

Palm Beach County League of Cities, Inc.
BOARD OF DIRECTORS MEETING
Wednesday, November 27, 2013 at 10:00 a.m.
Benvenuto's, Boynton Beach

MINUTES

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

President Scott Maxwell called the meeting to order at 10:02 a.m. Mo Thornton called the roll and a quorum was attained.

Board members present were: Scott Maxwell, Steve Wilson, Dawn Pardo, Mo Thornton, Bill Manuel, Jerry Beavers, Robert Gottlieb, Bill Thrasher, Allie Biggs, Mike Mullaugh, Woodrow Hay, Matt Willhite, Robert Shalhoub and Todd Wodraska

Absent were: Angeleta Gray, David Levy, Keith James Gail Coniglio

Past Presidents in attendance: Isaac Robinson and David Stewart

Also in attendance were Executive Director Richard Radcliffe; League Counsel Trela White, Esq., Corbett, White & Davis, P.A.; Vice Mayor Jeff Hmara, Royal Palm Beach; Chuck Stoddard; County Administrator Robert Weisman and Deputy County Administrator Verdenia Baker, Palm Beach County; Eugene Rivas, Palm Beach County Consumer Affairs; Mayor James DuBois, Lake Park; Mayor Bernard Featherman, Highland Beach; Vice Mayor Mary Ross Wilkerson, Belle Glade; Councilmember Joni Brinkman, Palm Springs; Councilwoman Anne Gerwig, Wellington; Mike Baker and Harry Raucher, Lake Worth Drainage District; Commissioner Erin Flaherty, Lake Park; Laura Corry, South Florida Water Management District.

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

Addition(s):

5f. Appointment to the ITE Committee - Richard Reade

5g. Environmental Committee Report - Petroleum Contamination Ordinance

Deletion(s):

6a. Environmental Committee Report (moved under miscellaneous business, 5g. action item)

6c. FLC Policy Committees Report

Motion by Matt Willhite and second by Dawn Pardo to approve the amended agenda. Motion carried unanimously.

3. Consent Agenda

a. Minutes of Board Meeting, October 23, 2013

b. Financial Reports for October 2013

c. New Member Application - Bradley W. Biggs

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. Half Penny Sales Tax for Infrastructure

Palm Beach County Administrator Robert Weisman and Palm Beach County Deputy Administrator Verdenia Baker informed the board that they will be asking the Palm Beach County Commissioners to approve a half cent sales tax increase to be placed on the November ballot. Mr. Weisman stated that the revenue from the sales tax will generate approximately \$100 million per year and will be split with the cities. He informed the board that it will be used for capital maintenance or new capital needs like bridge repairs or new parks. He went on to say it cannot, however, be used for beach re-nourishment. Mr. Weisman informed the board that currently the school district is planning on asking the voters for a half cent tax raise and thought that it would be better to do a joint effort. He stated that the school board would receive 40% and based on population the county and cities would receive approximately 36% and 24% respectively. Mr. Weisman informed the board that if approved by the BCC the city council representing half the municipal population in the county would have to enter into an inter-local agreement with the county. He stated that the business community members that they spoke to will request a committee to watch over how the money will be spent and wanted a list of projects to present to the voters. Mr. Weisman asked the board to monitor the county progress it is brought to the BCC within 30-60 days and provide any input or support if they board wishes to do so.

b. County Wide Consumer Affairs Ordinance

Assistant County Attorney Pamela Eidelberg presented to the board the amendments that are being considered for the County Wide Consumer Affairs Ordinance. Ms. Eidelberg provided the board with a historical overview of the ordinance. She informed the board that the ordinance was passed in 1972 and the last time it was amended was in 1977. She stated that the reason for the board was for it to be an advisory board to the BCC who would protect the consumers by overseeing possible deceptive practices and trade acts by moving, towing and vehicle for hire businesses. Ms. Eidelberg informed the board that a resolution was passed in March 2013 to have a uniformed policy to all advisory boards, which changes in this ordinance will reflect. Ms. Eidelberg stated that specific changes being made to the ordinance are the number for members, which is being reduced from 9 to 7; the requirements to serve is a simply interest consumer affairs; one category for a license attorney; the county attorney will no longer be listed as an consumer advocate but an assistant county attorney and the office will now be listed as being a division of Public Safety instead as a department. She went on to state that the advisory boards role is to hear appeals and provide an "affirm" or "deny" ruling. Ms. Eidelberg informed the board that the ordinance first reading will be on the December 3rd and the second will be on December 17th at a Public Hearing.

