

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, OCTOBER 6, 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: (0:24) Present were Mayor Betty Resch, Vice Mayor Christopher McVoy (via Zoom), Commissioners Sarah Malega, Kimberly Stokes and Reinaldo Diaz. Also present were City Manager Carmen Davis, City Attorney Elizabeth Lenihan and City Clerk Melissa Ann Coyne.

INVOCATION OR MOMENT OF SILENCE: (1:03) was led by Commissioner Sarah Malega.

PLEDGE OF ALLEGIANCE: (1:45) was led by Mayor Resch.

ADDITIONS/DELETIONS/REORDERING (2:05)

New Business A, Presentation by FAU of the disparity analysis and the four alternative redistricting maps for review and discussion was reordered to follow the Consent Agenda. Ordinances 2022-12 and 2022-13 were updated as there were slight modifications.

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the agenda as amended.

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

PRESENTATIONS: (3;10) (there is no public comment on Presentation items)

- A. Proclamation declaring October 2022 as LGBT History Month, brought forward by Commissioner Malega (3:12)
- B. Presentation of LWB Challenge Coins by Commissioner Malega to Lifeguard Michael Saumell, Lt. Xavier DeSalis, Chief of Ocean Rescue Mathew Botts and Aquatics Manager Doug Yoakum (8:55)
- C. Presentation of the "Greetings from Lit City" board game by Lauren Bennett, Leisure Services Director, and Cindy Ansell, Library Manager (13:03)
- D. Presentation from WGI regarding Mobility Planning and Connectivity (19:08)

COMMISSION LIAISON REPORTS AND COMMENTS: (38:00)

CITY MANAGER'S REPORT: (50:45)

City Manager Davis provided the following report:

- sent thoughts to those affected by Hurricane Ian and reported that the city wanted to help; a Water Utility team went to Naples to assist with the water issues caused by Hurricane Ian
- the Electric Utility crew from Georgia was released to help cities on the west coast of Florida due to Hurricane Ian
- announced that Melissa Ann Coyne, City Clerk, was elected to the Executive Board of the Palm Beach County Municipal Clerks Association

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (53:09)

APPROVAL OF MINUTES: (57:19)

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

- A. Special Meeting - September 8, 2022
- B. Work Session - September 12, 2022
- C. Pre-agenda Work Session - September 14, 2022

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

CONSENT AGENDA: (57:36) (public comment allowed during Public Participation of Non-Agendaed items)

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

- A. Proclamation declaring October 10, 2022 as The Republic of China's (Taiwan) 111th National Day
- B. Approval of settlement with Adrian Tano Pascual for \$175,000 (inclusive of attorney's fees and costs)

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

NEW BUSINESS (reordered to follow the Consent Agenda)

- A. Presentation by FAU of the disparity analysis and the four alternative redistricting maps for review and discussion (55:15)

PUBLIC HEARINGS: (1:41:52)

- A. Ordinance No. 2022-12 – Second Reading – Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” and Article 2 “Administration”, Division 3 “Permits” adding a new Section 23.2-39 “Affordable/Workforce Housing Program,” providing for a Lake Worth Beach Affordable/Workforce Housing Program (1:42:07)

City Attorney Lenihan read the ordinance by title only.

ORDINANCE 2022-12 - 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," ADDING A NEW DEFINITIONS "ANNUAL GROSS HOUSEHOLD INCOME," "GROSS RENT" AND "OVERALL HOUSING EXPENSE;" AND ARTICLE 2 "ADMINISTRATION," DIVISION 3 "PERMITS," ADDING A NEW SECTION 23.2-39 "AFFORDABLE/WORKFORCE HOUSING PROGRAM," PROVIDING FOR AN AFFORDABLE/WORKFORCE HOUSING PROGRAM WITHIN THE CITY OF LAKE WORTH BEACH; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to approve Ordinance No. 2022-12 amending Chapter 23 "Land Development Regulations," Article 1 "General Provisions," Division 2 "Definitions," and Article 2 "Administration", Division 3 "Permits" adding a new Section 23.2-39 "Affordable/Workforce Housing Program," providing for a Lake Worth Beach Affordable/Workforce Housing Program.

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

- B. Ordinance No. 2022-13 – Second Reading – Consideration of an ordinance amending Chapter 23 "Land Development Regulations," Article 1 "General Provisions," Division 2 "Definitions," Section 23.1-12 "Definitions," and Article 4 "Development Standards," adding a new Section 23.4-25 "Micro-Units," providing for Micro-Unit Housing (1:52:26)

City Attorney Lenihan read the ordinance by title only.

