

# CITY OF WESTLAKE



## AGENDA

### City Council Regular Meeting

Monday, July 12, 2021 at 6:30 PM

Westlake Council Chambers  
4005 Seminole Pratt Whitney Road  
Westlake, Florida 33470

In efforts to balance the need for the City of Westlake to function and conduct business during the COVID-19 pandemic, we will adhere to the recommended social/physical distancing (staying at least six feet away from each other) guidelines, per the Centers for Disease Control and Prevention (CDC) and Palm Beach County's directives. There will be limited seating available in the Council Chambers. Therefore, preregistration will be required for in-person participation.

The instructions for preregistration attendance/participation and viewing of the meeting are outlined below:

#### **PREREGISTRATION FOR IN-PERSON ATTENDANCE:**

- All interested persons, Quasi-Judicial meeting applicants, their representatives, and witnesses must preregister to attend/participate in a meeting by sending an email to City Clerk, Zoie Burgess at [zburgess@westlakegov.com](mailto:zburgess@westlakegov.com) or by phone at 561-560-5880 no later than one (1) business day prior to the meeting date (e.g. by 4:00 P.M. on a Friday, if the meeting is scheduled for that Monday, etc.)
- In-person attendance/participation will be based upon the order in which the preregistration requests are received by the City Clerk. For Public Hearing Quasi-Judicial meetings, precedence into the Council Chambers will be given to applicants, their representatives and/or witnesses over all others preregistered parties.

#### **COMMUNICATIONS MEDIA TECHNOLOGY – WEBEX:**

Members of the public may also participate in the meeting through electronic means and may 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: 132 296 9946

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: 132 296 9946

For participants attending the meeting via WebEx, public comments will be accepted via an electronic comment card, at least 24 hours prior to the public meeting and also acknowledged during the meeting when participants utilize the “raise your hand” feature during the designated time.

Procedures for Public Comment are also provided via the City website:

<https://www.westlakegov.com/cityclerk/page/covid-19-public-meetings>

### **CITY COUNCIL:**

Roger Manning, Mayor

JohnPaul O’Connor, Vice Mayor

Patric Paul, Council Member – Seat 1

Kara Crump, Council Member – Seat 2

Katrina Long Robinson, Council Member – Seat 4

### **CITY STAFF:**

Ken Cassel, City Manager

Zoie P. Burgess, City Clerk

Donald J. Doody, Esq., Interim City Attorney

[TENTATIVE: SUBJECT TO REVISION - REV. 1]

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

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

**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.*

**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.*

- A. Approval of Meeting Minutes
  - 1. June 14, 2021 - Regular City Council Meeting Minutes - DRAFT
- B. Approval Finance Statement
  - 1. Financial Report - May 2021

**PRESENTATIONS/PROCLAMATIONS**

- A. Legislative Update
  - Presented By:** Senator Bobby Powell

**PUBLIC HEARING - FIRST READING**

- A. **FIRST READING:** ORDINANCE 2021-08 – Establishing Qualifying Dates for the March 2022 Municipal Election
  - Submitted By:** City Clerk

**ORDINANCE 2021-08**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING QUALIFYING DATES FOR THE MARCH 2022 GENERAL MUNICIPAL ELECTIONS, IN ACCORDANCE WITH THE DIRECTION OF THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**PUBLIC HEARING - SECOND READING**

- A. **SECOND READING:** Ordinance 2021-01 - Chapter 23 Nuisances, Code of Ordinances, "Noise Ordinance"
  - Submitted By:** Planning & Zoning

**ORDINANCE 2021-01**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA TO INCLUDE A CHAPTER TO BE KNOWN AS "NUISANCE" AND ARTICLE TO BE KNOWN AS "NOISE"; PROVIDING FOR DEFINITIONS; PROVIDING FOR NOISE RESTRICTIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR REPEAL OF CONFLICTING LAWS; PROVIDING FOR SEVERABILITY OF INVALID PROVISIONS; PROVIDING AN EFFECTIVE DATE.**

