

# DRAFT

# CITY OF WESTLAKE



## MINUTES

**City Council Regular Meeting**  
Monday, May 11, 2020 at 6:30 PM

### VIA COMMUNICATIONS MEDIA TECHNOLOGY

This meeting was held in accordance with the Governor's Executive Order 2020-69. Due to COVID-19, and the need to ensure public health safety and welfare and was conducted without a quorum of its members present physically or at any specific location and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

Members of the public participated in the meeting through electronic means and had the ability to access as follows:

1. Join the Webex meeting from your computer, tablet or smartphone at the following link:

<https://cityofwestlake.my.webex.com/>

Meeting ID: 792 214 908  
Password: hello

2. Participants may also dial in using your phone with any of the following number(s):

United States Toll: +1-408-418-9388  
Meeting ID: 792 214 908

### CITY COUNCIL:

Roger Manning, Mayor  
Katrina Long Robinson, Vice Mayor  
Patric Paul, Council Member – Seat 1  
Kara Crump, Council Member – Seat 2  
JohnPaul O'Connor, Council Member – Seat 3

### CITY STAFF:

Ken Cassel, City Manager  
Pam E. Booker, City Attorney  
Zoie P. Burgess, City Clerk

A REGULAR meeting of the City Council of the City of Westlake was held on Monday, May 11, 2020 at 6:30 PM., via Communications Media Technology in accordance with the Governor's Executive Order 2020-69, due to COVID-19 and the need to ensure public health, safety and welfare.

As a preliminary matter, Ms. Burgess confirmed all Council Members, City staff and meeting participants were present and able to hear and speak. Ms. Burgess provided further instruction regarding public comments, noting that comments will be acknowledged by the Mayor and accepted at the appropriate times as indicated in the Agenda and those who wish to speak may use the "virtual" hand raise feature.

Ms. Burgess provided the disclaimer that the meeting is being recorded by both voice and video, reminding the audience that microphones are live. Ms. Burgess further explained that microphones will be muted; however, audience members have the ability to unmute themselves.

**CALL TO ORDER**

Mayor Manning called the City of Westlake Regular City Council meeting of Monday, May 11, 2020 to order at 6:34 PM.

**ROLL CALL**

Present and constituting a quorum via Communications Media Technology were:

Roger Manning, Mayor;  
Katrina Long Robinson, Vice Mayor;  
JohnPaul O'Connor, Councilman;  
Kara Crump, Councilwoman; and,  
Patric Paul, Councilman.

**PLEDGE OF ALLEGIANCE**

Mayor Manning led the Pledge of Allegiance.

**ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA**

Mayor Manning called for any additions, deletions or modifications to the Agenda. City Manager Cassel noted the addition of Emergency Ordinance 2020-03.

Mayor Manning called for a motion.

Motion by Vice Mayor Long- Robinson to approve Agenda adding Ordinance 2020-03 for consideration under New Business, seconded by Councilwoman Crump.

**UPON ROLL CALL:**

Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES
Vice Mayor Long- Robinson	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (5-0).

**PUBLIC COMMENTS AND REQUESTS (OPEN FORUM NON-AGENDA ITEMS)**

*This section of the agenda allows for comments from the public to speak on any item not presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk. When you are called to speak, please go to the podium, and prior to addressing the Council, state your name and address for the record.*

Mayor Manning inquired of the City Clerk of any Public Comments.

Ms. Burgess noted that a comment was received in advance of meeting.

Tara Duhy - Lewis Longman & Walker, P.A. - On behalf of Minto PBLH, LLC, explained they would be submitting the following morning, the Development Agreement for Council and Staff consideration and upon submission they plan to reach out to each of the Council, to make sure they understand any concerns and answer any questions.

Ms. Duhy explained that Minto's Development Orders were issued prior to the City incorporating and Minto can continue development pursuant to its existing development orders and does not need to do this Development Agreement, but wants to do so because of working with staff in developing a great Code that contemplates their development but also encapsulates the vision of the City and it is their desire to move into that vision of the City and out of the County's broader view of the region.

Ms. Duhy further explained that the Development Agreement brings Minto under the City's jurisdiction, it incorporates the Development Order Agreement conditions that are part of their current development order, except for those that have been superseded by the City's Code, completed or contrary to loss. Ms. Duhy continued, identifying that the Development Agreement does not change the number of units or the number of square feet that Minto is entitled to develop in the City.

Ms. Duhy noted that they have added a condition and a dedication that they do not otherwise have to do and have decided to give the parcel that is currently known as PC-2, 6.3 acres of that land to the County and 2.4 acres of that land to the City for City facilities.

Ms. Burgess identified that the 3-minute limit has expired.

Ms. Burgess noted that there are no additional comments received prior to the meeting and called for additional comments from present attendees. Ms. Burgess gave a moment for any virtual hand, or identification of individuals who wish to comment.

