

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, OCTOBER 5, 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: (0:01) 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 Melissa Ann Coyne.

INVOCATION OR MOMENT OF SILENCE: (0:15) led by Commissioner Christopher McVoy.

PLEDGE OF ALLEGIANCE: (1:09) led by Vice Mayor Herman Robinson.

AGENDA - Additions/Deletions/Reordering: (1:24)

Public Hearing B, Ordinance Nos. 2021-13 and 2021-14, regarding a FLUM and zoning amendment, were deleted from the agenda and would be heard at the October 19, 2021 regular meeting. New Business I, Discussion regarding Covid policies related to the workplace, was deleted from the agenda. New Business D, Resolution No. 71-2021 - Intent to abandon an approximately 40-foot-wide section of public right-of-way known as 9th Avenue South located between the alley east of South N Street and west of South Federal Highway was reordered to immediately precede Public Hearing A, the quasi-judicial hearing regarding Burke Place.

Action: Motion made by Commissioner Malega 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: (6:28) there is no public comment on Presentation items)

A. Presentation by Lara Donlon, City Attorney, regarding COVID vaccinations (6:40)

B. Presentation by Christine Sylvain, Executive Director of Path to College Fellowship (10:35)

COMMISSION LIAISON REPORTS AND COMMENTS: (19:48)

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

APPROVAL OF MINUTES: (38:53)

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

- A. Budget Work Session #4 - August 30, 2021
- B. Regular Meeting - September 9, 2021
- C. Special Meeting - September 13, 2021

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

CONSENT AGENDA: (39:08) (public comment allowed during Public Participation of Non-Agendaed items)

Action: Motion made by Commissioner McVoy and seconded by Vice Mayor Robinson to approve the following minutes:

- A. Sixth Amendment to Professional Services Agreement with Ben Few & Company, Inc.

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

(reordered) **NEW BUSINESS:**

- D. Resolution No. 71-2021 - Intent to abandon an approximately 40-foot-wide section of public right-of-way known as 9th Avenue South located between the alley east of South N Street and west of South Federal Highway (39:34)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 71-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER THE ABANDONMENT OF AN APPROXIMATELY 40 FOOT WIDE RIGHT-OF-WAY LOCATED BETWEEN 827 SOUTH FEDERAL HIGHWAY AND 901 SOUTH FEDERAL HIGHWAY AND REVERTING BACK TO THE PROPERTY OWNERS OF SAID ABUTTING PROPERTIES (PCN: 38-43-44-27-01-021-0160 AND 38-43-44-27-01-030-0090) AS DESCRIBED HEREIN; SETTING A PUBLIC HEARING TO HEAR AND CONSIDER PUBLIC COMMENTS TO THE PROPOSED ABANDONMENT; PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to table Resolution No. 71-2021 - Intent to abandon an approximately 40-foot-wide section of public right-of-way known as 9th Avenue South located between the alley east of South N Street and west of South Federal Highway.

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

PUBLIC HEARINGS:

- A. Ordinance No. 2021-16 – First Reading – Quasi-judicial – Consideration of an application for a Residential Urban Planned Development, Major Site Plan, and Conditional Use Permit located at 825 and 827 South Federal Highway (Burckle Place III) and on a portion of 9th Avenue South right-of-way (1:11:41)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2021-16 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 825 & 827 SOUTH FEDERAL HIGHWAY CONSISTING OF APPROXIMATELY 0.53 ACRES AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, LOCATED WITHIN THE MIXED USE – FEDERAL HIGHWAY (MU-FH) 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; AND APPROVING A MAJOR SITE PLAN FOR THE CONSTRUCTION OF A 7-UNIT RESIDENTIAL URBAN PLANNED DEVELOPMENT; PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

Action: Motion made by Commissioner McVoy and seconded by Commissioner Stokes to approve Ordinance No. 2021-16 with modifications on first reading and set the second reading and public hearing for November 2, 2021.

Vote: Voice vote showed: AYES: Mayor Resch and Commissioners Malega, McVoy and Stokes. NAYS: Vice Mayor Robinson.

