



**CITY COMMISSION OF THE CITY OF PAHOKEE
REGULAR COMMISSION MEETING MINUTES
Tuesday, January 26, 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, January 26, 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	Present
	Commissioner Keith Babb	Present @ 7:12 p.m.
	Commissioner Allie Biggs	Present
	Commissioner Diane Walker	Present
	City Manager Matthew Brock	Present
	City Attorney Gary Brandenburg	Present
	Sgt. At Arms:	Absent
	City Clerk Susan Feltner	Present

Additions, Deletions and Approval of Agenda Items:

Additions – Item N4 – Task Order #1 Sea Diversified – Rip Rap Project – City Manager

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

**Approval of Additions and Approval of the Agenda.
Motion by Commissioner Biggs. Second by Vice Mayor.
Motion carried. Four (4) ayes one (1) absent.**

Citizens Comments Agenda Items Only: No Requests

Approval of the Minutes:

Item E1 - October 27, 2009 – Regular Commission Meeting

**Approval of October 27, 2009 Regular Commission Meeting Minutes.
Motion by Commissioner Biggs. Second by Commissioner Walker.
Motion carried. Four (4) ayes one (1) absent.**

Consent Agenda:

1. Resolution 2010-12 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE PERSONNEL RULES TO PROVIDE A FLEX TIME POLICY.

2. Resolution 2010-13 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE RELEASE OF CERTAIN LIENS AND AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE OF LIENS ON PROPERTIES LOCATED WITHIN THE GLADES CITIZENS VILLAS SUBDIVISION; LOT 31, LOT32, LOT 96 AND LOT 99.

3. Resolution 2010-14- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING STAFF TO SUBMIT TO PALM BEACH COUNTY A 2010-2011 CDBG APPLICATION FOR GRANT FUNDS IN THE AMOUNT OF \$95,000., FOR ADMINISTRATIVE SALARIES FOR THE COMMUNITY DEVELOPMENT DEPARTMENT, FURTHER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS TO ACCOMPLISH THE SAME.

4. Resolution 2010-15- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE ASSIGNMENT AGREEMENT BY AND BETWEEN THE CITY OF PAHOKEE AND THE US ARMY CORPS. OF ENGINEERS, JACKSONVILLE DISTRICT FOR THE PURPOSE OF PROVIDING A PUBLIC OUTREACH SPECIALIST.

5. Resolution 2010-16- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING VARIOUS BUDGET AMMENDMENTS TO THE 2009-2010 FISCAL YEAR BUDGET.

6. Resolution 2010-10- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE LICENSE AGREEMENT BY AND BETWEEN THE CITY OF PAHOKEE AND TH EFLROIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF ALLOWING TH EDEPARTMENT TO ENTER UPON CITY PROPERTY FOR LANDSCAPING IMPROVEMENTS ALONG STATE ROAD 76.

Approval of Consent Agenda.

Motion by Commissioner Biggs. Second by Commissioner Walker.

Commissioner Babb arrives.

Clerk Feltner advises Commissioner Babb that the vote is to approve the consent agenda. .

Commissioner Walker inquires if the Memorandum for Record should be added to the agenda.

City Manager Brock advises yes, to add under the Consent Agenda Item #5 Resolution 2010-16 for Various Budget Amendments.

Amended Motion.

Approve Consent Agenda to include \$2,890. in Resolution 2010-16 for Various Budget Amendments.

Motion by Commissioner Biggs. Second by Vice Mayor Crawford.

Motion Carried unanimously.

Proclamations:

1. Recognizing Palm Beach State College.

Mayor Whitaker requests that the City Clerk read the Proclamation into record.

City Clerk Feltner reads:

Proclamation
Recognizing Palm Beach State College

Whereas, Palm Beach Community College at Belle Glade opened its doors in 1972, serving the residents of the western communities; and,

Whereas, since 1999, guided by a consortium of educational, community and civic leaders called the Glades Initiative Partnership Council, the College has expanded general education, occupational training, student services and community outreach to meet the diverse educational needs of the area; and,

Whereas, the Belle Glade location offers comprehensive courses for college transfer to four year institutions as well as vocational, technical, and continuing education courses; and,

Whereas, The Palm Beach Community College issued a declaration designating January 12, 2010 as the official launch of the College's new name, Palm Beach State College, the unveiling of the College's new logo, seal and new slogan "Your Pathway to Success"; and,

Whereas, Palm Beach State College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools and is an equal opportunity/affirmative action institution.

Now Therefore Be It Resolved; that the City Commission and the Citizens of Pahokee, Florida, do hereby recognize Palm Beach State College at Belle Glade for their continued dedication in providing exceptional opportunities serving the residents of the western communities of Palm Beach County.

Passed and Adopted this 26th day of January, 2010.

**Approve Proclamation Recognizing Palm Beach State College.
Motion by Commissioner Babb. Second by Commissioner Biggs.
Motion Carried unanimously.**

The Commission presented the Proclamation to Dr. Marcia Hardney, Provost of Palm Beach College at Belle Glade.

