

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, SEPTEMBER 6, 2022 – 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:02 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:11) 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: (0:35) led by Mayor Betty Resch.

PLEDGE OF ALLEGIANCE: (1:12) led by Commissioner Reinaldo Diaz.

ADDITIONS/DELETIONS/REORDERING (1:35)

New Business item D, Ordinance No. 2022-15 – approval of a Mixed Use Urban Planned Development, Major Site Plan for the project commonly referred to as “Lake Worth Station” was continued to the September 20, 2022 meeting. New Business item A, Twelfth Addendum to the Law Enforcement Service Agreement (LESA) and New Business item F, Ordinance No. 2022-18 – First Reading - Repeal of sections 15-91 “Definitions,” 15-91 “Prohibited acts regarding panhandling,” and 19-14 “Right-of-way solicitors and canvassers” were reordered to follow the Consent Agenda.

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 Malega, Stokes and Diaz. NAYS: None.

PRESENTATIONS: (17:32) (there is no public comment on Presentation items)

- A. Presentation by The Corradino Group regarding the FDOT Intersection Project Update on US1 at Lake and Lucerne Avenues (18:05)
- B. PBC Transportation Planning Agency (TPA) presentation regarding Vision Zero and Complete Streets (33:56)
- C. Presentation by Kimley-Horn regarding Dixie Highway Lane Repurposing (48:38)
- D. Presentation by Lauren Bennett, Leisure Services Director, of awards received at the Florida Festival and Events Association Conference (1:06:06)

COMMISSION LIAISON REPORTS AND COMMENTS:

There were no liaison reports.

CITY MANAGER'S REPORT:

City Manager Davis did not provide a report.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (1:11:17)

APPROVAL OF MINUTES: (01:22:52)

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

- A. Budget Work Session #3 - August 11, 2022
- B. Budget Work Session #4 - August 15, 2022
- C. Regular Meeting - August 16, 2022
- D. Work Session - August 23, 2022

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

CONSENT AGENDA: (1:23:13) (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. Seventh Amendment to Professional Services Agreement with Ben Few & Company, Inc.
- B. Resolution No. 61-2022 – establishing the City’s desire to be designated as a Vision Zero Community
- C. Resolution No. 64-2022 – submission of an application to the Florida Department of State, Division of Cultural Affairs, General Program Support grant program for funding assistance with the 2023 Street Painting Festival
- D. Resolution No. 65-2022 – Fiscal Year 2023 State Aid to Libraries Grant Application
- E. Resolution No. 66-2022 – Florida Humanities English for Families Program Grant Application

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

(reordered from later in the agenda) **NEW BUSINESS:** (1:23:32)

The meeting recessed at 7:28 PM and reconvened at 7:42 PM.

- F. Ordinance No. 2022-18 – First Reading - Repeal of sections 15-91 “Definitions,” 15-91 “Prohibited acts regarding panhandling,” and 19-14 “Right-of-way solicitors and canvassers” (1:40:20)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2022-18 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, REPEALING SECTIONS 15-90 “DEFINITIONS,” 15-91 “PROHIBITED ACTS REGARDING PANHANDLING,” AND 19-14 “RIGHT-OF-WAY SOLICITORS AND CANVASSERS” OF THE CITY CODE OF ORDINANCES WHICH MAKE

CERTAIN INSTANCES OF PANHANDLING OR SOLICITING IN PUBLIC AREAS
UNLAWFUL; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION,
AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

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

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

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Ordinance No. 2022-18 on first reading and set the second reading and public hearing for September 20, 2022.

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

Mayor Resch passed the gavel to Vice Mayor McVoy and left the meeting at 10:22 PM.

The meeting recessed at 10:23 PM and reconvened at 10:37 PM.

A. (reordered to follow New Business F) Twelfth Addendum to the Law Enforcement Service Agreement (LESA) (4:35:40)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to approve the Twelfth Addendum to the Law Enforcement Service Agreement (LESA).

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

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

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

PUBLIC HEARINGS: (4:52:07)

A. Resolution No. 55-2022 - Adopting the final assessment roll for non-ad valorem assessments levied for Chronic Nuisance Services and directing that such final assessment roll be certified to the Palm Beach County Tax Collector

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 55-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA,
RELATED TO THOSE NON-AD VALOREM ASSESSMENTS WHICH MAY BE
LEVIED FOR THE COST OF PROVIDING LOT CLEARING, BOARDING AND
SECURING, AND DEMOLITION SERVICES TO ELIMINATE NUISANCE
CONDITIONS ON PRIVATE REAL PROPERTY WITHIN THE INCORPORATED
AREA OF THE CITY; APPROVING THE ASSESSMENT ROLL FOR FISCAL YEAR

2022 AND FOR OTHER PURPOSES; PROVIDING FOR CONFLICTS,
SEVERABILITY AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve Resolution No. 55-2022 - Adopting the final assessment roll for non-ad valorem assessments levied for Chronic Nuisance Services and directing that such final assessment roll be certified to the Palm Beach County Tax Collector.

