

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, DECEMBER 7, 2021 - 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:00 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:06) 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 Christy L. Goddeau and City Clerk Melissa Ann Coyne.

INVOCATION OR MOMENT OF SILENCE: (2:04) led by Commissioner Sarah Malega.

PLEDGE OF ALLEGIANCE: (2:29) led by Vice Mayor Herman Robinson.

AGENDA - Additions/Deletions/Reordering: (2:44)

Consent I & J, Ratification of Collective Bargaining Agreements between the City of Lake Worth Beach and the Professional Managers & Supervisors Union and the Public Employees Union, New Business J, Agreements with Kleen-Tech Services and Image Janitorial Services and New Business K, Resolution No. 92-2021 - Establishing new Electric Utility Rates and Charges to be Effective January 1, 2022 were added to the agenda. The December 21, 2021 regular commission meeting and accompanying draft agenda were deleted from Upcoming Meetings as the meeting was canceled.

Action: Motion made by Commissioner McVoy 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: None.

PRESENTATIONS: there is no public comment on Presentation items)

A. Presentation by Rep. David Silvers (4:03)

B. Presentation for A Sustainable Solution for Lake Worth Beach by Jill Karlin (20:57)

COMMISSION LIAISON REPORTS AND COMMENTS: (33:34)

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (48:22)

APPROVAL OF MINUTES: (59:24)

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

- A. Regular Meeting - November 2, 2021
- B. Work Session - November 8, 2021
- C. Pre-Agenda Work Session - November 10, 2021

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

CONSENT AGENDA: (59:34) (public comment allowed during Public Participation of Non-Agendaed items)

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

- A. Resolution No. 85-2021 - setting the ballot for the March 8, 2022, General Election
- B. Payments of Fiscal Year 2021 Invoices
- C. Agreement with L.M.C.C. Specialty Contractors, Inc. d/b/a Mims Construction Company to provide board and secure services
- D. Authorize Drinking Water State Revolving Fund Amendment 2 to Loan Agreement DW501740 for the Lake Osborne Estates Watermain Improvement project
- E. Notification and filing of Floodplain Management Plan Annual Progress Report from City Manager
- F. Resolution No. 86-2021 -- adopting the City Traffic Calming Policy
- G. Ratification of Collective Bargaining Agreement between the City of Lake Worth Beach and the International Brotherhood of Electrical Workers Local 359-3 ("IBEW")
- H. Inter-Local Agreement with Treasure Coast Regional Planning Council to undertake a Downtown Property Public Outreach and Master Plan Development Revision
- I. (added) Ratification of Collective Bargaining Agreement between the City of Lake Worth Beach and the Professional Managers & Supervisors Union (PMSA)
- J. (added) Ratification of Collective Bargaining Agreement between the City of Lake Worth Beach and the Public Employees Union (PEU)

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

PUBLIC HEARINGS: (1:00:32)

- A. Ordinances Nos. 2021-18 and 2021-19 - Second Reading - City-initiated small-scale Future Land Use Map (FLUM) amendment (Ordinance 2021-18) and Zoning Map amendment (Ordinance 2021-19) on behalf of Dixie Capital Partners LLC in coordination with the City of Lake Worth Beach's Electric Utility requesting a FLUM amendment from the Mixed Use - East (MU-E) FLU to the Public (P) FLU, and a rezoning from the Mixed Use - Dixie Highway (MU-Dixie) zoning district to the Public (P) zoning district on properties located at 706 South H Street and 710 South H Street (1:00:42)

City Attorney Goddeau read the ordinances by title only.

ORDINANCE NO. 2021-18 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE MAP THROUGH A SMALL SCALE MAP AMENDMENT FROM THE FUTURE LAND USE (FLU) DESIGNATION OF MIXED USE – EAST (MU-E) TO THE PUBLIC (P) FLU DESIGNATION ON PROPERTIES LOCATED AT 706 SOUTH H STREET AND 710 SOUTH H STREET MORE FULLY DESCRIBED IN EXHIBIT A; PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING FORSEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve Ordinance 2021-18 approving a City-initiated small-scale Future Land Use Map (FLUM) amendment.

