

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

The meeting was called to order by Mayor Resch on the above date at 6:01 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:41) Present were Mayor Betty Resch, Vice Mayor Herman Robinson and Commissioners Sarah Malega, Christopher McVoy 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: (0:59) led by Commissioner Christopher McVoy.

PLEDGE OF ALLEGIANCE: (1:53) led by Vice Mayor Herman Robinson.

ADDITIONS/DELETIONS/REORDERING (2:15)

Presentation A, Presentation by Suzanne Cabrera, regarding PBC's Housing Action Plan, Presentation D, Certificates of Appreciation presented to LWB lifeguards and Presentation G, a Proclamation commemorating Women's History Month were added to the agenda with the other presentations reordered. Previous Presentation D, Proclamation in support of the People of Ukraine was deleted from the agenda. Consent Agenda, Item B - Resolution No. 17-2022 - certifying the results of the March 8, 2022 Municipal General Election and Consent Agenda Item C - Resolution No. 18-2022 - setting the ballot for the March 22, 2022 Run-Off Election were added to the agenda. New Business A, Resolution No. 19-2022 in support of the People of Ukraine was added to the agenda and the previous New Business items were renumbered B - I.

Action: Motion made by Vice Mayor Herman Robinson and seconded by Commissioner Stokes 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: (4:50) (there is no public comment on Presentation items)

A. (added) Presentation by Suzanne Cabrera, CEO of the Housing Leadership Coalition regarding PBC's Housing Action Plan (4:55)

Action: Consensus to support the initiative in writing.

B. Presentation by Healthier Lake Worth Beach (26:56)

Action: Consensus to continue supporting the efforts of Healthier Lake Worth Beach.

C. (reordered from Presentation A) Presentation of Life Saving Plaque to Employee Roosevelt Albert (40:57)

D. (added) Certificates of Appreciation presented to LWB lifeguards Nick Agbaria, Gary Heiland, Sam Janssen, Nicola Lugo, Franke Mule, Sara Nichols, Frank Roper, Xavier De Salis and Doug Yoakum for their service (43:57)

D. (deleted) Proclamation in support of the people of Ukraine

E. (reordered from Presentation C) Proclamation declaring The Lord's Place 15th Annual SleepOut Event on April 1, 2022 (1:06:09)

F. (added) Proclamation commemorating Women's History Month (49:26)

COMMISSION LIAISON REPORTS AND COMMENTS: (51:56)

CITY MANAGER'S REPORT: (1:00:13)

City Manager Davis provided the following report:

- gave an update on the budget process and stated that the work sessions had been revised
- congratulate Jamie Brown on his appointment as State President of the American Public Works Association
- announced that the swearing in ceremony would be held on March 28, 2022 at Bryant Park
- said that she would make her rounds of the neighborhood associations and would be getting out to the community, speaking at the Palm Beach Office of Equal Business Opportunity and the monthly meeting for the National Forum for Black Public Administrators (South Florida Chapter).
- reported that she would be visiting all of the city departments in the coming weeks

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (1:08:43)

APPROVAL OF MINUTES: (1:22:39)

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

- A. Regular Meeting - February 15, 2022
- B. Pre-agenda Work Session - February 23, 2022
- C. Joint Work Session - February 23, 2022

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

CONSENT AGENDA: (1:22:49)

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

- A. Interlocal Agreement (ILA) with Palm Beach County to enable the County to become a Qualified County to receive the County Regional Funds from the Opioid litigation settlements
- B. (added) Resolution No. 17-2022 - certifying the results of the March 8, 2022 Municipal General Election
- C. (added) Resolution No. 18-2022 - setting the ballot for the March 22, 2022 Run-Off Election

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

PUBLIC HEARINGS: (1:23:05)

- A. Ordinance No. 2022-01 - Second Reading – (possible 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 (1:23:12)

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 Malega and seconded by Commissioner Stokes to approve Ordinance No. 2022-01 – 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.

