

**MINUTES  
CITY OF LAKE WORTH BEACH  
REGULAR MEETING OF THE CITY COMMISSION  
CITY HALL COMMISSION CHAMBER  
TUESDAY, APRIL 20, 2021 - 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:00 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

**ROLL CALL:** Present were Mayor Betty Resch; Vice Mayor Robinson and Commissioners Sarah Malega, Christopher McVoy and Kimberly Stokes. Also present were City Manager Michael Bornstein, City Attorney Christy L. Goddeau and City Clerk Deborah M. Andrea.

**INVOCATION OR MOMENT OF SILENCE:** led by Commissioner Christopher McVoy.

**PLEDGE OF ALLEGIANCE:** led by Vice Mayor Herman Robinson.

**AGENDA - Additions/Deletions/Reordering:**

There were no changes to the agenda.

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

A. Palm Beach State College presentation given by President Ava L. Parker

President Parker stated that Palm Beach State (PBSC) was Florida's five public community college, had five campuses, 47,000 students and offered Associate, Bachelor's and Certificate Programs. She reported that PBSC was the largest employer in Lake Worth Beach, had a \$1.1 Billion annual economic impact into PBC as the primary provider of Public Safety Training and Health Care Workers. She announced that the goal was to Develop a partnership between the City of LWB and PBSC that targeted training and academic opportunities for the residents. She spoke about the poverty rate in the city for children under 18 and the industries located in the poverty zip codes. She listed the programs offered by PBSC to meet the needs of the local workforce and the benefits to students. She said that the partnership benefits would include increased access to higher education, an opportunity for employment growth through the enhancement of job skills/credential offerings for residents, strengthen community relationships through industry partnering, cultivate and grow the city workforce and help to quickly retool those who have become unemployed due to the pandemic. She said that PBSC inspired hope and was an open institution that transformed lives.

Commissioner Malega asked if PBSC would be interested in an internship for students with the city.

Dr. Parker said that an internship would be highly desired.

Vice Mayor Robinson asked which campus was closest to Riviera Beach and if PBSC would become a university.

Dr. Parker replied that Palm Beach Gardens was the closest campus and PBSC would not offer masters' degrees but might offer more bachelors' degrees.

Mayor Resch asked for the contact from Riviera Beach.

Dr. Parker stated that she would email the mayor with the contact information.

Mayor Resch thanked Dr. Parker for her presentation.

### **COMMISSION LIAISON REPORTS AND COMMENTS:**

Vice Mayor Robinson: said that he looked forward to the future in LWB and the five commissioners were working to make life better in the city. He wished a meaningful Ramadan to the Muslim residents. He reported that the cleanup had gone well and thanked all of the board volunteers; he encouraged those who wanted to get involved to fill out applications. He said that he looked forward to establishing a list of priorities. He opined that gun regulations needed to be a priority and thanked PBSO for how they handled the community.

Commissioner Stokes: said that she wanted Ronaldo Diaz, the Lake Worth waterkeeper, to give a presentation at the next commission meeting regarding the water in the city. She stated that staff should look into the repaving project on Federal Highway. She announced that the Education Task Force was getting up and running and was looking for an open application process. She said that she looked forward to conversations with the public about the projects downtown.

Commissioner McVoy: reported that he had attended the TPA meeting and had expressed the city's interest in the coastal link for the city and said that there would be presentations regarding the train. He said that there would be an opportunity for traffic calming on Federal Highway with the resurfacing; FDOT would be amenable. He expressed concern about pedestrian and bicycle riders in various locations in the city and said that there would be funding opportunities through Senator Frankel's office. He spoke in favor of body cameras and said that there seemed to be an interest in a visioning process with the CRA.

Commissioner Malega: announced that Commissioner Blockson's husband had had a heart attack and she had requested that the commission send flowers and get well wishes. She stated that Royal Poinsettia had had a neighborhood cleanup and the NAPC was trying to arrange monthly cleanups. She brought the charter review committee to everyone's attention and thanked staff for keeping up with all of her requests. She suggested a business advisory board.

Mayor Resch: stated that she had attended the Parrot Cove neighborhood meeting where concerns had been raised about the rising waters. She suggested that the NAPC create a welcome magazine as a project and said that the CRA was open to creating a visioning session. She requested that the flagpoles throughout the city be either lit or removed. She said that developers were coming to the city and inquired about looking at the sustainability bonus in terms of having something done for the city rather than the developer; she requested a moratorium on any new bonuses until the commission discussed the matter. She asked City Attorney Goddeau if the bonus would have to come back as an agenda item or if it could be voted on at the meeting.