ORDINANCE 2022-13 - 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," ADDING A NEW DEFINITION "MICRO-UNIT;" AND ARTICLE 4 "DEVELOPMENT STANDARDS," ADDING A NEW SECTION 23.4-25 "MICRO-UNITS," PROVIDING FOR DEVELOPMENT STANDARDS FOR MICRO-UNITS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Diaz and seconded by Commissioner Stokes to approve Ordinance No. 2022-13 amending Chapter 23 "Land Development Regulations," Article 1 "General Provisions," Division 2 "Definitions," Section 23.1-12 "Definitions," and Article 4 "Development Standards", adding a new Section 23.4-25 "Micro-Units," providing for Micro-Unit Housing.

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

- C. Ordinance No. 2022-14 – Second Reading – Consideration of an ordinance amending Chapter 23 "Land Development Regulations," Article 1 "General Provisions," Division 2

“Definitions,” Section 23.1-12 “Definitions”, and Article 2 “Administration”, Division 3 “Permits,” Section 23.2-31 “Site Design Qualitative Standards,” providing standards for buildings (1:59:22)

City Attorney Lenihan read the ordinance by title only.

ORDINANCE 2022-14 - 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,” ADDING THERETO NEW DEFINITIONS “SOCIAL JUSTICE” AND “SUSTAINABILITY;” AND “ARTICLE 2 “ADMINISTRATION,” DIVISION 3 “PERMITS,” SECTION 23.2-31 “SITE DESIGN QUALITATIVE STANDARDS,” PROVIDING FOR STANDARDS FOR BUILDINGS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Stokes to approve Ordinance No. 2022-14 amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1-12 “Definitions”, and Article 2 “Administration”, Division 3 “Permits,” Section 23.2-31 “Site Design Qualitative Standards,” providing standards for buildings, adding the words “and equity” to follow “fairness” on line 62.

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

The meeting recessed at 8:03 PM and reconvened at 8:14 PM.

UNFINISHED BUSINESS: (2:13:57)

A. (continued from September 20, 2022 meeting) Ordinance No. 19-2022 – First Reading - Adopting amendments to Chapter 7 “Beaches, Parks and Recreation” to prohibit smoking and vaping in City parks and on the City’s beach (2:14:00)

City Attorney Lenihan read the ordinance by title only.

ORDINANCE 2022-19 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 7 “BEACHES, PARKS AND RECREATION,” ARTICLE I “PARKS, RECREATIONAL FACILITIES AND PUBLIC PROPERTY,” SECTION 7-9 “REGULATION OF CONDUCT IN PARKS AND RECREATION AREAS AND ON PUBLIC PROPERTY” BY CREATING A NEW SUBSECTION (K) TO BE ENTITLED “SMOKING AND VAPING” TO PROHIBIT SMOKING AND VAPING IN CITY PARKS AND PROVIDING FOR ENFORCEMENT; AND ARTICLE VI “MUNICIPAL BEACH AREA AND MUNICIPAL BEACH,” SECTION 7-80 “ADDITIONAL REGULATIONS APPLYING TO THE MUNICIPAL BEACH AREA,” BY CREATING A NEW SUBSECTION (Z) TO BE ENTITLED “SMOKING AND VAPING” TO BAN SMOKING AND VAPING ON CITY BEACH AND TO PROVIDE FOR ENFORCEMENT; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Ordinance No. 19-2022 on first reading and set the second reading and public hearing for November 1, 2022, with an amendment for a designated smoking area added to special events at city parks.

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

- B. (continued from September 20, 2022 meeting) Resolution No. 78-2022 – Establishment of a Public Education Fund (2:46:27)

City Attorney Lenihan did not read the resolution.

RESOLUTION NO. 78-2022 OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, ESTABLISHING A PUBLIC EDUCATION FUND; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to approve Resolution No. 78-2022 – Establishment of a Public Education Fund.

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

- C. (continued from September 20, 2022 meeting) Resolution No. 79-2022 – FY 2022 Budget Transfer (2:57:16)

City Attorney Lenihan did not read the resolution.

RESOLUTION NO. 79-2022, 12th 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 Stokes and seconded by Vice Mayor McVoy to approve Resolution No. 79-2022 – FY 2022 Budget Transfer.

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

- D. Update Status Discussion of CRA Owned Contributing Properties along South L and South K Streets (2:57:35)

NEW BUSINESS:

- A. (reordered to follow the Consent Agenda) Presentation by FAU of the disparity analysis and the four alternative redistricting maps for review and discussion

CITY ATTORNEY'S REPORT: (3:11:55)

- A. Report regarding RFP for housing crisis / rent control

UPCOMING MEETINGS AND WORK SESSIONS:

- October 12 - Pre-agenda Work Session @ 9 AM
- October 13 - Public Meeting (redistricting) @ 6 PM
- October 15 - Public Meeting (redistricting) @ 10 AM
- October 18 - Regular Meeting @ 6 PM

ADJOURNMENT: (3:49:25)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to adjourn the meeting at 9:50 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

Minutes approved November 1, 2022.

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