

**MINUTES  
CITY OF LAKE WORTH BEACH  
REGULAR CITY COMMISSION MEETING  
CITY HALL COMMISSION CHAMBER  
TUESDAY, JULY 19, 2022 – 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:05 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

**ROLL CALL:** (0:13) Present were Mayor Betty Resch, Vice Mayor Christopher McVoy, Commissioners Sarah Malega, Kimberly Stokes and Reinaldo Diaz. Also present were City Manager Carmen Davis, City Attorney Glen Torcivia and City Clerk Melissa Ann Coyne.

**INVOCATION OR MOMENT OF SILENCE:** (0:31) led by Commissioner Reinaldo Diaz.

**PLEDGE OF ALLEGIANCE:** (1:26) led by Vice Mayor Christopher McVoy.

**ADDITIONS/DELETIONS/REORDERING** (1:47)

Presentation C, a Proclamation for the 11th Annual Kids Fit Jamathon and Presentation D, Quarterly PBSO report were added under Presentations; previous Presentation C was moved to the August 2 meeting. The following four resolutions were added to the Consent Agenda as items B, C, D and E: Resolution No. 46-2022 - directing the Preparation of the Preliminary Refuse Assessment Roll for Fiscal Year 2022-2023, Resolution No. 47-2022 - directing the Preparation of the Preliminary Stormwater Assessment Roll for Fiscal Year 2022-2023, Resolution No. 48-2022 - establishing the Proposed Tentative Voter Approved Debt Rate for Fiscal Year 2022-2023 and Resolution No. 49-2022 - establishing the Proposed Millage Rate for Fiscal Year 2022-2023. Resolution No. 43-2022 – First Amendment to FUSION Mini-Grant Interlocal Agreement was added as New Business C. The total on the staff report for Public Hearings B regarding the special assessments should have amended to \$23,863.78.

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

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

**PRESENTATIONS:** (3:46) (there is no public comment on Presentation items)

- A. Legislative Update by State Representative Mike Caruso (3:50)
- B. Proclamation declaring July 2022 as Parks and Recreation Month (20:07)
- C. (added) Proclamation recognizing July 28, 2022 as the 11th Annual Kids Fit Jamathon (23:37)
- D. (added) Quarterly PBSO presentation by Capt. Todd Baer (29:10)
- E. (reordered from Presentation C then moved to August 2 meeting) Presentation on Mental Health America's Bell Seal for Workplace Mental Health Gold Status by Human Resources

**COMMISSION LIAISON REPORTS AND COMMENTS:** (1:01:53)

**CITY MANAGER'S REPORT:** (1:11:22)

City Manager Davis provided the following report:

- staff was updating the emergency management manual
- there would be an active shooter training for city employees
- announced that residents could sign up for the budget billing plan online
- spoke at the LWB Rotary Club
- met with Deborah Drum, Director of PBC's Environmental Resource Management
- expressed appreciation for the PBSO presentation and stated that negotiations were ongoing for the next agreement
- said that there would be HRPB interviews on August 23
- thanked Rep. Caruso for sponsoring appropriations for the city
- reported that staff did all they could to express concerns to FDOT about Federal Highway

**PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:** (1:17:33)

The meeting recessed at 7:32 PM and reconvened at 7:45 PM.

**APPROVAL OF MINUTES:** (1:41:00)

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

- A. Regular Meeting - June 21, 2022
- B. Special Meeting - June 28, 2022
- C. Pre-Agenda Work Session - June 29, 2022

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

**CONSENT AGENDA:** (1:41:06)

**Action:** Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to approve the Consent Agenda:

- A. Standard Insurance Policies for FY 2022/23 Employee Health and Welfare Benefits
- B. (added) Resolution No. 46-2022 - Directing the Preparation of the Preliminary Refuse Assessment Roll for Fiscal Year 2022-2023 and scheduling the final public hearing for September 22, 2022
- C. (added) Resolution No. 47-2022 - Directing the Preparation of the Preliminary Stormwater Assessment Roll for Fiscal Year 2022-2023 and scheduling the final public hearing for September 8, 2022
- D. (added) Resolution No. 48-2022 - establish the Proposed Tentative Voter Approved Debt Rate for Fiscal Year 2022-2023 and schedule the first public hearing for September 8, 2022 and the second public hearing for September 22, 2022

- E. (added) Resolution No. 49-2022 - establish the Proposed Millage Rate for Fiscal Year 2022-2023.

