

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, AUGUST 15, 2023 – 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:02 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (30:30) 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 Christy Goddeau and Deputy City Clerk Shayla Ellis.

INVOCATION OR MOMENT OF SILENCE: (31:00) was led by Commissioner Reinaldo Diaz.

PLEDGE OF ALLEGIANCE: (31:50) was led by Mayor Betty Resch.

ADDITIONS/DELETIONS/REORDERING: (32:07)

New Business, Item C - Discussion regarding the requested \$2 million transfer of ARPA Funds for Affordable Housing to CRA was deleted from the agenda and moved to the September 5' 2023 meeting.

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to approve agenda as amended.

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

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

A. Hoops to Hope Presentation by Tom McArdle, Founder, brought forward by Commissioner Malega (33:01)

B. Southeast Florida Behavioral Health Network Program and Services Presentation by Becky Walker, brought forward by Commissioner Stokes (45:15)

C. Proclamation declaring August 26, 2023 as Women's Equality Day (1:01:27)

COMMISSION LIAISON REPORTS AND COMMENTS: (1:04:05)

CITY MANAGER'S REPORT: (1:22:07)

City Manager Davis did not provide a report.

CITY ATTORNEY'S REPORT: (1:22:29)

City Attorney Goddeau did not provide a report.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (1:22:37)

APPROVAL OF MINUTES: (1:59:43)

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

- A. Work Session - July 20, 2023
- B. Budget Work Session #2 - July 24, 2023
- C. Special Meeting - July 29, 2023

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

CONSENT AGENDA: (public comment allowed during Public Participation of Non-Agendaed items) (1:59:49)

- A. Resolution No. 30- 2023 – Fiscal Year 2023-2024 Community Development Block Grant Agreement

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

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

PUBLIC HEARINGS:

- A. Ordinance No. 2023-06 – Second Reading - Amending multiple sections of Chapter 23 “Land Development Regulations” to address several housekeeping and minor changes for clarity, to provide for a reduction in the side setback requirements to 5 feet for accessory structures and pools on lots greater than 50 feet, to provide for new standards for street walls, and to expand and clarify the waiver provisions (2:00:00)

City Attorney Goddeau read the ordinance by title only.

ORDINANCE 2023-06 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS,” BY AMENDING ARTICLE 1 “GENERAL PROVISIONS,” DIVISION 2, “DEFINITIONS,” SECTION 23.1-12 - DEFINITIONS; ARTICLE 2 “ADMINISTRATION,” DIVISION 3, “PERMITS,” SECTION 23.2-27 - WAIVER; ARTICLE 2 “ADMINISTRATION,” DIVISION 3, “PERMITS,” SECTION 23.2-31 - SITE DESIGN QUALITATIVE STANDARDS; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 2, “RESIDENTIAL DISTRICTS,” SECTION 23.3-7 – SF-R - SINGLE-FAMILY RESIDENTIAL; ARTICLE 3 “ZONING DISTRICTS” DIVISION 2,

“RESIDENTIAL DISTRICTS,” SECTION 23.3-8 – SF-TF 14 - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 2, “RESIDENTIAL DISTRICTS,” SECTION 23.3-10 – MF-20 - MULTI-FAMILY RESIDENTIAL; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 2, “RESIDENTIAL DISTRICTS,” SECTION 23.3-11 – MF-30 - MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 2, “RESIDENTIAL DISTRICTS,” SECTION 23.3-12 – MF-40 - HIGH DENSITY MULTI-FAMILY RESIDENTIAL; ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-1 – SECONDARY (ACCESSORY) DWELLING UNIT; ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-10 – OFF-STREET PARKING; ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-13 - ADMINISTRATIVE USES AND CONDITIONAL USES; ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4.16. – MECHANICAL SYSTEMS / EQUIPMENT FOR EXISTING RESIDENTIAL STRUCTURES, ARTICLE 5 “SUPPLEMENTAL REGULATIONS,” SECTION 23.5-1 – SIGNS; ARTICLE 5 “SUPPLEMENTAL REGULATIONS,” SECTION 23.5-3 – NONCONFORMITIES; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Ordinance 2023-06 on second reading amending multiple sections of Chapter 23 “Land Development Regulations” to address several housekeeping and minor changes for clarity, to provide for a reduction in the side setback requirements to 5 feet for accessory structures and pools on lots greater than 50 feet, to provide for new standards for street walls, and to expand and clarify the waiver provisions.

