

CITY OF PAHOKEE



AGENDA

City Commission Regular Meeting
Tuesday, April 09, 2024, 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
Tijauna Warner, City Clerk
Burnadette Norris-Weeks, Esq., City Attorney
Joseph R. Martin, Interim Director of Finance

[TENTATIVE: SUBJECT TO REVISION]

AGENDA

- A. CALL TO ORDER**
- B. INVOCATION AND PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. ADDITIONS OF EMERGENCY BASIS FROM CITY MANAGER, DELETIONS AND APPROVAL OF AGENDA ITEMS**
- 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)

- 1. Swearing-In of Newly Elected City Commissioners:
 - Sanquetta Cowan-Williams
 - Everett D. McPherson, Sr.
- 2. Ethics Training - Rhonda Giger (General Counsel) Palm Beach County Commission on Ethics

- F. CONSENT AGENDA**
- G. OLD BUSINESS** *(discussion of existing activities or previously held events, if any)*
- H. PUBLIC HEARINGS AND/OR ORDINANCES**

- A. ORDINANCE 2024 - 01 *(first reading)* AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AMENDING ARTICLE II, SECTION 2-29 ENTITLED “ORDER OF BUSINESS”; RENUMBERING AND REORDERING AS NECESSARY; PROVIDING FOR AN EFFECTIVE DATE.

- I. RESOLUTION(S)**

- A. RESOLUTION 2024 - 09 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS BETWEEN QUALIFIED APPLICANTS AND THE CITY OF PAHOKEE FOR THE CITY’S MINOR HOME REPAIR PROGRAM, AS SET FORTH IN EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR AN EFFECTIVE DATE.
- B. RESOLUTION 2024 - 10 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS BETWEEN QUALIFIED APPLICANTS AND THE CITY OF PAHOKEE FOR THE COVID-19 RESIDENTIAL UTILITIES AND RENTAL ASSISTANCE PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.
- C. RESOLUTION 2024 - 11 RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING CHANGE ORDER NO. 26 TO RESOLUTION #2021-02 PERTAINING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), CONTRACT G-1753, FM# 442030-01-54-1,

BARFIELD HIGHWAY RECONSTRUCTION PROJECT AS SET FORTH IN
EXHIBIT “A”; PROVIDING FOR AN EFFECTIVE DATE.

- J. NEW BUSINESS** (*presentation by city manager of activity or upcoming event, if any*)
 - [1.](#) Selection of Vice Mayor
 - [2.](#) Palm Beach County League of Cities Voting Delegate Form
 - K. REPORT OF THE MAYOR**
 - L. REPORT OF THE CITY MANAGER**
 - M. REPORT OF THE CITY ATTORNEY**
 - N. FUTURE AGENDA ITEMS OF COMMISSIONERS, IF ANY**
 - O. COMMISSIONER COMMENTS AND FOR THE GOOD OF THE ORDER** (*community events, feel good announcements, if any*)
 - P. ADJOURN**
-

Any citizen of the audience wishing to appear before the City Commission to speak with reference to any agenda or non-agenda item must complete the “Request for Appearance and Comment” form and present completed form to the City Clerk prior to commencement of the meeting.

Should any person seek to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Reference: Florida Statutes 286.0105)

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting City Clerk Tijauna Warner at Pahokee City Hall, 207 Begonia Dr. Pahokee, FL 33476 Phone: (561) 924-5534. If hearing impaired, telephone the Florida Relay Service Number, 800-955-8771 (TDD) or 800-955-8770 (Voice), for assistance. (Reference: Florida Statutes 286.26).



