



**CITY COMMISSION OF THE CITY OF PAHOKEE
REGULAR COMMISSION MEETING MINUTES
Tuesday, February 9, 2010**

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 E. Main St., Pahokee, Palm Beach County, Florida on Tuesday, February 9, 2010.

The meeting was called to order by Mayor Whitaker at 7:04 p.m. Invocation was by Mayor Whitaker followed by the Pledge of Allegiance.

Officials attendance was recorded as follows:

<u>Roll Call:</u>	Mayor Wayne Whitaker	Present
	Vice Mayor Henry Crawford	Absent
	Commissioner Keith Babb	Absent
	Commissioner Allie Biggs	Present
	Commissioner Diane Walker	Present
	City Manager Matthew Brock	Present
	City Attorney Gary Brandenburg	Present
	Sgt. At Arms: D/S Brown	Present @ 7:11
	City Clerk Susan Feltner	Present

Additions, Deletions and Approval of Agenda Items:

Additions – Item N2 – Edward Byrne Justice Assistance Grant– City Manager
Item N3 – Proclamation for Ricky Jackson – Commissioner Biggs

Deletions – Item E2 – January 5, 2010 - Commission Workshop Minutes – Clerk Feltner

Additions – Item E2 - October 27, 2009 Regular Commission meeting corrected minutes –
Clerk Feltner

**Approval of Additions and Approval of the Agenda.
Motion by Commissioner Biggs. Second by Commissioner Walker
Motion carried. Three Ayes. Two absent.**

Citizens Comments Agenda Items Only: No Requests

Approval of the Minutes:

Item E1 - January 26, 2010– Regular Commission Meeting

**Approval of January 26, 2010 Regular Commission Meeting Minutes.
Motion by Commissioner Biggs. Second by Commissioner Walker.
Motion carried. Three Ayes. Two absent.**

Approval of the Minutes continued:

Item E2 – October 27, 2009 Regular Commission meeting corrected minutes.

**Approval of October 27, 2009 Regular Commission Meeting Corrected Minutes.
Motion by Commissioner Walker. Second by Commissioner Biggs.
Motion carried. Three Ayes. Two absent.**

Consent Agenda:

1. Resolution 2010-12 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, PROVIDING FOR POLICY RECOMMENDATIONS TO THE GLADES UTILITY AUTHORITY.

Approval of Consent Agenda.

**Motion by Commissioner Biggs. Second by Commissioner Walker.
Motion carried. Three Ayes. Two absent.**

Proclamations: None

Report of the City Manager

City Manager Brock advises the Commission:

- Code Enforcement Special Master meeting tomorrow at 1:30 pm
- Etheridge Bryant rededication of baseball field will be April 9th
- Will be in West Palm all day tomorrow regarding Lake Aerospace.

Report of the City Attorney : No report.

Ordinances: None

Public Hearings:

Mayor Whitaker temporarily adjourns Commission meeting and opens a Public Hearing at 7:35 p.m. City Clerk Feltner reads Ordinance 2010-02 into record.

1. ORDINANCE 2010-02-FIRST READING –AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AMENDING SECTION 2-146.1, MITIGATION OF CODE ENFORCEMENT LIENS, PROVIDING THAT THE MITIGATION SHALL BE CONSIDERED BY THE SPECIAL MASTER INSTEAD OF THE CITY COMMISSION, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND EFFECTIVE DATE.

Mayor Whitaker inquires if there are any comments from the Commission or audience.
No comments from audience or Commission.

Approve Ordinance 2010-01 – Second Reading.

**Motion by Commissioner Walker. Second by Commissioner Biggs.
Motion carried. Three Ayes. Two absent.**

Mayor Whitaker closes public Hearing at 7:38 p.m. and re-opens Commission Meeting.

City Manager Brock requests that they go back to the City Managers report as there are a couple of verbal reports from staff.