Donalson Hearing - Coteleur & Hearing - On behalf of Minto, he wanted to bring attention to their efforts of bringing a governmental services and institutional cluster at the intersection of Town Center Parkway and Persimmon and the Grove Marketplace area and pleased to share that at the June meeting Council will be presented for the Palm Beach County Tax Collector; a 4.7 acre, 23,000 square foot site.

Mr. Hearing further commented, identifying that on the present Agenda, Parcel C-1 and Parcel C-2 located on the west side of Ilex Way, south of Town Center and east of the Grove Marketplace, that parcel was originally designated to be 6.3 acres, however due to engineering and drainage constraints, and when the City's Comprehensive plan was adopted, there was a larger right-of-way section that was acquired for Ilex Way, to fulfill the Council's request to have multi-mobile pathways on both sides of all of the major roads, and thus resulted in that parcel becoming smaller and now it is approximately 4.3 acres.

Mr. Hearing identified that they are proposing that on Parcel TC-2 to provide 6.3 acres to Palm Beach County for governmental services and 2.8 acre site to be dedicated to the City for a City Hall facility.

There being no further comments, the next item followed.

**CONSENT AGENDA**

*This section of the agenda consists of routine or administrative items that require final approval by the City Council and may be approved in its entirety by a single motion. There will be no discussion of these items unless a City Council Member requests such, in which event, the item will be removed from the Consent Agenda and considered on a future agenda.*

Mayor Manning identified the items on the Consent Agenda and called for any questions.

Attorney Booker stated that the Motion should be individual for the February 2020 Financial Report and the March 2020 Financial Report.

**B. Approval Finance Statement**

**1. Financial Report - February 2020**

Motion by Councilwoman Crump to approve the Financial Report February 2020, seconded by Councilman O'Connor.

**UPON ROLL CALL:**

Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES
Vice Mayor Long- Robinson	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (5-0).

**2. Financial Report - March 2020**

Motion by Vice Mayor Long- Robinson to approve the Financial Report March 2020, seconded by Councilwoman Crump.

**UPON ROLL CALL:**

Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES
Vice Mayor Long- Robinson	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (5-0).

**PRESENTATIONS/PROCLAMATIONS**

**C. County facilities and services within the City of Westlake - Background and History**

**Presented By** - Bryan Davis, Principal Planner | Palm Beach County Planning Division

Mayor Manning introduced Bryan Davis, Principal Planner of Palm Beach County Planning Division.

Mr. Patrick Rutter, Assistant County Administrator for Palm Beach County wanted to first introduce staff present and provide a few points that went into the planning for the City's region.

Mr. Davis continued with a PowerPoint Presentation of the Background and History as to how the development approval came about, and the considerations that were involved:

- The County made efforts to focus on the feasibility of development in rural areas
- There was an identified lack of planning and the area lacked infrastructure and services

- The inherent conflict of there being a vast agricultural land tract, with limited existing and planned development, noting which the City of Westlake sits on a a former citrus grove and larger scale undeveloped parcels between the "exurban" lots.
- In the early 1990s the Acreage began to develop adding more pressure to the infrastructure.

Mr. Davis continued, that as the area attempted to mature, it was recognized that it was not feasible to put much of the infrastructure needs in place and was going to be put off to the larger agriculture tracts that was to be converted to development. The County in response to the development pressure from the larger agriculture tracts, developed a plan, the Central Western Communities Sector Plan, to look at how the area would develop.

Mr. Davis identified the guiding principles for the sector plan to identify how the County would go about allowing and permitting responsible development and correct the infrastructure needs while not overly burdening the system beyond its ability to withstand the impacts. Critically it was to be sustainable both economically and fiscally. He further identified that it had to be identified what the agriculture tracts would do when they come in and see the development approvals.

Mr. Davis explained that the County identified what the entire area needed and to help balance the land use patterns and allow for some measure of residential development to occur to assist and provide incentive to the developers coming in and making the necessary investments. He noted that as the sector planning went forward from 2007 onward it would serve as the basis for future County recognition.

Mr. Davis identified the preliminary stages of Westlake:

- Development of Regional Impact with an original application of 10,000 units of density, over 2 million square feet of miles in alternate uses and a proposal of many regional uses, but critically there were extensive road network impacts. Mr. Davis noted that there were benefits but was not something the County could accept and was denied.
- The County provided an alternate recommendation
- The Initial Development Regional Impact was denied in 2006 and in 2008 the owner resubmitted another plan that was identified to provide no public benefit with a much lower density and nothing to address the road impacts. Mr. Davis explained that it was approved due to the Agriculture Enclave statute. Displaying the Conceptual plan, Mr. Davis noted that there were very little to no civic sites, other than conceptual locations and very low density spread out over most of the site.