The Supervisor of Elections for Palm Beach County hereby certifies the following Municipality:

City of Pahokee

☆ **Commissioner Group 1 - Pahokee (Vote For 1)**

Participating Precincts Reporting: 1 / 1

Choice	Percent	Votes
Juan "Johnny" Gonzalez	26.27%	140
Monique Gordon	32.46%	173
Everett D. McPherson Sr	41.28%	220
		533

☆ **Commissioner Group 2 - Pahokee (Vote For 1)**

Participating Precincts Reporting: 1 / 1

Choice	Percent	Votes
Sanquetta Cowan-Williams	35.03%	186
Tiana Mitchell	28.44%	151
Sara Perez	36.53%	194
		531

☆ **Pahokee Question 1 (Vote For 1)**

Participating Precincts Reporting: 1 / 1

Choice	Percent	Votes
YES, for Approval	53.09%	266
NO, for Rejection	46.91%	235
		501



☆ **Pahokee Question 2 (Vote For 1)**

Participating Precincts Reporting: 1 / 1

Choice	Percent	Votes
YES, for Approval	86.85%	436
NO, for Rejection	13.15%	66
		502

☆ **Pahokee Question 3 (Vote For 1)**

Participating Precincts Reporting: 1 / 1

Choice	Percent	Votes
YES, for Approval	90.27%	408
NO, for Rejection	9.73%	44
		452

Witness my hand and official seal at Palm Beach County, on April 1, 2024.

By: Wendy Sartory Link

Wendy Sartory Link
Supervisor of Elections Palm Beach County





5501 Show Detailed View

Choice	Percent	Votes
Juan "Johnny" Gonzalez	26.27%	140
Monique Gordon	32.46%	173
Everett D. McPherson Sr	41.28%	220
		533



5501 [Show Detailed View](#)

Choice	Percent	Votes
Sanquetta Cowan-Williams	35.03%	186
Tiana Mitchell	28.44%	151
Sara Perez	36.53%	194
		531



Pahokee Question 1

5501 Show Detailed View			
Choice		Percent	Votes
YES, for Approval		53.09%	266
NO, for Rejection		46.91%	235
			501



Pahokee Question 2

5501 Show Detailed View

Choice	Percent	Votes
YES, for Approval	86.85%	436
NO, for Rejection	13.15%	66
		502



Pahokee Question 3

5501 Show Detailed View

Choice	Percent	Votes
YES, for Approval	90.27%	408
NO, for Rejection	9.73%	44
		452



The Supervisor of Elections for Palm Beach County hereby certifies the following Municipality:

City of Pahokee

☆ **Commissioner Group 1 - Pahokee (Vote For 1)**

Participating Precincts Reporting: 1 / 1 [Precinct Details](#) [Show Detailed View](#)

Choice	Percent	Votes
Monique Gordon	46.53%	235
Everett D. McPherson Sr	53.47%	270
		505

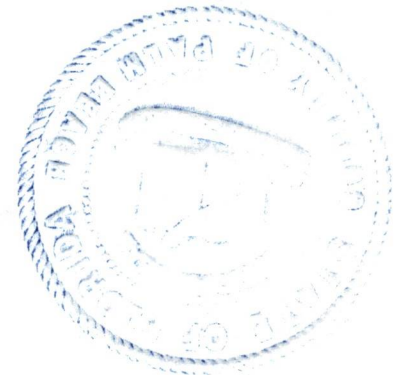
☆ **Commissioner Group 2 - Pahokee (Vote For 1)**

Participating Precincts Reporting: 1 / 1 [Precinct Details](#) [Show Detailed View](#)

Choice	Percent	Votes
Sanquetta Cowan-Williams	63.03%	329
Sara Perez	36.97%	193
		522

Witness my hand and official seal at Palm Beach County, on April 5, 2024.

By: Wendy Sartory Link
 Wendy Sartory Link
 Supervisor of Elections Palm Beach County





Commissioner Group 1 - Pahokee

5501 Show Detailed View

Choice	Percent	Votes
Monique Gordon	46.53%	235
Everett D. McPherson Sr	53.47%	270
		505



Commissioner Group 2 - Pahokee

5501 Show Detailed View

Choice	Percent	Votes
Sanquetta Cowan-Williams	63.03%	329
Sara Perez	36.97%	193
		522

Code of Ethics Training



**For county and municipal
officials and employees**

**Rhonda Giger
General Counsel**

PBC Commission on Ethics

Five volunteer members, each appointed by the following community “stakeholders” to serve four-year terms:

- ◆ **PBC League of Cities – Former elected official or manager of a governmental entity**
- ◆ **PBC Bar Association in conjunction with the Hispanic Bar Association & the F. Malcolm Cunningham Bar Association – Attorney with ethics experience**
- ◆ **President of Florida Atlantic University – Faculty member with teaching experience in professional ethics**
- ◆ **President of PBC Chapter of Association of Certified Fraud Examiners – CPA/Forensic Accountant; experience with government audits**
- ◆ **PBC Association of Chiefs of Police – former LEO or Prosecutor**

COE Staff-What We Do

- **Investigate complaints**
- **Answer questions about the Code of Ethics**
- **Provide advisory opinions**
- **Training and community outreach**
- **Ensure you understand your responsibilities**

Frequently Asked Questions

What is the purpose of the Code of Ethics?

