

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, SEPTEMBER 05, 2023 – 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:01 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:56) Present were Mayor Betty Resch, Vice Mayor Christopher McVoy, Commissioners Kimberly Stokes and Reinaldo Diaz. Also present were City Manager Carmen Davis, City Attorney Glen Torcivia and City Clerk Melissa Ann Coyne. Commissioner Sarah Malega was absent.

INVOCATION OR MOMENT OF SILENCE: (1:16) was led by Vice Mayor Christopher McVoy.

PLEDGE OF ALLEGIANCE: (2:22) was led by Mayor Betty Resch.

ADDITIONS/DELETIONS/REORDERING: (2:42)

New Business Item C, Resolution 34-2023 declaring the city a safe and welcoming haven for LGBTQIA+ community and their families, was reordered to follow the Approval of the Minutes..

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

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

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

- A. Proclamation declaring September 2023 as National Recovery Month brought forward by Commissioner Stokes (3:16)
- B. The Recovery Community HUB coming to Lake Worth Beach: RCC/RCOs in your Community presented by Darcy Hamilton, Leadership Team Member of the Recovery Community HUB, brought forward by Commissioner Stokes (5:11)

COMMISSION LIAISON REPORTS AND COMMENTS: (16:38)

CITY MANAGER'S REPORT: (25:07)

City Manager Davis provided the following report:

- reported that the removal of the vessel at Bryant Park took coordination across many agencies

- met with Katherine Diaz, Communications Specialist of the Children’s Services Council of Palm Beach County (PBC) about their investments in the City
- met with Dr. James Green, Director of PBC’s Community Services Program to discuss the County’s services and programs for housing and the homeless; the website thehomelessplan.com has information about resources and services
- would attend and speak at the NAPC meeting on Saturday
- attended the PBC League of Cities luncheon where there was a presentation on the Live Local legislation – LWB was given credit as an example of how a City’s informational brochure could be used for other cities; she acknowledged William Waters’ and his team for their work on the brochure
- met with Mallory Coffey, Director of Affiliate Development for Keep America Beautiful regarding the Beautification Program
- gave kudos to the Leisure Services team who won 15 awards at the FFEA (Florida Festival and Events Association) and to Lauren Bennett who won the Emerging Leader award

CITY ATTORNEY'S REPORT:

City Attorney Torcivia did not provide a report.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (32:05)

APPROVAL OF MINUTES: (43:54)

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

- A. Special Meeting - August 1, 2023
- B. Regular Meeting - August 1, 2023
- C. Budget Work Session #3 - August 7, 2023

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

NEW BUSINESS: (44:28)

- C. (reordered) Resolution No. 34-2023 – Declaring the city a safe and welcoming haven for LGBTQIA+ community and their families brought forward by Mayor Resch

Mayor Resch read the resolution.

RESOLUTION 34-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA,
DECLARING THE CITY A SAFE AND WELCOMING HAVEN FOR THE LGBTQIA+
COMMUNITY AND THEIR FAMILIES; AND PROVIDING FOR AN EFFECTIVE
DATE

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve Resolution No. 34-2023 declaring the city a safe and welcoming haven for LGBTQIA+ community and their families.

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

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

There were no Consent Agenda items on the agenda.

PUBLIC HEARINGS: (51:02)

A. Resolution No. 36-2023 - Establish the Refuse Services Annual Assessment for Fiscal Year 2023-2024

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 36-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, RELATING TO THE PROVISION OF REFUSE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF LAKE WORTH BEACH, FLORIDA; RATIFYING AND CONFIRMING THE INTIAL ASSESSMENT RESOLUTION INCLUDING THE DETERMINATION THAT CERTAIN REAL PROPERTY IS SPECIFICALLY BENEFITED BY REFUSE SERVICES, FACILITIES AND PROGRAMS AND THE METHOD OF ASSESSING ASSOCIATED REFUSE SERVICES COSTS AGAINST REAL PROPERTY SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; APPROVING THE FISCAL YEAR 2023-2024 ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS PURSUANT TO THE UNIFORM COLLECTION METHOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Resolution No. 36-2023, establishing the Refuse Services Annual Assessment for Fiscal Year 2023-2024.

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

UNFINISHED BUSINESS: (51:47)

A. City of Lake Worth Beach v North H Enterprises, Inc., et al., Case No. 50-2020-CA-009354

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to approve the mediated settlement agreement with North H Enterprises.

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

NEW BUSINESS: (52:45)

A. Transfer \$2 million of ARPA Funds for Affordable Housing to CRA. (52:47)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the transfer of \$2 million of ARPA Funds for Affordable Housing to the CRA.

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

B. Resolution No. 35-2023 - Intent to abandon an approximately 10-foot-wide section of public right-of-way (alley) located on north of 9th Avenue South between South H Street and South Dixie Highway, and to abandon an approximately 40-foot-wide section of public right-of-way (9th Avenue South) located between South H Street and South Dixie Highway (1:04:54)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 35-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER THE ABANDONMENT OF THE APPROXIMATELY 40-FOOT-WIDE 9TH AVENUE SOUTH RIGHT-OF-WAY AND THE APPROXIMATELY 10-FOOT-WIDE ALLEY RIGHT-OF-WAY LAYING BETWEEN 821 SOUTH DIXIE HIGHWAY, 901 SOUTH DIXIE HIGHWAY, 808 SOUT H STREET, 818 SOUTH H STREET, 824 SOUTH H STREET, 826 SOUTH STREET, 832 SOUTH H STREET, AND 902 SOUTH H STREET AND REVERTING BACK TO THE PROPERTY OWNER OF SAID ABUTTING PROPERTIES (PCN: 38-43-44-21-15-255-0090; 38-43-44-21-15-255-0080; 38-43-44-21-15-253-0110; 38-43-44-21-15-253-0060; 38-43-44-21-15-253-0040; 38-43-44-21-15-253-0032; 38-43-44-21-15-253-0020; AND 38-43-44-21-15-253-0010)AS DESCRIBED HEREIN; SUBJECT TO CONDITIONS; AND PROVIDING FOR RECORDING AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve Resolution No. 35-2023 - Intent to abandon an approximately 10-foot-wide section of public right-of-way (alley) located on north of 9th Avenue South between South H Street and South Dixie Highway, and to abandon an approximately 40-foot-wide section of public right-of-way (9th Avenue South) located between South H Street and South Dixie Highway.

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

C. (reordered to follow Approval of the Minutes) Resolution No. 34-2023 – Declaring the city a safe and welcoming haven for LGBTQIA+ community and their families brought forward by Mayor Resch

D. Performance Evaluation Form for Carmen Davis (1:08:05)

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

Performance Evaluation Form as amended for Carmen Davis.

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

UPCOMING MEETINGS AND WORK SESSIONS:

Pre-Agenda Work Session - September 8 @ 9 am
1st Budget Hearing - September 14 @ 6 pm

ADJOURNMENT: (1:48:00)

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to adjourn the meeting at 7:49 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

Minutes approved October 3, 2023

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