

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, JUNE 15, 2021 - 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: (56:48) Present were Mayor Betty Resch; Vice Mayor Herman Robinson and Commissioners Sarah Malega, Christopher McVoy and Kimberly Stokes. Also present were Interim City Manager Juan Ruiz, City Attorney Glen Torcivia and City Clerk Deborah M. Andrea.

INVOCATION OR MOMENT OF SILENCE: (57:07) led by Commissioner Sarah Malega.

PLEDGE OF ALLEGIANCE: (57:37) led by Vice Mayor Herman Robinson.

AGENDA - Additions/Deletions/Reordering: (57:53)

Consent Agenda A, Proclamation declaring June 27, 2021 as HIV Testing Day, was moved to Presentation G. Commission Liaison Reports and Comments was moved to the end of the meeting before City Attorney's Report and New Business J was reordered to New Business A; all subsequent New Business items were reordered by one letter.

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

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

PRESENTATIONS: (59:49) (there is no public comment on Presentation items)

- A. Legislative update by Senator Lori Berman, Rep. Mike Caruso and Rep. Omari Hardy (59:54)
- B. Presentation by Dan Burden of Blue Zones, LLC regarding mini roundabouts on Federal Highway (1:29:27)
- C. Final Update on the Climate Change Vulnerability Assessment (1:37:39)
- D. Presentation on evictions by Daniel Morgan of Lake Worth 4 All (1:57:27)
- E. Proclamation declaring June 2021 as PTSD Awareness Month (2:08:15)
- F. Proclamation recognizing June 19, 2021 as Juneteenth (2:15:13)
- G. (moved from Consent A) Proclamation declaring June 27, 2021 as HIV Testing Day (2:17:54)

(moved to follow New Business) **COMMISSION LIAISON REPORTS AND COMMENTS:**

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (2:22:50)

APPROVAL OF MINUTES:

There were no minutes on the agenda.

CONSENT AGENDA: (2:39:54) (public comment allowed during Public Participation of Non-Agendaed items)

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

- A. (moved to Presentation G) Proclamation declaring June 27, 2021 as HIV Testing Day
- B. Resolution No. 32-2021 - directing the development of a preliminary assessment roll for non-ad valorem assessments for lot clearing and boarding and securing costs
- C. Ratification of appointment to the Library Advisory Board
- D. Resolution No. 36-2021 - approving the submission of an application for the Institute of Museum and Library Services American Rescue Plan Grant (ARP-FY21)

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

PUBLIC HEARINGS:

- A. Ordinance No. 2021-03 – Second Reading (Quasi-judicial) – amending the Official Zoning Map by approving the creation of a Residential Urban Planned Development District, located at 3300 Boutwell Road (2:40:49)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2021-03 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY APPROVING THE CREATION OF A RESIDENTIAL URBAN PLANNED DEVELOPMENT DISTRICT, LOCATED AT 3300 BOUTWELL ROAD CONSISTING OF APPROXIMATELY 4.746 ACRES AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, LOCATED WITHIN THE MIXED USE – WEST (MU-W) ZONING DISTRICT WITH A FUTURE LAND USE DESIGNATION OF MIXED USE – WEST (MU-W) SUBJECT TO SPECIFIC DEVELOPMENT STANDARDS SET FORTH IN EXHIBIT B AND CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT C; APPROVING A DEVELOPMENT OF SIGNIFICANT IMPACT; APPROVING A CONDITIONAL USE PERMIT; APPROVING DENSITY AND HEIGHT BONUS INCENTIVES THROUGH THE CITY’S SUSTAINABLE BONUS INCENTIVE PROGRAM; APPROVING THE TRANSFER OF DEVELOPMENT RIGHTS TO OBTAIN AN ADDITIONAL 4.7 UNITS PER ACRE; APPROVING A MAJOR SITE PLAN FOR THE CONSTRUCTION OF A 200-UNIT RESIDENTIAL URBAN PLANNED DEVELOPMENT; PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Mayor Resch (passed the gavel to Vice Mayor Robinson) to approve Ordinance No. 2021-03 amending the Official Zoning Map by approving the creation of a Residential Urban Planned Development District, located at 3300 Boutwell Road.

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

UNFINISHED BUSINESS: (3:35:40)

A. Resolution No. 34-2021 – Amending the Charter Review Committee Resolution (3:35:47)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 34-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE CHARTER REVIEW COMMITTEE TO PROVIDE FOR AN INCREASE IN COMMITTEE MEMBERSHIP AND FOR OTHER PURPOSES; AND PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS AND FOR AN EFFECTIVE DATE

Action: Motion made by Commissioner McVoy and seconded by Commissioner Malega to approve Resolution No. 34-2021 – amending the Charter Review Committee Resolution to change section 3 from 5 members to 13 members and change the deadlines in section 4 to April 15, 2022 for the November 2022 election.