City Attorney Goddeau responded that the matter would have to come back to allow for public comment and be formalized in an ordinance, and the commission could give consensus to direct the city attorney to do so.

There was consensus from the commission to bring an ordinance to the commission.

**PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**

Deborah Andrea, City Clerk, read the comments submitted by the following:

Ian Palmer wrote to request that the commission instruct PBSO to enforce both the city and county leash laws within the city.

Mike Hill wrote to inquire about the justification for Assistant City Manager Ruiz's high salary and to state that he had been unable to reach the commission's executive assistant.

Commissioner Malega stated that she had had a lengthy conversation with Mr. Hill to answer all of his questions.

Diane Lombardo wrote to urge the commission to pass a resolution calling for a moratorium on any new development or construction projects, excluding the Gulfstream Hotel, in the Downtown Jewell Neighborhood.

Wes Blackman wrote to ask the commission to change the action by the HRPB regarding the standards for acceptable Low-E glass so that people could improve their homes in a more sustainable and affordable way.

Pam Triolo wrote to ask what Mayor Resch had done to nurture the relationship with CDS and Restoration St. Louis to keep the Gulfstream Hotel project on track and not let the city and its residents and business owners down.

Sam Goodstein wrote to request that the new commissioners provide guidance to the CRA where it was inadequate before and to not be in a hurry to build now, but to find the right projects.

Maryellen Healy read her comment via zoom expressing concern about the quality of the air and water near the LWB lagoon and offered to work with the city on the issue.

Cliff Kohlmayer suggested that the commission consider putting a moratorium on any construction downtown for six months.

Vice Mayor Robinson said that six months was unreasonable and the department heads were fully capable of making decisions.

Commissioner McVoy stated that there was a transitional period with the City Manager leaving and asked his fellow commissioners to consider a pause.

Commissioner Stokes said that process should be followed rather than setting a time frame. She stated that a clear set of criteria needed to be created.

**APPROVAL OF MINUTES:**

Commissioner Malega pointed out that the April 6 minutes had been revised to include her inquiry regarding the straw poll.

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

- A. Regular Meeting - March 25, 2021
- B. Regular Meeting - April 6, 2021

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

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

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

- A. Professional Services Agreement (Special Magistrate Services) with Natalie Green Moore, of NGM Law, P.A.
- B. Approval of Settlement with David Aquilino for \$45,000 (inclusive of attorney’s fees and costs)

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

**PUBLIC HEARINGS:**

- A. Ordinance 2021-01 - First Reading - Consideration of an ordinance to Chapter 23 “Land Development Regulations” regarding changes to allow for takeout establishments by zoning district and to clarify that only one (1) continuance is permitted for all affected parties to ensure that the city does not run afoul of development review time limitations for local governments as set forth in Florida law, and several minor amendments related to definitions and use review processes

City Attorney Goddeau read the ordinance by title only.

ORDINANCE 2021-01 - 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” TO ADD AND CLARIFY USE DEFINITIONS; ARTICLE 2, “ADMINISTRATION”, DIVISION 2 “PROCEDURES,” SECTION 23.2-16 “QUASI-JUDICIAL PROCEDURES” TO UPDATE AND CLARIFY PROVISIONS RELATED TO AFFECTED PARTIES; AND AMENDING DIVISION 1 “GENERALLY,” SECTION 23.3-6 “USE TABLES” TO ALLOW FOR TAKE OUT ESTABLISHMENTS BY ZONING DISTRICT AND TO MODIFY THE ZONING DISTRICT AND REVIEW PROCESS FOR SEVERAL USES; AND ADDING A NEW SECTION 23.4-23 – “TAKE

OUT ESTABLISHMENTS” TO CREATE DEVELOPMENT REVIEW STANDARDS FOR TAKE OUT ESTABLISHMENT USES; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

Erin Sita, Community Sustainability Assistant Director, announced that the changes were highlighted in exhibit B to clarify the language regarding a continuance for affected parties.

**Action:** Motion made by Vice Mayor Robinson and seconded by Commissioner Malega to approve Ordinance No. 2021-01 on second reading.

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

**UNFINISHED BUSINESS:**

B. Ordinance No. 2021-02 – First Reading – Consideration of the establishment of a residential planned development including a development of significant impact, a major site plan, a conditional use, and sustainable bonus incentives for Golden Road Apartments, which includes 230 residential units

Mayor Resch stated that Unfinished Business Item A was a quasi-judicial hearing to hear the continuation of the first reading of Ordinance No. 2021-02 and asked City Attorney Goddeau to read the ordinance.

City Attorney Goddeau read the ordinance by title only.