- B. (moved to October 19) Ordinance No. 2021-13 and Ordinance No. 2021-14 – First Reading – amending the Future Land Use Map (FLUM) amendment (Ordinance 2021-13) and the Zoning Map (Ordinance 2021-14) on behalf of the PBC School District as follows: (1) a FLUM amendment from the Single Family Residential (SFR) FLU to the Public (P) FLU; and (2) a rezoning from the Single-Family Residential (SF-R) zoning district to the Public (P) zoning district on properties located at 1509 Barton Road, 1511 Barton Road, 1515 Barton Road, and 1421 Barton Road

The meeting adjourned at 8:12 PM and reconvened at 8:29 PM.

NEW BUSINESS:

- D. Resolution No. 71-2021 - Intent to abandon an approximately 40-foot-wide section of public right-of-way known as 9th Avenue South located between the alley east of South N Street and west of South Federal Highway (3:02:25)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to remove from the table Resolution No. 71-2021 - Intent to abandon an approximately 40-foot-wide

section of public right-of-way known as 9th Avenue South located between the alley east of South N Street and west of South Federal Highway.

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

Action: Motion made by Commissioner McVoy and seconded by Commissioner Stokes to approve Resolution No. 71-2021 - Intent to abandon an approximately 40-foot-wide section of public right-of-way known as 9th Avenue South located between the alley east of South N Street and west of South Federal Highway.

Vote: Voice vote showed: AYES: Mayor Resch and Commissioners Malega, McVoy and Stokes. NAYS: Vice Mayor Robinson.

UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

NEW BUSINESS: (3:09:30)

A. Authorize water meter purchase with Badger Meter for the City's Water Utility Department (3:09:52)

Action: Motion made by Vice Mayor Robinson and seconded by Commissioner McVoy to authorize the water meter purchase with Badger Meter for the City's Water Utility Department.

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

B. Authorize water meter encoders purchase with The Avanti Company for the City's Water Utility Department (3:11:07)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to authorize water meter encoders purchase with The Avanti Company for the City's Water Utility Department.

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

C. Property and Insurance Services renewals with Public Risk Insurance Agency and City insurance coverage for FY2021-2022 (3:11:42)

Action: Motion made by Vice Mayor Robinson and seconded by to Commissioner Malega approve Property and Insurance Services renewals with Public Risk Insurance Agency and City insurance coverage for FY2021-2022.

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

D. (reordered to precede Public Hearing A) Resolution No. 71-2021 - Intent to abandon an approximately 40-foot-wide section of public right-of-way known as 9th Avenue South located between the alley east of South N Street and west of South Federal Highway

E. Interlocal Agreement with Treasure Coast Regional Planning Council to undertake a Downtown Property Public Outreach and Master Plan Development Study (3:22:09)

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy 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 Commissioner McVoy to approve the Interlocal Agreement with Treasure Coast Regional Planning Council to undertake a Downtown Property Public Outreach and Master Plan Development Study.

Vote: Voice vote showed: AYES: Mayor Resch, and Commissioners Malega, McVoy and Stokes. NAYS: Vice Mayor Robinson.

F. Discussion regarding potential ballot questions for the March 2022 municipal election (4:05:58)

Action: Consensus to discuss the item in depth at the next regular Commission meeting on October 19, 2021.

G. Discussion regarding next steps for the Beach complex (4:16:16)

Action: Consensus to schedule a work session to discuss the issue.

H. Discussion regarding the process for handing complaints about dangerous traffic conditions (4:42:59)

Action: Consensus to develop a process related to traffic and bring the item back on November 2, 2021 with backup for the public to review.

Action: Motion made by Commissioner Malega and seconded by Commissioner McVoy to extend the meeting an hour.

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

I. (deleted) Discussion regarding Covid policies related to the workplace

CITY ATTORNEY'S REPORT:

City Attorney Torcivia did not provide a report.

CITY MANAGER'S REPORT:

Interim City Manager Ruiz did not provide a report.

UPCOMING MEETINGS AND WORK SESSIONS:

October 19 - regular meeting

October 21 - work session

October 28 - electric utility meeting

A. Draft Agenda - October 19, 2021

ADJOURNMENT: (4:55:18)

Action: Motion made by Malega and seconded by Commissioner McVoy to adjourn the meeting at 10:57 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: November 2, 2021

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