Grant Consultant Sylvia Sharps advises the Commission:

- Has located 3 (three) beautification grants through DOT for the city's entrance ways.
- Will set up a meeting with DOT to review grant application prior to submittal. This meeting will be before July 1st.
- Distributing grants report ending 2009 which includes HCD grant for Community Development for the funding of two (2) positions.
- There will be more stimulus funds available in a few months
- Currently setting meeting with Alcee Hastings, pursuing request for 5 million for a new city hall.
- Will advise Commission once date is set so they can attend and/or provide letters of support.
- Two staff persons going to Tallahassee during PBC Day to lobby for State to provide funding for renovations of City hall.
- Will soon see sign posted on SR 715 regarding the \$4.8 million for water & wastewater improvements

Finance Director Moore addresses the Commission and advises that he would like to provide an update regarding the Glades Utility Authority:

- Timeline for rate study. RFP was sent out for those services.
- Implementation of new rates should be October 1, 2010.
- GUA will hold Town Hall meetings in each of the three cities.
- Estimated cost of the study \$91,840.00.
- Per the Interlocal agreement with the GUA, we pay 1% of fees that the GUA collects on our behalf. (i.e. garbage and recycling)
- GUA has not been deducting the percentage for October, November and December. Will deduct out our next payment
- Executive Director selection: total of 14 candidates, 3 interviewed, recommendation from selection committee is for Jim Stiles.
- As of last Wednesday, Mr. Stiles is the Executive Director of the GUA.
- Banking services – the City of Pahokee generated approximately \$2-3 million in water and wastewater revenue that was running through our local bank.
- When services transferred to the GUA, the revenue no longer went through the local bank.
- GUA currently banks with Wachovia.
- We have requested that they go out for RFP for banking services
- Legal services: only two respondents. Will go back out for RFQ, added language to partner with a local attorney.
- GUA has been dealing with a dispute between the City of Belle Glade and the City of South Bay.
- When GUA was implemented, Pahokee and South Bay transferred customer deposits per the Interlocal Agreement. Belle Glade stated that they did not have the funds.

Finance Director Moore: update regarding the Glades Utility Authority continued:

- South Bay has been sending wastewater to Belle Glade for treatment and owes Belle Glade a large sum for the services rendered.
- GUA has been trying to work this out and will waive Belle Glades customer deposits in return for a Release for Funds owed.
- Everyone was in agreement. Belle Glade was to deliver Release within 30 days. That has not happened.
- The issue has caused contention among the Board.
- Shannon LaRoque, Chair of the Board has sent a letter urging and encouraging Belle Glade to honor the Interlocal Agreement.
- To date the Release has not been delivered.
- GUA has set and implemented Customer Services Policies and Procedures.
- There is a proposed amendment to the Interlocal between the GUA and Pahokee Housing Authority (PHA)
- PHA pays bills based on a written agreement with the City. When water rates were increased, the agreement was not amended. GUA is currently amending that agreement.
- Alternative Source Selection for Procurement for the GUA. Basically laying out the parameters for doing business and/or contracts with businesses from the Glades area.
- If no bids are received from local agencies, then it will be advertised county wide. Local preference will be given
- Next GUA meeting will be March 10, 2010 in South Bay. South Bay will host the next four meetings. Meetings are scheduled for the first Wednesday of each month at 2:00 pm.

Community Development Coordinator Barbara Spence addresses Commission and advises:

- Pahokee Parties with a Purpose is a project working with the Pahokee Beacon Center.

Corneshia Chisolm-Dukes of the Pahokee Beacon Center addresses the Commission:

- Pahokee Beacon Center has been charged with working with our existing community partners.
- So often the City of Pahokee acknowledged for their acknowledgment of the athletic program.
- Asking for support in partnership on the proposed community event in support of academic gains of all youth within the City of Pahokee.
- We as residents, our community partners, churches, government and schools all have strengths that they bring to the table that can be used to support our children as they strive to succeed academically.
- This particular event has been developed as a home school community event
- Asking for City support as a co-sponsor for several things;
 1. Waiver of Peddler's license fees.
 2. Voluntary man hours for clean-up after event.
 3. Participation from City Officials and employees in a series of planned events.
- The event will be held on Friday, March 26th, it is a no school day, tentative hours are from 10-2

Someone in audience speaking, not at the microphone, inaudible.

