

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, NOVEMBER 19, 2024 – 6:00 PM**

The meeting was called to order by Mayor Resch 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: (0:52) Present were Mayor Betty Resch, Vice Mayor Malega and Commissioners Christopher McVoy, Mimi May and Reinaldo Diaz. Also present were Interim City Manager Jamie Brown, City Attorney Elizabeth Lenihan and City Clerk Melissa Ann Coyne.

INVOCATION OR MOMENT OF SILENCE: (1:23) was led by Mayor Betty Resch.

PLEDGE OF ALLEGIANCE: (2:10) was led by Mimi May.

ADDITIONS/DELETIONS/REORDERING:

There were no changes to the agenda.

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

A. Proclamation declaring November 20, 2024 as Transgender Day of Remembrance (3:43)

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (6:52)

APPROVAL OF MINUTES: (16:35)

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

- A. October 7, 2024 - joint workshop with CRA
- B. October 15, 2024 - regular meeting
- C. October 18, 2024 - pre-agenda workshop
- D. October 22, 2024 - workshop

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

CONSENT AGENDA: (public comment allowed during Public Participation of Non-Agendaed items) (16:47)

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

- A. Proclamation declaring November 18-22, 2024 as American Education Week
- B. Proclamation declaring November 17-23, 2024 as National Hunger and Homelessness Week
- C. Proclamation declaring the month of November 2024 as National American Indian Heritage Month
- D. Amendment 2 to Grant Agreement 22FRP70 with FDEP for Eden Place Sea Level Rise Mitigation Project
- E. Resolution 47-2024 -- Drinking Water State Revolving Fund (SRF) Loan for the Lead and Copper Inventory project
- F. Settlement of personal injury lawsuit Matthew Hull v. City of Lake Worth Beach

Vote:

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

PUBLIC HEARINGS: (17:53)

- A. Ordinance No. 2024-13 - Second Reading – amending multiple sections of Chapter 23 “Land Development Regulations” to address several housekeeping items and minor changes for clarity (2:53:12)

City Attorney Lenihan read the ordinance by title only.

ORDINANCE 2024-13 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS,” ARTICLE 1 “GENERAL PROVISIONS,” DIVISION 2 “DEFINITIONS,” SECTION 23.1-12 – DEFINITIONS; ARTICLE 2 “ADMINISTRATION,” DIVISION 2 “PROCEDURES,” SECTION 23.2-19.1 PUBLIC NEIGHBORHOOD MEETING; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1, “GENERALLY,” SECTION 23.3-6 USE TABLES; AND DIVISION 2, “RESIDENTIAL DISTRICTS,” SECTION 23.3-7 – SF-R - SINGLE-FAMILY RESIDENTIAL, SECTION 23.3-8 – SF-TF-14 - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL, SECTION 23.3-10 – MF-20 - MULTI-FAMILY AND TWO-FAMILY RESIDENTIAL, SECTION 23.3-11 – MF-30 - MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL, AND SECTION 23.3-12 – MF-40 - HIGH DENSITY MULTI-FAMILY RESIDENTIAL; AND DIVISION 3, “MIXED USE DISTRICTS,” SECTION 23.3-13 – MU-E - MIXED USE EAST, SECTION 23.3-14 – DT - DOWNTOWN, SECTION 23.3-16 – MU-FH – MIXED USE – FEDERAL HIGHWAY, SECTION 23.3-17 – MU-DH - MIXED USE – DIXIE HIGHWAY, SECTION 23.3-18 – MU-W - MIXED USE WEST, SECTION 23.3-19 – TOD-E - TRANSIT ORIENTED DEVELOPMENT EAST, AND SECTION 23.3-20 – TOD-W - TRANSIT ORIENTED DEVELOPMENT WEST; AND DIVISION 4, “COMMERCIAL DISTRICTS,” SECTION 23.3-21 – NC - NEIGHBORHOOD COMMERCIAL; AND DIVISION 5, “INDUSTRIAL DISTRICTS,” SECTION 23.3-23 – AI - ARTISANAL INDUSTRIAL AND SECTION 23.3-24 – I-POC - INDUSTRIAL PARK OF COMMERCE; ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-4 FENCES, WALLS AND GATES, SECTION 23.4-10 OFF-STREET PARKING, SECTION 23.4-13 ADMINISTRATIVE USES AND CONDITIONAL USES, AND ADDING A NEW SECTION 23.4-26 POOLS; AND ARTICLE 5 “SUPPLEMENTAL REGULATIONS,” SECTION 23.5-1 SIGNS AND SECTION 23.5-3 NONCONFORMITIES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action:

