

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
THURSDAY, SEPTEMBER 9, 2021 - 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: Present were Mayor Betty Resch; Vice Mayor Herman Robinson and Commissioners Sarah Malega, Christopher McVoy (via Zoom) and Kimberly Stokes. Also present were Interim City Manager Juan Ruiz, City Attorney Christy L. Goddeau and City Clerk Melissa Ann Coyne.

INVOCATION OR MOMENT OF SILENCE: (0:05) led by Vice Mayor Herman Robinson.

PLEDGE OF ALLEGIANCE: (0:52) led by Commissioner Christopher McVoy.

AGENDA - Additions/Deletions/Reordering: (1:08)

New Business F, Ordinance No. 2021-12, providing authority for the issuance of taxable pension obligation bonds was deleted and will be heard at the September 21 regular meeting. Presentations C regarding a challenge to section 1 of HB1 and Presentation D regarding low-interest home improvement loans for energy conservation and resiliency to middle and low-income homeowners were added to the agenda. New Business G, a discussion of possible LWB Solar Energy Loan Fund programs was added to the agenda and reordered to follow Presentation D. Presentation D and New Business G were to be deleted and will be added to the Electric Utility meeting on September 28.

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

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

PRESENTATIONS: (16:48) there is no public comment on Presentation items)

- A. Thank you to the City from LWHS Marching Band (17:00)
- B. Presentation regarding affordable housing program by Frederick James of United Hands for Global Impact (30:55)
- C. (added) Presentation by Southern Poverty Law Center, Public Rights Project, and the Community Justice Project regarding a challenge to section 1 of HB1 (44:20)

- D. (added then deleted) Presentation by Annie Vasek-Dasovich, Chief Operations Officer of the non-profit Solar Energy Loan Fund, regarding low-interest home improvement loans for energy conservation and resiliency to middle and low-income homeowners

NEW BUSINESS:

- G. (added and reordered then deleted) Discussion of possible LWB Solar Energy Loan Fund (SELF) programs and associated potential LWB Energy Conservation/Energy Efficiency programs

COMMISSION LIAISON REPORTS AND COMMENTS: (1:01:50)

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

APPROVAL OF MINUTES: (1:43:05)

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner Stokes to approve the following minutes:

- A. Work Session - July 13, 2021
- B. Special Meeting - July 20, 2021
- C. Regular Meeting - July 20, 2021
- D. Work Session - July 27, 2021
- E. Budget Work Session #3 - July 29, 2021

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

CONSENT AGENDA: (1:43:16) (public comment allowed during Public Participation of Non-Agendaed items)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to approve the Consent Agenda:

- A. Resolution No. 57-2021 – Second Operating Budget Amendment for FY 2021
- B. Payments of Fiscal Year 2020 Invoices
- C. Accept and Approve the Competitive Selection Audit Report
- D. Proclamation declaring September 17-23, 2021 as Constitution Week
- E. Utility Easement by and between Maria Moro along with Gustavo G. Moro and the City of Lake Worth Beach
- F. Ratification of an appointment to the CRA

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

PUBLIC HEARINGS: (1:44:13)

- A. Ordinance No. 2021-11 – Second Reading – amending the candidate qualifying period (1:44:43)

City Attorney Goddeau read the ordinance by title only.

ORDINANCE NO. 2021-11 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING SECTION 2-14.1 OF CHAPTER 2 OF THE CODE OF ORDINANCES REGARDING CANDIDATE QUALIFYING PERIOD; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Robinson to approve Ordinance No. 2021-11 amending the candidate qualifying period.

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

UNFINISHED BUSINESS: (1:45:37)

- A. Approval of the agreement with the Legal Aid Society of PBC, Inc. for legal aid eviction support to benefit Lake Worth Beach residents

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to approve the agreement with the Legal Aid Society of PBC, Inc. for legal aid eviction support to benefit Lake Worth Beach residents.

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

NEW BUSINESS: (1:49:06)

- A. Interlocal Agreement between Palm Beach County and City of Lake Worth Beach for utility adjustments for the 6th Ave South over Lake Osborne Drive Roadway project (1:49:10)

Action: Motion made by Commissioner McVoy and seconded by Commissioner Malega to approve the Interlocal Agreement between Palm Beach County and City of Lake Worth Beach for utility adjustments for the 6th Ave South over Lake Osborne Drive Roadway project.

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

- B. Agreement with NZ Consultants for planning, zoning and historic preservation professional services (1:50:53)

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner Stokes to approve the Agreement with NZ Consultants for planning, zoning and historic preservation professional services.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor Robinson and Commissioners Malega,

McVoy and Stokes. NAYS: None.

C. Amendments to contracts for building division inspections, plan review, code enforcement inspections and building services with C.A.P Government and Hy-Byrd Inc. (2:02:44)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve the Amendments to contracts for building division inspections, plan review, code enforcement inspections and building services with C.A.P Government and Hy-Byrd Inc.

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

D. LWB Fleet Facility – Updated Funding (2:07:07)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to approve supplementing the project budget with \$1.5 million from the Refuse enterprise fund balance.

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

E. Discussion regarding using ARPA funds for ads targeted to all populations to promote COVID related outreach for rental assistance, legal aid, or webinars with doctors and respected members of the community (2:24:43)

Action: Consensus for staff to put together a plan regarding ads targeted to all populations, including the schools, to promote COVID related outreach for rental assistance, legal aid, or webinars with doctors and respected members of the community.

F. (deleted) Ordinance No. 2021-12 – First Reading -- providing authority for the issuance of taxable pension obligation bonds

G. (added and reordered to follow Presentation D) Discussion of possible LWB Solar Energy Loan Fund (SELF) programs and associated potential LWB Energy Conservation/Energy Efficiency programs

CITY ATTORNEY'S REPORT: (2:43:14)

City Attorney Goddeau provided the following report:

- Commented that the commission could vote on and take whatever actions were deemed necessary but due to the limited access at City Hall because of COVID, recommended that discussion items be added to the agenda to get consensus from the commission so that the public would be informed of issues to be voted on at future meetings.

CITY MANAGER'S REPORT: (2:46:10)

Interim City Manager Ruiz provided the following report:

- Reminded the public about the 9/11 event to be held at Bryant Park on Saturday.

- Stated that the FY 21 financial audit had been sent out and there would be a presentation by the audit firm at the October 5, 2021 meeting.
- Would be working with City Attorney Lara Donlon and Human Resources Director Loren Slayton to incentivize vaccinations for the organization; the issue would be brought to the commission in the future.

UPCOMING MEETINGS AND WORK SESSIONS:

September 13 - 1st Budget Hearing
September 21 - Regular Meeting
September 22 - 2nd Budget Hearing
September 24 – Special Meeting
September 28 - Electric Utility Meeting

Draft Agenda - September 21, 2021

ADJOURNMENT: (2:49:27)

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor Robinson to adjourn the meeting at 8:54 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

Minutes Approved: October 5, 2021



Betty Resch, Mayor



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