

**MINUTES
CITY OF LAKE WORTH BEACH
REGULAR CITY COMMISSION MEETING
CITY HALL COMMISSION CHAMBER
TUESDAY, AUGUST 16, 2022 – 6:00 PM**

The meeting was called to order by Mayor Resch on the above date at 6:07 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:09) Present were Mayor Betty Resch (via Zoom), Vice Mayor Christopher McVoy, Commissioners Kimberly Stokes and Reinaldo Diaz. Also present were City Manager Carmen Davis, City Attorney Glen Torcivia and Deputy City Clerk Shayla Ellis. Commissioner Sarah Malega was absent..

INVOCATION OR MOMENT OF SILENCE: (0:30) led by Vice Mayor Christopher McVoy.

PLEDGE OF ALLEGIANCE: (1:22) led by Commissioner Kimberly Stokes.

ADDITIONS/DELETIONS/REORDERING (1:42)

Resolution No. 58-2022 approving the submission of an application for funding for the replacement of playground equipment in South Palm Park was added as Consent item F and Resolution No. 57-2022 declaring a housing crisis state of emergency in the City of Lake Worth Beach was added and reordered to New Business A. The word “density” was missing at line 139 from Ordinance 2022-12 and was added in.

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy 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 Sarah Malega.

PRESENTATIONS: (16:22) (there is no public comment on Presentation items)

- A. Presentation on the National Fitness Campaign (NFC) – Public Art Outdoor Fitness Court by Gloria Cox, Director, NFC Public Art Campaign (16:59)
- B. Presentation on Mental Health America's Bell Seal for Workplace Mental Health Gold Status by Human Resources (28:08)
- C. Presentation regarding beach complex and tourism by Todd Townsend (34:54)

COMMISSION LIAISON REPORTS AND COMMENTS: (45:19)

Action: Consensus to have a presentation from the Ed Liberty, Director of Electric Utilities, providing a brief overview of the Inflation Reduction Act at the Utility meeting scheduled for August 30, 2022. (54:18)

CITY MANAGER'S REPORT: (57:04)

City Manager Davis did not provide a report.

PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA: (58:01)

APPROVAL OF MINUTES: (01:06:54)

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

- A. Pre-agenda Work Session - July 27, 2022
- B. Special Meeting - July 28, 2022
- C. Budget Work Session #2 - August 1, 2022
- D. Regular Meeting - August 2, 2022

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

CONSENT AGENDA: (1:07:22) (public comment allowed during Public Participation of Non-Agendaed items)

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

- A. Payments of Fiscal Year 2021 Invoices
- B. Interlocal Agreement with the Lake Worth Beach Community Redevelopment Agency (LWBCRA) for payment of auditing services provided by the City's Consultant RSM US, LLP
- C. Resolution No. 52-2022 – authorizing the submission of an application to the Bureau of Justice Assistance for the City's Justice Assistance Grant formula award
- D. Resolution No. 53-2022 – authorizing the Mayor, or her designee, to execute the Agreement between the State of Florida, Department of State and the Lake Worth Beach Public Library for the 2023 BiblioArte! Festival
- E. Resolution No. 54-2022 – approving the submission of an application for funding under the Florida Recreation Development Assistance Program for the replacement of playground equipment in Bryant Park
- F. (added) Resolution No. 58-2022 approving the submission of an application for funding under the Florida Recreation Development Assistance Program for the replacement of playground equipment in South Palm Park

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

PUBLIC HEARINGS:

- A. (tabled) Ordinance No. 2022-12 – Second Reading – Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,”

Division 2 “Definitions,” and Article 2 “Administration”, Division 3 “Permits” adding a new Section 23.2-39 “Affordable/Workforce Housing Program,” providing for a Lake Worth Beach Affordable/Workforce Housing Program (1:07:43)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2022-12 – 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,” ADDING A NEW DEFINITIONS “ANNUAL GROSS HOUSEHOLD INCOME,” “GROSS RENT” AND “OVERALL HOUSING EXPENSE;” AND ARTICLE 2 “ADMINISTRATION,” DIVISION 3 “PERMITS,” ADDING A NEW SECTION 23.2-39 “AFFORDABLE/WORKFORCE HOUSING PROGRAM,” PROVIDING FOR AN AFFORDABLE/WORKFORCE HOUSING PROGRAM WITHIN THE CITY OF LAKE WORTH BEACH; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Stokes to table Ordinance No. 2022-12 on second reading amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” and Article 2 “Administration”, Division 3 “Permits” adding a new Section 23.2-39 “Affordable/Workforce Housing Program,” providing for a Lake Worth Beach Affordable/Workforce Housing Program until the regular meeting scheduled on September 20, 2022.