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

**PUBLIC HEARINGS:** (1:41:18)

- A. Ordinance No. 2022-08 – Second Reading – amending the City’s Official Zoning Map by approving a residential planned development, major site plan, conditional use permit and sustainable bonus requests for Detroit St/Buffalo St at 7 Detroit Street and 26 Buffalo Street to construct an approximately 3-story, 60-unit multi-family mid-rise residential structure (1:41:20)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2022-08 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 RESIDENTIAL PLANNED DEVELOPMENT DISTRICT, LOCATED AT 7 DETROIT STREET AND 26 BUFFALO STREET TO CONSTRUCT AN APPROXIMATELY 3-STORY, 60-UNIT MULTI-FAMILY MID-RISE RESIDENTIAL DEVELOPMENT AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, LOCATED WITHIN THE MIXED USE-WEST (MU-W) ZONING DISTRICT WITH A FUTURE LAND USE DESIGNATION OF TRANSIT ORIENTED DEVELOPMENT (TOD) 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 HEIGHT BONUS INCENTIVE THROUGH THE CITY’S SUSTAINABLE BONUS INCENTIVE PROGRAM; APPROVING A MAJOR SITE PLAN FOR THE DEVELOPMENT OF A RESIDENTIAL PLANNED DEVELOPMENT; PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

**Action:** Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to approve Ordinance No. 2022-08 amending the City’s Official Zoning Map by approving a residential planned development, major site plan, conditional use permit and sustainable bonus requests for Detroit St/Buffalo St at 7 Detroit Street and 26 Buffalo Street to construct an approximately 3-story, 60-unit multi-family mid-rise residential structure, allowing the trees to be native or non-native to would provide the most shade possible.

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

- B. Resolution No. 42-2022 - Adopting the final assessment roll for non-ad valorem assessments levied for Chronic Nuisance Services and directing that such final assessment roll be certified to the Palm Beach County Tax Collector (1:46:50)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 42-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA,

RELATED TO THOSE NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED FOR THE COST OF PROVIDING LOT CLEARING, BOARDING AND SECURING, AND DEMOLITION SERVICES TO ELIMINATE NUISANCE CONDITIONS ON PRIVATE REAL PROPERTY WITHIN THE INCORPORATED AREA OF THE CITY; APPROVING THE ASSESSMENT ROLL FOR FISCAL YEAR 2022 AND FOR OTHER PURPOSES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

**Action:** Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to approve Resolution No. 42-2022 - Adopting the final assessment roll for non-ad valorem assessments levied for Chronic Nuisance Services.

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

**NEW BUSINESS:** (1:50:50)

A. Agreement with Priority Towing for City-wide Vehicle Towing and Storage (1:50:55)

**Action:** Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve Agreement with Priority Towing for City-wide Vehicle Towing and Storage.

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

B. Fiscal Year 2022 JAG Award Presentation (1:52:40)

**Action:** Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to approve the eligible use of funding for the City's Fiscal Year 2022 JAG award.

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

C. (added) Resolution No. 43-2022 – First Amendment to FUSION Mini-Grant Interlocal Agreement (2:00:11)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 43-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, TO APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE INTERLOCAL AMENDMENT BETWEEN THE PALM BEACH SHERIFF'S OFFICE AND THE CITY FOR THE FUSION MINI-GRANT PROGRAM TO SUPPORT RECREATION PROGRAMS AND ACTIVITIES IN THE CITY'S SOUTH-END; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

**Action:** Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Resolution No. 43-2022 – First Amendment to FUSION Mini-Grant Interlocal Agreement.

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

**CITY ATTORNEY'S REPORT:** (2:00:52)

City Attorney Torcivia provided the following report:

- the smoking ban ordinance had been drafted and was being reviewed by PBSO's legal department
- the drone ordinance was being drafted

**Action:** Consensus to add dates regarding the nesting period for the oyster catchers to the drone ordinance and to bring it back for discussion before the first reading.

- rental regulations were being worked on with William Waters, Community Sustainability Director and Erin Sita, Community Sustainability Assistant Director
- the Deco Green lawsuit was dismissed; the developer would have to decide whether or not to appeal within 30 days
- the housing crisis resolution was being worked on

**UPCOMING MEETINGS AND WORK SESSIONS:**

- July 26 - Utility meeting @ 6 pm
- July 27 - Pre-agenda work session @ 9 am
- August 1 - Budget Work Session @ 5 pm
- August 2 - Regular meeting @ 6 pm

Draft Agenda - August 2, 2022

**ADJOURNMENT:** (2:16:10)

**Action:** Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to adjourn the meeting at 8:21 PM.

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

ATTEST:  
  
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Melissa Ann Coyne, City Clerk

  
\_\_\_\_\_  
Betty Resch, Mayor



Minutes approved August 2, 2022.

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