

**MINUTES
CITY OF LAKE WORTH BEACH
UTILITY CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
MONDAY, OCTOBER 30, 2023 - 6:00 PM**

The meeting was called to order by Vice Mayor McVoy on the above date at 6:04 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:30)

Present were Vice Mayor Christopher McVoy, Commissioners Sarah Malega (via Zoom), Kimberly Stokes and Reinaldo Diaz. Also present were City Manager Carmen Y. Davis, Assistant City Attorney Christy L. Goddeau and City Clerk Melissa Ann Coyne. Mayor Betty Resch was absent.

PLEDGE OF ALLEGIANCE: (0:51) led by Commissioner Reinaldo Diaz.

AGENDA - Additions/Deletions/Reordering:

There were no changes to the agenda.

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

A. Water Utility Update by Sam Heady, Water Utility Director (2:07)

B. Electric Utility Update by Ed Liberty, Electric Utility Director (4:54)

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (8:45)

APPROVAL OF MINUTES: (11:44)

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

A. September 26, 2023

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

CONSENT AGENDA: (public comment allowed during Public Participation of Non-Agendaed items) (12:09)

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

A. Resolution No. 42-2023 of The City of Lake Worth Beach, Florida, to approve Locally

Funded Agreement with the Florida Department of Transportation for Street Lighting Improvements along A1A within the boundaries of the City; and providing for Repeal of Conflicts and an Effective Date.

- B. Florida Municipal Electric Association, Inc (FMEA) Mutual Aid Agreement Supplement for Reimbursement and Documentation Matters
- C. Amendment No. 1 to Agreement 22FRP70 with the Florida Department of Environmental Protection
- D. Task Order No. 12 for Mock Roos and Associates to conduct the Initial Lead Service Line Inventory

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

UNFINISHED BUSINESS:

- A. Purchased Power Cost Adjustment Update (PCA) (12:25)
- B. Discussion regarding the frequency of PCA updates and the types of information to include, brought forward by Commissioner Stokes (33:39)

Action: Consensus to have PCA updates every quarter with a short update regarding balances on a monthly basis and a graph including 12 months of the rate stabilization fund with trends regarding over or under collection.

There will be examples of the graphs to discuss at the next utility meeting.

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to extend the discussion for five minutes.

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

NEW BUSINESS:

- A. Agreement with PJ's Land Clearing & Excavating, Inc. for removal and disposal of lime sludge for Water Utilities (1:19:19)

Action: Motion made by Commissioner Diaz and seconded by Commissioner Stokes to approve the Agreement with PJ's Land Clearing & Excavating, Inc. for removal and disposal of lime sludge for Water Utilities.

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

- B. Resolution No. 48-2023 -- Excessive Force Policy (1:20:20)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve Resolution No. 48-2023 -- Excessive Force Policy.

City Attorney Goddeau did not read the resolution.

RESOLUTION NO. 48-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, ADOPTING A POLICY FOR THE PROTECTION OF INDIVIDUALS ENGAGING IN NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS, REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE

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

C. Agreement with Powerserve Technologies, Inc. for the Construction of the new Canal Distribution Substation (1:23:09)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the Agreement with Powerserve Technologies, Inc. for the Construction of the new Canal Distribution Substation.

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

D. Task Order No. 2 with RCM Technologies (USA) Inc., for Engineering Services to design the first of two (2) new 26kV feeder circuits from the Main Yard to the new 6th Ave South substation (1:26:00)

Action: Motion made by Commissioner Diaz and seconded by Commissioner Stokes to approve Task Order No. 2 with RCM Technologies (USA) Inc., for Engineering Services to design the first of two (2) new 26kV feeder circuits from the Main Yard to the new 6th Ave South substation.

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

E. Task Order No. 3 with RCM Technologies (USA) Inc., for Engineering Services to design the second of two (2) new 26kV feeder circuits from the Main Yard to the new 6th Ave South substation (1:30:34)

Action: Motion made by Commissioner Diaz and seconded by Commissioner Stokes to approve Task Order No. 3 with RCM Technologies (USA) Inc., for Engineering Services to design the second of two (2) new 26kV feeder circuits from the Main Yard to the new 6th Ave South substation.

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

F. Wireless Data Communications Services Agreement with Kirms Communication LLC (1:31:00)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the Wireless Data Communications Services Agreement with Kirms Communication LLC.

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

ADJOURNMENT: (1:34:39)

Action: Motion made by Commissioners Diaz and seconded by Commissioner Stokes to adjourn the meeting at 7:38 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk

Minutes Approved: November 28, 2023

Item time stamps correspond to the meeting recording on YouTube.