- Promote honest and ethical conduct.
- Protect confidential information.
- Increase public trust in local government.

As public officials and employees, we must be transparent in all of our actions.

Frequently Asked Questions

Who does the Code of Ethics apply to?

- All county and municipal employees, elected officials, and advisory board members.
- Not state officers or employees, and not constitutional officers or their employees.



Overview of Today's Training

❖ **Ethics Decision Tree**

- ◆ Steps to avoid violations and problems

❖ **The Code of Ethics**

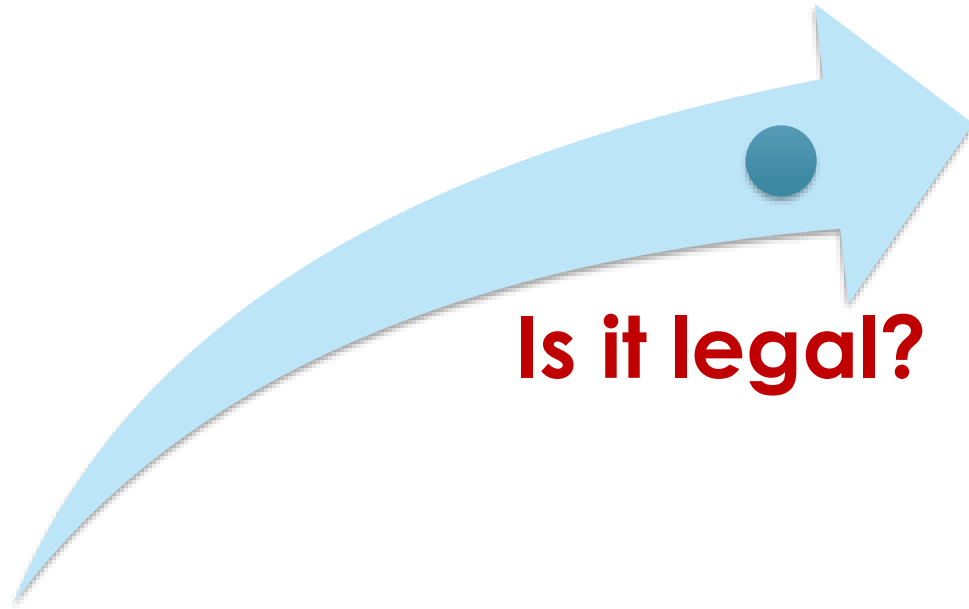
- ◆ Prohibited Conduct
- ◆ Gift Law
- ◆ Miscellaneous Provisions

Ethics Decision Tree

A four-step process designed to help you identify things to consider before taking some action.



Use the “Ethics Decision Tree”
before you act, and ask yourself...



Is it legal?

Use the “Ethics Decision Tree”
before you act, and ask yourself...

Section E, Item 2.



Is it legal?

**Does it comply
with the Code
of Ethics?**

Use the “Ethics Decision Tree” before you act, and ask yourself...



Is it legal?

Does it comply
with the Code
of Ethics?

**Does it comply with
county/municipal
policy?**

Use the “Ethics Decision Tree” before you act, and ask yourself...

**Could your actions create
problems for your public employer
or the people you serve?**

Does it comply with county/ municipal policy?

Does it comply with the Code of Ethics?

Is it legal?