ORDINANCE NO. 2021-02 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 PLANNED DEVELOPMENT DISTRICT, LOCATED AT THE NORTHWEST CORNER OF 10TH AVENUE NORTH AND BOUTWELL ROAD CONSISTING OF APPROXIMATELY 6.39 ACRES AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, THAT IS LOCATED WITHIN THE MIXED USE – WEST (MU-W) ZONING DISTRICT WITH A FUTURE LAND USE DESIGNATION OF MIXED USE – WEST (MU-W) THAT INCLUDES THE SPECIFIC DEVELOPMENT STANDARDS DESCRIBED IN EXHIBIT B; 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 A MAJOR SITE PLAN FOR THE CONSTRUCTION OF A 230-UNIT RESIDENTIAL PLANNED DEVELOPMENT; PROVIDED FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

Mayor Resch asked if the commissioners had any ex-parte communications to disclose since the first hearing.

Commissioner McVoy said that had spoken with Ms. Libes and drainage engineers.

Commissioner Malega stated that she had met with WGI before her election about general projects, but not about the current project.

Vice Mayor Robinson said that he had spoken with WGI since the first hearing.

Commissioner Stokes stated that she had not had any conversations with any of the parties.

Mayor Resch said that she had not spoken with anyone since the first hearing.

Mayor Resch announced that under the quasi-judicial rules of procedure, city staff would be heard from first, followed by the applicant and then the affected party. She requested that those speaking state their names, the name and address of the property and property owner on whose behalf they were speaking. She said that all testimony in the hearing must be under oath and asked those providing testimony to stand, raise their right hands and face the city attorney to be sworn in. Those giving testimony were sworn in.

Mayor Resch asked if city staff had an updated presentation.

William Waters, Community Sustainability Director, said that the applicant would give an update.

Brian Seymour of Gunster Attorneys, stated that various issues had been examined taking the commissioners' comments from the previous meeting into consideration, focusing on sustainability while remaining affordable. He explained that the updated site plan would include two-story buildings, an enhanced buffer, a six-foot high wall, video doorbells, security cameras, electric vehicle charging stations and Florida Green Building Certification. He said that adding more trees was chosen over adding carports. He reported that the applicant had met with Mr. Romano to reach an agreement and all of the identified items would be either shown on the site plan or added into the conditions of approval at the second reading.

Commissioner Stokes said that she loved all of the new greenery and asked if the sand oaks would be relocated.

Lindsay Libes, Director of PLACE Operations for WGI, replied that WGI would look at relocating the trees.

Mayor Resch asked the affected party to make its presentation.

Mr. Romano thanked the commission for acting as a mediator and said that he was in support of the project after meeting with WGI. He requested that there would be no access to the property during construction from Boutwell or Keys Roads.

Mr. Seymour iterated that the request from Mr. Romano was written in the draft condition.

Commissioner Malega said that the commission was not anti-development and thanked WGI for setting the bar regarding what good neighbors could be.

Commissioner McVoy asked for confirmation that 75% of the trees would be shade trees and asked how traffic would be addressed or resolved.

Ms. Libes stated that the landscaping met code.

Mr. Seymour replied that WGI would work within the country strictures; traffic backup centered around the interchange which would be redesigned to try to fix the problem.

Vice Mayor Robinson opined that it was positive that the project would move forward and the city was raising its standards regarding development. He expressed concern about parking and traffic and said that he had not heard anything about a connection with the project and downtown.

Mr. Seymour said that there was an existing Palm Tran route, but WGI could not create a route itself.

Mr. Waters replied that there was an intersection improvement program for Boutwell Road and 10<sup>th</sup> Avenue North to make the intersection more pedestrian friendly and safe. He urged LWB to push the TPA as hard as possible to ensure that the federal improvement project would include the intersections at Barnett and A Streets; the environmental impact of the overpass and two interchanges had not been considered adequately and would need to be examined.

Mayor Resch asked Mr. Waters to update the commissioners via email and inquired about the six lanes becoming two lanes.

Mr. Waters said that there would have to be a transition to facilitate the two lanes going to six lanes; the major issue was the timing of the stoplights at the interchanges which could be improved greatly. He explained that the major issue occurred due to having a large school in an industrial area without any road improvements.

Commissioner Malega suggested that a welcome packet be given to all new residents in the new community.

Vice Mayor Robinson suggested moving the school to the northwest ballfields and making the school location a commercial enterprise.

Mayor Resch agreed with Vice Mayor Robinson about the school location.

Commissioner McVoy asked to be reminded about the price points of the apartments.

