

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, AUGUST 20, 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: (0:32) 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: (0:53) was led by Commissioner Mimi May.

PLEDGE OF ALLEGIANCE: (1:20) was led by Mayor Betty Resch.

ADDITIONS/DELETIONS/REORDERING: (1:35)

Consent Agenda A, Proclamation for Women's Equality Day, was moved to Presentation B. Unfinished Business A, Lease Agreement with Lutheran Services Florida, and New Business A, Interlocal Agreement with the Lake Worth Beach CRA for Madison Terrace Phase One were deleted from the agenda. The Lutheran Services lease would be on the August 27 utility meeting.

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

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

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

- A. Healthier Lake Worth Beach Neighborhood Health Impact Work in Partnership with Code Compliance Division Presentation by Carmelle Marcelin-Chapman, Project Manager of Healthier Lake Worth Beach (3:03)
- B. (moved from Consent A) Proclamation declaring August 26, 2024 as Women's Equality Day (21:27)

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (24:04)

APPROVAL OF MINUTES: (30:38)

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

- A. July 29, 2024 - Budget Work Session #2
- B. August 5, 2024 - Budget Work Session #3
- C. August 6, 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)
(30:49)

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

- A. (moved to Presentation B) Proclamation declaring August 26, 2024, as Women's Equality Day
- B. Electric Utility Easement between Morguard Emerald Apartments, LLC and the 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:

- A. Ordinance No. 2024-08 – Second Reading - amending Chapter 23 “Land Development Regulations,” Article 4 “Development Standards,” Section 23.4-10 – Off-Street Parking (30:55)

City Attorney Lenihan read the ordinance by title only.

ORDINANCE 2024-08 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS,” ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-10 “OFF-STREET PARKING,” AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Malega and seconded by Commissioner McVoy to approve Ordinance 2024-08, amending Chapter 23 “Land Development Regulations,” Article 4 “Development Standards,” Section 23.4-10 – Off-Street Parking.

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

UNFINISHED BUSINESS:

- A. (deleted) Lease Agreement with Lutheran Services Florida, Inc.

NEW BUSINESS: (33:52)

- A. (deleted) Interlocal Agreement with the Lake Worth Beach CRA for Financial Support of a Project to be Known as Madison Terrace Phase One
- B. General Contractors Agreements with Louminel General Contractor, LLC, Mya Construservice, LLC and Sustainable Design and Construction Services, Inc. for miscellaneous maintenance repairs (33:52)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to approve the General Contractors Agreements with Louminel General Contractor, LLC, Mya Construservice, LLC and Sustainable Design and Construction Services, Inc. for miscellaneous maintenance repairs.

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

C. Ordinance No. 2024-12 - First Reading - amending the Oath of Candidate form (34:52)

City Attorney Lenihan read the ordinance by title only.

ORDINANCE 2024-12 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE II "ELECTIONS," SECTION 2-15 "OATHS REQUIRED OF CANDIDATE," TO CLARIFY THE REQUIREMENTS TO QUALIFY FOR ELECTION; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

Action: Motion made by Commissioner Diaz and seconded by Vice Mayor Malega to approve Ordinance No. 2024-12 - First Reading - amending the Oath of Candidate form on first reading and set the second reading and public hearing for September 17, 2024.

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

COMMISSION LIAISON REPORTS AND COMMENTS: (37:54)

CITY MANAGER'S REPORT: (53:22)

Interim City Manager Brown provided the following report:

- Assistant City Manager Perry and City Attorney Lenihan were working on the ordinance related to shopping carts
- The 9th Ave S outfall project and upgrading all downtown trash receptacles would be legislative asks for the upcoming session; thanked Vaughn Hayduk for her assistance
- The September 3rd regular meeting would be canceled as there were no items on the agenda
- A workshop featuring an overview of the Community Sustainability Department would be held on September 16
- Evaluation of lobbyist services would be in September with one or two meetings depending on the number of applicants; the commission would serve as the evaluation committee
- On September 23 there would be a special meeting for the housing study and short term rentals
- There would be a regular and utility meeting as well as two budget hearings next month
- There would be two evaluation meetings regarding the RFP for the beach property to shortlist and evaluate the respondents
- There would be a joint workshop with the CRA at the Casino Ballroom on October 7 for a final presentation by WMODA followed by a vote by the CRA at their meeting on October 8; the commission would vote on the item at the October 15 regular meeting
- There would be no meeting on November 5 because of the election; another meeting, either a regular or utility meeting, could be scheduled at a later date
- Thanked the commission for their time regarding the Mobility Plan

CITY ATTORNEY'S REPORT: (1:06:06)

City Attorney Lenihan provided the following report:

"The City Attorney desires advice from the Commission concerning pending litigation, specifically regarding settlement negotiations and strategy related to litigation expenditures in the case of Joseph Viera, et al v City of Lake Worth Beach, Case No. 502019CA001457XXXXMB and is requesting an attorney-client session to be scheduled for September 19, 2024, at 5:00 p.m. The estimated length of the attorney-client session will be approximately 45 minutes.

The session will be attended by the members of the City: Mayor Betty Resch, Vice Mayor Sarah Malega, Commissioners Christopher McVoy, Mimi May and Reinaldo Diaz; Interim City Manager Jamie Brown; City Attorney Glen J. Torcivia, and outside counsel Forrest Andrews, Steve Johnson and Carlos de Zayas. A certified court reporter will be present to ensure that the session is fully transcribed, and the transcript will be made public upon the conclusion of the above-cited, ongoing litigation.”

UPCOMING MEETINGS AND WORK SESSIONS:

- August 23 - pre-agenda workshop (9 am)
- August 27 - utility meeting
- ~~September 3 – regular meeting – CANCELED~~
- September 6 – pre-agenda workshop (9 am)
- September 12 – 1st Budget Public Hearing (5:01 pm)
- September 16 - workshop

ADJOURNMENT: (1:12:45)

Action: Motion made Vice Mayor Malega and seconded by Commissioner May to adjourn the meeting at 7:18 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 September 17, 2024

Item time stamps correspond to the recording on YouTube.