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

- B. (tabled) Ordinance No. 2022-13 – Second Reading – Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1-12 “Definitions,” and Article 4 “Development Standards”, adding a new Section 23.4-25 “Micro-Units,” providing for Micro-Unit Housing (1:09:47)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2022-13 - 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,” ADDING A NEW DEFINITION “MICRO-UNIT;” AND ARTICLE 4 “DEVELOPMENT STANDARDS,” ADDING A NEW SECTION 23.4-25 “MICRO-UNITS,” PROVIDING FOR DEVELOPMENT STANDARDS FOR MICRO-UNITS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Stokes to table Ordinance 2022-13 on second reading amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1-12 “Definitions,” and Article 4 “Development Standards”, adding a new Section 23.4-25 “Micro-

Units,” providing for Micro-Unit Housing until the regular meeting scheduled on September 20, 2022.

Vote:

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

- C. (tabled) Ordinance No. 2022-14 – Second Reading – Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1-12 “Definitions”, and Article 2 “Administration”, Division 3 “Permits,” Section 23.2-31 “Site Design Qualitative Standards,” providing standards for buildings (1:11:14)

City Attorney Torcivia read the ordinance by title only.

ORDINANCE 2022-14 - 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,” ADDING THERETO NEW DEFINITIONS “SOCIAL JUSTICE” AND “SUSTAINABILITY;” AND “ARTICLE 2 “ADMINISTRATION,” DIVISION 3 “PERMITS,” SECTION 23.2-31 “SITE DESIGN QUALITATIVE STANDARDS,” PROVIDING FOR STANDARDS FOR BUILDINGS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

Action:

Motion made by Commissioner Diaz and seconded by Commissioner Stokes to table Ordinance 2022-14 on second reading amending Chapter 23 “Land Development Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1-12 “Definitions,” and Article 2 “Administration”, Division 3 “Permits”. Section 23.2-31 “Site Design Qualitative Standards,” providing standards for buildings until the regular meeting scheduled on September 20, 2022.

Vote:

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

NEW BUSINESS: (1:12:15)

- A. (added & reordered) Resolution No. 57-2022 – declaring a housing crisis state of emergency in the City of Lake Worth Beach (1:12:50)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 57-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING A HOUSING CRISIS STATE OF EMERGENCY AND DIRECTING CITY STAFF TO EXPLORE VARIOUS OPTIONS, INCLUDING BUT NOT LIMITED TO, THE POSSIBLE DEVELOPMENT OF A SOLICITATION FOR THE PERFORMANCE OF A HOUSING STUDY; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve Resolution No. 57-2022 – declaring a housing crisis state of emergency in the City of Lake Worth Beach.

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

The meeting recessed at 8:31 PM and reconvened at 8:45 PM.

Action: Consensus to have City Attorney investigate the requirements to allow the city commission to become the governing board of the Community Redevelopment Agency Advisory Board at the next regular scheduled meeting on September 6, 2022. (3:20:12)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Stokes to extend the meeting to 11:00 PM. (3:31:44)

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

B. Resolution No. 56-2022 – Fiscal Year 2022-2023 Community Development Block Grant Agreement for Memorial Park Phase II (3:33:00)

City Attorney Torcivia did not read the resolution.

RESOLUTION NO. 56-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, APPROVING THE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY IN THE AMOUNT OF \$306,691 IN FISCAL YEAR 2022-2023 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE MEMORIAL PARK PHASE II IMPROVEMENTS PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve Resolution No. 56-2022 approving and authorizing the Mayor, or her designee, to execute the Fiscal Year 2022-2023 CDBG Agreement for the Memorial Park Phase II Improvements project.

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

C. Work Order #9 with The Paving Lady (3:33:54)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Diaz to approve Work Order #9 with The Paving Lady at a cost not to exceed \$345,390.20.

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

D. Annual contracts for Building Division inspections, plan reviews, code compliance inspections, and other building services with C.A.P. Government, Inc., GFA International and Hy-Byrd, Inc. (3:35:45)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to approve contracts with C.A.P. Government, Inc., GFA International and HyByrd, Inc.

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

CITY ATTORNEY'S REPORT: (3:43:02)

City Attorney Torcivia provided the following report:

- would be bringing forth documentation repealing the ordinance regarding panhandling
- would be bringing forth documentation repealing the ordinance regarding conversion therapy

UPCOMING MEETINGS AND WORK SESSIONS:

August 23 - Work Session @ 5 pm
August 24 - Pre-agenda work session @ 9 am
August 25 - Special meeting @ 6 pm - Casino Ballroom
August 30 - Utility meeting @ 6 pm

ADJOURNMENT: (3:43:59)

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to adjourn the meeting at 9:51 PM.

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

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk

Minutes approved September 6, 2022.

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