

**MINUTES  
CITY OF LAKE WORTH BEACH  
REGULAR CITY COMMISSION MEETING  
CITY HALL COMMISSION CHAMBER  
TUESDAY, APRIL 19, 2022 – 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:** (0:17) 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:** (00:37) led by Commissioner Kimberly Stokes.

**PLEDGE OF ALLEGIANCE:** (0:56) led by Vice Mayor Christopher McVoy.

**ADDITIONS/DELETIONS/REORDERING** (01:14)

Presentation F, a Proclamation declaring April 22-30, 2022 as International Dark-Sky Week and Consent B, a Proclamation declaring April 2022 as Water Conservation Month were added to the agenda.

**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:** (01:54) (there is no public comment on Presentation items)

A. Presentation by Richard Pinsky regarding the recent legislative session (2:22)

B. Presentation of Certificates to Suits for Seniors Graduates (25:18)

C. Presentation of Certificates of Appreciation to the Charter Review Committee (33:20)

D. PBSO quarterly presentation by Captain Todd Baer (36:15)

E. Proclamation declaring April 22, 2022 as Earth Day (1:23:20)

F. (added) Proclamation declaring April 22-30, 2022 as International Dark-Sky Week (1:25:09)

**COMMISSION LIAISON REPORTS AND COMMENTS:** (1:29:20)

**CITY MANAGER'S REPORT:** (1:50:04)

City Manager Davis provided the following report:

- has been speaking with residents about issues
- met with Palm Beach County Vice Mayor Greg Weiss to discuss issues such as the pool
- Palm Beach League of Cities offered a training to the city commissioners
- the budget process would be beginning
- announced that the city staff would be a second annual clean up for Earth Day
- stated that there would be a presentation by FAU regarding redistricting

**PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:** (01:54:00)

**APPROVAL OF MINUTES:** (1:54:20)

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

- A. Pre-agenda work session - March 23, 2022
- B. Special Meeting - March 28, 2022
- C. Regular Meeting - April 5, 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:** (1:54:35)

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

- A. Proclamation declaring April 2022 as Sexually Transmitted Disease Awareness Month
- B. (added) Proclamation declaring April 2022 as Water Conservation Month

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

**PUBLIC HEARINGS:** (1:54:43)

- A. Ordinance No. 07-2022 – Second Reading -- Notice Requirements for Rental Increases and Termination of Monthly Tenancies Without a Specific Duration

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 07-2022 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 20, “CIVIL RIGHTS,” BY CREATING ARTICLE III, “LANDLORD TENANT NOTICE

REQUIREMENTS,” SECTION 20-20 “NOTICE OF TERMINATION OF MONTHLY RESIDENTIAL TENANCY WITHOUT SPECIFIC DURATION” AND SECTION 20-21 “WRITTEN NOTIFICATION REQUIREMENTS RELATED TO RENTAL PAYMENT INCREASES FOR ALL RESIDENTIAL TENANCIES,” TO REQUIRE 60DAYS’ WRITTEN NOTICE FOR TERMINATION OF TENANCIES AND INCREASES IN RENTAL RATES; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE

**Action:** Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Ordinance No. 07-2022 amending Chapter 20 “Civil Rights” regarding the Notice Requirements for Rental Increases and Termination of Monthly Tenancies Without a Specific Duration.

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

**NEW BUSINESS:** (2:05:39)

A. Resolution No. 01-2022 – Establishment of a City Travel Policy (2:06:39)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 01-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, ADOPTING A PER DIEM AND TRAVEL EXPENSE POLICY PURSUANT TO SECTION 166.021(9), FLORIDA STATUTES; ADOPTING A PROCEDURAL GUIDE TO IMPLEMENT THE PER DIEM AND TRAVEL EXPENSE POLICY; AUTHORIZING THE CITY MANAGER TO AMEND THE PROCEDURAL GUIDE AS NEEDED; AND PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

**Action:** Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Resolution No. 01-2022 regarding the updates to the City’s travel policy and the legislatively required actions governing the classes of travel, amounts of meal allowance, and mileage reimbursement rate with changes.

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

B. Resolution No. 24-2022 – Authorizing the Issuance of Series 2022 Consolidated Utility Bonds. (2:22:37)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 24-2022 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 \$52,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF LAKE WORTH BEACH, FLORIDA CONSOLIDATED UTILITY REVENUE BONDS, SERIES 2022, 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 PROVIDING AN EFFECTIVE DATE.

**Action:** Motion made by Commissioner Stokes and seconded by Commissioner Malega to approve Resolution No. 24-2022 authorizing the issuance of Series 2022 Consolidated Utility Bonds.

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

C. Resolution No. 28-2022 – Fourth Capital Budget Amendment for FY 2022 to amend the appropriated Electric Utility CIP. (2:35:08)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 28-2022, FOURTH CAPITAL APPROPRIATION RESOLUTION 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 CAPITAL 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. 28-2022 – Fourth Capital Budget Amendment for FY 2022 to amend the appropriated Electric Utility CIP.

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

D. Resolution No. 25-2022 – Eighth Operating Budget Amendment for FY 2022 to appropriate \$70,900 from Fund Balance to support the addition of a new Assistant Building Official (2:36:14)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 25-2022, EIGHTH 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 McVoy and seconded by Commissioner Malega to approve Resolution No. 25-2022 authorizing a budget amendment to appropriate \$70,900 from Fund Balance to support the addition of a new Assistant Building Official.

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

- E. Resolution No. 26-2022 – Third Capital Budget Amendment for FY 2022 to appropriate \$150,000 from Fund Balance to support the Nitrification Action Plan/Water Age Study (2:36:58)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 26-2022, THIRD CAPITAL APPROPRIATION RESOLUTION 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 CAPITAL 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 McVoy and seconded by Commissioner Stokes to approve Resolution 26-2022 authorizing a capital budget amendment to appropriate \$150,000 from Fund Balance to support the Nitrification Action Plan/Water Age Study.

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

- F. Resolution No. 27-2022 – Electing the Standard Allowance under the State and Local Fiscal Recovery Fund of the American Rescue Plan Act (ARPA). (2:39:51)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 27-2022, OF THE CITY OF LAKE WORTH BEACH, FLORIDA, ELECTING THE STANDARD ALLOWANCE AVAILABLE UNDER THE REVENUE LOSS PROVISION OF THE STATE AND LOCAL FISCAL RECOVERY FUND

ESTABLISHED BY THE AMERICAN RESUCE PLAN ACT OF 2021; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING AN EFFECTIVE DATE.

**Action:** Motion made by Vice Mayor McVoy and seconded by Commissioner Malega to approve Resolution 27-2022, electing the Standard Allowance under the State and Local Fiscal Recovery Fund of the American Rescue Plan Act.

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

**CITY ATTORNEY'S REPORT:** (02:40:20)

City Attorney Torcivia did not provide a report:

**UPCOMING MEETINGS AND WORK SESSIONS:**

April 25 - work session @ 5 PM  
April 26 - utility meeting  
April 27 - pre-agenda work session @ 9 AM  
May 2 - budget work session #1 @ 5 PM

**Action:** Motion made by Vice Mayor McVoy and seconded by Commissioner Malega to move the May 3 City Commission meeting to May 5 at 6 PM to allow the Commissioners to attend the Lake Worth High School graduation. (02:41:27)

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

**ADJOURNMENT:** (2:47:41)

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

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

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Betty Resch, Mayor

ATTEST:

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Melissa Ann Coyne, City Clerk

Minutes approved May 3, 2022.

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