Mr. Davis further explained the change of ownership in 2013 and the owner approaching the County to amend the Agriculture Enclave and the County again saw the impacts, but not the benefits and asked for significant increases in the non-residential uses.

Mr. Davis identified that there was a critical component of public benefits that had to balance larger County needs:

- Workforce housing
- Recreational amenities
- Water issues and needs in the area
- Open space use
- Civic and Government use allocations
- Roadway improvements

Mr. Davis noted that there is still a part of the County's original approval that is still relevant even though there is the local jurisdiction over the zoning and land use and permitting. The County still has control of roadway and traffic impacts and there was a proportionate and fair share agreement approved and executed in October 2014

that remains in effect to guarantee road construction targets and specific development thresholds. Mr. Davis noted there were up to 11 contributions over time to be met totaling \$54 million dollars in 2014, which included:

- The developer to widen Seminole Pratt Whitney Road, and Persimmon Blvd. to 60th Street North
- An escalation clause that after October 2019, contributions would need to be adjusted to what the market rate is.
- The first major contribution of 873 dwelling units for building permits

Mr. Davis noted that three County Civic Sites were to be included, which included the Fire Station and a site east of the Grove Marketplace was Government Pod C-2: Government Services Use about 6.3 acres and south of Seminole Ridge High School there would be a 50 acre County District Park. He explained that these would be the other items needed in exchange for giving the development approval.

D. County facilities and services within the City of Westlake - Planning Summary, Development Order, and Public Civic PODS/Facilities

**Presented By** - Audrey Wolf, Director | Palm Beach County Facilities Development & Operations Department

Ms. Audrey Wolf, the Director of Facilities Development and Operations for the County identified that the objective for the presentation is to provide historical information and current day projections to assist the City Council in making a fully informed decision for the future.

Ms. Wolf continuing with a PowerPoint Presentation provided additional detail on the background presented by Mr. Davis, noting that the County has had little real estate ownership in this area of the County noting that lots in the Acreage were sporadically developed as single-family homes, nurseries and some limited institutional uses. Ms. Wolf identified that demand for County services was relatively low and there was the ability to provide what was needed from one of the regional facilities or the Service Center in Royal Palm Beach until the peak of the economy and development surged in the early 2000s and little property was left for assemblage or otherwise available to place other facilities. Ms. Wolf provided the example of the Acreage branch library on Orange Boulevard where the County and Indian Trail Improvement district collaborated on reciprocal land leases in 2010.

Ms. Wolf noted that while the library had a location, fire rescue and PBSO did not and with the density in sales of proposed development the County recognized that the additional demand for services would follow and the Facilities Development & Operations Department critically analyzed the Master Plan and Development Order and worked with Minto's representatives to negotiate the placement, size, access and other details of a the public civic pods to benefit the western communities.

Ms. Wolf further presented the three (3) public civic pods negotiated and acquired by the County: C-1, C-2, and C-4, noting the location, size, shape boundaries, permissible points of access are geographically shown on the Minto West Final Master Plan. Ms. Wolf identified that the other public Civic Pod C-3 is a commitment to the school district and no further details would be discussed for that property.

Ms. Wolf explained that the County's Zoning Code stipulates that 2% of the gross land area may be required to be dedicated to Palm Beach County for public purposes which computes to upwards of 75.77 acres; however, the Master Plan shows and expressly states that only 72.07 acres or 3 acres less than the maximum is committed to public dedication and that includes the land committed for the School District at Pod C-3. The County made an effort to not require any more land to meet the public facilities needs in the future and being mindful of the impact to the tax base.

Ms. Wolf further detailed the three (3) Pods that were negotiated and required by the County and that are in the Development Order: Pod C-1 - Palm Beach County Fire-Rescue Station No.22, Pod C-2, 6.30 acres in size and per the conditions of the Development Order and legislative extensions the conveyance to the County is November 25, 2020, and Pod C-4 a 50 acre site conveyed by Minto to



Seminole Improvement District, which being no different than Pod C-1 and Pod C-2, the conditions of approval expressly state that the property was to be conveyed to Palm Beach County. Ms. Wolf explained that the conditions are not self executing and Minto has not petitioned the Council to make any change; the County's written objection to any other conveyance without full coordination with the County were issued to Minto before the conveyance was executed.

Ms. Wolf further identified the public facilities requiring future accommodation, which include a high probability for PBSO sub station, a fueling a facility, facility for Youth Services, a medium probability to include the Property Appraiser, Supervisor of Elections and a low probability of County services that are increasingly decentralizing from their primary service locations to include community services, cooperative extension and Palm Tran which currently operate from satellite offices, especially for dispatching and other local services.