City Attorney Brandenburg recommends that the Council adopt a motion waiving the peddlers/itinerant fees for the Pahokee's Party with a Purpose.

Waive peddler's/itinerant fees for Pahokee's Party with a Purpose.

Motion by Commissioner Walker. Second by Commissioner Biggs.

Motion carried. Three Ayes. Two absent.

Old Business:

Item M-1 - Middle School –Commissioner Biggs reports:

- Middle School construction is ahead of schedule.
- Recently heard that the school Superintendent is thinking of cutting 1600 jobs.
- Please call or write the Superintendent and let him know that he should do what he can to keep those jobs.
- Our unemployment rate is high and we need to keep people working.

Item M-2 –Census 2010– Commissioner Walker reports:

- Actively working on the complete count committee organization.
- Complete count committee meeting will be held on Friday, February 12th at St. Mary's Church on East Main St.
- Proposing that we find funds for a lighted marquis to advertise not only the Census, but any events that are happening in our city.
- Census 2010 is still accepting applications for employment.
- They will be holding sessions on February 15th at 4:00 pm at St. John's Missionary Baptist Church in Belle Glade, and also on February 17th at Workforce Alliance, first session is at 10:00 am and another at 2:00 pm the same day.
- Encourage your family and friends to complete the Census application when they receive them. It will make a difference for the community.

Commissioner Biggs advises:

- The selection of the Middle School Principal is Ms. Lavioris Taylor Smith.
- Also we are involved in finding a replacement Principal at Kathryn E. Cunningham Elementary in Canal Point.

Item M-3 - Habitat for Humanity – Vice Mayor Crawford:

- Vice Mayor is absent - No update.

Item M-4 - Inland Port – Commissioner Babb

- Commissioner Babb is absent – No update.

Item M-5 - Herbert Hoover Dike – Mayor Whitaker reports:

- Still moving along.
- Supposed to let contracts on the two paths through the City in the next month or so.
- We have already met with the Army Corp of Engineers.
- Hayward Baker still in testing mode.

Old Business continued:

Item M-5 – East Lake Village Park – Community Development Coordinator Ms. Bell-Spence

- Spoke with Mark Soddors of Apelgren’s Farms, they have agreed to give the City the last piece of land needed.
- Once all agreements are signed will bring before Commission for acceptance.
- Once accepted and recorded, then we will be able to move forward with the park.

New Business:

Item N-1- Resolution 2010-18 Treasure Coast Regional Planning Council Subgrant- Pahokee plaza

City Attorney Brandenburg advises:

- This is a subgrant for \$39,000. For the clean-up of Pahokee Plaza.
- Which is to ascertain if a remedial action plan is necessary.
- If a remedial action plan is needed, TCRPC has indicated that they have funding to cover that.
- On page 9, paragraph 3 needs to be amended. Add after “grantee “ to the extent allowed by F.S. 768.28
- Have discussed this with TCRPC recommends the Commission moves forward with Resolution.

**Approve Resolution 2010-18 TCRPC Subgrant with amendment.
Motion by Commissioner Walker. Second by Commissioner Biggs.
Motion carried unanimously. Three Ayes. Two absent.**

Item N-2 –Edward Byrne Justice Assistance Grant.

Community Development Director Roberts addresses Commission and advises:

- There are funds that have been allocated to us in the amount of \$45,197.00.
- Must be approved by Commission before funds are released.
- The funds will be going to PBSO for enhanced surveillance equipment.

**Approve Department of Justice Edward Byrne Grant subject to legal review.
Motion by Commissioner Walker. Second by Commissioner Biggs.
Motion carried. Three Ayes. Two absent.**

Item N-3 –Proclamation for Ricky Jackson

Commissioner Biggs states:

- Ricky Jackson was recently inducted into the Hall of Fame.
- Mr. Jackson was raised in Pahokee and has had a fruitful life in football.
- Would like for Commission to present him with a Proclamation showing our appreciation and gratitude.