Navish Chawla of WGI, replied that one-bedrooms ranged from \$1275 to \$1350, two-bedrooms from \$1450 to \$1600 and three-bedrooms from \$1750 to \$1850.

**Action:** Motion made by Commissioner Malega and seconded by Commissioner McVoy to approve Ordinance No. 2021-02 on first reading and set the second reading and public hearing for May 4, 2021.

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

The meeting recessed at 7:25 PM and reconvened at 7:30 PM.

**NEW BUSINESS:**

A. Agreement with Skyline Contractors for the construction of the Howard Park Improvements CDBG Project (*Last Year's 2020 Fiscal Year Funding Cycle*)

Comments/requests summary:

1. Commissioner Malega asked why there were copies of checks in the backup.

City Attorney Goddeau replied that the entire bid package had been included.

Mayor Resch asked if there were any public comments. No one from the public commented.

**Action:** Motion made by Commissioner Malega and seconded by Vice Mayor Robinson to approve the Agreement with Skyline Contractors for the construction of the Howard Park Improvements CDBG Project.

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

B. Resolution Nos. 15-2021 and 16-2021 – Budget Amendment to the 5-Year CIP Plan and Utility Bond Reauthorization

City Attorney Goddeau did not read the resolutions.

RESOLUTION NO. 15-2021, A GENERAL APPROPRIATION RESOLUTION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, MAKING A SEPARATE BUDGET AMENDMENT TO REALLOCATE UTILITY REVENUE CAPITAL BOND FUNDING AMONG BOND FUNDED PROJECTS AND AMEND THE 5-YEAR CAPITAL IMPROVEMENT PLAN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021

RESOLUTION NO. 16-2021, A RESOLUTION OF THE CITY OF LAKE WORTH BEACH, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, AUTHORIZING THE REALLOCATION OF BOND PROCEEDS

Mayor Resch asked if there were any public comments. No one from the public commented.

**Action:** Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve Resolution Nos. 15-2021 and 16-2021 – Budget Amendment to the 5-Year CIP Plan and Utility Bond Reauthorization.

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

C. Recruitment and Hiring Process for new City Manager

Mayor Resch asked if there were any public comments.

City Clerk Andrea read the comment submitted by the following:



Sue Welch wrote to encourage the commission to have a thorough process to recruit and hire the next City Manager with public participation in the recruitment and selection of applicants.

City Manager Bornstein stated that options used by some cities had been included in the backup. He said that a head hunter would carry through the process and recruit based on criteria from the commission with August being the time frame. He said that city staff were capable, but he encouraged using the head hunter as Human Resources was extremely busy with union negotiations.

Comments/requests summary:

1. Commissioner Malega thanked the city manager for his work on behalf of the city. She asked if the contract was a flat fee without any additional charges and who their last hire had been.

City Manager Bornstein said that he would get the information to the commission.

Commissioner Malega offered to meet with agencies to pick the head hunter.

2. Commissioner McVoy urged that the process not be rushed and said that the commission needed to be clear about the criteria. He spoke in favor of a national search by an outside firm.
3. Vice Mayor Robinson said that he wished to make a motion to authorize City Manager Bornstein to hire Colin Baenziger's team with further discussion on their time line as well as a discussion about management after June 6.
4. Commissioner Stokes asked about the time line and for clarification about who the stake holders would be, as well as how to get input from a representative group of the public.

City Manager Bornstein said that stake holders would be individuals designated by the commissioners.

Mayor Resch asked if the NAPC would be appropriate.

Commissioner Stokes opined that the NAPC was not representative of the city.

5. Commissioner McVoy agreed that the NAPC was not representative of the city.

City Manager Bornstein suggested an online survey.

6. Mayor Resch asked Commissioner Malega what her thoughts were about Colin Baenziger, who had been working for 30 years.

Commissioner Malega said that she would be okay moving forward if the company had a proven track record with outside reach and it was important to get the ball rolling. She opined that not every resident would be happy with the commission's decision. She expressed concern about overstressing staff.

City Manager Bornstein stated that firms generally used the same job boards and there were job boards through International City/County Managers' Association (ICMA) and the Florida counterpart, the Florida market was very attractive so people would want to relocate and Colin Baenziger's reach was national.

7. Commissioner McVoy expressed discomfort with only looking at one firm and whichever was chosen would need to understand the quirks of the city.

Mayor Resch said that the applicants would have to walk a gauntlet.

Vice Mayor Robinson said that the commissioners were elected to make decisions, but the longer it took, the more difficult it would be. He opined that the search needed to be initiated as soon as possible.

City Attorney Goddeau said that she could work with the procurement department to expedite a contract to be signed by City Manager Bornstein.