PROHIBITED CONDUCT
SECTION 2-443

Prohibited Conduct

- **Sec. 2-443(a)**, *Misuse of public office or employment*
- **Sec. 2-443(b)**, *Corrupt misuse of official position*
- **Sec. 2-443(c)**, *Disclosure of voting conflicts*
- **Sec. 2-443(d)**, *Contractual relationships*

Misuse of Office

Section 2-443(a)

Public employees and officials are **prohibited from using their official position** in a manner that results in a “**special financial benefit**” being given to...

No Special Financial Benefit given to:

1. Themselves
2. A household member, spouse, or domestic partner
3. Outside business or employer of theirs or their spouse or domestic partner
4. A close family relative or their business or employer
5. A customer or client of their outside business or employer
6. A debtor or creditor of the official or employee, who owes or is owed more than \$10,000 (except banking and mortgage institutions)
7. Any organization **of which** the official/employee or their spouse/domestic partner serves as an officer or director of that organization

Special Financial Benefit

- ❖ **Financial benefit** – *anything* of value that is obtained through your official position:
 - Your government employment;
 - Your elected position in government;
 - Your advisory board appointment.

Special Financial Benefit

- One **not** shared with “**similarly situated**” members of the general public
 - **similarly situated**
 - ✓ **everyone** affected by a decision is affected in essentially the same manner, and
 - ✓ the group impacted must be large enough to allow a significant number of people to benefit.
 - 1% percent rule (1 out of 100)

Misuse of Office

The Code Enforcement Officer

- A code enforcement officer is assigned to inspect property owned by his son.

May he inspect his son's property?



Misuse of Office

The Code Enforcement Officer

- A code enforcement officer is assigned to inspect property owned by his son.

May he inspect his son's property?

Yes. There is no prohibited conflict of interest based solely on the parent-child relationship. Where the public employee simply does his job and does not give his son a "special financial interest," there is no prohibition under the Code.



Misuse of Office

The Code Enforcement Officer

- A code enforcement officer is assigned to inspect property owned by his son.

Should he inspect his son's property?

Probably not. Think about the appearance of impropriety.



Misuse of Office

The Code Enforcement Officer

- The code enforcement officer noticed that his son's sidewalk as well as the two houses on either side of his son's house need to have their sidewalks pressure washed. The code enforcement officer cites the other two houses but not his son's.

Has he violated the misuse of office section of the code?



Misuse of Office

The Code Enforcement Officer

- The code enforcement officer noticed that his son's sidewalk as well as the two houses on either side of his son's house need to have their sidewalks pressure washed. The code enforcement officer cites the other two houses but not his son's.

Has he violated the misuse of office section of the code?

Yes! He used his position to give a special financial benefit to his son.



Disclosure of Voting Conflicts

Section 2-443(c)

An official may not vote on or participate in any matter which will provide a **special financial benefit** to specific persons or entities.

Disclosure of Voting Conflicts

Officials may not vote on or participate in a matter that will result in a special financial benefit being given to:

1. Themselves
2. Their spouse, domestic partner, or household member
3. An outside employer or business of theirs or their spouse or domestic partner
4. A close family relative or their business or employer
5. A customer or client of the official's outside employer or business
6. A substantial debtor or creditor
7. Any organization – serves as an officer or director

Disclosure of Voting Conflicts

The Vote on Waterlines

- A proposal comes before the town council for a vote on whether to install new waterlines in a neighborhood.
- A Council Member **lives** in a home in this neighborhood.
- There are **150 homes** within this neighborhood that are affected.



Disclosure of Voting Conflicts

The Vote on Waterlines

May the council member vote on this project without violating the Code of Ethics?



Disclosure of Voting Conflicts

Yes!

Where the public official votes on a measure that affects all members of a class equally, and the class is sufficiently large, there is no “special financial benefit” to the council member.



Disclosure of Voting Conflicts

Road Improvement

- A city councilman is on the board of directors of a local church, which is a not-for-profit organization. The city council will be voting on whether to pave the road that the church sits on. There are 25 properties on the road that may be paved.

May the city councilman, who is a member of the church board of directors, **discuss or vote** on the road project taking place in front of the church?



Disclosure of Voting Conflicts

No!

He would not be allowed to

- 1) participate in the discussion of whether to approve this road project or
- 2) vote on that matter,
because he is a board member of the church and size of the class impacted by this project is small.