Ms. Wolf addressed that Pod C-4 which no longer presents an opportunity to the County as the property has been conveyed to Seminole Improvement District which is not responsible for supporting County facilities and has already invested in professional design for the entire property being committed for park use and there now being regulatory conflicts that have applied an open space and recreation future land use assignment to all acres of land, which would prohibit the PBSO substation and fueling facility allowing only conservation and recreation uses on the land. Ms. Wolf explained that under County regulation, the public designation on the Master Plan alone would have afforded the flexibility for a host of public facility options; and had the County been aware of the planning and policies implications being put forth at the time, it would have been brought to Council sooner as the County could be constrained by only having the 10.07 acres remaining along Pod C-1 and C-2 to utilize in the future.

Ms. Wolf continued providing examples of what County facilities would look like and the services being provided in existing locations.

Ms. Wolf concluded that the Master Plan Conditions of Approval and Development Order currently in place remain in line with the forecast of the County's needs and there are no changed conditions that justify a material change to the plans that were mutually agreed upon and remains the identified recipient in all Development Order conditions for Pods C-1, C-2 and C-4 and is not opposed to forgoing the 50 acre Pod C-4, if that is the Council's preference and decision as long as the Council is aware of the strain that is put on the remaining 7.5 acres of develop-able land that is to be delivered to the County for the region. Ms. Wolf requests that if moving forward with a different site, the Council demand increased communication between all parties, the City, Minto and the County.

Vice Mayor Long Robinson addressed the communication issue and in efforts to move forward, directed the City Manager to increase the level of communication between the County, Minto and the City and believes that Minto was responsive and could have saved much time.

Mr. Cassel acknowledged that he will make efforts to facilitate additional communications between the developer and the County.

Councilman O'Connor inquired to the possible future facilities identified by the County for a Property Appraiser location, that with the Tax Collector's office being planed, if it will lessen the burden on some of the future facilities that may need to occupy that acreage.

Ms. Wolf explained that cumulatively it would have, but due to the loss of acreage the County remained in the same position that they began with in being able to just barely accommodate with the flexibility needed for the potential users. Ms. Wolf noted that the Tax Collector is one of the harder locations to site because of the impact, but in terms of square footage and acreage, it does lessen the burden a little but they are still out of the acreage that would have ended up in the park.

Councilman O'Connor noted that Palm Beach County Fire-Rescue is also on that list and inquired that with Station 22 being present the need for additional resources.

Ms. Wolf explained that in the last 6-8 months Fire-Rescue has come forward and indicated that they are exploring the opportunities for regional training facilities and for fire-safety facilities. Ms. Wolf clarified that it would not be additional response units necessarily, but more of a support to all stations

in the region with training and with the residents in terms of fire service support and that the County is actively looking at two (2) other locations in Palm Beach County for such facilities.

Mayor Manning inquired if there were any additional questions; there being none, Mayor Manning thanked the County for their presentation and proceeded to the following item.

**PUBLIC HEARING**

- E. Ordinance 2020-03 - Adoption Hearing - Second Reading Amending its Comprehensive Plan to Adopt by Reference an Updated 10-Year Water Supply Facilities Work Plan (Second Reading)

**Submitted and Presented By:** Denise Malone, Planning Manager, NZ Consultants

**ORDINANCE 2020-03 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO ADOPT BY REFERENCE AN UPDATED 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AS REQUIRED BY 163.3177, FLORIDA STATUTES; PROVIDING FOR THE ADOPTION OF AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE UPDATED WATER SUPPLY FACILITIES WORK PLAN; PROVIDING FOR ADOPTION OF UPDATED POLICIES WITHIN THE COMPREHENSIVE PLAN INFRASTRUCTURE ELEMENT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Manning requested the City Clerk read into record the title, Ordinance 2020-03

Ms. Burgess read into record, by title only, Ordinance 2020-03.

Mayor Manning called for any individuals who wish to comment on this item. There being no comments, the Mayor called for the staff presentation.

Ms. Denise Malone of NZ Consultants provided a presentation, noting that this is the Second Reading for Adoption for the Water Supply Facilities Wok Plan Update. Ms. Malone identified that the Transmittal Public Hearing was held March 9, 2020 and that no additional changes or comments had been received to-date and staff recommends approval of Ordinance 2020-03 to adopt the 10-Year Water Supply Facilities Work Plan Update and Associated Comprehensive Plan Policy Amendments.

Mayor Manning called for any questions; there being none, Mayor Manning called for the Ordinance to be read into record again.

Ms. Burgess read by title only, Ordinance 2020-03.

Mayor Manning called for Motion.

Motion made by Councilman Paul to Adopt Ordinance 2020-03, seconded by Councilwoman Crump.

**UPON ROLL CALL:**

Mayor Manning	YES
Vice Mayor Long- Robinson	YES
Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).



