

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, OCTOBER 15, 2024 – 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: (0:38) 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 Glen Torcivia and Deputy City Clerk Shayla Ellis.

INVOCATION OR MOMENT OF SILENCE: (1:18) was led by Commissioner Christopher McVoy.

PLEDGE OF ALLEGIANCE: (3:10) was led by Mimi May.

ADDITIONS/DELETIONS/REORDERING: (3:36)

All New Business items were reordered to follow Public Participation Of Non-Agendaed Items and Consent Agenda.

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May 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) (4:55)

- A. Recycling Program Update by Willie Puz, Legislative and Public Affairs Manager for the Solid Waste Authority of Palm Beach County (4:58)
- B. Proclamation declaring October 20, 2024 as el dia del Guatemalteco (20:58)

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (36:31)

(reordered) **NEW BUSINESS:** (46:18)

- A. Agreement with MAXX Environmental, LLC to provide Infrastructure Maintenance and Repair Services (46:19)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve the Agreement with MAXX Environmental, LLC to provide Infrastructure Maintenance and Repair Services.

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

- B. Amendment to Agreement with USP Technologies to provide Hydrogen Sulfide Control Services (46:46)

Action: Motion made by Commissioner Diaz and seconded by Commissioner McVoy to approve the Amendment to Agreement with USP Technologies to provide Hydrogen Sulfide Control Services.

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

C. Formal Development Agreement between the City of Lake Worth Beach, the Lake Worth Beach CRA and Sunshine Lake Worth Development for the creation of a downtown Wiener Museum of Decorative Arts (WMODA) Mixed-Use Cultural Arts Campus (48:15)

Action: Motion made by Commissioner May and seconded by Vice Mayor Malega to approve the Formal Development Agreement between the City of Lake Worth Beach, the Lake Worth Beach CRA and Sunshine Lake Worth Development for the creation of a downtown Wiener Museum of Decorative Arts (WMODA) Mixed-Use Cultural Arts Campus.

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

The meeting recessed at 8:13 PM and reconvened at 8:26 PM

D. Unsolicited Proposal from Sunshine Lake Worth Development, LLC (K Street Parking Garage) – First Publicly Noticed Meeting (2:24:3)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner May to approve the Unsolicited Proposal from Sunshine Lake Worth Development, LLC (K Street Parking Garage).

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

E. Agreements with Akerman, LLP and Capital City Consulting, LLC for Lobbying Services (2:48:30)

Action: Motion made by Commissioner Diaz and seconded by Commissioner McVoy to approve the Agreements with Akerman, LLP and Capital City Consulting, LLC for Lobbying Services.

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

F. Construction Contracts for The Paving Lady, M & M Asphalt Maintenance Inc., and Boulder Construction for city wide concrete sidewalk, apron, curb and valley gutter repairs (2:49:45)

Action: Motion made by Vice Mayor Malega and seconded by Commissioner Diaz to approve the Construction Contracts for The Paving Lady, M & M Asphalt Maintenance Inc., and Boulder Construction for city wide concrete sidewalk, apron, curb and valley gutter repairs.

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

APPROVAL OF MINUTES: (2:52:30)

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

- A. September 20, 2024 - pre-agenda workshop
- B. September 23, 2024 - special meeting
- C. September 26, 2024 - special meeting
- D. October 1, 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)
(2:52:40)

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

- A. Resolution No. 43-2024 -- adopting the Palm Beach County Local Mitigation Strategy 2024
- B. Resolution No. 44-2024 – Fiscal Year 2025 State Aid to Libraries Grant Application
- C. Proclamation declaring October 21-27, 2024 as Florida City Government Week
- D. Proclamation declaring October 23-31, 2024 as Red Ribbon Week
- E. Settlement Agreement in Case No. 50-2024-CA-001688, City of Lake Worth Beach v 1 Jeanne 923, LLC
- F. Resolution No. 45-2024 – Fiscal Year 2024 Justice Assistance Grant Application

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

PUBLIC HEARINGS: (2:52:47)

- A. Ordinance No. 2024-15 - Second Reading – amending Chapter 23 “Land Development Regulations,” Article 7 “Floodplain Management” to adopt the new FEMA Floodplain maps and required language (2:52:48)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2024-15 - AN ORDINANCE BY THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS,” ARTICLE 7 “FLOODPLAIN MANAGEMENT,”; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Commissioner McVoy and seconded by Commissioner Diaz to approve Ordinance No. 2024-15 amending Chapter 23 “Land Development Regulations,” Article 7 “Floodplain Management” to adopt the new FEMA Floodplain maps and required language.