Corrupt Misuse of Official Position

Section 2-443(b)

You may not use your official position...
(your government employment, advisory board membership, or elected title or powers)

- ✓ ...to corruptly secure...
- ✓ ...a "special benefit" ...
(does not have to be a financial benefit)
- ✓ ...for any person

Corrupt Misuse of Official Position

❖ ...a “special benefit” ...

- ◆ any benefit you or another person are not entitled to have or to give
- ◆ not necessarily financial, although it could be

Corrupt Misuse of Official Position

❖ ... “corruptly” means...

- ◆ Done with wrongful intent, and which is...
- ◆ Inconsistent with the “proper performance” of your public duties

Corrupt Misuse of Official Position

Section E, Item 2.

The Parking Ticket

- The city manager received a parking citation after parking in a restricted city parking lot. The city manager approached the parking officer and told her that he was the city manager and has a special city placard that allows him to park in any city lot. The parking officer voided the ticket. The city manager does not have a special placard that allows him to park in any city lot.

**PAY
TO
PARK
ALL
HOURS**

Corrupt Misuse of Official Position

The Parking Ticket

Did the city manager violate the corrupt misuse section of the code of ethics by his actions?

PAY
TO
PARK
ALL
HOURS

Corrupt Misuse of Official Position

The Parking Ticket

Yes!

- He improperly used his authority to act in a way that had “**wrongful intent**” and was “**inconsistent with the proper performance of his public duties.**”

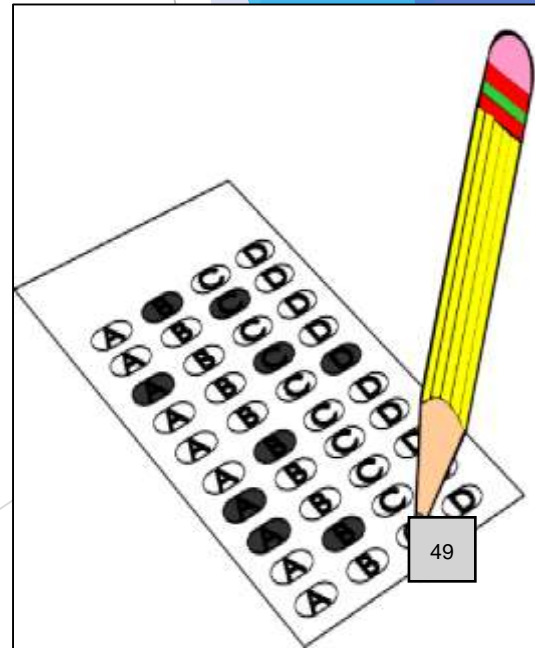
**PAY
TO
PARK
ALL
HOURS**

Corrupt Misuse of Official Position

The Tricky Test-Taker

- Every employee in a city department is required to sit for an annual certification examination.
- It is paid for by the city and half of the employees take the exam on Monday and the other half take the exam on Friday.
- A test-taker from Monday's sitting made copies of the exam and his answers and distributed it to his fellow co-workers.

Is the employee in violation of the corrupt misuse of official position?



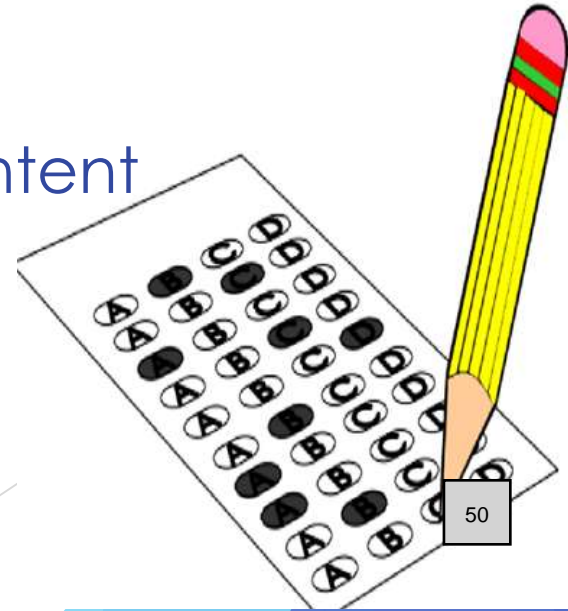
Corrupt Misuse of Official Position

The Tricky Test-taker

Yes

The employee improperly used his position, as a city employee, to give a special benefit to his co-workers.

