

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, FEBRUARY 15, 2022 - 6:00 PM**

The meeting was called to order by Mayor Resch 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: (0:30) Present were Mayor Betty Resch; Vice Mayor Herman Robinson and Commissioners Sarah Malega, Christopher McVoy (arrived at 6:01) and Kimberly Stokes. Also present were City Manager Carmen Davis, City Attorney Glen Torcivia and City Clerk Melissa Ann Coyne.

INVOCATION OR MOMENT OF SILENCE: (0:54) led by Vice Mayor Herman Robinson.

PLEDGE OF ALLEGIANCE: (1:32) led by Commissioner Sarah Malega.

ADDITIONS/DELETIONS/REORDERING (1:48)

Presentation A, Recognition of 3 District 14 PBSO Deputies was added to the agenda. Consent A, the Proclamation for 2-1-1 Awareness Week was moved to Presentation B. Previous presentations were reordered accordingly.

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

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

PRESENTATIONS: (2:42)

- A. (added) Recognition of District 14 PBSO Deputies Francesco Guardascione, Kenneth Hernandez and William Rothman for their exceptional performance, professionalism, teamwork, and most importantly the sacrifice of their own personal safety in their quick response with lifesaving efforts to the apartment fire on January 27, 2022. (3:07)
- B. (reordered from Consent A) Proclamation declaring February 11-17, 2022 as 2-1-1 Awareness Week (07:02)
- C. (reordered from Presentation A) Tourism Master Plan Recommendations and Overview by Don Kolodz, President & CEO of Tourism Strategic Solutions (15:38)
- D. (reordered from Presentation B) Presentation by Friends of the Library (33:37)
- E. (reordered from Presentation C) Street Painting Festival (48:09)

COMMISSION LIAISON REPORTS AND COMMENTS: (59:45)

Action: Consensus to apply for more grants for the city.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (1:22:41)

APPROVAL OF MINUTES: (1:31:22)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to approve the following minutes:

- A. Pre-agenda work session - January 26, 2022
- B. Work Session - January 26, 2022

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Robinson and Commissioners Malega, McVoy and Stokes. NAYS: Nonc.

CONSENT AGENDA: (1:31:34) (public comment allowed during Public Participation of Non-Agendaed items)

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

- A. (moved to Presentation C) Proclamation declaring February 11-17, 2022 as 2-1-1 Awareness Week
- B. Resolution No. 11-2022 – Documenting the levy of municipal special assessment liens for unpaid lot clearing charges
- C. Payments of Fiscal Year 2021 Invoices
- D. Approval of settlement with James Johnson for \$74,900 (inclusive of attorney’s fees and costs) plus \$100 for general release of non-workers’ compensation claims

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

PUBLIC HEARINGS: (1:31:46)

- A. Ordinance No. 2022-01 - First Reading – (quasi-judicial) Consideration of a Mixed-Use Urban Planned Development, Major Site Plan, Conditional Use, and Sustainable Bonus Program Incentives to construct an 18-unit, mixed use multifamily development commonly referred to as “Casa Bella” within the Mixed Use – West (MU-W) zoning district.

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2022-01 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY APPROVING THE CREATION OF A MIXED USE URBAN PLANNED DEVELOPMENT DISTRICT, LOCATED ON THE EAST SIDE OF BOUTWELL RD APPROXIMATELY 230 FEET SOUTH OF 10TH AVE NORTH AND CONSISTING

OF APPROXIMATELY 0.52 ACRES AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, LOCATED WITHIN THE MIXED USE - WEST (MU-W) ZONING DISTRICT WITH A FUTURE LAND USE DESIGNATION OF MIXED USE – WEST (MU-W) SUBJECT TO SPECIFIC DEVELOPMENT STANDARDS SET FORTH IN EXHIBIT B AND CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT C; APPROVING A CONDITIONAL USE PERMIT; APPROVING DENSITY BONUS INCENTIVE THROUGH THE CITY’S SUSTAINABLE BONUS INCENTIVE PROGRAM; APPROVING A MAJOR SITE PLAN FOR THE CONSTRUCTION OF A 18-UNIT MIXED USE URBAN PLANNED DEVELOPMENT; PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to approve Ordinance 2022-01 on first reading with the additional conditions of laundry in-units, doorbell security systems, security cameras, appropriate lighting, and set the second reading and public hearing for March 15, 2022.

