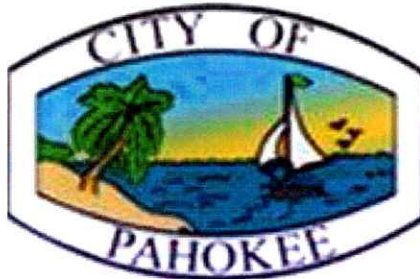


CITY OF PAHOKEE



MINUTES

City Commission Regular Meeting

Tuesday, October 25, 2022, at 6:00 PM

Pahokee Commission Chambers
360 East Main Street
Pahokee, Florida 33476

CITY COMMISSION:

Keith W. Babb, Jr., Mayor
Clara Murvin, Vice Mayor
Derrick Boldin, Commissioner
Juan Gonzalez, Commissioner
Sara Perez, Commissioner

CITY STAFF:

Rodney D. Lucas, City Manager
Jongelene Adams, Deputy City Manager
Tijauna Warner, City Clerk
Burnadette Norris-Weeks, Esq., City Attorney
Vacant, Finance/Human Resources Director

[TENTATIVE: SUBJECT TO REVISION]

MINUTES

A. CALL TO ORDER

The meeting was called to order by Mayor Babb at 6:08 PM.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Murvin led the Invocation, followed by the Pledge of Allegiance.

C. ROLL CALL

PRESENT

Mayor Keith W. Babb, Jr.

Vice Mayor Clara Murvin

Commissioner Derrick Boldin

Commissioner Juan Gonzalez

Commissioner Sara Perez

Rodney D. Lucas, City Manager

Burnadette Norris-Weeks, City Attorney

Nylene Clarke, Executive Assistant (Acting City Clerk)

D. ADDITIONS, DELETIONS, AND APPROVAL OF AGENDA ITEMS:

Motion made by Vice Mayor Murvin to approve the agenda with the two additions: Proclamation for Lynda Hendrix Moss and Resolution 2022 - 54. Duly seconded by Commissioner Gonzalez and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

E. PUBLIC COMMENTS / PUBLIC SERVICE ANNOUNCEMENTS / PRESENTATIONS / PROCLAMATIONS

(This section of the agenda allows for comments from the public to speak. 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 or unmute your device, and prior to addressing the Commission, state your name and address for the record)

Sam McKinstry posed questions regarding City business and contracts.

Jennifer Showalter commented regarding Palm Beach County educational concerns that directly affect Pahokee.

1. Proclamation - Expression of Sympathy - Lynda Hendrix Moss

Attorney Norris-Weeks read the proclamation into the record.

Motion made by Vice Mayor Murvin to approve the proclamation for Lynda Hendrix Moss. Duly seconded by Commissioner Gonzalez and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

F. CONSENT AGENDA

1. October 11, 2022 Regular Meeting Minutes

Motion made by Vice Mayor Murvin to approve the Consent Agenda. Duly seconded by Commissioner Boldin and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

G. OLD BUSINESS:

(Discussion of existing activities or previously held events, if any)

1. Update - City Projects

Later in the meeting, Peggy Boule-Washington, Community & Economic Development Director, provided an update on City projects, beatification projects, and upcoming City events. Discussion ensued.

H. PUBLIC HEARING(S)

1. ORDINANCE 2022 - 03 (First Reading) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, REPEALING AND REPLACING ARTICLE II, SECTION 2-26 ENTITLED “CITY COMMISSION MEETINGS GENERALLY” AND 2-29 ENTITLED “ORDER OF BUSINESS”; RENUMBERING AND REORDERING AS NECESSARY; PROVIDING FOR AN EFFECTIVE DATE.

The ordinance was read into the record by Attorney Norris-Weeks and explained by Mr. Lucas.

Public Hearing opened at 6:31 PM for public comment. Hearing none, it closed at 6:31 PM.

It was the consensus of the City Commission to revise the language to begin the meetings no later than 6:30 PM, with comments not being accepted after five minutes from the start of the meeting. Discussion ensued.

Motion made by Commissioner Boldin to approve Ordinance 2022 - 03 (First Reading). Duly seconded by Vice Mayor Murvin and passed 3-2.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin
Voting Nay: Commissioner Gonzalez, Commissioner Perez

I. RESOLUTION(S)

1. RESOLUTION 2022 - 51 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE FLORIDA, FOR APPROVAL OF CHANGE ORDER NO. 13 TO RESOLUTION #2016-20 PERTAINING TO PALM BEACH COUNTY’S INTERLOCAL AGREEMENT WITH THE CITY OF PAHOKEE AND EXHIBIT “A” OF THE COORDINATION OF ROAD AND UTILITY CONSTRUCTION FOR BARFIELD HIGHWAY RECONSTRUCTION PROJECT AS SET FORTH IN EXHIBIT “A”; PROVIDING FOR AN EFFECTIVE DATE.