Motion made by Vice Mayor Malega and seconded by Commissioner May to approve Ordinance No. 2024-13 amending multiple sections of Chapter 23 “Land Development Regulations” to address several housekeeping items and minor changes for clarity.

Vote:

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

UNFINISHED BUSINESS: (20:45)

- A. Finalizing the projects that Akerman, LLP and Capital City Consulting, LLC, the City's lobbyists, will present during the 2025 Legislative Session (20:50)
- B. Fourth Amendment to the Professional Services Agreement with Chen Moore and Associates, Inc. for a Carbon Neutrality Element Comprehensive Plan Amendment (1:09:59)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner McVoy to approve the Fourth Amendment to the Professional Services Agreement with Chen Moore and Associates, Inc. for a Carbon Neutrality Element Comprehensive Plan Amendment.

The meeting recessed at 7:17 PM and reconvened at 7:32 PM.

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

NEW BUSINESS: (1:31:02)

A. Agreement with CentralSquare Technologies, LLC for modernization of City's ERP System for Finance & Community Sustainability (1:57:21)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve the Agreement with CentralSquare Technologies, LLC for modernization of City's ERP System for Finance & Community Sustainability.

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

B. Purchase Order with JC White Architectural Interior Products for the design, purchase and installation of office furniture (1:37:55)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to approve the Purchase Order with JC White Architectural Interior Products for the design, purchase and installation of office furniture.

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

C. Consideration of two Unsolicited Offers to purchase the City Owned, vacant lot at 711 3rd Avenue South (1:38:10)

Action: Motion made by Commissioner Diaz and seconded by Commissioner May to accept the Unsolicited Offer to purchase the City Owned, vacant lot at 711 3rd Avenue South from Gabriela Muzillo.

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

Action: Motion made by Vice Mayor Malega and seconded by Commissioner McVoy to refund the \$1,000 deposit from FL Real Estate Consultants, LLC. (1:49:51)

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

D. Task Order 5a with Kimley-Horn and Associates for Eden Place at 16th Ave N Phase 2 Seawall and Drainage Improvements (1:50:40)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to approve Task Order 5a with Kimley-Horn and Associates for Eden Place at 16th Ave N Phase 2 Seawall and Drainage Improvements.

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

E. Task Order 3 with JLA Geosciences, Inc. for Surficial Aquifer Water Quality Profile Well and Replacement Monitor Well (2:25:02)

Action: Motion made by Commissioner Diaz and seconded by Commissioner May to approve Task Order 3 with JLA Geosciences, Inc. for Surficial Aquifer Water Quality Profile Well and Replacement Monitor Well.

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

F. Amendment 6 to Emergency Repair Agreement and Amendment 1 to Work Order #7 with B&B Underground Construction, Inc. to install new emergency water interconnect with Town of Lantana (2:25:19)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve Amendment 6 to Emergency Repair Agreement and Amendment 1 to Work Order #7 with B&B Underground Construction, Inc. to install new emergency water interconnect with Town of Lantana.

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

G. Utility Easements related to the Abandonment of the North 20-feet of the 9th Avenue S Right-of-Way and the 10-foot alley located between the properties at 821 S Dixie Highway and 808, 818, 824, 826 and 832 S H Street (2:25:35)

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Malega to approve the Utility Easements related to the Abandonment of the North 20-feet of the 9th Avenue S Right-of-Way and the 10-foot alley located between the properties at 821 S Dixie Highway and 808, 818, 824, 826 and 832 S H Street.

