

Palm Beach County League of Cities, Inc.
BOARD OF DIRECTORS MEETING
Wednesday, January 22, 2014 at 10:00 a.m.
FAU Stadium, Boca Raton

MINUTES

1. Call To Order, Roll Call, Welcomes, Introductions

President Scott Maxwell called the meeting to order at 10:06 a.m. JeRiise Hansen called the roll and a quorum was attained.

Board members present were: Scott Maxwell, Steve Wilson, Dawn Pardo, Mo Thornton (*arrived 10:20*), Bill Manuel, Jerry Beavers, Robert Gottlieb, Bill Thrasher, Allie Biggs, Mike Mullaugh, Woodrow Hay, Angeleta Gray, David Levy, Matt Willhite, Keith James (*arrived 10:30*), Robert Shalhoub and Gail Coniglio

Absent were: Todd Wodraska

Past Presidents in attendance: Lisa Tropepe, Isaac Robinson, David Stewart and Susan Haynie

Also in attendance were Executive Director Richard Radcliffe; League Counsel Trela White, Esq., Corbett, White & Davis, P.A.; President Pro Tem Robert Gebbia, North Palm Beach; Chuck Stoddard; Executive Director Mike Rodriguez, PBC Criminal Justice Commission; Mayor Dan Comerford, Jupiter Inlet Colony; Financial Analyst John Wildner, PBC Parks and Recreation; Dawn Wynn, PBC Attorney; Executive Director Steve Cullen, Commission on Ethics; Laura Corry, South Florida Water Management District and Carmine Priore.

2. Additions, Deletions, and/or Modifications to the Agenda

Addition(s):

5e. New Member Application – Becker & Poliakoff

5f. Recommendation to the FLC Nominating Committee

3. Consent Agenda

a. Minutes of Board Meeting, November 27, 2013

b. Financial Reports for November and December 2013

c. New Member Application – Political Consulting.com

d. New member Application – Elizabeth Cayson

Motion by Dawn Pardo and second by Woodrow Hay to approve the consent agenda. Motion carried unanimously.

4. Special Presentations

None

5. Miscellaneous Business

a. Policy & Procedure Committee Report

Committee Chair Dawn Pardo informed the board that the at the committee's meeting, the

procedure of the executive director's performance evaluation and amicus briefs were discussed and the League by-laws were reviewed.

Executive Director's Performance Evaluation

Chair Pardo started with the executive director's evaluation procedure stating that the committee recommends that at least three months prior to the expiration of the executive director's contract the immediate past president should distribute a performance evaluation form to the board of directors. She went on to say that the past president, independent from the League, should collate the information, review and seek any other input deems necessary. Chair Pardo stated the committee then recommends a meeting with the past president, executive board and the executive director. She stated the past president will then provide a report and recommendation to the board of directors at the next board meeting and the discussion will be closed to staff and the public.

Motion by Matt Willhite and second by Steve Wilson to approve the committee's recommendation of the executive director's performance evaluation procedure. Motion carried unanimously.

Budget Procedures

Chair Pardo informed the board that the committee is updating the budget procedure to be current with what is already being done. She stated that the by-laws state that the proposed annual operating budget is to be prepared and submitted for to the Finance Committee in May. Chair Pardo informed the board that the committee recommends the instituted procedures of the budget process beginning in January; the dues has to be individually noticed no later than May 31st and that the proposed budget should be presented by the Finance Committee to the Board of Directors at the April meeting so notices can be sent to the individual member by the May 31st deadline. She concluded by stating a by-laws change to reflect the changes will now state "A individual dues notice shall be sent to the membership no later than May 31st" instead of "In the event that a dues increase is recommended in the annual budget, the membership shall be notified by individual notice no later than May 31st".

There was discussion.

The board made a change to the budget procedure recommended language. Stating it should read "A dues notice has to be individually noticed no later than May 31st" instead of "A individual dues notice shall be sent to the membership no later than May 31st".

Motion by Bill Thrasher and second by Angeleta Gray to approve the committee's recommendation of the budget procedures with the board changes. Motion carried unanimously.

Inspector General (I.G.) Budget Review Committee and By-Laws Change

Executive Director Richard Radcliffe informed the board that the I.G. Budget Review Committee is mandated by the I.G. Ordinance and stated that since the committee has to meet regularly that it is suggested that the League makes it a standing committee within the League by-laws. Mr. Radcliffe also informed the board of other minor changes to the by-laws, i.e. allowing electronic notifications (fax and/or email) to be a valid way for members to receive League notices.

There was discussion.