The resolution was read into the record by Attorney Norris-Weeks and explained by Mr. Lucas. Discussion ensued.

Motion made by Vice Mayor Murvin to approve Resolution 2022 - 51. Duly seconded by Commissioner Boldin and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

2. RESOLUTION 2022 - 52 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE CITY OF PAHOKEE, TO ENTER INTO, A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AGREEMENT WITH PALM BEACH COUNTY FOR CODE ENFORCEMENT SERVICES, AS MORE SPECIFICALLY SET FORTH IN EXHIBIT “A” HERETO; PROVIDING FOR AN EFFECTIVE DATE.

The resolution was read into the record by Attorney Norris-Weeks and explained by Mr. Lucas. Discussion ensued.

Motion made by Commissioner Boldin to approve Resolution 2022 - 52. Duly seconded by Vice Mayor Murvin and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

3. RESOLUTION 2022 - 53 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPOINTING FIVE (5) MEMBERS TO THE CHARTER REVIEW BOARD; PROVIDING FOR AN EFFECTIVE DATE.

The resolution was read into the record by Attorney Norris-Weeks and explained by Mr. Lucas. Discussion ensued.

Motion made by Vice Mayor Murvin to table Resolution 2022 - 53 until the November 7, 2022 Commission Meeting. Duly seconded by Commissioner Gonzalez and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

4. RESOLUTION 2022 - 54 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE GRANT AGREEMENT NO. L2104 BETWEEN THE CITY OF PAHOKEE AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY, EFFECTIVE UPON FINAL EXECUTION BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

The resolution was read into the record by Attorney Norris-Weeks and explained by Mr. Lucas. Discussion ensued.

Motion made by Commissioner Boldin to approve Resolution 2022 - 54. Duly seconded by Commissioner Gonzalez and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

J. NEW BUSINESS:

(Conversation about an activity or event upcoming, if any)

1. Discussion and direction from the City Commission on the outstanding bill with Big Dog Express of South Florida, Inc. related to storm-related debris pickup from Hurricane Ian (September 28, 2022)

Commissioner Perez recused herself from this item, announced the conflict of interest (see attached Form 8B), and voluntarily exited the meeting for the discussion of this item.

Carlos Mangual discussed SWA Emergency Hurricane and Disaster Debris Removal, in conjunction with this item.

H. REPORT OF THE MAYOR

Mayor Babb expressed gratitude toward the Centennial Committee for their services this year and suggested that there be a permanent board. He discussed a wish list of items pertaining to the City.

I. REPORT OF THE CITY MANAGER

Mr. Lucas sought consensus on using funds for large scale events, bringing an expanded beautification program, and sought direction on ARPA spending. He provided a status report on outstanding items.

By consensus of the City Commission, the December 27, 2022 Commission Meeting was cancelled.

J. REPORT OF THE CITY ATTORNEY

None.

K. COMMISSIONER COMMENTS

Commissioner Gonzalez commented regarding an amphitheater.

Andrew Toussaint, Public Affairs Specialist for SBA, discussed disaster loans that are being offered and respective deadlines.

Commissioner Boldin discussed possible allocations for the ARPA funds.

Vice Mayor Murvin inquired about the East Lake Village project. Discussion ensued.

L. FOR THE GOOD OF THE ORDER

(Community events, feel good announcements)

Commissioner Gonzalez expressed gratitude toward the Centennial Committee.

Motion made by Mayor Babb to have the City Attorney draft a resolution to create a Special Events Board. Duly seconded by Vice Mayor Murvin and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

Motion made by Mayor Babb to do a proclamation for Veterans Day and Purple Heart Recipients. Duly seconded by Commissioner Gonzalez and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

M. ADJOURN (BY MOTION AND APPROVAL OF MAJORITY PRESENT)

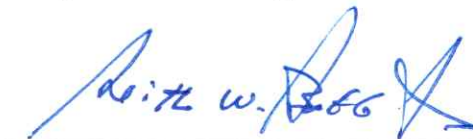
Motion made by Vice Mayor Murvin to adjourn the meeting. Duly seconded by Commissioner Perez and passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

There being no further business to discuss, Mayor Babb adjourned the meeting at 9:06 PM.



ATTEST: Nylone Clarke, Acting City Clerk



Keith W. Babb, Jr., Mayor

Rec'd
10/25/2022
@ 6:05pm

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Perez Sara Luisa A</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>City of Pahokee Commissioner</i>
MAILING ADDRESS <i>691 East Main Street</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Pahokee</i> COUNTY <i>Palm Beach</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>October 25, 2022</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Sara L. Perez, hereby disclose that on October 25, 20 22:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, Emilio Perez / Big Day Express;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

10/25/2022
Date Filed

Sara Perez
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.