Report of the City Manager

City Manager Brock advises the Commission:

- We have applied to the workforce alliance program.
- Had a 72 hour window in which to apply.
- Applied for 16 employees.
- Dependent upon the amount that workforce covers the cost to the city may be \$22,000 - \$91,000.
- Met with SFWMD regarding letter of extension. Copy of the letter is on dais.
- Regarding the \$300,000. Stormwater grant. Two projects remaining.
- Have submitted plans to PBC Water Utility's.

City Manager Brock calls for Mr. Ted Roberts, Director of Community Development to provide an update to the commission.

Community Development Director Roberts advises:

- Regarding East Lake Village Park, awaiting documents from Apelgreens.
- Park has expanded from original .10 acres to .32 acres.
- Regarding Community Pantry, the 501C-3 that was working with us dropped out.
- Currently seeking another 501C-3 to move project forward.
- Suggests that city create its own non-profit organization
- Regarding Haitian Relief – been working with Commissioner Walker.
- Basic problem is that there is no mechanism on the ground in Haiti for distribution.
- Donated clothing should be clean and free of holes.
- The US Military will be providing tents for the people of Haiti.
- Donations can be dropped off at the new Macedonia Missionary Baptist Church located in Glades Citizens Villas.

Commissioner Walker thanks staff for the quick turnaround in applying to Workforce Alliance Back to Work Program.

End of City Manager's report.

Report of the City Attorney : City Attorney Brandenburg advised that he has no report.

Ordinances:

City Clerk Feltner reads 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.

Approve Ordinance 2010-02 – First Reading
Motion by Vice Mayor Crawford. Second by Commissioner Biggs.
Motion carried unanimously.

Public Hearings:

Mayor Whitaker temporarily adjourns Commission meeting and opens a Public Hearing at 7:35 p.m. City Clerk Feltner reads Ordinance 2010-01 into record.

1. ORDINANCE 2010-01 – SECOND READING- AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, ADOPTING THE ANNUAL UPDATE OF THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE CITY'S COMPREHENSIVE PLAN IN ACCORDANCE WITH SECTION 163.3177., FLORIDA STATUTES; ADOPTING AMENDMENTS TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN THE COMPREHENSIVE PLAN AND AN EFFECTIVE DATE.

Clerk Feltner advises the Mayor and Commission that there is a sign in sheet for anyone who would like to receive information from the Department of Community Affairs as it relates to the Comprehensive plan update.

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

Adopt Ordinance 2010-01 – Second Reading.
Motion by Commissioner Biggs. Second by Commissioner Walker.
Motion carried unanimously.

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

Old Business:

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

- Met with Mr. Jones on Wednesday and had a tour of the middle school
- Construction is ahead of schedule
- Mr. Jones will be inviting the Commission in the near future for a tour.
- Community has concerns regarding the Principalship of the Middle School
- Understands that the School District is trying to keep it in house.
- Planning to meet with the Superintendent
- Community wants separate principals and teachers at the schools.

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

- Census committees is organizing a complete count committee.
- Only 35% of our area reported in last census.
- Anyone interested, please contact the Community Development Department and speak with either Ms. Warren or Ms. Bell-Spence.
- Have met with local Pastors, Commissioner Biggs assisted in notifying the Pastors.
- This Friday, there will be a breakfast meeting to get out information, in the Commission Chambers at 9:00 am.

Old Business cont.:

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

- No new update.

Community Development Director Mr. Roberts advises that Habitat for Humanity is looking for a block of land so that they can build a community. Habitat for Humanity will be contacting Ms. Julia Hale of the Pahokee Housing Authority regarding the Stuckey Homes site.

Item M-4 - Inland Port – Commissioner Babb

- As reported at the last meeting, the Port of Palm Beach Port Commissioners have ranked and selected the Okeelanta site as the number one site.
- Palm Beach County Commissioners have sent a request to the State regarding the rezoning of the land .
- In future may be going to Tallahassee to rally for the rezoning of the property to move Inland Port forward.

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

- Corp. of Engineers will be signing two contracts in the next couple of months.
- Spoke with Jim Stiles of the Glades Utility Authority regarding the 12” water main in the toe of the dike that supplies the water tower on East Main Street.
- The Line will need to be relocated.
- Currently seeking funding through the GUA to move the main line.
- Hayward Baker are still in testing mode.
- Have been notified that the little building on the top of the levee will have to be removed.
- Going to try and keep the plantings on the dike (Larry’s Island)

New Business:

Item N-1- Consider draft or proposed advertisement for use/sale of Prince Theater

City Manager Brock advises Commission:

- At the January 12th meeting the Commission rejected all bids for purchase of the Prince Theater.
- Commission directed staff to bring back an advertisement that would include proposed use of the site.

Commissioner Babb questions:

1. “City Commission to serve as Selection Committee”
 - Understood that the each Commissioner would appoint someone.
2. “Consistency with the city’s Comprehensive Plan”
 - Suggests that we provide the sections of the comprehensive plan that pertain to that site.