F. Ordinance 2020-05 - Education and Youth Advisory Board (First Reading)

**Submitted By:** Legal

**ORDINANCE 2020-05 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, CREATING AN EDUCATION AND YOUTH ADVISORY BOARD; ESTABLISHING THE PURPOSE AND SETTING FORTH THE DUTIES OF BOARD MEMBERS; TO ESTABLISH CRITERIA FOR THE BOARD COMPOSITION AND APPOINTMENT; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Manning Identified the first reading of Ordinance 2020-05 - Education and Youth Advisory Board  
Ms. Burgess read, by title only, Ordinance 2020-05.

Vice Mayor Long-Robinson provided comment to identify the importance of the Ordinance and the hopes of approving especially with the effects of COVID-19 and students having to learn virtually and the benefit to have representatives from our City to be a part of conversations that are happening within the County at the School District level.

Mayor Manning called for any individuals who wish to comment on this item. There being no public comment, Mayor Manning called for any staff discussion.

Councilwoman Crump inquired as to the selection of the members.

Vice Mayor Long-Robinson referred to the Ordinance indicating that individuals must apply to the Board upon meeting various stipulations.

There being no further comments, the Mayor called for a Motion.

Motion made by Vice Mayor Long-Robinson to adopt at First Reading, Ordinance 2020-05, seconded by Councilman Paul.

**UPON ROLL CALL:**

Mayor Manning	YES
Vice Mayor Long- Robinson	YES
Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).

G. Ordinance 2020-06 - Westlake Civil Rights Ordinance Act (First Reading)

**Submitted By:** Legal

**ORDINANCE 2020-06 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, TO BE ENTITLED "WESTLAKE CIVIL RIGHTS ORDINANCE ACT"; PROVIDING FOR NON-DISCRIMINATION WITHIN THE CITY AND ALL OTHER ACTIVITIES PROMOTED OR SPONSORED BY THE CITY WESTLAKE; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

Mayor Manning Identified the first reading of Ordinance 2020-06 - Westlake Civil Rights Ordinance Act

Ms. Burgess noting first reading, read by title only, Ordinance 2020-06.

Vice Mayor Long-Robinson provided comment that this Ordinance was an effort to provide inclusiveness of what is trying to be accomplished in Westlake. Vice Mayor Long-Robinson introduced a representative from the Palm Beach County Human Rights Council, Ms. Tamara Sager.

Ms. Sager provided background of the Palm Beach County Human Rights Council which is dedicated to ending discrimination and promoting equality. Ms. Sager noted that a campaign was launched, Palm Beach County You Are Welcome, as an effort to encourage local municipalities to enact LGBTQ inclusive ordinances.

Mayor Manning called for any individuals who wish to comment on this item. There being no further comment, the Mayor called for the reading of title again and a Motion.

Ms. Burgess, noting first reading, read by title only, Ordinance 2020-06.

Motion made by Councilman O'Connor to adopt Ordinance 2020-06, Westlake Civil Rights Ordinance Act, seconded by Vice Mayor Long-Robinson.

**UPON ROLL CALL:**

Mayor Manning	YES
Vice Mayor Long- Robinson	YES
Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).

H. Resolution 2020-08 - Approving the Final Plat for Persimmon Boulevard East Plat 3

**Submitted By:** Legal

**RESOLUTION 2020-08 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR PERSIMMON BOULEVARD EAST PLAT 3, BEING IN PART A REPLAT OF OPEN SPACE TRACT #3, PERSIMMON BOULEVARD EAST-PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH, FLORIDA, AND BEING A PORTION OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RECORDATION.**

Mayor Manning identified Resolution 2020-08, Approving the Final Plat for Persimmon Boulevard East Plat 3.

Ms. Burgess read, by title only, Resolution 2020-08.

Mayor Manning called for any individuals who wish to comment on this item.

Donalson Hearing - Cotleur & Hearing - On behalf of Minto, explained that this item is a continued plat extension of the public roadway network that is being implemented on a phase by phase basis. Mr. Hearing identified that this is extending Persimmon Boulevard, which will ultimately be a County thoroughfare.

Mayor Manning called for any staff comments. There being no additional comments, the Mayor requested title be read into record and a Motion to follow.

Ms. Burgess read, by title only Resolution 2020-08.

Motion made by Councilwoman Crump to adopt Resolution 2020-08, Approving the Final Plat for Persimmon Boulevard East Plat 3, seconded by Councilman O'Connor.

**UPON ROLL CALL:**

Mayor Manning	YES
Vice Mayor Long- Robinson	YES
Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).

- I. Resolution 2020-09 - Approving the Final Plat for Cresswind Palm Beach Phase 2 (Pod P)

**Submitted By:** Legal

**RESOLUTION 2020-09 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 2 (POD P), BEING DESCRIBED AS A PORTION OF LAND DESCRIBED BY METES AND BOUNDS, AS A PORTION OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTIONS 1 and 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Manning identified Resolution 2020-09, Approving the Final Plat for Cresswind Palm Beach Phase 2 (Pod P).