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

ORDINANCE NO. 2021-19 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP FROM THE ZONING DISTRICT OF MIXED USE – DIXIE HIGHWAY (MU- DH) TO PUBLIC (P) ON PROPERTIES LOCATED AT 706 SOUTH H STREET AND 710 SOUTH H STREET, AND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A; AND PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner Malega to approve Ordinance 2021-19 approving a Zoning Map amendment on behalf of Dixie Capital Partners LLC.

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

B. Ordinance No. 2021-20 – Second Reading – Ballot language for setting term limits of two consecutive terms for a given seat by referendum on March 8, 2022 (1:06:13)

City Attorney Goddeau read the ordinance by title only.

ORDINANCE NO. 2021-20 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, CALLING FOR A REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY OF LAKE WORTH BEACH TO BE HELD ON MARCH 8, 2022, AS TO WHETHER SECTION 2 OF ARTICLE III OF THE CITY OF LAKE WORTH BEACH CHARTER SHALL BE AMENDED TO PROVIDE TERM LIMITS FOR THE POSITIONS OF MAYOR AND COMMISSIONER; PROVIDING FOR NOTICE AND ADVERTISING OF THE REFERENDUM; PROVIDING FOR REFERENDUM CANVASSING; PROVIDING FOR SEVERABILITY, CODIFICATION, REPEAL OF ALL CONFLICTING LAWS AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner Stokes to approve Ordinance No. 2021-20 -- ballot language for setting term limits of two consecutive terms for a given seat by referendum.

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

UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

NEW BUSINESS: (1:07:04)

A. First Amendment to the Agreement with Tripp Electric, Inc. for motor and pump repairs (1:07:05)

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Robinson to approve the First Amendment to the Agreement with Tripp Electric, Inc. for motor and pump repairs.

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

B. Amend Professional Services Agreement with NZ Consultants to allow for additional expenditure of funds for services (1:07:52)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve amending the Professional Services Agreement with NZ Consultants to allow for additional expenditure of funds for services.

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

C. Resolution No. 87-2021 – Fourth Operating Budget Amendment for FY 2022 to increase the professional services agreement with NZ Consultants (1:09:43)

City Attorney Goddeau did not read the resolution.

RESOLUTION NO. 87-2021, FOURTH 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 McVoy to Resolution No. 87-2021 – Fourth Operating Budget Amendment for FY 2022 to increase the professional services agreement with NZ Consultants.

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

- D. Resolution No. 88-2021 approving the purchase agreement and the lease financing agreement for the new fleet of golf carts (1:10:36)

City Attorney Goddeau did not read the resolution.

RESOLUTION NO. 88-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT WITH CLUB CAR LLC AND LEASE FINANCING AGREEMENT WITH DE LAGE LANDEN PUBLIC FINANCE LLC FOR THE PURCHASE AND FINANCING OF NEW GOLF CARTS FOR THE MUNICIPAL GOLF COURSE; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner Malega to approve Resolution No. 88-2021 approving the purchase agreement and the lease financing agreement for the new fleet of golf carts.

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

- E. Resolution No. 89-2021 – authorizing the City to reimburse itself for expenditures incurred from projects included in the upcoming bond authorization (1:15:53)

City Attorney Goddeau did not read the resolution.

