

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

The meeting was called to order by Mayor Resch on the above date at 6:03 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (00:08) 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 Deputy City Clerk Shayla Ellis.

INVOCATION OR MOMENT OF SILENCE: (00:34) led by Commissioner Sarah Malega.

PLEDGE OF ALLEGIANCE: (01:00) led by Vice Mayor Christopher McVoy.

ADDITIONS/DELETIONS/REORDERING (01:21)

Presentation A, Legislature Session Update by State Representative David Silvers was deleted from the agenda and would be rescheduled for the June 21 meeting, Presentation H, Oceanfront EKO Park by Jill Karlin would be rescheduled to a future meeting and Consent item A, Resolution No. 32-2022 – Support for Additional Traffic Calming Measures on Federal Highway, was deleted from the agenda and would be heard at the June 21 meeting. The following additions were made to the agenda: Presentation I, a Proclamation declaring June 3, 2022 as National Gun Violence Awareness Day and reordered to Presentation F, Presentation F a Proclamation declaring May 15-21 as National Public Works reordered to H, an item for the third party negotiator for the Gulfstream Hotel Project was added to the City Attorney's Report and reordered to follow the City Manager Report and New Business Item C, Resolution No. 34-2022 -- Supporting the LWB - Attainable Housing Project with Social Service Support. There were three corrections to the agenda: Attorney Richard Grosso's hourly rate was \$325 not \$375, the correct date for Ocean Rescue Day was May 23, 2022 and the correct dates for National Beach Safety Week were May 23-30, 2022.

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

Vote: Voice vote showed: AYES: Mayor Betty Resch, Vice Mayor Christopher McVoy, and Commissioners Sarah Malega, Kimberly Stokes and Reinaldo Diaz. NAYS: None.

PRESENTATIONS: (03:56) (there is no public comment on Presentation items)

- A. (deleted) Legislature Session Update by State Representative David Silvers
- B. Presentation regarding FDOT/TPA improvements for the Circle by Jorge Maspons, PE for PE Engineering and Humberto Arrieta, Project Manager for FDOT-District IV (4:00)
- C. Proclamation declaring May 19, 2022 as Ocean Rescue Day (15:42)

- D. Proclamation declaring May 16-22, 2022 as National Beach Safety Week (16:53)
- E. Proclamation declaring May 2022 as Historic Resources Preservation Month (18:55)
- F. (added & reordered) Proclamation declaring June 3, 2022 as National Gun Violence Awareness Day. (21:04)
- G. Presentation by Maurice "Maui" Goodbeer, Founder of the non-profit StreetWaves, brought forward by Vice Mayor McVoy (30:17)
- H. (reordered) Proclamation declaring May 15-21, 2022 as National Public Works Week (41:12)
- I. (deleted) Oceanfront EKO Park: Fun, Education, and guiding humanity towards a safe future with EKOTECTURE Presentation by Jill Karlin

COMMISSION LIAISON REPORTS AND COMMENTS: (47:00)

CITY MANAGER'S REPORT: (54:13)

City Manager Davis provided the following report:

- discussed city officials wearing green to raise awareness of Mental Health Month
- spoke about the advisory board interviews that the city commission would be hosting on June 11, 2022
- announced the Mayor's State of the City address, scheduled for June 16, 2022 at the Casino Ballroom

(reordered) **CITY ATTORNEY'S REPORT:**

- A. Selection of third-party negotiator for the Gulfstream Hotel project (55:49)

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to narrow down the negotiator candidates to the top two firms of Greenberg Traurig & Lewis and Longman & Walker.

Vote: Voice vote showed: AYES: Mayor Betty Resch, Vice Mayor Christopher McVoy, and Commissioners Sarah Malega, Kimberly Stokes and Reinaldo Diaz. NAYS: None.

Action: Consensus to schedule special meeting on May 24, 2022 at 4:30 PM preceding budget work session #1 to select the third-party negotiator for Gulfstream Hotel project. (2:12:06)

The meeting recessed at 7:36 PM and reconvened at 7:52 PM.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (2:12:48)

APPROVAL OF MINUTES: (2:58:24)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the following minutes:

- A. Regular Meeting - April 19, 2022
- B. Work Session - April 25, 2022
- C. Pre-agenda Work Session - April 27, 2022

Vote: Voice vote showed: AYES: Mayor Betty Resch, Vice Mayor Christopher McVoy, and Commissioners Sarah Malega, Kimberly Stokes and Reinaldo Diaz. NAYS: None.