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

B. Ordinances 2023-17 & 2023-18 – First Reading – A privately-initiated small-scale Future Land Use Map (FLUM) amendment and Zoning Map amendment (rezoning) for the project known as “Madison Terrace” located at 821 South Dixie Highway (2:06:38)

City Attorney Goddeau read the ordinance by title only.

ORDINANCE NO. 2023-17 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 TRANSIT ORIENTED DEVELOPMENT – EAST (TOD-E) ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH DIXIE HIGHWAY AND 9TH AVENUE AT 821 SOUTH DIXIE HIGHWAY, AND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A; AND PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Ordinance No. 2023-17 on first reading and set the second reading and public hearing for September 05, 2023. (2:18:38)

Vote: Voice vote showed: Mayor Resch, Vice Mayor McVoy, Commissioners Malega, Stokes and

Diaz. NAYS: None.

City Attorney Goddeau read the ordinance by title only.

ORDINANCE NO. 2023-18 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 TRANSIT ORIENTED DEVELOPMENT (TOD) FLU DESIGNATION ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH DIXIE HIGHWAY AND 9TH AVENUE GENERALLY LOCATED AT 821 SOUTH DIXIE HIGHWAY, AND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A; PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Ordinance No. 2023-18 and set the public hearing and second reading for September 5, 2023. (2:09:13)

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

C. Ordinance 2023-16 – First Reading – Consideration of a Mixed Use Urban Planned Development (Residential Only), Development of Significant Impact, Major Site Plan, Conditional Use, Right-Of-Way Abandonment, Sustainable Bonus Incentive Program, Affordable/Workforce Housing Program, and Transfer of Development Rights for the project commonly referred to as “Madison Terrace” (2:18:55)

City Attorney Goddeau read the ordinance by title only.

ORDINANCE NO. 2023-16 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 NW CORNER OF SOUTH DIXIE HIGHWAY AND 9TH AVENUE SOUTH TO CONSTRUCT TWO, SIX-STORY MULTI-FAMILY BUILDINGS, CONTAINING A TOTAL OF 176 DWELLING UNITS AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, LOCATED WITHIN THE TRANSIT ORIENTED DEVELOPMENT – EAST (TOD-E) ZONING DISTRICT WITH A FUTURE LAND USE DESIGNATION OF TRANSIT ORIENTED DEVELOPMENT (TOD) 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, DENSITY, AND INTENSITY BONUS INCENTIVE THROUGH THE CITY'S SUSTAINABLE BONUS INCENTIVE PROGRAM, TRANSFER OF DEVELOPMENT RIGHTS PROGRAM, AND AFFORDABLE/WORKFORCE HOUSING PROGRAM; APPROVING A MAJOR SITE PLAN FOR THE DEVELOPMENT OF A RESIDENTIAL PLANNED DEVELOPMENT; APPROVING A RIGHT-OF-WAY ABANDONMENT; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Stokes to approve Ordinance No. 2023-16, with the additional condition to waive the fee for the transfer of development rights for the project and set the public hearing and second reading for September 19, 2023.

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

The meeting recessed at 9:16 PM and reconvened at 9:32 PM.

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to extend the meeting until 11:00 PM. (4:00:30)

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

UNFINISHED BUSINESS:

A. Update and Discussion on Conceptual Design for the Beach Complex Pool (4:01:02)

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve the outline programs for the pool and the conceptual pool design concept

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

NEW BUSINESS:

A. Approve a goods and services agreement with Brandano Displays, Inc. for a 30 ft. decorated artificial holiday tree. (4:51:55)

Action: Motion made by Commissioner Malega and seconded by Commissioner Di to approve goods and services agreement with Brandano Displays, Inc. for a 30 ft. decorated artificial holiday tree.

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

B. Garcia Hamilton & Associates Investment Management Agreement. (4:53:54)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve the agreement with Garcia Hamilton and Associates for the City's investment management.

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

C. (deleted) Discussion regarding the requested \$2 million transfer of ARPA Funds for Affordable Housing to CRA.

UPCOMING MEETINGS AND WORK SESSIONS:

August 17 @ 6 pm – Budget Work Session #4

August 22 @ 6 pm – Budget Work Session #5

August 29 @ 6 pm – Utility Meeting

September 5 @ 6 pm – Regular Meeting

ADJOURNMENT: (4:56:47)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to adjourn the meeting at 10:29 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

Minutes approved September 19, 2023

Item time stamps correspond to the video recording of the meeting on YouTube.