(a) Plan
- B. Resolution No. 16-2024 – authorizing an amendment to the City’s (FPDP) 401(a) Plan concerning eligibility criteria
- C. Authorization of a Voluntary Correction Program submission to request IRS approval of a retroactive amendment to the City of Lake Worth Beach (FPDP) 401(a) Plan
- D. (moved to Presentation D) Proclamation declaring June 7, 2024 as National Gun Violence Awareness Day
- E. Proclamation declaring June 9, 2024 as Race Amity Day
- F. Proclamation declaring June 2024 as Small Cities Month

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Malega and Commissioners McVoy, May and Diaz. NAYS: None.

PUBLIC HEARINGS:

There were no Public Hearings on the agenda.

NEW BUSINESS: (reordered to follow Consent Agenda) (50:41)

- A. Resolution No. 18-2024 authorizing the issuance of a Capital Improvement Revenue Note, Series 2024 (50:42)

City Attorney Lenihan did not read the resolution.

RESOLUTION NO. 18-2024 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT EXCEEDING \$15,000,000 IN PRINCIPAL AMOUNT OF ITS CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2024, TO PROVIDE FUNDS FOR CAPITAL IMPROVEMENTS WITHIN THE CITY; AUTHORIZING THE AWARD OF THE SALE OF THE 2024 NOTE UPON COMPLIANCE WITH CERTAIN PARAMETERS; AUTHORIZING THE EXECUTION AND DELIVERY OF THE FORM OF ATTACHED LOAN AGREEMENT BETWEEN THE CITY AND REGIONS CAPITAL ADVANTAGE, INC., AS PURCHASER OF THE 2024 NOTE; COVENANTING TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES TO PAY THE 2024 NOTE; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to approve Resolution No. 18-2024 authorizing the issuance of a Capital Improvement Revenue Note, Series 2024, changing the not to exceed percentage to 4.12% in Section 3 and adding language that any proceeds not needed would be repaid to the loan.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Malega and Commissioners McVoy, May and Diaz. NAYS: None.

- B. Contract with Clear Gov Inc. to provide Budget Development Software (1:26:38)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve the contract with Clear Gov Inc to provide Budget Development Software.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Malega and Commissioners McVoy, May and Diaz. NAYS: None.

C. Work Order 1 with The Paving Lady for paving and concrete repair work (1:28:47)

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Malega to approve Work Order 1 with The Paving Lady for paving and concrete repair work.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Malega and Commissioners McVoy, May and Diaz. NAYS: None.

UNFINISHED BUSINESS: (reordered to follow New Business) (1:29:39)

A. Discussion regarding the Head Start Program at the Osborne Community Center brought forward by the Office of the City Manager (1:29:59)

Action: Consensus for a base rate of \$2,000 a month for the lease renewal.

B. Discussion regarding options related to a residency requirement for the City Manager (2:09:24)

Action: Consensus to bring an ordinance adding language that a residency within 20 miles of the northwest and southwest boundaries of the City would be preferred but not required.

Commissioner McVoy left the meeting at 8:21 PM.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (2:25:18)

UPCOMING MEETINGS AND WORK SESSIONS:

- June 14 - pre-agenda work session @ 1 pm
- June 18 - attorney-client closed door session @ 5 pm
- June 18 - regular meeting @ 6 pm

ADJOURNMENT: (2:55:51)

Action: Motion made by Commissioner Diaz and seconded by Commissioner May to adjourn the meeting at 9:02 PM.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Malega and Commissioners May and Diaz. NAYS: None. ABSENT: Commissioner McVoy.

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk

Minutes approved June 16, 2024

Item time stamps correspond to the recording on YouTube.