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

UNFINISHED BUSINESS: (2:26:32)

A. Resolution No. 08-2022 – amending the City Commission’s Rules of Procedure (2:14:31)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 08-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE RULES OF PROCEDURE FOR LAKE WORTH BEACH CITY COMMISSION; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Resolution No. 08-2022 – amending the City Commission’s Rules of Procedure.

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

NEW BUSINESS: (2:28:00)

A. WGI Task Order #26 for FDOT Local Agency Project (2:28:07)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve WGI Task Order #26 for FDOT Local Agency Project.

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

B. Resolution No. 12-2022 – authorizing the City to reimburse itself for expenditures incurred from projects included in the upcoming bond authorization (2:34:41)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 12-2022 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA WITH RESPECT TO REIMBURSEMENT OF CERTAIN COSTS AND EXPENDITURES RELATING TO CAPITAL IMPROVEMENTS AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to approve Resolution No. 12-2022 authorizing the City to reimburse itself for expenditures incurred from projects included in the upcoming bond authorization.

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

C. Ordinance No. 2022-02 – First Reading – amending the Advisory Board Appointment Process (2:35:44)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2022-02 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 2, "ADMINISTRATION", ARTICLE I, "GENERAL", AT SECTION 2-9, "RESIDENCE REQUIREMENT; BOARDS NOT CREATED BY LEGISLATIVE PROCESS", TO RENAME SECTION 2-9 TO BE ENTITLED, "CITY BOARD APPOINTMENT PROCESS, TERMS OF OFFICE, AND RESIDENCE REQUIREMENT" AND BY CREATING THEREIN A NEW APPOINTMENT PROCESS FOR ALL MEMBERS OF CITY BOARDS, CHANGING THE TERMS OF OFFICE TO UNSPECIFIED TERMS FOR ALL NEWLY APPOINTED BOARD MEMBERS, AND INCLUDING WITH REVISION THE CURRENT RESIDENCE REQUIREMENT FOR MEMBERS OF CITY BOARDS; REPEALING SECTION 2-12, APPOINTMENT OF MEMBERS OF CITY BOARDS AND TERMS OF OFFICE; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

Action: Motion made by Commissioner McVoy and seconded by Commissioner Stokes to approve Ordinance 2022-01 on first reading adding a requirement for a majority vote to remove board members without cause and separating the requirement to have another candidate to remove board members and set the second reading and public hearing for March 1, 2022.

Vote: Voice vote showed: AYES: Mayor Resch and Commissioners Malega, McVoy and Stokes. NAYS: Vice Mayor Robinson.

D. Discussion regarding a policy for the City as a landlord (3:01:37)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to table.

Vote: Voice vote showed: AYES: Mayor Resch and Commissioners Malega, McVoy and Stokes. NAYS: Vice Mayor Robinson.

CITY ATTORNEY'S REPORT:

City Attorney Torcivia did not provide a report.

CITY MANAGER'S REPORT: (3:05:45)

City Manager Davis provided the following report:

- Said that the week 6 report was sent from the City’s lobbyist; the City would receive a \$600,000 grant for storm water projects.

UPCOMING MEETINGS AND WORK SESSIONS:

- February 17 - Public Meeting on CDBG funding
- February 22 - Utility Commission meeting
- February 23 - pre-agenda work session
- February 23 - joint meeting with CRA at Casino Ballroom

Draft Agenda - March 1, 2022

ADJOURNMENT: (3:06:54)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to adjourn the meeting at 9:08 PM.

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

ATTEST:



Melissa Ann Coyne, City Clerk




Betty Resch, Mayor

Minutes approved March 15, 2022.

Item time stamps refer to the recording of the meeting which is available on YouTube.