His action was done with a wrongful intent and was inconsistent with the proper performance of his duties as a city employee.



Contractual Relationships

Section 2-443(d)

The Code regulates some contracts you may enter into in your private capacity because of your public employment or position.

General Rule

- ◆ You,
- ◆ Your outside employer, or
- ◆ Your outside business

cannot contract with or provide any goods or services for payment to your public employer or the public entity you serve.



EXCEPTIONS to the Rule!

Exceptions

1. **Your outside employer is another governmental entity**
2. **It is a sealed bid/low-bid contract (and you meet the additional requirements within this exception)**
3. **Emergency purchases**
4. **Sole source of supply**
5. **Contract or goods supplied are valued at less than \$500 per year**
6. **You are a public employee and you meet the part-time outside employment exception and obtain a waiver** (this only applies to employees, not elected or appointed officials)
7. **For extra-duty details (Police and Fire exception)**
 - This does not apply for outside employment of businesses, but applies only to off duty details where these employees are hired through their public employer.

Part-time Outside Employment Waiver

Do you need to file one?

[applies only to employees, not to officials]

The question you must answer:

IS your potential part-time employer
a **vendor** of your government employer?

Outside Employment Waiver

- If your potential part-time employer **IS a vendor** of your public employer, in order for you to work there, you **must file a conflict of interest waiver.**
- If your potential part-time employer **is not a vendor** of your public employer, you **DO NOT** need to file a conflict of interest waiver, because there is **no conflict of interest to waive.**

Outside Employment Waiver

What are the requirements?

- Your potential outside employer does **not** have contracts that you or your department or section will oversee, administer or enforce.
- You did **not** participate in awarding the contract to your potential outside employer in any way.
- This part-time employment will **not** impair or interfere with your government job (this should be determined by your supervisor).
- You have **complied** with any internal policy of your government employer concerning outside employment.

Outside Employment Waiver

- Complete and sign (acknowledge each of the five declarations).
- Review and signed by Supervisor.
- Review and signed by Chief Administrative Officer.

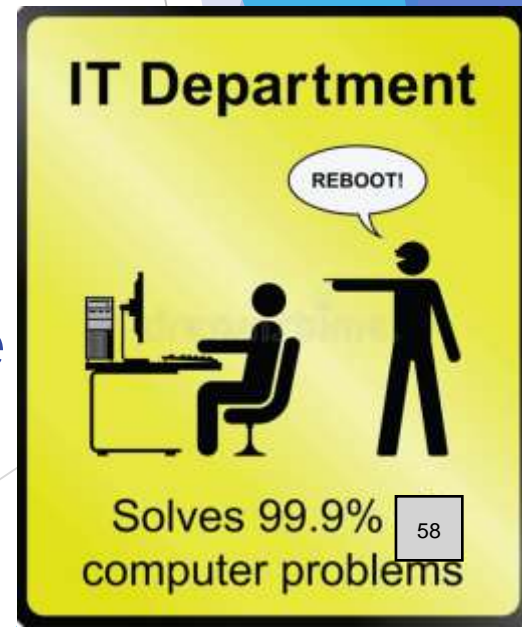
SEND ORIGINAL TO HR AND COPY TO COE

- Remember, this is **only** needed **if** the potential part-time employer is a **vendor** of your public employer, **and** the potential part-time employer is not one of the exceptions already allowed within the code (such as other governmental entities)!