**Action:** Motion made by Vice Mayor Robinson and seconded by Commissioner Malega to hire to Colin Baenziger & Associates.

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

City Manager Bornstein said that in other cities, existing staff would ratchet up and be paid commensurately during the search. He suggested using Assistant City Manager Ruiz who had experience.

VM Robinson proclaimed that the transition period would be seamless; the commission would set policy and not manage and he expressed confidence in city staff.

Commissioner Stokes suggested that staff bring ideas back to the commission regarding their options.

Mayor Resch said that the discussion regarding the Interim City Manager should be brought back to the next regular meeting.

- D. Resolution No. 17-2021 – FY 2021-2022 Community Development Block Grant Application

City Attorney Goddeau did not read the resolution.

RESOLUTION NO. 17-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO PALM BEACH COUNTY FOR FISCAL YEAR 2021-2022 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE ESTIMATED AMOUNT OF \$266,560 FOR IMPROVEMENTS TO MEMORIAL PARK LOCATED AT 6TH AVENUE SOUTH AND SOUTH A STREET WITHIN THE LAKE WORTH BEACH COMMUNITY DEVELOPMENT BLOCK GRANT TARGET AREA; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Lauren Bennett, Leisure Services Director, reported about the public meeting that had been held on April 8, 2021 with the public voting on the three options. She explained that none of the three projects would be fully funded by CDBG.

Comments/requests summary:

1. Commissioner Malega said that she had reached out to the community affected by the CDBG funding and the overwhelming sense was to have the conversation in January; everyone favored Memorial Park as the project.

Mayor Resch asked if there were any public comments. No one from the public commented.

**Action:** Motion made by Commissioner Malega and seconded by Commissioner McVoy to approve Resolution No. 17-2021 – FY 2021-2022 Community Development Block Grant Application, to fund the project as the application sat.

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

City Manager Bornstein thanked Ms. Bennett and Jerry Kelly, Grants Analyst, for their hard work.

#### **CITY ATTORNEY'S REPORT:**

- A. Request for Attorney-Client Session for May 4, 2021 at 5 PM for the City of Lake Worth Beach v. North H. Enterprises, Inc.

City Attorney Goddeau read the particulars for the attorney-client session that would last approximately 45 minutes. She said that the attorney-client session originally scheduled for April 27 had been postponed; she would come back to the commission with a new date.

- B. Sunshine Law Presentation

City Attorney Goddeau said that City Attorney Torcivia had included a presentation in the backup and asked if the commission wanted an overview or the full presentation.

Mayor Resch reported that City Attorney Torcivia had answered her questions regarding sending an email with ideas to the other commissioners.

City Attorney Goddeau stated that the Sunshine Law prevented the discussion of any items that could be decided on at a meeting by the commission. She said that if an email were sent out with ideas to the full commission, it would not be a Sunshine Law violation if no one responded. She suggested that an email be sent with a copy to the City Clerk asking that the item be added to the agenda for discussion which would alleviate any violations. She requested that the commission give enough notice to the City Clerk to have an item added to an agenda.

Mayor Resch asked for a calendar showing the deadlines to add items to the agenda.

City Attorney Goddeau alerted the commission to be wary of talking about upcoming issues on social media, especially two commissioners in the same chat stream.

Vice Mayor Robinson said that if two commissioners were at a meeting, it would not be a Sunshine Law violation if only one spoke.

City Attorney Goddeau said that it could be difficult not to speak; she said that there were ways to cure a violation and urged the commission to call the city attorneys immediately if a violation were suspected.

**CITY MANAGER'S REPORT:**

City Manager Bornstein did not provide a report.

Commissioner Malega asked about the work session material.

City Manager Bornstein responded that the material concerned the five-year Capital Improvement Plan (CIP) the first year of which had been implemented into the current budget. He stated that it would be important for the commission to see the scope, number and types of items that were happening in the city either funded through debt with bonds, the sales tax funds or any other funding in the various departments. He pointed out that the sales tax portion included commitments that were reflected in the numbers and that there were potential projects for the uncommitted six million dollars. He explained that there was more need than money and prioritization would be key. He said there would be a work session following the Electric Utility meeting on April 27 and with a follow up on May 6. He expressed the intent of having the commission up to speed when the budget process began on June 3.

**ADJOURNMENT:**

**Action:** Motion made by Commissioner Malega and seconded by Commissioner McVoy to adjourn the meeting at 8:20 PM.

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

\_\_\_\_\_  
Betty Resch, Mayor

ATTEST:

\_\_\_\_\_  
Deborah M. Andrea, CMC, City Clerk

Minutes Approved: May 4, 2021