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

H. First Amendment to the Agreement with Odyssey Manufacturing Co. to purchase 50% Caustic Soda for water treatment and odor control (2:26:56)

Action: Motion made by Commissioner Diaz and seconded by Commissioner McVoy to approve the First Amendment to the Agreement with Odyssey Manufacturing Co. to purchase 50% Caustic Soda for water treatment and odor control.

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

I. Resolution No. 48-2024 – intent to abandon an approximately 8-foot-wide Alley right-of-way located at 1600 South Dixie Hwy, Lake Worth Beach, FL 33460 (2:28:06)

City Attorney Lenihan did not read the resolution.

RESOLUTION NO. 48-2024 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER ABANDONMENT OF THE APPROXIMATELY 8-FOOT-WIDE ALLEY RIGHT-OF-WAY LOCATED AT 1600 SOUTH DIXIE HWY; SETTING A PUBLIC HEARING FOR THE ABANDONMENT OF THE RIGHT-OF-WAY; REQUIRING ADVERTISEMENT OF THE PUBLIC HEARING; AND, PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Diaz and seconded by Commissioner McVoy to approve Resolution No. 48-2024 – intent to abandon an approximately 8-foot-wide Alley right-of-way located at 1600 South Dixie Hwy, Lake Worth Beach, FL 33460.

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

J. Goods and Services Agreement with G&W Electric Company to purchase three (3) Three-Phase Solid Dielectric Multiway Switches for power distribution in downtown Lake Worth Beach (2:30:54)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner McVoy to approve the Goods and Services Agreement with G&W Electric Company to purchase three (3) Three-Phase Solid Dielectric Multiway Switches for power distribution in downtown Lake Worth Beach.

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

K. Task Order 2 with TEAMWORK Net to provide engineering services for the 138kV Transmission line coordination with the existing infrastructure (2:31:27)

Action: Motion made by Commissioner May and seconded by Commissioner McVoy to approve Task Order 2 with TEAMWORK Net to provide engineering services for the 138kV Transmission line coordination with the existing infrastructure.

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

L. Second Amendment to Professional Services Agreement with Rep Serve, LLC. for substation construction consulting services (2:31:43)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to approve the Second Amendment to Professional Services Agreement with Rep Serve, LLC. for substation construction consulting services.

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

M. Purchase Order from Alan Jay Fleet Sales for the procurement for fleet replacement vehicles (2:31:55)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner McVoy to approve the purchase from Alan Jay Fleet Sales for the procurement for fleet replacement vehicles.

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

N. Purchase Order with Peterbilt Store for a Rear Load New Way Truck for The Solid Waste Division (2:39:26)

Action: Motion made by Commissioner Diaz and seconded by Commissioner May to approve the Purchase Order with Peterbilt Store for a Rear Load New Way Truck for The Solid Waste Division.

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

O. Construction Contract for Bulldog Fence of Florida, LLC for IA Banks and Pinecrest Cemeteries Fencing Project (2:40:40)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve the Construction Contract for Bulldog Fence of Florida, LLC for IA Banks and Pinecrest Cemeteries Fencing Project.

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

COMMISSION LIAISON REPORTS AND COMMENTS: (2:42:46)

CITY MANAGER'S REPORT: (3:20:59)

Interim City Manager Brown provided the following report:

- Credited Teanna with the success of the bonfire, closing the street and having a Market; there would still be an event even if a bonfire was not possible
- Systematic meetings were being held with the tenants at the beach with a focus on driving more traffic there
- Town of Palm Beach brought forward a beach nourishment item to their council and the Interlocal Agreement would be on the December 3 agenda
- The tree and building relocations downtown would be on the December 3 agenda as well as the parking study

CITY ATTORNEY'S REPORT:

City Attorney Lenihan did not provide a report.

UPCOMING MEETINGS AND WORKSHOPS:

December 3 - regular meeting
December 6 @ 9 am - pre-agenda workshop
December 17 - regular meeting

ADJOURNMENT: (3:27:44)

Action: Motion made Commissioner McVoy and seconded by Commissioner Diaz to adjourn the meeting at 9:31 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk

Minutes approved December 3, 2024

Item time stamps correspond to the recording on YouTube.