

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, MAY 2, 2023 – 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:06 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (1:25) Present were Mayor Betty Resch, Vice Mayor Christopher McVoy, Commissioners Kimberly Stokes and Reinaldo Diaz. Also present were City Manager Carmen Davis, City Attorney Glen Torcivia and City Clerk Melissa Ann Coyne. Commissioner Sarah Malega was absent.

INVOCATION OR MOMENT OF SILENCE: (1:42) was led by Vice Mayor Christopher McVoy.

PLEDGE OF ALLEGIANCE: (3:10) was led by Mayor Betty Resch.

ADDITIONS/DELETIONS/REORDERING: (3:38)

The City Attorney's Report was moved to precede the City Manager's Report.

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the agenda as amended.

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

PRESENTATIONS: (4:25) (there is no public comment on Presentation items)

- A. Proclamation declaring May 2023 as Historic Preservation Month (4:38)
- B. Proclamation declaring May 2023 as Mental Health Awareness Month (7:42)
- C. Proclamation declaring May 2023 as Asian and Pacific Islander Heritage Month (17:19)
- D. Proclamation declaring May 2023 as Haitian Heritage Month (13:43)
- E. Proclamation declaring April 30 - May 6, 2023 as Professional Municipal Clerk's Week (19:44)
- F. Proclamation declaring May 13, 2023 as World Migratory Bird Day (23:24)

COMMISSION LIAISON REPORTS AND COMMENTS: (25:24)

(moved from the end of the agenda) **CITY ATTORNEY'S REPORT:** (37:07)

A. Update regarding Benny's on the Beach lease renewal

CITY MANAGER'S REPORT: (40:13)

City Manager Davis provided the following report:

- attended PBC's Office of Equal Business Opportunity meeting on Monday at the Cultural Council in Lake Worth Beach on behalf of the City Commission; two of the four events would be held in the city
- congratulated Patrick Livingston on receiving a \$100,000 grant from PBC Impact 100
- introduced Leena Trinidad, a member of the AmeriCorps Vista Program, who would be working with administration on increasing community engagement and enhancing community partnerships

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (44:40)

The meeting recessed at 8:05 PM and reconvened at 8:16 PM.

APPROVAL OF MINUTES: (2:10:45)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the following minutes:

- A. Utility – March 28, 2023
- B. Pre-agenda Work Session - April 12, 2023
- C. Work Session - April 13, 2023
- D. Work Session - April 17, 2023

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

CONSENT AGENDA:

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

A. Sovereignty Submerged Lands Easement Renewal

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

PUBLIC HEARINGS:

There were no Public Hearing items on the agenda.

UNFINISHED BUSINESS: (2:15:53)

A. Purchased Power Cost Adjustment Update (PCA)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the PCA as presented under Option 2, effective June 1, 2023.

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

NEW BUSINESS: (2:59:13)

A. Alcohol beverage distance waiver to allow package sales of alcoholic beverages at the existing Family Dollar at 2507 North Dixie Highway (2:49:15)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Stokes to approve the alcohol distance waiver for the sale of packaged beer and wine with the staff recommended conditions as amended.

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

B. Resolution No. 10-2023 – Adopting a FY 2023 Budget Amendment for Subregional Wastewater Payment to ECR (3:18:40)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 10-2023, BUDGET AMENDMENT OF THE CITY OF LAKE WORTH BEACH, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, MAKING A BUDGET TRANSFER OF \$240,863 FROM THE FISCAL YEAR 2023 SUBREGIONAL SEWER EQUITY FUND BALANCE TO PAY THE CITY OF WEST PALM BEACH EAST CENTRAL REGIONAL WATER RECLAMATION FACILITY RENEWAL AND REPLACEMENT FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Resolution No. 10-2023 adopting a FY 2023 Budget Amendment for Subregional Wastewater Payment to ECR.

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

C. Resolution No. 11-2023 for the 2020 Non-Ad Valorem and 2020 Consolidated Utility Revenue Bonds Reauthorization (3:20:25)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 11-2023, A GENERAL RESOLUTION OF THE CITY OF LAKE WORTH BEACH, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, TO REALLOCATE AND REAUTHORIZE 2020 NON-AD VALOREM REVENUE BOND AND 2020 CONSOLIDATED UTILITY REVENUE BOND AMONG BOND FUNDED PROJECTS AND PROVIDING FOR AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Resolution No. 11-2023 for the 2020 Non-Ad Valorem and 2020 Consolidated Utility Revenue Bonds Reauthorization.

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

D. Agreement with Solar Energy Loan Fund (SELF) (3:22:40)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve a contract with SELF for a period of up to three (3) years in the aggregate amount of \$300,000 using current operating electric funds or ARPA funds.

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

E. FMPA Municipal Solar Phase III Project Power Sales Contract (3:35:10)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the FMPA Municipal Solar Phase III Project Power Sales Contract at 30 MW.

Action: Amended Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the FMPA Municipal Solar Phase III Project Power Sales Contract at 30 MW with the option to go to 40 MW, if available through the FMPA.

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

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

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

Mayor Resch passed the gavel to Vice Mayor McVoy and left the meeting at 9:50 PM.

F. Exercise of City's extension rights under the OUC Supplemental Energy and Capacity Agreement (3:42:30)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve the exercise of the City's right to a second one-year (1) extension of the OUC Agreement and for Staff to provide such notification to OUC by June 1, 2023.

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

Mayor Resch returned to the meeting at 9:53 PM and resumed the gavel.

G. Work Order No. 10 with L.E. Myers Co. to complete construction work for the French Ave Voltage Conversion Project (3:47:52)

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to approve Work Order No. 10 with L.E. Myers Co. to complete construction work for the French Ave Voltage Conversion Project.

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

(moved to follow Commission Liaison Reports) **CITY ATTORNEY'S REPORT:**

A. Update regarding Benny's on the Beach lease renewal.

UPCOMING MEETINGS AND WORK SESSIONS:

May 12 - Pre-agenda Work Session @ 9 AM

May 16 - Regular @ 6 PM

ADJOURNMENT: (3:49:46)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to adjourn the meeting at 9:56 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 June 6, 2023.

Item time stamps correspond to the video recording of the meeting on YouTube.