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

B. Appointment of Charter Review Committee Members (3:48:23)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve Wes Blackman, Joyce Brown, Jerri LeAnn Clairday, Anthony Gallegos, Sam Goodstein, Daniel Morgan, William Munro, Debra Robert, Upendo Shabazz, Zade Shamsi-Basha, Ramsay Stevens, Barbara White and Dave Wilson as the members of the Charter Review Committee.

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

C. City of Lake Worth Beach Food Drive (3:50:08)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to approve ending the food drive as of June 30, 2021.

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

NEW BUSINESS: (4:10:05)

A. (reordered from New Business J) Resolution No. 35-2021 requesting that the U.S. Army Corps of Engineers take a number of planning and operational steps to reduce the likelihood of HAB toxins reaching the Lake Worth Lagoon (4:10:22)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 35-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, REQUESTING THE U.S. ARMY CORPS OF ENGINEERS TO EXPLICITLY INCLUDE THE LAKE WORTH LAGOON AS A “NORTHERN ESTUARY” IN THEIR PLANNING; TO EXPLICITLY CONSIDER THE HEALTH AND SAFETY RISKS OF ALL SPECIES OF HARMFUL ALGAE BLOOMS, INCLUDING MICROCYSTIS AND CYLINDROSPERMOPSIS, TO THE NORTHERN ESTUARIES OF THE CALOOSAHATCHEE, ST. LUCIE AND THE LAKE WORTH LAGOON; AND, TO EXPEDITE STEPS NEEDED TO INCREASE SOUTHWARD FLOW OF APPROPRIATELY CLEANED LAKE OKEECHOBEE WATER TO THE EVERGLADES; PROVIDING FOR THE POSTING OF WARNING SIGNS ALONG THE LAKE WORTH LAGOON WITHIN THE CITY; PROVIDING FOR THE CALL FOR ADDITIONAL RESEARCH AND A RECOMMENDATION OF REGIONAL REDUCTION IN GLYPHOSATE USAGE; AND PROVIDING FOR AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner Malega to approve Resolution No. 35-2021 requesting that the U.S. Army Corps of Engineers take a number of planning and operational steps to reduce the likelihood of HAB toxins reaching the Lake Worth Lagoon.

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

B. Agreement with B&B Underground Construction, Inc. for construction of the District 1 Year 4 Construction Project of the Neighborhood Road Program (4:12:49)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to approve the Agreement with B&B Underground Construction, Inc. for construction of the District 1 Year 4 Construction Project of the Neighborhood Road Program.

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

C. Task Order No. 11 with Mock-Roos and Associates, Inc. for construction phase services in District 1 Year 4 Construction Project of the Neighborhood Road Program (4:16:19)

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Robinson to approve Task Order No. 11 with Mock-Roos and Associates, Inc. for construction phase services in District 1 Year 4 Construction Project of the Neighborhood Road Program.

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

D. Ordinance No. 2021-04 – First Reading (Quasi-judicial) – amending the Official Zoning Map by approving the creation of a Mixed Use Planned Development, located at 1715 North Dixie Highway (4:17:14)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2021-04 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY APPROVING THE CREATION OF A MIXED USE URBAN PLANNED DEVELOPMENT DISTRICT, LOCATED AT 1715 NORTH DIXIE HIGHWAY CONSISTING OF APPROXIMATELY 2.29 ACRES AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, LOCATED WITHIN THE MIXED USE – DIXIE HIGHWAY (MU-DH) ZONING DISTRICT WITH A FUTURE LAND USE DESIGNATION OF MIXED USE – EAST (MU-E) SUBJECT TO SPECIFIC DEVELOPMENT STANDARDS SET FORTH IN EXHIBIT B AND CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT C; APPROVING A DEVELOPMENT OF SIGNIFICANT IMPACT; APPROVING A CONDITIONAL USE PERMIT; APPROVING DENSITY AND HEIGHT BONUS INCENTIVES THROUGH THE CITY’S SUSTAINABLE BONUS INCENTIVE PROGRAM; APPROVING THE TRANSFER OF DEVELOPMENT RIGHTS TO OBTAIN AN ADDITIONAL 10 UNITS PER ACRE; APPROVING A MAJOR SITE PLAN FOR THE CONSTRUCTION OF A 127-UNIT MIXED USE URBAN PLANNED DEVELOPMENT; PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

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

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

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to continue the item to the July 20, 2021 regular meeting.