Motion by Robert Shalhoub and second by Angeleta Gray to approve the addition of the I.G. Budget Review Committee as a standing committee adding it to the League by-laws.

Motion carries with Bill Thrasher descending.

Amicus Brief

Chair Pardo informed the board that the committee's would like to implement a policy with regards to amicus briefs. She stated that the committee's recommends a policy in which any city who would like to request an amicus brief, do so at least 45 days prior to the board of directors meeting and must agree to pay the legal expenses up to \$5000.00 (five thousand dollars), if the board agrees to suit the suit. Chair Pardo continued with the committee's recommendation saying the executive board along with the League attorney should meet at least 7 days prior to the board of directors meeting to see if the amicus brief warrants inclusion in the agenda for the upcoming meeting with a executive board recommendation to support, oppose or may not be given. She stated that the request for the brief must include copies of the court orders, memorandum of law that they have already filed in the case and/or received by all parties involved and a white paper in layman's terms.

There was discussion.

Motion by Bill Manuel and second by David Levy to table the policy & procedure recommendation for amicus briefs until the next board meeting when the committee will have an alternate recommendation. Motion carries unanimously.

b. 2014 Legislative Priorities

Executive Director Richard Radcliffe informed the board of the proposed legislative priorities for the League. He went over the priorities informing the board of the new ones and briefly touching on the old ones that have been removed from the 2013 legislative priorities.

Susan Haynie suggested that under Transportation it should indicate "Quiet Zones" along with "All Aboard Florida".

David Levy suggests indicating the Communications Tax in the title along with the Local Business Tax which it falls under.

Motion by Dawn Pardo and second by Bill Manuel to approve the League's 2014 Legislative Priorities with the suggested changes. Motion carried unanimously.

c. Water Taxi Ordinance

Executive Director Richard Radcliffe informed the board of the changes that were made since last board meeting in November. He stated with the League of approval the ordinance will then go before the BCC for 1st and 2nd reading. Mr. Radcliffe recapped the purpose of the ordinance.

Motion by William Manuel and second by Allie Biggs that the League has no objection to the County Water Taxi Ordinance. Motion carried unanimously.

d. Criminal Justice Commission Ordinance

Executive Director Mike Rodriguez informed the board of the changes to the Palm Beach County Criminal Justice Commission Ordinance. He stated that the changes are only housekeeping to be current with their by-laws and the only major change that affects the League is the League appointment on the Criminal Justice Commission. Mr. Rodriguez explained that currently the appointments are for two years and that will now be changed to an open ended appointment. He

went on to state that he will contact the League on a yearly basis to inquire if the League will be keeping its appointment on the commission or appointing someone else.

Motion by Allie Biggs and second by Angeleta Gray that the League has no objection to the amendments to the County Criminal Justice Commission Ordinance. Motion carried unanimously.

e. New Member Application – Becker & Poliakoff

Motion by Matt Willhite and second by Dawn Pardo to approve the associate member application of Becker & Poliakoff. Motion carried unanimously.

f. Recommendation to the FLC Nominating Committee

Commissioner Ike Robinson of West Palm Beach informed the board that he is willing to serve on the Florida League of Cities Nominating Committee.

Motion by Mike Mullaugh and second by Woodrow Hay to approve the recommendation of Commissioner Ike Robinson to the Florida League of Cities Nominating Committee. Motion carried unanimously.

6. Committee Reports

a. ITE Committee Report

Chair Lisa Tropepe reported that at the last ITE meeting, the committee heard from three presenters.

She stated the first presenter was Palm Beach County Planning and Zoning who proposed to the group a county-wide contractor enrollment list.

The second presenter was Nova Southeastern University who informed the committee of their scholarship for municipal employees pursuing a degree in administrative and public safety education.

The third presenter was from Workforce Alliance who explained their purpose and mission to the committee and informed them of their willingness to assist municipalities with hiring future employees free of charge.

b. Fire Rescue (Service) Committee

Executive Director Richard Radcliffe reported that at the last meeting the group did not have any idea of how to structure the group but agreed that the committee is necessary and will meet quarterly. He stated that the group had no complaints with Palm Beach County service but had concerns of the millage rate. Mr. Radcliffe informed the board that two working groups may be created, one to review the millage rate and the second to review the efficiency of the service being received.

c. FLC Energy & Environmental Quality

Mayor Dan Comerford of Jupiter Inlet Colony informed the board that this League's legislative policy mimics that of the state policy. He stated that there is currently a bill from Senator Simmons for spring restoration that the committee is trying to make more inclusive of the Indian River Lagoon, Lake Okeechobee and estuaries. Mayor Comerford stated that the bill has

committed up to \$600 million for the restoration and to eliminate septic systems replacing them with a centralized sewer system. He informed the board that the funding for these projects will come from doc stamps which is expected to exceed \$2 billion this year.