Ms. Burgess read, by title only, Resolution 2020-09.

Mayor Manning called for any individuals who wish to comment on this item.

Donalson Hearing - Cotleur & Hearing - On behalf of the Applicant, presented by PowerPoint Presentation the second plat within Pod P-1, as designated on the Master Plan.

Mayor Manning called for any additional questions, or comments from Council. There being no additional comments the Mayor requested title be read into record and a Motion to follow.

Ms. Burgess read, by title only, Resolution 2020-09.

Motion made by Councilman Paul to adopt Resolution 2020-09, seconded by Vice Mayor Long-Robinson.

**UPON ROLL CALL:**

Mayor Manning - YES  
Vice Mayor Long- Robinson - YES  
Councilman O'Connor - YES  
Councilwoman Crump - YES  
Councilman Paul - YES

With all in favor, motion carried without dissent (5-0).

**REGULAR AGENDA**

- J. Community Development Block Grant (“CDBG”) programs, Emergency Solutions Grant (“ESG”) program and Home Investment Partnerships (“HOME”)

**Submitted By:** Legal

Mayor Manning introduced item.

Ms. Booker presented item, noting the Interlocal Agreement was provided to the City Manager by Palm Beach County requesting the City participate in the various grant programs identified. Ms. Booker noted that the agreement had been presented to the City in the past, however at that time the Council decided not to move forward with the agreement. Ms. Booker recommends that at this time the City move forward with the agreement.

Ms. Booker noted that two corrections should be made to the agreement, paragraph 13 regarding law enforcement language that has been requested from the County for revision or provide documentation to the change. Ms. Booker noted the second change in adding the authorization for approval to form and sufficiency by the City Attorney.

With the identified changes, Ms. Booker recommends approval of the agreement.

Mr. Cassel requested a third correction to reflect the correct spelling of his name.

Motion made by Vice Mayor Long-Robinson accepting the Interlocal Agreement for Community Development Block Grant programs, Emergency Solutions Grant program and Home Investment Partnerships, seconded by Councilwoman Crump.

**UPON ROLL CALL:**

Mayor Manning	YES
Vice Mayor Long- Robinson	YES
Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).

- K. Resolution 2020-07 - Selecting a Member of the City Council to serve in the position of Vice-Mayor Until April 12, 2021.

**Submitted By:** Legal

**RESOLUTION 2020-07 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, SELECTING A MEMBER OF THE CITY COUNCIL TO SERVE IN THE POSITION OF VICE-MAYOR UNTIL APRIL 12, 2021, PURSUANT TO THE CITY’S CHARTER PROVISION AS SET FORTH IN SECTION 8D.**

Ms. Burgess read, by title only Resolution 2020-07.

Mayor Manning called for a nomination and inquired if he could make a nomination.

Councilwoman Crump nominated Vice Mayor Long-Robinson, Mayor Manning seconded that nomination.

Motion made by Councilman Paul to nominate Katrina Long Robinson for Vice Mayor, seconded by Councilwoman Crump.

**UPON ROLL CALL:**

Mayor Manning	YES
Vice Mayor Long- Robinson	YES
Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).

**NEW BUSINESS**

L. Emergency Ordinance 2020-03

**Submitted By:** Legal

**AN EMERGENCY ORDINANCE OF THE CITY OF WESTLAKE, FLORIDA, AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR ELECTRONIC ATTENDANCE BY ELECTED AND APPOINTED OFFICIALS AT CITY MEETINGS DURING PERIODS OF A DECLARED PUBLIC HEALTH EMERGENCY; PROVIDING FOR PUBLIC PARTICIPATION BY TELEPHONIC OR ELECTRONIC MEANS; PROVIDING FOR AUTOMATIC DELAY OF FINALITY OF OFFICIAL ACTION PENDING PUBLIC COMMENTS; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Manning identified Emergency Ordinance 2020-04, Authorizing the City Manager to make provisions for electronic attendance by elected and appointed officials.

Mr. Cassel further explained that this Ordinance is an extension of the prior Emergency Ordinance adding in a section pertaining to restaurants making provisions to have outside seating for the next 60 days and allowing the City Manager, Planning Director and Building Official to grant.

Ms. Booker added that the Executive Order 20-12 also extended the prior Executive Order 2020-69 allowing electronic meetings for an additional 60 days and such language has also been added.

Mayor Manning called for any additional discussion.

Ms. Burgess read, by title only Emergency Ordinance 2020-04.

Motion made by Councilman O'Connor to adopt Ordinance 2020-04, seconded by Vice Mayor Long-Robinson.

**UPON ROLL CALL:**

Mayor Manning	YES
Vice Mayor Long- Robinson	YES
Councilman O'Connor	YES
Councilwoman Crump	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).