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

UNFINISHED BUSINESS: (4:53:48)

- A. Resolution No. 63-2022 – approval to submit an application to the Florida Department of Transportation (FDOT) for lane repurposing on US-1/Dixie Highway

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 63-2022 -- A RESOLUTION OF THE CITY OF LAKE WORTH BEACH, FLORIDA SUPPORTING THE RECOMMENDATIONS OF THE US-1/FEDERAL HIGHWAY MULTIMODAL CORRIDOR STUDY COMPLETED AND ADOPTED BY THE PALM BEACH COUNTY TRANSPORTION PLANNING AGENCY AND THE US-1 LAKE WORTH BEACH COMPLETE STREETS STUDY SUPPORTED BY THE LAKE WORTH BEACH COMMUNITY REDEVELOPMENT AGENCY AND PALM BEACH COUNTY TRANSPORTATION PLANNING AGENCY, INCLUDING THE REDUCTION OF THE NUMBER OF LANES, AND AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE LANE REPURPOSING ON US-1/DIXIE HIGHWAY BETWEEN SR-5/FEDERAL HIGHWAY AND THE C-51 CANAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve Resolution No. 63-2022 – submitting an application to the Florida Department of Transportation (FDOT) for lane repurposing on US-1/Dixie Highway.

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

NEW BUSINESS: (5:16:37)

- A. (reordered to follow the Consent Agenda) Twelfth Addendum to the Law Enforcement Service Agreement (LESA)

- B. Resolution No. 62-2022 – establishing the City’s Complete Streets Policy (5:16:39)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 62-2022 – A RESOLUTION OF THE CITY OF LAKE WORTH BEACH, FLORIDA TO ESTABLISH A COMPLETE STREETS POLICY TO

INTEGRATE VEHICULAR TRAFFIC, BICYCLING, WALKING, AND PUBLIC TRANSIT WITH THE CITY'S PROJECTS, POLICY INITIATIVES, GOALS, AND OBJECTIVES FOR ROUTINELY INCORPORATING COMPLETE STREETS INTO PRACTICE; AND PROVIDING AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve Resolution No. 62-2022 – establishing the City's Complete Streets Policy.

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

C. Agreement with Spatco Energy Solutions LLC for the Fleet Fuel System and Dispensers Replacement Project (5:30:37)

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve the Agreement with Spatco Energy Solutions LLC for the Fleet Fuel System and Dispensers Replacement Project.

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

D. (continued to September 20 meeting) Ordinance No. 2022-15 – First Reading - approval of a Mixed Use Urban Planned Development, Major Site Plan, Conditional Use Permit (CUP), and Sustainable Bonus Incentive Program (SBIP) requests for the project commonly referred to as "Lake Worth Station" located at 930 N G Street to construct a 5-story, 81 dwelling unit mixed use development with 39 multi-family units proposed to qualify as workforce housing and office space. The sustainable bonus request is for additional density and height. The property is zoned Transit Oriented Development – East (TOD-E)

E. Ordinance No. 2022-16 – First Reading - Establishing a Business Advisory Board (5:31:39)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2022-16 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION," ADDING A NEW ARTICLE 16III "BUSINESS ADVISORY BOARD," PROVIDING FOR A NEW BUSINESS ADVISORY BOARD, TERMS, COMPOSITION AND DUTIES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to approve Ordinance No. 2022-16 on first reading and set the second reading and public hearing for September 20, 2022, expanding the board composition to seven members with a quorum of four members, adding the category of industrial businesses and lawyer; and clarifying that meetings would be every other month.

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

F. (reordered to follow the Consent Agenda) Ordinance No. 2022-18 – First Reading - Repeal of sections 15-91 “Definitions,” 15-91 “Prohibited acts regarding panhandling,” and 19-14 “Right-of-way solicitors and canvassers”

G. Ordinance No. 2022-19 – First Reading - Adopting amendments to Chapter 7 “Beaches, Parks and Recreation” to prohibit smoking and vaping in City parks and on the City’s beach (5:51:07)

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to move Ordinance No. 2022-19 to the September 20 meeting as New Business A.

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

CITY ATTORNEY'S REPORT:

A. (continued to the September 20 meeting) Housing Crisis Update

UPCOMING MEETINGS AND WORK SESSIONS:

September 8 - Special, 1st Budget Hearing @ 5:01 pm

September 12 - Work Session - redistricting @ 5 pm

September 14 - Pre-Agenda Work Session @ 9 am

September 20 - Regular @ 6 pm

ADJOURNMENT: (5:52:35)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to adjourn the meeting at 11:55 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

Minutes approved September 20, 2022.

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