Misuse of Office

The Employee Entrepreneur

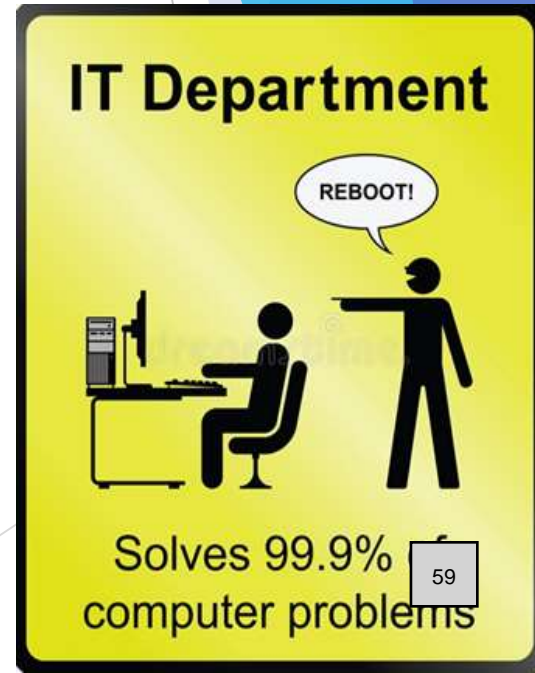
- A city employee would like to start a part-time business where she performs IT consulting work outside work hours.
- She is employed full-time by the city in the IT Department.



Misuse of Office

The Employee Entrepreneur

May the employee perform IT work during non-work hours when she is a city employee in the IT Department?



Misuse of Office

The Employee Entrepreneur

Yes!

- As long as she is not providing those services to her city, directly or indirectly, and she follows her public employer's rules for outside employment, she can perform such work privately.
- However, she **cannot** use city resources to complete such work.

IT Department



Solves 99.9%
computer problems

Misuse of Office

The Employee Entrepreneur

The employee thinks she should refrain from:

- identifying or alluding to her position with the city,
- wearing her work shirt with the city logo on it, and
- driving a city vehicle while soliciting potential clients to her private IT consulting business.

Is she correct?

Misuse of Office

The Employee Entrepreneur

Yes!

The use of her “official position” to attract potential clients to hire her private business would violate the misuse of office section of the code of ethics.

Contractual Relationships

Section E, Item 2.

The child of a city employee **solely owns** a pressure cleaning business.

The city employee does no work for the business and is not involved with the business in any way.



Contractual Relationships

May the child of the city employee enter into a contract with the city to provide pressure cleaning services under the Code of Ethics?



Contractual Relationships

Section 2-442 of the Code defines an outside business as “Any entity located within the county which does business with or is regulated by the county or municipality as applicable, **in which the official or employee has an ownership interest**. For the purposes of this definition, **an “ownership interest” shall mean at least 5% of the total assets** or common stock owned by the official or employee **or any combination of the employee’s** household members, spouse, **child**, step-child, brother, sister, parent or step-parent, or a person claimed as a dependent on the official or employee’s latest individual federal tax return.

Contractual Relationships

May the child of the city employee enter into a contract with the city to provide pressure cleaning services under the Code of Ethics?



Contractual Relationships

Answer: In general, **NO!**

The child may not enter into an agreement to provide services to the municipality...unless one or more of the 7 exceptions applies:

- If it is a sealed bid, low bid contract.
- If services would be under \$500
- They are the only local pressure cleaning company in that municipality
- Any other exception that may apply

Exceptions

1. Your outside employer is another governmental entity
2. It is a sealed bid/low-bid contract
3. Emergency purchases
4. Sole source of supply
5. Contract or goods supplied are valued at less than \$500 per year
6. You are a government employee and you meet the part-time outside employment exception
7. For extra-duty details (Police and Fire exception)

Gift Law

Section 2-444

Section E, Item 2.

What is a gift?

- transfer of anything of economic value without adequate and lawful consideration
 - Lawful consideration is anything of value, tangible or intangible, that may be transferred in exchange for something else of value.



Gift Law

Section 2-444(e)

Section E, Item 2.

Absolute Prohibitions: \$0

- ❌ Kickbacks/Bribes
- ❌ No Quid Pro Quo
- ❌ Tips (with one exception)



LIMITED EXCEPTION FOR TIPS

Advisory Opinion - RQO 11-028

Question:

May employees working as town employees in service-related fields, such as bartenders and servers at the town's country club restaurant, continue to receive tips?

LIMITED EXCEPTION FOR TIPS

Yes!!

Government employees in service-related jobs, who were hired with the understanding that they would receive tips as a portion of their work compensation **and** where this is the **“standard compensation within this service occupation,”** may receive tips.

