

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, MAY 7, 2024 – 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:06 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:28) Present were Mayor Betty Resch, Vice Mayor Sarah Malega, 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: (0:52) was led by Commissioner Christopher McVoy.

PLEDGE OF ALLEGIANCE: (3:30) was led by Vice Mayor Sarah Malega.

ADDITIONS/DELETIONS/REORDERING: 4:04)

There were no changes to the agenda.

State Rep. Waldron was ill and unable to attend the meeting. The pre-agenda work session on May 10 has been rescheduled to 9:45 am.

PRESENTATIONS: (there is no public comment on Presentation items) (6:02)

- A. Legislative Update from Florida House Representative David Silvers and Florida Senator Bobby Powell (6:03)
- B. Proclamation declaring May 2024 as Haitian Heritage Month (52:30)
- C. Proclamation declaring May 2024 as Historic Preservation Month (57:36)
- D. Proclamation declaring May 2024 as Mental Health Awareness Month (1:02:15)
- E. Proclamation declaring May 5 - 12, 2024 as Days of Remembrance Week (1:07:07)
- F. Proclamation declaring May 5 - 11, 2024 as Municipal Clerks Week (1:10:54)
- G. Proclamation declaring May 5 - 11, 2024 as Soil Awareness Week brought forward by Commissioner McVoy (1:15:16)

COMMISSION LIAISON REPORTS AND COMMENTS: (1:21:02)

CITY MANAGER'S REPORT: (1:45:47)

Interim City Manager Brown provided the following report:

- the WMODA presentation on May 22 at the Hatch was sold out; there were weekly meetings being held with WMODA
- the playground at the beach was open
- the lifeguard towers would be replaced on May 16 and May 30 and there would be a shuttle from the lower to the upper parking lot
- there would be a presentation regarding the County mobile response at the May 21 meeting

- on May 31 at 6 pm, the historical markers would be installed at I.A. Banks Cemetery
- there would be a ribbon cutting for Memorial Field CDBG project in June
- work at the Osborne Center would begin on May 15
- the RFQ for the beach property would be finalized on May 9 as well as a discussion on artificial turf and the scope of services from the Tree and Landscape Board

Action: Consensus that any meetings at which action would be taken would begin at 6 pm.

The meeting recessed at 8:02 PM and reconvened at 8:16 PM.

CITY ATTORNEY'S REPORT: (2:10:09)

A. Sunshine Law, Public Records Law and Ethics Law

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:
(2:12:29)

APPROVAL OF MINUTES: (2:27:26)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve the following minutes:

- A. April 9, 2024 - special meeting
- B. April 12, 2024 - pre-agenda work session
- C. April 16, 2024 - work session
- D. April 16, 2024 - regular meeting

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)
(2:27:37)

Action: Motion made by Commissioner May and seconded by Commissioner McVoy to approve the Consent Agenda.

- A. Agreement with Advanced Data Solutions to provide digitizing of property files
- B. Proclamation declaring May 2024 as Asian and Pacific Islander Heritage Month

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

PUBLIC HEARINGS: (2:27:49)

- A. Ordinance No. 2024-05 - First Reading – amending Chapter 23 “Land Development Regulations,” Article 2 “Administration,” Division 3 “Permits,” Section 23.2-39 “Affordable/Workforce Housing Program” to provide minor changes for clarity to the Affordable/Workforce Housing Program Tiers
(2:27:50)

City Attorney Lenihan read the ordinance by title only:

ORDINANCE 2024-05 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH,

FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS,” SECTION 23.2-39 “AFFORDABLE/WORKFORCE HOUSING PROGRAM,” AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve Ordinance No. 2024-05 on first reading and set the second reading and public hearing for May 21, 2024.

