

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, FEBRUARY 7, 2023 – 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: (0:39) 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: (1:02) was led by Commissioner Reinaldo Diaz.

PLEDGE OF ALLEGIANCE: (2:08) was led by Mayor Betty Resch.

ADDITIONS/DELETIONS/REORDERING: (2:25)

Unfinished Business A, Selection of final redistricting map, was reordered to follow the Consent Agenda. The motion in Consent Agenda D, Proposed Settlement of Pending Personal Injury Litigation with Roberta Jackson, was revised to reflect the correct amount of the settlement.

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz 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: (3:32) (there is no public comment on Presentation items)

A. Presentation by Rhonda Giger, General Counsel for the PBC Commission on Ethics (3:37)

B. Proclamation declaring February 2023 as Black History Month (7:34)

C. Proclamation declaring February 2023 as Anti-racism Month (9:37)

D. Proclamation declaring February 10-17, 2023 as 2-1-1 Help Line Awareness Week (13:57)

COMMISSION LIAISON REPORTS AND COMMENTS: (22:02)

CITY MANAGER'S REPORT: (32:53)

City Manager Davis provided the following report:

- reported that there had been one respondent to the RFP for the Housing Study, which will be brought to the Commission in March

- welcomed Yannick Ngendahayo back as Interim Finance Director
- members of the Lake Worth High School baseball team thanked the Commission for the improvements at the Dave Manzo baseball field
- announced that the Public Works Department was nominated for a Complete Streets award and expressed admiration for the team

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (39:15)

APPROVAL OF MINUTES: (1:00:55)

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

- A. Pre-agenda Work Session - January 11, 2023
- B. Regular Meeting - January 17, 2023
- C. Special Meeting - January 24, 2023
- D. Pre-agenda Work Session - January 25, 2023

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

CONSENT AGENDA: (1:00:43)

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

- A. Resolution No. 02-2023 – Documenting the levy of municipal special assessment liens for unpaid lot clearing charges
- B. Resolution No. 03-2023 – Documenting the levy of municipal special assessment liens for unpaid boarding and securing charges
- C. Proposed settlement of Civil Rights lawsuit with Craig Kersh, Roy Kersh, Michael Fields, and J.R. Soares
- D. Proposed Settlement of Pending Personal Injury Litigation with Roberta Jackson
- E. Resolution No. 04-2023 - Urging members of the Florida Legislature to support the 2023 Florida League of Cities Legislative Platform brought forward by Commissioner Malega

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

UNFINISHED BUSINESS: (1:01:19)

- A. (reordered from after Public Hearings) Selection of final redistricting map

Action: Motion made by Commissioner Malega and seconded Commissioner Stokes to select map option 5 as the redistricting map and move forward with a redistricting ordinance.

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

Action: Consensus to have a referendum question regarding redistricting on the March 2024 ballot.

The meeting recessed at 7:26 PM and reconvened at 7:40 PM.

PUBLIC HEARINGS: (1:37:33 and 0:00 pt. 2)

- A. Ordinance No. 2022-17 – First Reading – Approval of a Residential Urban Planned Development, Major Site Plan, Conditional Use Permit (CUP), and Sustainable Bonus Incentive Program (SBIP) requests for the project commonly referred to as “Residences at Lake Worth,” to construct three (3) mid-rise residential structures that are 5-stories in height with a total of 195 dwelling units

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2022-17 – 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 THE NE CORNER OF 2ND AVE NORTH AND THE LWDD E-4 CANAL TO CONSTRUCT AN APPROXIMATELY 5-STORY, 195-UNIT RESIDENTIAL PLANNED 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 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 DEVELOPMENT OF SIGNIFICANT IMPACT; APPROVING A CONDITIONAL USE PERMIT; APPROVING A 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 2022-17 the following added conditions on first reading: the remainder of 50% of the sustainable bonus would be used for littoral plantings/wetlands and one 3-bedroom attainable unit; adding four 3-bedroom units; would look into the feasibility of adding trees and water access to the northern canal and at the possibility of a bus stop; each building would have two elevators; the dog park would be relocated; would look into having a pull off for school buses, ride share or deliveries and setting the second reading and public hearing for March 7, 2023.

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

UNFINISHED BUSINESS:

A. (reordered to follow the Consent Agenda) Selection of final redistricting map

B. Mobile Home Park Solid Waste & Recycling Rate Modification (59:34 pt. 2)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve the Mobile Home Park Solid Waste & Recycling Rate Modification (residential rates).

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

CITY ATTORNEY'S REPORT: (1:31:08 pt. 2)

City Attorney Torcivia provided the following report:

- asked for clarification for the referendum ordinance regarding future redistricting for the March 2024 ballot.

UPCOMING MEETINGS AND WORK SESSIONS:

February 8 - Pre-agenda Work Session @ 9 AM

February 9 - Special @ 5 PM

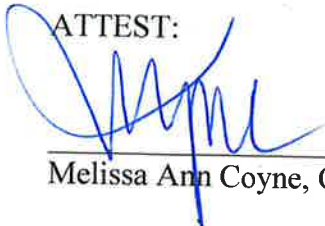
February 21 - Regular @ 6 PM

ADJOURNMENT: (1:32:16 pt. 2)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Malega to adjourn the meeting at 9:47 PM.

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

ATTEST:



Melissa Ann Coyne, City Clerk

Minutes approved February 21, 2023.

Item time stamps correspond to the video recordings of the meetings on YouTube. The meeting video is in two parts.


Betty Resch, Mayor