Ms. Zacarias, the Planning and Zoning Director added that the 25% seating capacity that is allowed, is an important measure in Phase I reopening of the County and noted that in the Grove Marketplace there are three (3) existing restaurants to comply and will allow staff to review applications from each if they wish to have outdoor seating. It was further noted that, it is an effort to assist the restaurant owners

increase their capacity while ensuring ADA compliance and ensuring a safe environment for employees and customers.

Councilman O'Connor provided an additional comment to stress the importance of this Ordinance, explaining that in the Governor's guidelines for 25% Phase I opening, is that percentage also includes staff and the option to give restaurants the ability to increase their capacity is going to help these businesses.

Mr. Cassel added that as a follow up, he will be visiting the restaurants and notify the owners of this Ordinance, and noted that the owners will need the land owner's permission to conduct business on the outside.

### **CITY COUNCIL COMMENTS**

Mayor Manning addressed each Council Member calling for any additional comments.

A. Councilman JohnPaul O'Connor

Councilman O'Connor shared with Council that the very first resident of the Hammocks, Max Sears, unfortunately passed away, and several residents thought it would be an appropriate sentiment to offer some form of tribute in his honor, possibly dedicating a green-space, plaque on a park bench or something to honor Mr. Sears. Councilman O'Connor reached out to the president of the Hammocks HOA where he was assured something would be done.

B. Councilwoman Kara Crump

No additional comments.

C. Councilman Patric Paul

Councilman Paul requested a map for Westlake to better understand the areas that are being addressed.

Mr. Cassel acknowledged that an appropriate layout would be provided to him.

D. Katrina Long Robinson – Vice Mayor

Vice Mayor Long-Robinson noted that a request was submitted to staff for their resumes, as she had started the discussion several months ago about an evaluation tool for Council to use in evaluating staff, noting that one has never been done. Vice Mayor Long-Robinson acknowledged that it is time to move forward in adopting and implementing an evaluation tool for staff and identified that the City Manager, City Attorney and the City Clerk resumes are included in the Agenda Packets along with examples of staff evaluation processes. Vice Mayor Long-Robinson asks Council to review and consider the example from the Town of Lake Park and would like feedback from Council in implementing an evaluation process.

Mayor Manning acknowledged the importance of having staff evaluations as their is no way to gauge if an individual is doing their job properly unless there is some sort of process and Council will need to determine the mechanics.

Vice Mayor Long-Robinson inquired of the City Manager if evaluations are completed prior to the end-of-year budget.

Mr. Cassel confirmed, adding that when completing the budget you are able to see what was accomplished for the past year while setting the goals for the upcoming year, identifying the direction that is to be taken and can be measured upon various performance standards.



Vice Mayor Long Robinson inquired if the process is done in June.

Mr. Cassel confirmed that it is typically done in June/July initially and the final budgets are approved in late August/September working around the School Board's schedule.

Vice Mayor Long Robinson inquired of Council to look at a date to implementing an evaluation in the month of June or July.

Councilman O'Connor agrees that it is important to have some form of a staff evaluation process, as well as it should be made priority; however, given the state of emergency, and efforts being made by staff, would rather see them focused on the issues at hand rather than worry of an evaluation, and would like to see it pushed to July, and allow staff to concentrate on the crisis that we are presently in.

Councilwoman Crump agrees and inquired to the content and questions of the evaluation as she is not working daily with the City Manager and wants to make sure questions that are used to evaluate are appropriate for Council to grade him on.

Vice Mayor Long-Robinson noted that it would be for all staff; the City Manager, City Attorney, everyone.

Mr. Cassel suggested to Council to review Lake Park or think of other areas they would like to discuss and identify parameters that can be discussed in a few weeks in efforts to come up with a complete plan in how Council would to move forward.

Vice Mayor Long-Robinson, continuing her comments, discussed the "Safer at Home" Order and moving into Phase I in Palm Beach County and inquire of Council the ability to have weekly staff meetings to discuss COVID-19, as other municipalities are conducting as she finds it is important to be able to relay information to constituents. Vice Mayor Long-Robinson would recommend that Council have a staff meeting at least once a week with Mr. Cassel, so that he may inform Council what is happening at the County meetings that he is participating in by teleconference.

Mayor Manning addressed his concern in doing so while adhering to Sunshine Law and noted that updates have been provided by the City Manager, once or twice a day which would allow Council to address questions, that are not specific to the City.

Vice Mayor Long-Robinson noted that staff meetings may be called by the City Manager and can be where everyone is not included. Vice Mayor Long Robinson added that the updates provided are about the County, not specifically the City and that the numbers Council is receiving are County based not Westlake.

Councilman Paul does not believe there is much else outside of the the updates from the County that affected the City; he does not believe that anything done differently in the City and with the updates, does not see a need.