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

B. Ordinance No. 2024-06 - First Reading – amending multiple sections of Chapter 23 “Land Development Regulations” to address several housekeeping items and minor changes for clarity (2:28:00)

City Attorney Lenihan read the ordinance by title only:

ORDINANCE 2024-06 - 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 3 “PERMITS,” SECTION 23.2-28 ADMINISTRATIVE ADJUSTMENTS/ ADMINISTRATIVE USE PERMITS; ARTICLE 3 “ZONING DISTRICTS,” 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 RESIDENTIAL, SECTION 23.3-11 – MF-30 – MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL, AND SECTION 23.3-12 – MF-40 – HIGH DENSITY MULTI-FAMILY RESIDENTIAL; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 3, “MIXED USE DISTRICTS,” SECTION 23.3-13 – MU-E – MIXED USE EAST AND SECTION 23.3-16 – MU-FH – MIXED USE – FEDERAL HIGHWAY; ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-3 EXTERIOR LIGHTING, SECTION 23.4-4 FENCES, WALLS AND GATES, SECTION 23.4-16 MECHANICAL SYSTEMS/EQUIPMENT FOR EXISTING RESIDENTIAL STRUCTURES, AND SECTION 23.4-19 OUTDOOR STORAGE AND OPEN-AIR OPERATIONS; ARTICLE 5 “SUPPLEMENTAL REGULATIONS,” SECTION 23.5-1 SIGNS AND SECTION 23.5-4 HISTORIC PRESERVATION; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to extend the meeting until 11 pm.

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

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve Ordinance No. 2024-06 on first reading and set the second reading and public hearing for May 21, 2024.

Action: Amended Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve Ordinance No. 2024-06 on first reading and set the second reading and public hearing for May 21, 2024 with the following changes:

- broader definition of string lights
- eliminating the holiday requirement
- having staff bring back a definition to deal with nuisance, blinking or flashing
- deletion of a portion of a sentence regarding demolition notice to the HRPB

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

C. Ordinance No. 2024-07 - First Reading – amending Chapter 23 “Land Development Regulations,” Article 4 “Development Standards,” Section 23.4-25 “Micro-units” to provide minor changes to the development standards for Micro-Units (3:50:10)

City Attorney Lenihan read the ordinance by title only:

ORDINANCE 2024-07 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS,” ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-25 “MICRO-UNITS,” AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve Ordinance No. 2024-07 on first reading and set the second reading and public hearing for May 21, 2024 including reducing the minimum number of units to ten and allowing for a project to provide double the common area element versus providing the mixed-use element.

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

UNFINISHED BUSINESS: (3:55:39)

A. Discussion regarding the city manager residency requirement brought forward by Commissioner May

Action: Direction for staff to bring recommendations back to a future meeting.

NEW BUSINESS: (4:07:42)

A. Business Advisory Board Update and Discussion (4:07:55)

Action: Consensus that the BAB provide recommendations to the city commission regarding minor site plan revisions and professional advice on how to be more business friendly.

B. Purchase and Sale Agreement with the Lake Worth Beach Community Redevelopment Agency for 304 S F Street (4:24:13)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve the Purchase and Sale Agreement with the Lake Worth Beach Community Redevelopment Agency for 304 S F Street.

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

C. Work Order #7 with B&B Underground Construction, Inc. to install new emergency water interconnect with Town of Lantana (4:26:34)

Action: Motion made by Commissioner May and seconded by Commissioner Diaz to approve 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.

D. Construction Contracts with The Paving Lady Inc., M & M Asphalt Maintenance Inc., and Wynn & Sons Environmental Construction Co. for Annual Paving, Concrete, Striping, and Associated Restoration Work (4:26:25)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to approve the Construction Contracts with The Paving Lady Inc., M & M Asphalt Maintenance Inc., and Wynn & Sons Environmental Construction Co. for Annual Paving, Concrete, Striping, and Associated Restoration Work.

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

UPCOMING MEETINGS AND WORK SESSIONS:

May 9 - special @ 5 pm
May 10 - pre-agenda work session @ 9:45 am
May 15 - budget work session #1 @ 9 am
May 21 - regular @ 6 pm

ADJOURNMENT: (4:28:01)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner McVoy to adjourn the meeting at 10:34 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 June 4, 2024

Item time stamps correspond to the recording on YouTube.