**Approve Proclamation of Appreciation for Ricky Jackson
Motion made Commissioner Biggs. Second by Commissioner Walker.
Motion carried unanimously. Three Ayes. Two absent.**

Citizens Comments / General Concerns:

Ben MaGrill, 685 SW Salerno Rd., Stuart, Fl.

- Currently have office at 215 E, Mian St. here in Pahokee.
- Have been a resident and/or business owner here in Pahokee on and off for 55 years.
- Bid on the Prince Theater, thought I had followed the rules.
- I had the highest bid, but was rejected.
- I think I would be the best person for the property, it is contiguous to my property and it is only two-tenths of an acre.
- My plan is to expand my office complex.
- Don't think it is right that there is going to be another bid.
- No one asked me what I wanted to do with the property.

City Attorney Brandenburg responds and states:

- Initially the board put this out and it was advertised to go to the highest bidder.
- Subsequently, the Board determined that it didn't want to go only with the high bidder criteria
- The Board wanted to look at other criteria as well.
- The Commission always retains the right to reject all bids, when it feel sit is in the best interest of the City.
- Unfortunately, the timing of it was that the Commission decided that the initial way that they went was really not the way they wanted to go.

Commissioner Biggs asks Mr. Magrill if he received the information that this is what occurred?

Mr. Magrill stated:

- That he has not received anything in writing from the city.
- Once this occurred he had his attorney to look at it.
- We actually read the notice in the paper.
- I called the city because I had seen the sign in front of the theater and asked about a bid package, was told that there is not a package, that the only requirement was that it would go to the highest bidder.
- Never received anything from the city stating that they rejected my bis, or that there was another bid.
- My attorney has been in correspondence, but I personally have not seen anything from the city.
- I went to the City Clerk and she advised that it was going back out to bid.
- The Clerk did provide me a copy of the new bid.
- Just doesn't feel right to me.

City Manager Brock stated that the city did send a letter a day or two after to the address provided.

City Attorney Brandenburg stated:

- In summary, the Commission changed their minds. They retain the right to reject all bids and have it put out for bid again.
- You are eligible to submit a bid on the 19th.

City Attorney Brandenburg continues:

- The Commission wasn't just looking for the highest bid, but also proposed business, how it would look and if it was consistent with the comprehensive plan.

Correspondence Comments and Concerns of the City Commissioners:

Commissioner Biggs:

- Anquan Boldin and Ricky Jackson recognition
- Sees banners in other cities recognizing their citizens
- Did ask Mr. Moore to find funds to purchase banners to honor Anquan and Ricky
- Thanks audience for their attendance

Commissioner Walker:

- Would like to re-establish town hall meetings, first Tuesday of quarterly months.
- Start with April 6th, then July 6th and October 5th.
- Would like to revisit Brownfields
- Concerned about devastation in Haiti, we have two employees that have been affected by this. They have lost some family and other family members still missing
- Requesting clarification regarding vacation time, how do we handle vacation time when an employee can't use it?
- Thanks audience for their attendance and encourages them to continue to attend.

City Manager Brock stated:


- Personal policy was approved effective October 1. The commission placed a cap of 320 hours and it was made clear if you don't use it you lose it.

Commissioner Walker stated that she would like to revisit the vacation policy.
City Manager Brock advised that he will bring it back to the next meeting

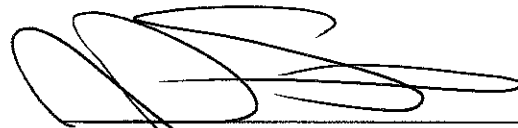
Mayor Whitaker:

- Thanks all for their attendance.
- Advises all that he will be in a very important meeting tomorrow with the county and business development.
- Asks that all be mindful of the needs of the people in the community
- Keep open the lines of communication.
- Trying our best to make this a better community.

There being no further business of the City to discuss, Mayor Whitaker asks for a motion to adjourn. Motion carried unanimously. Three ayes. Two absent. The meeting was adjourned at 8:40 p.m.



Attest: Susan Feltner, City Clerk



J.P. Sasser, Mayor