

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, OCTOBER 18, 2022 – 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: (0:15) 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: (0:31) was led by Vice Mayor Christopher McVoy.

PLEDGE OF ALLEGIANCE: (2:09) was led by Commissioner Kimberly Stokes.

ADDITIONS/DELETIONS/REORDERING (2:33)

The City Attorney's Report was reordered to follow the Consent Agenda. Presentation A, the Presentation by County Commissioner Mack Bernard regarding the housing bond issue on the November ballot was deleted from the agenda.

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

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

PRESENTATIONS: (3:56) (there is no public comment on Presentation items)

- A. (deleted) Presentation by County Commissioner Mack Bernard regarding the housing bond issue on the November ballot
- B. The LWB Pool Complex and the path to the 350 million dollar a year Grand Cayman 7-mile beach economy presented by Dan Volker, creator of South Florida Dive Journal, brought forward by Vice Mayor McVoy (3:59)
- C. PBSO quarterly presentation by Captain Todd Baer (20:20)
- D. Presentation of Certificate of Completion for 2022 Institute for Elected Municipal Officials II from Florida League of Cities to Commissioner Malega (42:40)
- E. Proclamation declaring October 17-23, 2022 as Florida City Government Week (44:50)
- F. Proclamation declaring October 2022 as Breast Cancer Awareness Month (47:06)
- G. Proclamation declaring October 23-31, 2022 as Red Ribbon Week (50:07)
- H. Proclamation declaring October 2022 as Domestic Violence Awareness Month (51:57)

COMMISSION LIAISON REPORTS AND COMMENTS: (57:28)

CITY MANAGER'S REPORT:

City Manager Davis provided the following report:

- announced that the mammo van would be at City Hall on November 3, 2022 from 9 AM to 2 PM as part of the employee wellness program
- reported that there was a Care to Share box to check on the electric bills for those residents who wished to contribute and there were options for Customer Services to work with residents on payment plans

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (1:03:27)

APPROVAL OF MINUTES: (1:42:05)

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

- A. Regular Meeting - September 20, 2022
- B. Special Meeting - September 22, 2022

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

CONSENT AGENDA: (1:42:12) (public comment allowed during Public Participation of Non-Agendaed items)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the Consent Agenda:

- A. Second Amendment to the Interlocal Agreement between Palm Beach County and the City for the Homeless Resource Center
- B. Resolution No. 80-2022 – Recognizing the 100th Anniversary of the Florida League of Cities, Inc. (FLC)

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

(reordered from after New Business) **CITY ATTORNEY'S REPORT:** (1:42:20)

- A. Report regarding governance of the CRA

Action: Motion made by Vice Mayor McVoy directing City Attorney Torcivia to prepare an ordinance for the City Commission to take over as the governing board of the CRA. Motion failed for lack of a second.

The meeting recessed at 9:02 PM and reconvened at 9:16 PM.

UNFINISHED BUSINESS: (3:15:30)

- A. Resolution No. 81-2022 – Amending the City Commission's Rules of Procedure

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 81-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING THE RULES OF PROCEDURE FOR LAKE WORTH BEACH CITY COMMISSION; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Malega to approve Resolution No. 81-2022 – Amending the City Commission’s Rules of Procedure adding language that the minutes should be Action Minutes with each item time stamped, requiring a speaker to state their name and address before making a public comment, changing Rule 1 regarding rescheduling meetings the day after a holiday to as soon as reasonably possible following the holiday and adding that public comment would be posted on the website with the first ten comments for each item read by the City Clerk.

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

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

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

NEW BUSINESS: (3:53:38)

A. Resolution No. 82-2022 – Establishing the rates, fees and charges for the Local Sewer System (3:53:42)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 82-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, PROVIDING FOR RATES, FEES AND CHARGES FOR USE OF SEWAGE DISPOSAL SYSTEM OF THE CITY OF LAKE WORTH BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING RESOLUTIONS OR PARTS OF RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Resolution No. 82-2022 – Establishing the rates, fees and charges for the Local Sewer System.

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

B. Base Salary increase for City Manager Carmen Davis (3:58:44)

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve the base salary increase for City Manager Carmen Davis.

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

- C. Ordinance No. 2022-22 – First Reading - Amending Section 15-24.1 “Definitions” and Section 15-24.5 “Enforcement,” to modify the enforcement process for a noise control violation and for other purposes (4:05:48)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE NO. 2022-22 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 15, “OFFENSES--MISCELLANEOUS,” ARTICLE I, “IN GENERAL,” BY AMENDING SECTION 15-24.1 “DEFINITIONS” AND SECTION 15-24.5, “ENFORCEMENT,” WHICH SHALL MODIFY THE ENFORCEMENT PROCESS FOR A NOISE CONTROL VIOLATION AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve Ordinance No. 2022-22 on first reading, setting the second reading and public hearing for November 1, 2022 with the discussed amendments.

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

- D. Ordinance No. 2022-23 – First Reading - Amending Chapter 2 “Administration,” Article X “Supplemental Code Compliance Procedures,” Section 2-86 “Code Citation Procedures; Appeals,” Section 2-87 “Civil Penalties,” and Section 2-88 “Classification of Infractions” (4:36:29)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2022-23 – AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE X “SUPPLEMENTAL CODE COMPLIANCE PROCEDURES,” SECTION 2-86 “CODE CITATION PROCEDURES; APPEALS,” SECTION 2-87 “CIVIL PENALTIES,” AND SECTION 2-88 “CLASSIFICATION OF INFRACTIONS,” PROVIDING FOR CONSISTENCY WITH CHANGES IN CODES TO BE ENFORCED AND FOR OTHER PURPOSES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to approve Ordinance No. 2022-23 on first reading, setting the second reading and public hearing for November 1, 2022 with the discussed amendments.

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

CITY ATTORNEY'S REPORT:

A. (reordered to follow the Consent Agenda) Report regarding governance of the CRA

UPCOMING MEETINGS AND WORK SESSIONS:

October 25 - Utility Meeting @ 6 PM

October 26 - Pre-agenda Work Session @ 9 AM

November 1 - Regular Meeting @ 6 PM

ADJOURNMENT: (4:48:59)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to adjourn the meeting at 10:49 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

Minutes approved November 15, 2022.

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