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, SUPPLEMENTING RESOLUTION NO. 45-2020 OF THE CITY; AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$113,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF LAKE WORTH BEACH, FLORIDA CONSOLIDATED UTILITY REVENUE BONDS, SERIES 2020, TO PROVIDE FUNDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CAPITAL IMPROVEMENTS TO THE CITY'S CONSOLIDATED UTILITY SYSTEM; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING CERTAIN TERMS AND DETAILS OF SUCH BONDS, INCLUDING AUTHORIZING A NEGOTIATED SALE OF SAID BONDS AND THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT WITH RESPECT THERETO UPON COMPLIANCE WITH CERTAIN PARAMETERS; APPOINTING THE PAYING AGENT AND REGISTRAR WITH RESPECT TO SAID BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT WITH RESPECT THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING THE PURCHASE OF BOND INSURANCE AND A RESERVE ACCOUNT INSURANCE POLICY AND THE EXECUTION AND DELIVERY OF AN INSURANCE AGREEMENT OR AGREEMENTS WITH RESPECT THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF A CUSTODY AGREEMENT AND AN ESCROW DEPOSIT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to approve Resolution No. 89-2021 – authorizing the City to reimburse itself for expenditures incurred from projects included in the upcoming bond authorization.

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

F. Resolution No. 90-2021 - Establishment of Financial Policies and Procedures for the City of Lake Worth Beach (1:18:52)

City Attorney Goddeau did not read the resolution.

RESOLUTION NO. 90-2021, A RESOLUTION OF THE CITY OF LAKE WORTH BEACH, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, ESTABLISHING FINANCIAL POLICIES AND PROCEDURES FOR THE CITY OF LAKE WORTH BEACH IN ACCORDANCE WITH FINANCIAL BEST PRACTICES AS ESTABLISHED BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION; AND PROVIDING FOR AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Resolution No. 90-2021 - Establishment of Financial Policies and Procedures for the City of Lake Worth Beach.

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

G. Resolution No. 91-2021 – Fiscal Year 2022 operating budget amendment providing \$1,060,000 from the American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds to support a premium pay for essential City employees (1:23:45)

City Attorney Goddeau did not read the resolution.

RESOLUTION NO. 91-2021, FIFTH 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 Vice Mayor Robinson and seconded by Commissioner McVoy to approve Resolution No. 91-2021 – Fiscal Year 2022 operating budget amendment providing \$1,060,000 from the American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds to support a premium pay for essential City employees.

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

The meeting recessed at 7:27 PM and reconvened at 7:37 PM.

H. Review of Draft Invitation to Negotiate for Lake Worth Beach Redevelopment Project (1:37:21)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve the draft Invitation to Negotiate for Lake Worth Beach Redevelopment Project.

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

Action: Consensus to finalize the ITN at a Special Meeting from 5 pm to 6 pm on September 14, 2021.

I. Retention of Audio Recordings (3:03:10)

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Robinson to dispose of all formats of meeting recordings that have met seven anniversary years of retention.

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

J. (added) Agreements with Kleen-Tech Services and Image Janitorial Services (3:15:01)

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor Robinson to approve the agreements with Kleen-Tech Services and Image Janitorial Services.

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

K. (added) Resolution No. 92-2021 - Establishing new Electric Utility Rates and Charges to be Effective January 1, 2022 (3:19:01)

City Attorney Goddeau did not read the resolution.

RESOLUTION NO. 92-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, PROVIDING FOR RATES, FEES AND CHARGES, AND REGULATIONS FOR ALL ELECTRICITY SOLD BY THE CITY OF LAKE WORTH BEACH, FLORIDA FOR USE OF ELECTRIC LIGHT AND POWER SYSTEM; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner Malega to approve Resolution No. 92-2021 - establishing new Electric Utility Rates and Charges to be Effective January 1, 2022.

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

CITY ATTORNEY'S REPORT:

City Attorney Goddeau did not provide a report.

CITY MANAGER'S REPORT:

City Manager Davis did not provide a report.

UPCOMING MEETINGS AND WORK SESSIONS:

December 28 – electric utility meeting

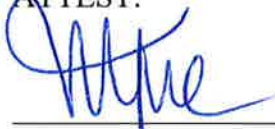
ADJOURNMENT: (3:23:04)

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner McVoy to adjourn the meeting at 9:24 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 January 4, 2022.

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