CONSENT AGENDA: (2:58:52)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the Consent Agenda:

- A. (deleted) Resolution No. 32-2022 – Support for Additional Traffic Calming Measures on Federal Highway
- B. Proposed Settlement of Pending Personal Injury Litigation with Anita Murphy-Moore
- C. Proclamation declaring May as Asian American and Pacific Islander Heritage Month

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

PUBLIC HEARINGS:

- A. Ordinance 2022-06 - First Reading - Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 2 “Administration,” Division 2 “Procedures,” adding a new Section 23.3-20 “Applicant’s Public Neighborhood Meeting and Outreach,” providing for an applicant held public neighborhood meeting and virtual outreach. (2:59:11)

City Attorney Torcivia read the ordinance by title only.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS,” ARTICLE 2 “ADMINISTRATION,” DIVISION 2 “PROCEDURES,” ADDING A NEW SECTION 23.2-20 “PUBLIC NEIGHBORHOOD MEETING,” PROVIDING FOR A PUBLIC NEIGHBORHOOD MEETING TO BE HELD BY THE APPLICANT FOR DEVELOPMENT; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Ordinance 2022-06 - First Reading - Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 2 “Administration,” Division 2 “Procedures,” adding a new Section 23.3-20 “Applicant’s Public Neighborhood Meeting and Outreach,” providing for an applicant held public neighborhood meeting and virtual outreach and to set the second reading for June 21, 2022.

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

B. Ordinance 2022-10 - Second Reading – Notice requirements for rental increases and termination of monthly non-residential tenancies without a specific duration. (3:00:30)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2022-10 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 20, “CIVIL RIGHTS,” ARTICLE IV, “LANDLORD TENANT NOTICE REQUIREMENTS,” BY ADOPTING SECTION 20-22 “NOTICE OF TERMINATION OF MONTHLY NON-RESIDENTIAL TENANCY WITHOUT SPECIFIC DURATION” AND SECTION 20-23 “WRITTEN NOTIFICATION REQUIREMENTS RELATED TO RENTAL PAYMENT INCREASES FOR ALL NON-RESIDENTIAL TENANCIES,” TO REQUIRE 180-DAYS’ WRITTEN NOTICE FOR TERMINATION OF TENANCIES AND INCREASES IN RENTAL RATES; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve Ordinance No. 2022-10 – notice requirements for rental increases and termination of monthly non-residential tenancies without a specific duration.

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

C. Resolution No. 23-2022 - changing the name of “Ocean Breeze” to “South Ocean Breeze” from Lake Ave to 5th Ave South. (3:02:17)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 23-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, TO OFFICIALLY CHANGE THE NAME OF “OCEANBREEZE”, A PUBLIC RIGHT-OF-WAY TO “SOUTH OCEANBREEZE” BETWEEN LAKE AVENUE AND 5TH AVENUE SOUTH, AS MORE SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING FOR RECORDING AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Resolution No. 23-2022 - changing the name of “Ocean Breeze” to “South Ocean Breeze” from Lake Ave to 5th Ave South.

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

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Stokes to extend the meeting beyond 10:00 PM. (3:38:15)

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

NEW BUSINESS:

A. Construction Agreement with Ahrens Companies (3:38:40)

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve the Construction Agreement with Ahrens Companies.

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

B. Resolution No. 33-2022 Tenth Operating Budget Amendment to appropriate \$10,000 of fund balance to replenish an operating account used to make an emergency purchase of golf cart batteries (3:40:09)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 33-2022, TENTH BUDGET AMENDMENT OF THE CITY OF LAKE WORTH BEACH, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, MAKING SEPARATE AND SEVERAL BUDGET AMENDMENTS AND CORRESPONDING APPROPRIATIONS FOR THE CITY'S NECESSARY OPERATING EXPENSES, THE USES AND EXPENSES OF THE VARIOUS FUNDS AND DEPARTMENTS OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; AND PROVIDING FOR AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Resolution No. 33-2022 Tenth Operating Budget Amendment to appropriate \$10,000 of fund balance to replenish an operating account used to make an emergency purchase of golf cart batteries.

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

C. (added) Resolution No. 34-2022 -- Supporting the LWB - Attainable Housing Project with Social Service Support (03:41:31)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 34-2022 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, IN SUPPORT OF THE LWB - ATTAINABLE HOUSING PROJECT WITH SOCIAL SERVICE SUPPORT; DIRECTING CITY ADMINISTRATION TO TRANSMIT A COPY OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to approve Resolution No. 34-2022 -- Supporting the LWB - Attainable Housing Project with Social Service Support.

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

(reordered to follow the City Manager's Report) **CITY ATTORNEY'S REPORT:**

UPCOMING MEETINGS AND WORK SESSIONS:

May 23 - Work Session @ 5 PM
May 24 - Budget Work Session # 1 @ 5 PM
May 25 - Pre-agenda Work Session @ 9 AM
May 31 - Utility Meeting @ 6 PM

Draft Agenda – June 7, 2022

ADJOURNMENT: (3:42:36)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to adjourn the meeting at 9:46 PM.

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


Betty Resch, Mayor

ATTEST:


Melissa Ann Coyne, City Clerk

Minutes approved June 21, 2022.

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

