

MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, NOVEMBER 7, 2023 – 6:00 PM

The meeting was called to order by Mayor Resch on the above date at 6:08 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:26) Present were Mayor Betty Resch, Vice Mayor Christopher McVoy, Commissioners Sarah Malega, Kimberly Stokes and Reinaldo Diaz. Also present were City Manager Carmen Davis, City Attorney Glen Torcivia and City Clerk Melissa Ann Coyne.

INVOCATION OR MOMENT OF SILENCE: (0:43) was led by Vice Mayor Christopher McVoy.

PLEDGE OF ALLEGIANCE: (4:05) was led by Commissioner Sarah Malega.

ADDITIONS/DELETIONS/REORDERING: (4:30)

Presentation C, Quarterly CRA Update by Joan Oliva, CRA Director, was deleted from the agenda and would be heard at a future meeting. The November 21 regular city commission meeting was canceled.

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

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

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

- A. Presentation by Tiffany Cox, Lake Worth Community High School Band Director brought forward by Mayor Resch (5:14)
- B. Municipal Tree Planting Partnerships Presentation by Mark Cassini, Co-Founder/Executive Director and Josh Weiner, Engagement & Communications Director of Community Greening (11:17)
- C. (deleted) Quarterly CRA Update by Joan Oliva, CRA Director
- D. Proclamation declaring November 11-18, 2023 as National Hunger and Homelessness Awareness Week (23:26)
- E. Proclamation declaring November 13-17, 2023 as American Education Week (25:05)
- F. Proclamation declaring November 17-18, 2023 as The SMART Ride Weekend (26:42)
- G. Proclamation declaring November 20, 2023 as Transgender Day of Remembrance (33:27)

H. Proclamation declaring November 25, 2023 as Small Business Day (36:16)

COMMISSION LIAISON REPORTS AND COMMENTS: (38:21)

Action: Consensus to sign on to a brief and submit a paragraph on the impact to Spillway Park to a case by Everglades Law Center against Lake Okeechobee Water Management.

The meeting recessed at 7:26 PM and reconvened at 7:36 PM.

CITY MANAGER'S REPORT: (1:35:54)

City Manager Davis provided the following report:

- the December 9 Holiday Parade's theme would be Hollywood and Holidays
- stated that staff was aware of the public comment issues on the website and would monitor the issue
- introduced Alyssa Kirk, Electric Utility NERC Compliance Manager, to talk about the Grid Resilience grant

Alyssa Kirk spoke about the Grid Resilience Infrastructure Grant for which the City Commission had voted to apply; the City was awarded \$23,462.167 and the City would be matching the grant with bond funds.

- requested input from residents for the mobility plan survey which was on the website

CITY ATTORNEY'S REPORT: (1:47:43)

City Attorney Torcivia provided the following report:

- stated that commissioners could not give direction individually to staff; asked if the commission would give direction to bring a policy back to a future meeting

Action: Consensus for the City Attorney Torcivia and City Manager to bring back ideas and suggestions for the topics related to the issue at a future meeting.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (2:11:08)

APPROVAL OF MINUTES: (2:29:38)

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

- A. October 3, 2023 - Regular meeting
- B. October 13, 2023 - Pre-agenda work session
- C. October 17, 2023 - Regular meeting

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

CONSENT AGENDA: (public comment allowed during Public Participation of Non-Agendaed items) (2:29:46)

- A. Sargassum Grant Agreement
- B. Approve the renewal of the City’s firewall hardware maintenance and subscription license renewal

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

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

PUBLIC HEARINGS:

- A. Ordinance No. 2023-19 – Second Reading - Repeal of Section 20-20 “Required Fair Written Notice of Termination of Monthly Residential Tenancy without Specific Duration” and Section 20-21 “Required Fair Written Notice of Rental Payment Increases for Residential Tenancies” (2:29:57)

City Attorney Torcivia read the ordinance by title only:

ORDINANCE 2023-19 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, REPEALING CHAPTER 20 “CIVIL RIGHTS,” ARTICLE IV “LANDLORD TENANT NOTICE REQUIREMENTS,” SECTION 20-20 “REQUIRED FAIR WRITTEN NOTICE OF TERMINATION OF MONTHLY RESIDENTIAL TENANCY WITHOUT SPECIFIC DURATION” AND SECTION 20-21 “REQUIRED FAIR WRITTEN NOTICE OF RENTAL PAYMENT INCREASES FOR RESIDENTIAL TENANCIES” DUE TO PREEMPTION BY THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to approve Ordinance No. 2023-19 Repeal of Section 20-20 “Required Fair Written Notice of Termination of Monthly Residential Tenancy without Specific Duration” and Section 20-21 “Required Fair Written Notice of Rental Payment Increases for Residential Tenancies”.

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

UNFINISHED BUSINESS: (2:37:31)

- A. Discussion regarding the Advisory Board Appointment Process

Action: Consensus for staff to bring back the following changes:

- for boards meeting less than monthly, the percentage of missed meetings would be for a two-year period
- extenuating circumstances related to absences would be on a case-by-case basis
- all meetings including workshops would be considered towards attendance
- the Zoom attendance policy would change to extenuating circumstances with proper notice

NEW BUSINESS:

A. Community Fireworks Display Contract with Explosive Touch Enterprises LLC for 4th of July fireworks display (3:05:15)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve the Community Fireworks Display Contract with Explosive Touch Enterprises LLC for 4th of July fireworks display.

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

B. Purchase Order with Allen Jay Fleet Services for the procurement of fleet replacement vehicles (3:07:16)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve the Purchase Order with Allen Jay Fleet Services for the procurement of fleet replacement vehicles.

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

C. Discussion of the Tree & Landscape Board's recommendation regarding the planting of trees in Bryant Park (3:07:37)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve taking \$25,000 from the Tree Canopy Restoration Fund into the Tree Fund for the purchase of trees.

Action: Motion amended by Commissioner Malega and seconded by Commissioner Stokes to approve the Tree & Landscape Board's recommendation to allocate \$25,000 from the Tree Canopy Restoration Fund and match the request with \$25,000 from other City funds to plant native shade trees in Bryant Park by the end of 2023 or as soon thereafter as possible with the location, sizes and groupings as proposed in the matching fund request from NEST.

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

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve matching the \$25,000 from the Tree Canopy Restoration Fund to the Tree Fund from ARPA funds.

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

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to extend the meeting until 11:00 PM.

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

D. Resolution No. 50-2023 – supporting the extension and continuation of the Palm Beach County one-cent sales surtax (3:42:15)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 50-2023 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, EXPRESSING SUPPORT FOR THE EXTENSION AND CONTINUATION OF THE PALM BEACH COUNTY ONE-CENT SALES SURTAX TO FUND LOCAL INFRASTRUCTURE PROJECTS THROUGH DECEMBER 31, 2036; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Action: Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to approve Resolution No. 50-2023 supporting the extension and continuation of the Palm Beach County one-cent sales surtax.

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

UPCOMING MEETINGS AND WORK SESSIONS:

November 17 @ 9 AM - pre-agenda work session
November 28 @ 6 PM - utility meeting
December 5 @ 6 PM - regular meeting

ADJOURNMENT: (3:45:54)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to adjourn the meeting at 9:54 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk

Minutes approved December 5, 2023 (Item time stamps correspond to the recording on YouTube.)