City Attorney Brandenburg stated:

- The intention is for each Commissioner to sit on the Selection Committee and rank each proposal by points.
- Less complicated if the Commission is the selection committee.

Approve RFP for Prince Theater to include brief zoning intent description

Motion by Commissioner Walker. Second by Commissioner Biggs.

Motion carried unanimously.

New Business cont.:

Item N-2 –Update regarding any remaining insurance reimbursements for old city hall.

Finance Director Mr. Moore addresses Commission and advises:

- Provided Insurance information on dais.
- The old City Hall and Police Department building; have submitted on two separate occasions.
- Insurance Company not satisfied with those submissions.
- Currently we are photographing the roof in sections and will provide a summary of the damages that we perceive and the corrective actions that we perceive
- Currently have a contractor photographing and documenting these items.

Item N-3 –Update on Modular’s, i.e contract end date, plans for future.

City Manager Brock advises Commission:

- Basically have two options to present.
- One – find a new home
- Two- continue to use the modular’s until we do locate a new home and then either rent or sell them.
- Current contract expires on September 19, 2010.

Finance Director Moore advises Commission:

- We received funding from Palm Beach County (\$50,000.) that provided for the modular’s, their set up and a two year contract.
- Also received \$50,000. from the insurance company that was placed in the reserve account.
- Has spoken with Mr. Brock, suggests that we negotiate a price to purchase the modular’s.
- Have not spoken with the agency regarding this.

Direct Staff to work on Modular purchase or lease option.

Motion made Commissioner Walker. Second by Commissioner Babb.

Motion carried unanimously.

Item N-4 – Task Order Number One for Rip Rap Project.

City Manager Brock advises Commission:

- Concerning Riprap Project Task Order number one, letter on dais has schedule included that was sent to SFWMD.

Jason Nuefield of Everglades Ventures LLC addresses Commission and advises:

- They have met with SFWMD regarding the grant
- Mayor has sent letter to SFWMD with a schedule
- Advertising was placed and ran on January 21st, and will run again on January 30th.

New Business cont.:

Item N-4 – Task Order Number One for Rip Rap Project continued.

Jason Nuefield addressing Commission.

- Recognizes that the Commission does not appreciate lat minute items added to agenda, but this item is extremely urgent in order to keep with the schedule submitted to the SFWMD.

Ken Blair of Everglades Ventures LLC addresses Commission and advises:

- Have received proposal from consultant.
- Had consultant break down into phases
- Also required two supplemental
 - Additional survey information
 - Additional geo-technical

City Attorney Brandenburg advises Commission:

- That he has reviewed the documents
- Bid documents must be ready by February 3, 2010.
- Bids are due in on February 19, 2010.
- Worst case scenario; SFWMD does not extend contract, then we would issue a stop work order to the engineer.
- The City will not be over extended.

Approve Task Order Number One to Sea Diversified.

Motion by Commissioner Babb. Second by Commissioner Walker.

Motion carried unanimously.

Citizens Comments / General Concerns:

Jeff Tarr of 152 S. Flame Ave., Pahokee, FL. addresses Commission:

- After listening to today's discussions, I withdraw my questions.
- Will be back at a later date.
-

Correspondence Comments and Concerns of the City Commissioners:

Commissioner Babb:

- One question to staff regarding the Resolution/Proclamation for the former Lt. Bryant, what is the status?

City Manager Brock advises that staff will be meeting with the family tomorrow and will be compiling additional information. A resolution will be coming back to the Commission.

Commissioner Walker:

- Reminds everyone of the One Day Circus here at the recreational dept. Tomorrow.

Commissioner Walker calls upon Mr. Royal York for additional information.

Correspondence Comments and Concerns of the City Commissioners cont:

Mr. Royal York, President of the Rotary Club advises Commission:

- Have spoken with the Mayor and Vice Mayor regarding honorary ring masters
- Needs the Mayor there at 6:30 p.m. and the Vice Mayor at 4:30.

Vice Mayor Crawford advised that he will have to designate another Commissioner as he has appointments at the Veteran's Hospital.

Commissioner Babb will take the Vice Mayor's place as Honorary Ring Master.

Commissioner Walker continues:

- Thanks everyone for their attendance.
- Congratulates Provost Dr. Hardney and Dr. Moore and for the renaming of the college.

Commissioner Biggs:

- Thanks audience for attendance.
- Extends congratulations to Dr. Hardney & Dr. Moore.
- Reminds citizens that they are important to the Commission, as are your questions and comments.
- It takes patience and courage to come and voice your concerns.
- There are times that we may not get all ends to meet, we just need cooperation and understanding.
- Thanks Everglades Ventures LLC


Vice Mayor Crawford:

- Thanks all for their attendance

Mayor Whitaker:

- Thanks all for their attendance.
- Advises audience, that if you have a problem come to us and let us know.
- Got to have communication.

There being no further business of the City to discuss, Mayor Whitaker asks for a motion to adjourn. Motion carried unanimously. The meeting was adjourned at 8:10 p.m.



Attest: Susan Feltner, City Clerk



Wayne Whitaker, Mayor