- B. SECOND READING:** Ordinance 2021-02 Amending Ordinance 2017-7 to authorize a Residential Solid Waste Services Special Assessment

**Submitted By:** Administration

**ORDINANCE 2021-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, TO AMEND ORDINANCE 2017-7 "SOLID WASTE COLLECTION" TO AUTHORIZE AND PROVIDE FOR THE LEVY AND COLLECTION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT RELATED TO THOSE SERVICES WITHIN CITY OF WESTLAKE; AMENDING DEFINITIONS IN ORDINANCE 2017-7 AND PROVIDING FOR ADDITIONAL DEFINITIONS AND FINDINGS RELATING TO THE SPECIAL ASSESSMENT; CREATING A NEW SECTION 10A TO ORDINANCE 2017-7, ENTITLED "RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT," AND SUBSECTIONS 10A-1 THROUGH 10A-19, AUTHORIZING THE IMPOSITION AND COLLECTION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL AND FOR CORRECTING ERRORS AND OMISSIONS; PROVIDING THAT RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL; ESTABLISHING PROCEDURES AND METHODS FOR THE COLLECTION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS; ESTABLISHING THE PRIORITY OF THE LIEN OVER PRIOR RECORDED LIENS OR MORTGAGES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

- C. SECOND READING:** Ordinance 2021-03 - Chapter 3 Additional Medical Uses as Permitted in the Mixed-Use Zoning District

**Submitted By:** Planning & Zoning

**ORDINANCE 2021-03**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER THREE ENTITLED "ZONING DISTRICTS AND STANDARDS", TO INCLUDE PROVISIONS FOR ADDITIONAL MEDICAL USES AS PERMITTED USES WITHIN THE MIXED USE ZONING DISTRICT; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

- D. **SECOND READING:** Ordinance 2021-04 – Chapter 5 Subdivision and Site Development Standards, Land Development Regulations

**Submitted By:** Engineering

**ORDINANCE NO. 2021-04**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MANDATORY LAND DEVELOPMENT REGULATIONS WITHIN THE CITY OF WESTLAKE WHICH SHALL BE ENTITLED “LAND DEVELOPMENT REGULATIONS”; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SUBDIVISION AND SITE DEVELOPMENT STANDARDS; PROVIDING FOR WAIVERS AND EXEMPTIONS; PROVIDING FOR CITY COUNCIL APPROVAL; PROVIDING FOR SITE DEVELOPMENT PERMITS; PROVIDING FOR REQUIRED IMPROVEMENTS; PROVIDING FOR DRIVEWAY AND ACCESS REQUIREMENTS; PROVIDING FOR MINIMUM DESIGN STANDARDS FOR LOCAL ROADS; PROVIDING FOR TIME OF COMPLETION OF REQUIRED IMPROVEMENTS; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

- E. **SECOND READING:** Ordinance 2021-05 Amending Ordinance No. 2019-12 and Chapter 1 of the City’s Code of Ordinances by Clarifying the Duties, Responsibilities and Composition of the Planning and Zoning Board

**Submitted By:** Administration

**ORDINANCE 2021-05**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ORDINANCE NO. 2019-12, ADOPTED OCTOBER 28, 2019; AMENDING CHAPTER 1 OF THE CITY’S CODE OF ORDINANCES BY CLARIFYING THE DUTIES, RESPONSIBILITIES AND COMPOSITION OF THE PLANNING AND ZONING BOARD; REPEALING ORDINANCE NO. 2016-3; REPEALING ORDINANCE NO. 2020-09, ADOPTED SEPTEMBER 14, 2020; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**PUBLIC HEARING - QUASI JUDICIAL**

- A. A Resolution for the FPU Temp Gas Time Extension

**Submitted By:** Planning & Zoning

**RESOLUTION 2021-13**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING A SEVENTH (7TH) TIME EXTENSION FOR A SPECIAL PERMIT APPLICATION OF A TEMPORARY GAS UTILITY, WITHIN POD F OF WESTLAKE TTD. FLORIDA PUBLIC UTILITIES COMPANY (FPU) IS REQUESTING A SIXTH (6) MONTH TIME EXTENSION TO DECEMBER 31, 2021, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