Motion by Michael Mullaugh and second by Matt Willhite that the League has no objection to the County moving forward with the amendments to the County Wide Consumer Affairs Ordinance. Motion carried unanimously.

c. County Wide Fuel Price Signs Ordinance

Consumer Affairs Manager Eugene Reavis presented the amendments that are being considered for the County Wide Fuel Price Sign Ordinance. Mr. Reavis informed the board that the changes are being made in Chapter 17 "Licenses, Taxation and Miscellaneous Business Regulations". He

stated that a hash of consumer complaints regarding fuel stations pricing prompted the change. Mr. Reavis informed the board that the original language of the ordinance states that every fuel station that sells motor vehicle fuel to the public is required to post a sign which must include the type of motor fuel, size and the minimum price per gallon and display it on the premises. He went on to say that the ordinance did not state how cash or other discounted prices should be displayed and this is where the problem lies. Mr. Reavis stated that the consumers complained that the price they say displayed for the fuel was not the same amount that they were actually charged if they used a credit card. He informed the board that the new amendments will require the businesses to post the maximum retail price per gallon and conditions of the sale. They will also have to display any type of discounted prices. Mr. Reavis stated that if they are found in violation they will receive a warning the first time, \$250 fine the second time and \$500 fine the third. He informed the board that the first reading will be on December 3rd and the second will be on December 17th.

Motion by William Manuel and second by Todd Wodraska that the League has no objection to the County moving forward with the amendments to the County Wide Fuel Price Signs Ordinance. Motion carried unanimously.

d. Appointment to the Criminal Justice Commission

Mayor Valentin Rodriguez of Lake Clarke Shores expressed his wishes to be re-appointed and Commissioner Allie Biggs of Pahokee expressed her interest on serving on this commission.

There was discussion.

Executive Director Richard Radcliffe was directed by the board to reach out to the Criminal Justice Commission to inquire out about the League being able to appoint another person to the commission as an alternate.

Motion by Robert Shalhoub and second by William Manuel to approve the re-appointment of Lake Clarke Shores Mayor Valentin Rodriguez to the Criminal Justice Commission. Motion carried unanimously.

e. Appointment to the 2014 Treasure Coast Regional Planning Council

Executive Director Richard Radcliffe informed the board that each year the League makes 10 appointments, 5 regular and 5 alternates, to the Treasure Coast Regional Planning Council. Mr. Radcliffe stated that the following TCRPC members are seeking re-appointment: *regulars*: Councilwoman Anne Gerwig, Wellington; Mayor Sam Ferreri, Greenacres; Mayor Karen Golonka, Jupiter; Councilmember Joni Brinkman, Palm Springs. *alternates*: Commissioner John Szerdi, Lake Worth; Councilman David Norris, North Palm Beach; Mayor James DuBois, Lake Park; Councilmember Marcie Tinsley, Palm Beach Gardens and Vice Mayor Jeff Hmara, Royal Palm Beach. He informed the board that Vice Mayor Pro Tem Ellen Andel will not be seeking re-appointment. Mr. Radcliffe informed the board of other candidates who are interested in serving on the council: Vice Mayor Kimberly Glas-Castro of Lake Park, Commissioner Erin Flaherty of Lake Park and Councilman Bruce Guyton of Riviera Beach.

All candidates who were present at the meeting were able to inform the board of their interest to serve or continue to serve on the council: Vice Mayor Jeff Hmara, Royal Palm Beach; Councilman Bruce Guyton, Riviera Beach; Commissioner Erin Flaherty, Lake Park; Councilmember Marcie Tinsley, Palm Beach Gardens; Mayor Sam Ferreri, Greenacres; Councilwoman Anne Gerwig, Wellington and Councilmember Joni Brinkman, Palm Springs.

President Maxwell informed the board that there is an open slot that needs to be filled if the board re-appoints all current members seeking re-appointment. He went on to say that the board can either move an alternate up to fill the vacant regular seat or choose a new candidate to fill the vacant regular seat.

Motion by Matt Willhite and second by William Thrasher to approve the re-appointment of Councilwoman Anne Gerwig, Wellington; Mayor Sam Ferreri, Greenacres; Mayor Karen Golonka, Jupiter and Councilmember Joni Brinkman, Palm Springs to serve as regulars on the Treasure Coast Regional Planning Council. Motion carried unanimously.