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

- E. Ordinance No. 2021-07 – First Reading (Quasi-judicial) – amending the Official Zoning Map by approving the creation of a Residential Urban Planned Development on 10th Avenue North, between North E Street and North F Street (6:15:36)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2021-07 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY APPROVING THE CREATION OF A RESIDENTIAL URBAN PLANNED DEVELOPMENT DISTRICT, LOCATED ON THE NORTH SIDE OF 10TH AVENUE NORTH BETWEEN NORTH E STREET AND NORTH F STREET, CONSISTING OF APPROXIMATELY 0.71 ACRES AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, LOCATED WITHIN THE MIXED USE - EAST (MU-E) ZONING DISTRICT WITH A FUTURE LAND USE DESIGNATION OF MIXED USE – EAST (MU-E) SUBJECT TO SPECIFIC DEVELOPMENT STANDARDS SET FORTH IN EXHIBIT B AND CONDITIONS OF APPROVAL SET FORTH IN EXHIBIT C; APPROVING A CONDITIONAL USE PERMIT; APPROVING DENSITY BONUS

INCENTIVES THROUGH THE CITY'S SUSTAINABLE BONUS INCENTIVE PROGRAM; APPROVING A MAJOR SITE PLAN FOR THE CONSTRUCTION OF A 24-UNIT RESIDENTIAL URBAN PLANNED DEVELOPMENT; APPROVING A RIGHT-OF-WAY ABANDONMENT; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Robinson to approve Ordinance No. 2021-07 on first reading with an added fence and hedge, modified lighting, looking at the dumpster enclosures, the addition of security cameras and doorbells and to schedule the second reading and public hearing for July 20, 2021.

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

F. Resolution No. 33-2021 - Intent to abandon an approximately 10-foot-wide section of public right-of-way (alley) located on the north side of 10th Avenue North between North E Street and North F Street (6:40:50)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 33-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER THE ABANDONMENT OF AN APPROXIMATELY 10 FOOT WIDE RIGHT-OF-WAY LAYING BETWEEN LOTS 1, 2, 3, 14, 15, & 16, BLOCK 318 IN THE TOWNSITE OF LUCERNE, (N/K/A LAKE WORTH BEACH) ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 29 TO 40 INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND REVERTING BACK TO THE PROPERTY OWNER OF SAID ABUTTING PROPERTIES (PCN: 38-43-44-21-15-318-0010, 38-43-44-21-15-318-0150, 38-43-44-21-15-318-0140, AND 38-43-44-21-15-318-0160) LOCATED ALONG THE EAST AND WEST LINES OF THE RIGHT-OF-WAY, AS DESCRIBED HEREIN; SETTING A PUBLIC HEARING TO HEAR AND CONSIDER OBJECTIONS TO AND PROTESTS AGAINST THE PROPOSED ABANDONMENT; PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner McVoy and seconded by Commissioner Malega to approve Resolution No. 33-2021 - Intent to abandon an approximately 10-foot-wide section of public right-of-way (alley) located on the north side of 10th Avenue North between North E Street and North F Street.

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

G. Resolution No. 31-2021 - amending page 198 of the City's Historic Preservation Design Guidelines to allow Low-E coatings with a minimum visible light transmittance (VLT) of 60% for glazing in the historic districts (6:41:55)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 31-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA,

AMENDING HISTORIC PRESERVATION DESIGN GUIDELINES AS A SUPPLEMENT TO THE HISTORIC PRESERVATION ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to continue the item to the July 20, 2021 regular meeting.

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

H. Task Order No.4 with Power Engineers, Inc., to provide engineering design and construction support services for the City's 26kV distribution under-build circuit on the new 138kV FP&L Tie-Line (6:42:42)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to approve Task Order No.4 with Power Engineers, Inc., to provide engineering design and construction support services for the City's 26kV distribution under-build circuit on the new 138kV FP&L Tie-Line.

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

I. Second Amendment to Task Order No. 1 with E.C. Fennell, PA to complete relay, protection and controls engineering design services for the 7th Ave North Substation (6:42:56)

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner McVoy to approve the Second Amendment to Task Order No. 1 with E.C. Fennell, PA to complete relay, protection and controls engineering design services for the 7th Ave North Substation.

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

J. Discussion by Commissioner Stokes on creating an Education Committee (6:43:38)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to open the applications online for the Education Task Force with a deadline for submission of July 15, 2021 and interviews to be held at a special meeting at 5 PM on July 20, 2021.

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

J. (moved to New Business A) Resolution No. 35-2021 requesting that the U.S. Army Corps of Engineers take a number of planning and operational steps to reduce the likelihood of HAB toxins reaching the Lake Worth Lagoon

(moved from earlier in the meeting) **COMMISSION LIAISON REPORTS AND COMMENTS:** (6:49:25)

CITY ATTORNEY'S REPORT: (6:49:29)

City Attorney Torcivia did not provide a report.

CITY MANAGER'S REPORT: (6:49:37)

Interim City Manager Ruiz did not provide a report.

UPCOMING MEETINGS AND WORK SESSIONS:

ADJOURNMENT: (6:49:42)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to adjourn the meeting at 11:54 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

Minutes Approved: August 17, 2021

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