d. FLC Finance, Taxation & Personnel

Manager Rex Taylor reported that there are five items that he would like to make the board aware of. He stated that the communication service tax (SB266) would reduce the State's portion of the communication service tax and satellite tax which would impact the amount of money the municipalities and county would receive. He stated the second item is the local business tax which has not gained any momentum. Mr. Taylor reminded the board of last year's bill which would either eliminate or reduce the local business tax. He stated the third item is the sales tax on commercial leases, which thru HB 11 would repeal the sales tax and incur an estimated loss of \$36 million. He stated the fourth item are the pension bills which local government need to keep a close eye on and lastly the uniform charter account which would require monthly publication for which the state estimate the first year implementation cost would be \$70 million with an annual upkeep cost of \$60 million.

e. FLC Growth Management & Economic Development

Vice Mayor Al Jaquet informed the board of the Growth Management & Economic Development committee two priorities. He stated the committee recognized that 89% of businesses has 12 or fewer employees and supports legislation dedicating the economic development resources to small businesses. He states that second priority is CDBG funding which for the first time in six years may have a surplus.

f. FLC Transportation & Intergovernmental Relations

Deputy Mayor Susan Haynie informed the board of the FLC Transportation & Intergovernmental Relations committee three priorities which are transportation funding and local planning, uniforms state ethics reform and license plate reader cameras, however DOT does not have any interest in entering into an inter-local agreement.

g. FLC Urban Administration

Council Chair Dawn Pardo informed the board that the priorities of the Urban Administration committee. She mentioned that Sober Homes and Vacation rentals are at the top of the list. She stated that the Florida League would like for everyone to contact their state representative to get them to sign onto the bills regarding sober homes and vacation rentals and if you have issues with vacation rentals to contact Debbie Mayfield. She explained that the issues of vacation rentals are no longer solely a south Florida problem, it is now state wide. She states that another priority is the Fireworks Bill, SB314 and HB4005, which would allow local government to regulate firework usage. She explained that the State had implemented a moratorium on fireworks legislation and only allowed the purchase of sparklers unless you signed a waiver stating that you are buying the fireworks for agricultural purposes and denied local governments to makes their own regulations. She stated the Red Light Camera bill is another priority, which would reduce the fines from \$158 to \$83 with the cities only getting a small portion for an admin fee. She also stated that the bill would not allow you to create or expand your red light program after June of 2014.

7. Legal Report

Attorney Trela White reported that the summary judgment hearing on the Inspector General funding lawsuit, which is regarding whether or not the cities have waived sovereign immunity allowing the

county to send them a bill for payment to the I.G., will commence on Monday January 27th.

Mrs. White reported that there has been no ruling on the Right Light Cameras case.

8. Executive Director's Report

Executive Director Richard Radcliffe informed the board of the passing of Pat Archer, who served as the League's appointee on the Commission on Ethics and when her service will be held. He stated that the request for another appointee will be posted on the league website and will also be sent out in the weekly update.

Mr. Radcliffe informed the board that this year's Installation Gala will be on May 21st instead of May 28th at the Kravis Center and asked that if anyone knows of any major conflict with the new date to contact him.

Mr. Radcliffe stated that next month meeting will be at the Delray Beach Marriott and there will be a \$5.00 cost for self parking.

Mr. Radcliffe informed the board that the Gold Coast League will get together and produce a Gold Coast Legislative priorities list. He stated there will be 5 representatives from each of the league that will get together to work on the agenda. Mr. Radcliffe asked for anyone interested in being a part of the group from this League to contact him.

Mr. Radcliffe informed the board of the League attorney Trela White's accomplishment in being named one of South Florida top 25 governmental attorneys.

Mr. Radcliffe informed the board of the FLC FEMA webinar that will be taking place on Thursday at 3p.m..

9. Member Comments

Commissioner Ike Robinson stressed the need for more representation from Palm Beach County on the Florida League of Cities committees.

Mayor Steve Wilson asked that the board discuss the half cent sales tax at the next meeting.

Councilmember Jerry Beavers corrected the webinar time of 1 p.m. instead of 3p.m..

10. Meetings Announcements

- a. Board of Directors Meeting, Delray Beach Marriott.....10 a.m., February 26th
- b. General Membership Meeting, Delray Beach Marriott.....Noon., February 26th

11. Adjournment - The Board adjourned at 11:47 a.m.