The board decided to choose an alternate for the regular seat.

There was discussion.

A ballot vote was done and Mayor James DuBois of Lake Park was appointed to serve as a regular on the Treasure Coast Regional Planning Council.

President Maxwell informed the board that there is now a vacant alternate seat.

Motion by Matt Willhite and second by Dawn Pardo to approve the re-appointment of Commissioner John Szerdi, Lake Worth; Councilman David Norris, North Palm Beach; Councilmember Marcie Tinsley, Palm Beach Gardens and Vice Mayor Jeff Hmara, Royal Palm Beach and the appointment of Councilman Bruce Guyton to serve as alternates on the Treasure Coast Regional Planning Council. Motion carried unanimously.

f. Appointment to the ITE Committee

Manager Richard Reade of Palm Springs has expressed his interest in serving on the ITE Committee.

Motion by William Manuel and second by Mo Thornton to approve the appointment of Palm Springs Village Manager Richard Reade to the ITE Committee. Motion carried unanimously.

g. Environmental Committee Report

Executive Director Richard Radcliffe informed the board that Palm Beach County Environmental Resources Management has made housekeeping changes to the Petroleum Contamination Cleanup Ordinance. Attorney Trela White clarified that ERM changed the citation code in the Florida Administrative Code section to reflect an updated section.

Motion by Robert Shalhoub and second by Mo Thornton to have no objection to the amendments to the Petroleum Contamination Cleanup Ordinance. Motion carried unanimously.

6. Committee Reports

b. Water Taxi Task Force

Executive Director Richard Radcliffe updated the board of the draft Water Taxi Registration Ordinance that will regulate and implement a water taxi registration system. He informed the board that the registration system would allow tour boats and water taxi to register with the

county for two years for only \$100.00. Mr. Radcliffe stated that the ordinance will suggest each city provide a decal at a cost which would allow the vessels to pick up and drop off clients at their docks, thus expanding their services along the inter-coastal only having to obtain a business license where the vessel is housed. He informed the board that the draft ordinance will now be sent to the county for review and will be brought back to the board prior to going before the BCC.

7. Legal Report

Attorney Trela White reported that at Monday's summary judgment hearing on the Inspector General funding lawsuit, it was regarding whether or not the cities have waived sovereign immunity allowing the county to send them a bill for payment to the I.G.. No decision has been made.

Mrs. White reported that there have been no updates on the City of Boca Raton Yankee Town case, the Town of Jupiter's Code Enforcement case or the Right Light Cameras case.

8. Executive Director's Report

Executive Director Richard Radcliffe informed the board that each city needs to upgrade their grade crossing so that the crossing can be built to the safety standards of its trips. He stated that the Florida Department of Transportation and the Federal Railroad Administration will be sending the engineering criteria for the grade crossing.

Mr. Radcliffe reminded the board of the Tri-Cities Barbecue, which is being held at the Pahokee Marina on Friday December 6th. He stated if anyone would like to contribute to please contact the League office. He informed the board that he already has \$9,300.00 in pledged contributions. Mr. Radcliffe asked that if you are attending to please bring an unwrapped toy for the "Children of the Glades" Toy Drive.

Mr. Radcliffe informed the board that at the National League of Cities Conference in Seattle, the FEMA Flood Maps became a priority for the League.

Mr. Radcliffe reminded everyone of the FLC Fly-In that will be taking place on February 11-12th.

Mr. Radcliffe closed by thanking everyone who attended the Legislative Roundtable and made it a success. He also thanked the facilitators for their assistance.

9. Member Comments -

Commissioner Isaac Robinson informed the board that FEMA Flood Maps are being reviewed on the National League of Cities Public Safety & Crime Prevention Committee. He stated that the Sober House and Rental issue is being reviewed on the Florida League of Cities Urban Administration Committee, both of which he serves on. Commissioner Robinson went on to congratulate Greenacres Mayor, Sam Ferreri, for being nominated to serve on the National League of Cities Board of Directors.

Mayor Sam Ferreri thanked the board for their endorsement of him serving on the National League of Cities board of directors.

10. Meetings Announcements

- a. Glades Barbecue, Pahokee Marina.....Noon, December 6th
- b. Board of Directors Meeting, Boca Raton.....10 a.m., January 22nd
- c. General Membership Meeting, Boca Raton.....Noon, January 22nd

11. Adjournment - The Board adjourned at 11:41 a.m.