B. A Resolution for the Fitness Trail Site Plan

**Submitted By:** Planning & Zoning

**RESOLUTION 2021-18**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE SITE PLAN FOR AN APPROXIMATELY 39 ACRES WELLNESS AND FITNESS TRAIL LOCATED AT 16302 GREEN LANE– POD I IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

C. A Resolution for the Pod H Master Sign Plan

**Submitted By:** Planning & Zoning

**RESOLUTION 2021-19**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER SIGN PLAN FOR THE WESTLAKE LANDINGS, COMMERCIAL PLAZA, LOCATED AT 16860 PERSIMMON BOULEVARD WEST ON APPROXIMATELY 50.826 ACRES, PURSUANT TO CHAPTER 6, OF THE SIGN CODE, MINTO PBHL LLC IS REQUESTING A MASTER SIGN PLAN APPROVAL FOR GROUND AND DIRECTIONAL SIGNAGE AND FOUR WAIVERS OF CODE PROVISIONS, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

D. A Resolution for the Self Storage - Master Sign Plan

**Submitted By:** Planning & Zoning

**RESOLUTION 2021-20**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER SIGN PLAN FOR A SELF SERVICE STORAGE FACILITY LOCATED IN THE WESTLAKE LANDINGS PLAZA ON POD H – PARCEL E AT 4701 SEMINOLE PRATT WHITNEY ROAD ON APPROXIMATELY 5.75 ACRES, PURSUANT TO CHAPTER 6, OF THE SIGN CODE; APPROVING WALL IDENTIFICATION SIGNS, WINDOW AND DOOR SIGNS, GROUND POST DIRECTORY SIGN AND APPROVING ONE WAIVER OF CODE PROVISIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.**

**PUBLIC HEARING**

A. Resolution 2021-22 Establishing the Estimated Rate for the Residential Solid Waste Services

**Submitted By:** Administration

**RESOLUTION 2021-22**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES IN THE CITY OF WESTLAKE, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; DIRECTING THE PREPARATION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.**

**NEW BUSINESS**

- A. Second Addendum to professional services agreement between City of Westlake and NZ Consultants  
**Submitted By:** Administration
- B. Second Addendum to the Law Enforcement Service Agreement  
**Submitted By:** Administration
- C. Proposed Millage Rate for the Fiscal Year 2022 Ad Valorem Tax and a Date, Time and Place for the First Public Budget Hearing  
**Submitted By:** Finance

**RESOLUTION 2021-21**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AUTHORIZING THE CITY MANAGER TO SEND A PROPOSED MILLAGE RATE OF \_\_\_\_\_ MILLS TO THE PROPERTY APPRAISER FOR THE FISCAL YEAR 2022 AD VALOREM TAX AND SETTING MONDAY SEPTEMBER 13, 2021 AT 6:30 P.M. AT THE WESTLAKE COUNCIL CHAMBERS, 4005 SEMINOLE PRATT WHITNEY ROAD, WESTLAKE, FLORIDA AS THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**CITY COUNCIL COMMENTS**

- A. Councilwoman Katrina Long-Robinson
- B. Councilwoman Kara Crump
- C. Councilman Patric Paul
- D. Vice Mayor JohnPaul O'Connor
- E. Mayor Roger Manning

**REPORT - STAFF**

- A. Palm Beach County Sheriff's Office - Monthly Report: June  
**Submitted By:** Captain Craig Turner  
For Informational Purposes Only

**REPORT - CITY ATTORNEY**

**REPORT - CITY MANAGER**

**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.*

**ADJOURNMENT**

**NOTICE:** If a person, firm or corporation decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript). The City of Westlake does not prepare or provide such verbatim record.

In accordance with the Americans with Disabilities Act, persons who need an accommodation in order to attend or participate in this meeting should contact the City Clerk at (561) 530-5880 at least three (3) business days prior to the meeting in order to request such assistance.

**AGENDA POSTED:** July 1, 2021, Revised: July 2, 2021