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

- B. Ordinance No. 2024-13 - First Reading – amending multiple sections of Chapter 23 “Land Development Regulations” to address several housekeeping items and minor changes for clarity (2:53:12)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2024-13 - 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; ARTICLE 2 “ADMINISTRATION,” DIVISION 2 “PROCEDURES,” SECTION 23.2-19.1 PUBLIC NEIGHBORHOOD MEETING; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1, “GENERALLY,” SECTION 23.3-6 USE TABLES; AND 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 AND TWO-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; AND DIVISION 3, “MIXED USE DISTRICTS,” SECTION 23.3-13 – MU-E - MIXED USE EAST, SECTION 23.3-14 – DT - DOWNTOWN, SECTION 23.3-16 – MU-FH – MIXED USE – FEDERAL HIGHWAY, SECTION 23.3-17 – MU-DH - MIXED USE – DIXIE HIGHWAY, SECTION 23.3-18 – MU-W - MIXED USE WEST, SECTION 23.3-19 – TOD-E - TRANSIT ORIENTED DEVELOPMENT EAST, AND SECTION 23.3-20 – TOD-W - TRANSIT ORIENTED DEVELOPMENT WEST; AND DIVISION 4, “COMMERCIAL DISTRICTS,” SECTION 23.3-21 – NC - NEIGHBORHOOD COMMERCIAL; AND DIVISION 5, “INDUSTRIAL DISTRICTS,” SECTION 23.3-23 – AI - ARTISANAL INDUSTRIAL AND SECTION 23.3-24 – I-POC - INDUSTRIAL PARK OF COMMERCE; ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-4 FENCES, WALLS AND GATES, SECTION 23.4-10 OFF-STREET PARKING, SECTION 23.4-13 ADMINISTRATIVE USES AND CONDITIONAL USES, AND ADDING A NEW SECTION 23.4-26 POOLS; AND ARTICLE 5 “SUPPLEMENTAL REGULATIONS,” SECTION 23.5-1 SIGNS AND SECTION 23.5-3 NONCONFORMITIES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Commissioner McVoy and seconded by Commissioner May to accept the additional revisions to Ordinance No. 2024-13 outlined in Exhibit A and Exhibit T which were recommended by the Planning and Zoning Board.

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

Action: Motion made by Commissioner May and seconded by Commissioner McVoy to approve Ordinance No. 2024-13 on first reading, with the additional recommended revisions, and set the second reading and public hearing for November 19, 2024.

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

UNFINISHED BUSINESS: (3:12:48)

A. Interlocal Agreement with the Lake Worth Beach CRA and Grant Agreement with Florida Neighbors Foundation, Inc. for financial support of a project to be known as Madison Terrace Phase One

Action: Motion made by Vice Mayor Malega and seconded by Commissioner McVoy to approve the Interlocal Agreement with the Lake Worth Beach CRA for financial support of a project to be known as Madison Terrace Phase One.

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 McVoy to approve the Grant Agreement with Florida Neighbors Foundation, Inc. for financial support of a project to be known as Madison Terrace Phase One.

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

COMMISSION LIAISON REPORTS AND COMMENTS: (3:14:00)

Action: Consensus to reschedule the start of the Pre-Agenda Workshop scheduled on October 18, 2024 to 8:30 AM. (3:24:36)

CITY MANAGER'S REPORT: (3:26:50)

Interim City Manager Brown provided the following report:

- October 17 – Business Advisory board would meet in the rear of the Irish Brigade at 6:00 PM
- October 21 -- Beach Complex Shortlist Meeting followed by vendor presentations/evaluation meeting on October 30
- October 22 -- workshop regarding the legislative requests for the lobbyists for Fiscal Year 2025
- Teanna McKay, Leisure Services Director, would be attending the one-on-one meetings with the commissioners regarding the Street Panting Festival

CITY ATTORNEY'S REPORT:

City Attorney Torcivia did not provide a report.

UPCOMING MEETINGS AND WORKSHOPS:

October 22 – workshop
October 29 – special meeting
October 29 – utility meeting

ADJOURNMENT: (3:32:24)

Action: Motion made Commissioner McVoy and seconded by Commissioner May to adjourn the meeting at 9:35 PM.

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

ATTEST:

Betty Resch, Mayor

Melissa Ann Coyne, MMC, City Clerk

Minutes approved November 19, 2024

Item time stamps correspond to the recording on YouTube.