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

B. Ordinance No. 2022-03 - Second Reading - amending the City's Pension Plan Ordinance (1:26:11)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2022-03 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 16, "PENSIONS AND RETIREMENT"; ARTICLE II, "EMPLOYEES' RETIREMENT SYSTEM"; SECTION 16-26, "PARTICIPATION IN THE PENSION PLAN", SECTION 16-27, "VESTING CREDITS", 16-29, "PENSION BENEFITS", SECTION 16-33, "SEVERANCE BENEFITS", SECTION 16-35, "BENEFIT LEVEL"; SECTION 16-44 "CASH BALANCE PLAN CREATED", AND SECTION 16-46, "ELIGIBILITY" TO PERMIT SPECIFIED EMPLOYEES TO PARTICIPANT IN THE CASH BALANCE PLAN AND TO PROVIDE A ONETIME OPTION FOR SPECIFIED EMPLOYEES TO REMAIN IN THE EXISTING BENEFIT STRUCTURE; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Robinson to approve Ordinance No. 2022-03 amending the City's Pension Plan Ordinance.

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

NEW BUSINESS: (1:27:44)

A. (added) Resolution No. 19-2022 in support of the people of Ukraine (1:28:05)

Mayor Resch read the resolution and requested that it be shared with other municipalities in Palm Beach County.

RESOLUTION NO. 19-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, EXPRESSING UNWAVERING SUPPORT FOR AN INDEPENDENT AND DEMOCRATIC UKRAINE AGAINST FURTHER RUTHLESS RUSSIAN MILITARY ASSAULT; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner Malega to approve Resolution No. 19-2022 in support of the people of Ukraine, adding verbiage about the barbarism of Putin.

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

B. (reordered from New Business A) Agreement for Integrated Parking Management System with ParkMobile, LLC (1:32:55)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Agreement for Integrated Parking Management System with ParkMobile, LLC.

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

C. (reordered from New Business B) Amendment #3 with AE Engineering, Inc., for additional professional CEI Services (1:36:02)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve Amendment #3 with AE Engineering, Inc., for additional professional CEI Services.

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

D. (reordered from New Business C) Agreement with Stantec Consulting Services, Inc. for Comprehensive Sustainability Analysis for the City for the FY 2023 Budget not to exceed \$125,423 (1:36:32)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve the Agreement with Stantec Consulting Services, Inc for Comprehensive Sustainability Analysis for the City for the FY 2023 Budget not to exceed \$125,423.

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

E. (reordered from New Business D) Resolution No. 15-2022 – Sixth Operating Budget Amendment for FY 2022 to appropriate \$75,000 of JAG grant funding to implement a pilot communications platform using kiosks (1:42:45)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 15-2022, SIXTH 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. 15-2022 – Sixth Operating Budget Amendment for FY 2022 to appropriate \$75,000 of JAG grant funding to implement a pilot communications platform using kiosks.

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

- F. (reordered from New Business E) Resolution No. 16-2022 – establishing an official signatory for all bank related functions (1:50:25)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 16-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, APPROVING THE FINANCIAL SERVICES DIRECTOR AND ASSISTANT FINANCIAL SERVICES DIRECTOR AS THE TWO AUTHORIZED SIGNATORIES FOR ALL DISBURSEMENTS, TRANSFERS, AND WITHDRAWAL OF FUNDS FROM CITY ACCOUNTS; AND PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve Resolution No. 16-2022 – establishing an official signatory for all bank related functions.

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

The meeting recessed at 7:53 PM and reconvened at 8:03 PM.

- G. (reordered from New Business F) Re-purpose \$75,000 allocated to the PBC School Board Wi-Fi Project to be used to fund the City Hall EV Charging Stations (2:02:14)

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor Robinson to table until staff comes back with more information.

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

- H. (reordered from New Business G) Settlement Agreement and Mutual Release with Florida Department of Transportation (2:21:39)

Action: Motion made by Commissioner McVoy and seconded by Commissioner Malega to approve the Settlement Agreement and Mutual Release with Florida Department of Transportation.

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

- I. (reordered from New Business H) Discussion regarding establishing Lake Worth Beach as a Vision Zero City brought forward by Commissioner McVoy (2:23:20)

Action: Consensus for staff to bring back suggestions in to a future to put a plan into action.

CITY ATTORNEY'S REPORT: (2:45:37)

City Attorney Torcivia did not provide a report.

UPCOMING MEETINGS AND WORK SESSIONS:

March 23 - pre-agenda work session @ 9 AM
March 28 – special meeting
March 29 - utility meeting
Draft Agenda - April 5, 2022

ADJOURNMENT: (2:46:46)

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner Malega to adjourn the meeting at 8:48 PM.

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


Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk



Minutes approved April 5, 2022.

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