Councilman O'Connor has been impressed by the updates being received several times a day and is able to share that information what is going on within the County. Councilman O'Connor also noted that he is getting the information from the League as well, with information overlapping. He also noted that the City Manager has included Westlake-specific information, but would not be opposed to an additional meeting as more information is better than less.

Vice Mayor Long-Robinson identified that she is pushing out information to the Westlake Wanderers, but identified there are items residents have asked and she has been unable to provide.

Councilman Paul noted that there may need to be more communication with the HOA.

Vice Mayor Long-Robinson requested a copy of what was provided by he HOA regarding the re-opening of the pool.

Mr. Cassel confirmed that he will make sure Council receives a copy.

Vice Mayor Long-Robinson, for transparency, identified a meeting that she had with Mr. Cassel and requested that when providing the Manager's report if updates can be provided for 7-Eleven, Christ Fellowship and the Soccer School be provided to Council of what was discussed.

Mr. Cassel confirmed that he provided in the report today, and noted that 7-Eleven 1.0 is waiting for the contractor certification and pick up the permits; 7-Eleven 2.0 completed language that was required with the Improvement District regarding drainage, drainage structure and easements and Christ Fellowship and the International Soccer Training Facility are on hold presently as they reevaluate the time schedule due to COVID. Mr. Cassel noted that he expects movement for the Soccer Facility to be later this year, August/September.

Vice Mayor Long-Robinson inquired if the offer for the park is affected.

Mr. Cassel does not know the status at the present time but will check with the Seminole Improvement District's Attorney for status.

E. Roger Manning - Mayor

Mayor Manning has not additional comments, other than to thank staff for their efforts.

**REPORT - STAFF**

No additional staff report.

**REPORT - CITY MANAGER**

O. Coronavirus Disease 2019 – COVID 19 Budget Impact Update

Mr. Cassel identified the Memo provided to Council addressing the COVID-19 budget impact. He noted a number of non-critical line items that he has frozen and will evaluate on a continuous basis to move forward and make recommendations. He noted that it is a regular discussion of the impact to revenue sharing, permitting, growth and continuing services, as the budget is being prepared this will be considered.

Mr. Cassel informed council that on the next agenda, the City received approval of the new flood map for Hammocks and does not take effect until July and that another Ordinance with need to be adopted at the June meeting for the National Flood Insurance Program. He noted that the entire area is being reviewed in phases and that the Meadows, Sky Cove and Cresswinds should follow shortly.

**REPORT - CITY ATTORNEY**

Ms. Booker identified the meetings that recently occurred to discuss Seminole Improvement District/ City authority issues that have been outstanding and will discuss before Council at the May 20th Workshop Meeting.

Mr. Cassel had an additional comment of his discussion with Mayor Manning regarding the Development Order and inquired to Council's availability in setting a workshop on June 10.

Councilman O'Connor confirmed his availability.

Vice Mayor Long-Robinson confirmed her availability.

Councilman Paul confirmed his availability.

Councilwoman Crump confirmed availability.

Mr. Cassel confirmed a 6:00 PM start time.

### **PUBLIC COMMENTS - AGENDA ITEMS ONLY**

*This section of the agenda allows for comments from the public to speak on items only presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk.*

Ms. Alicia Torres - 5847 Whippoorwill Circle - As a resident of Westlake, she knows personally two residents that have been tested positive for COVID-19 and understands that there is a broader reporting structure that is determined by zip code, but has concerns if information is being disseminated that there have been no cases, because there has been. She has concerns that there is a false sense of security, if residents are being told there are no cases.

Ms. Torres inquired to the if the Tax Collector's office planned for Westlake, replacing the Royal Palm Beach Tax Collector's office or if it is in addition to.

Mr. Cassel responded that based on what he knows it will be an additional facility.

Councilman O'Connor inquired to these positive cases of COVID-19 being reported for Westlake, noting that the City Manager is only capable of sharing what is provided from the County, and being aware that the City is still classified as Loxahatchee, if this is what is happening in reporting positive cases for Westlake.

Mr. Cassel explained that from all of the information he is capable of accessing from the County and the the Health Department he has nothing that indicates there are cases in Westlake and if people are aware of people testing positive in our area there could be a case of where they are not classified properly when they write there address down and it coming up with the zip code 33470. Mr. Cassel assured the Council he checks the system daily to check for Westlake's positive cases and have not identified any in the system. Mr. Cassel upon direction of Council will determine if information city-specific on positive COVID-19 cases can be obtained.

Ms. Tara Duhy - Lewis, Longman & Walker - Ms. Duhy informed Council that while there will be a time to discuss what was presented this evening, she will be available to answer any questions.

There being no further comment, the next item followed.

### **ADJOURNMENT**

Mayor Manning adjourned the meeting at 8:55 PM.

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Zoie P. Burgess, City Clerk

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Roger Manning, Mayor