Gift Law

Section 2-444(a)(1)

Section E, Item 2.

Prohibition on soliciting or accepting over \$100 (annually in the aggregate) in gifts from any

- Vendor of your public employer
- Bidder/proposer (trying to become a vendor)
- Lobbyist who lobbies your public employer
- Principal or employer of lobbyists who lobby your public employer



Gift Law

Section 2-444(c)

Section E, Item 2.

Prohibition on **soliciting** any gift from

- Vendor of your public employer
- Bidder/proposer (trying to become a vendor)
- Lobbyist who lobbies your public employer
- Principal or employer of lobbyists who lobby your public employer

where the gift is for the personal benefit of you, another official or employee, or any relative or household member of yours.



Gift Law

Reporting Requirements (State reporters)

- While the prohibitions against taking gifts from certain individuals or entities within the Palm Beach County Code of Ethics does apply to state reporting officials and employees, the reporting requirements for state reporters are governed by state law under Section 112.3148, Florida Statutes.
- If state law requires a gift to be reported on a state of Florida Quarterly gift report, a copy must also be sent to the PBC COE within ten days (10) of filing such gift report.

Gift Law Reporting Requirements

State Reporting Individuals

- “Local Officers” and certain administrative managers.
- Quarterly reporting may be required.
- File your state form with your Clerk and a copy to the County Commission on Ethics within ten (10) days of doing so.

*FLORIDA COE: (850) 488-7864

Form 9		QUARTERLY GIFT DISCLOSURE (GIFTS OVER \$100)		Section E, Item 2.	
LAST NAME -- FIRST NAME -- MIDDLE NAME			NAME OF AGENCY		
MAILING ADDRESS			OFFICE OR POSITION HELD		
CITY	ZIP	COUNTY	FOR QUARTER ENDING (CHECK ONE):		YEAR
			JANUARY JUNE DECEMBER		20__

PART A -- STATEMENT OF GIFTS

Please list every gift, the value of which you believe to exceed \$100, accepted by you during the calendar quarter for which this statement is being filed. You are required to describe the gift and state the monetary value of the gift, the name and address of the person making the gift, and the date the gift was received. If any of these facts, other than the gift description, are unknown or not applicable, you should so state on the form. As explained more fully in the instructions on the reverse side of the form, you are not required to disclose gifts from relatives or certain other gifts. You are not required to file this statement for any calendar quarter during which you did not receive a reportable gift.

DATE RECEIVED	DESCRIPTION OF GIFT	MONETARY VALUE	NAME OF PERSON MAKING THE GIFT	ADDRESS OF PERSON MAKING THE GIFT

CHECK HERE IF CONTINUED ON SEPARATE SHEET

PART B -- RECEIPT PROVIDED BY PERSON MAKING THE GIFT

If any receipt for a gift listed above was provided to you by the person making the gift, you are required to attach a copy of that receipt to this form. You may attach an expansion of any differences between the information disclosed on this form and the information on the receipt.

CHECK HERE IF A RECEIPT IS ATTACHED TO THIS FORM

PART C -- OATH

I, the person whose name appears at the beginning of this form, do hereby declare under oath or affirmation and say that the information disclosed herein and on any statements made by me constitutes a true and accurate and full listing of all gifts required to be reported by Section 112.318, Florida Statutes.

Florida Statutes: _____

Signature of Reporting Official: _____

Signature of Notary Public (State of Florida): _____

Print, Type, or Stamp Commissioned Name of Notary Public: _____
 Notary Public: _____
 Type of Identification Provided: _____

PART D -- FILING INSTRUCTIONS

This form, when duly signed and returned, must be filed with the Commission on Ethics, P.O. Drawer 18708, Tallahassee, Florida 90300, 32315, 32310, Tallahassee, Florida 32303. The form must be filed no later than the last calendar day of the calendar quarter for which this form is filed (for example, if a gift is received in March, it should be disclosed by June 30).

Gift Law

Reporting Requirements

(Non-state Reporters/Local Reporting Individuals)

- Any gifts valued in excess of \$100 per year given by anyone to a public employee must be reported on an annual basis to the PBC Commission on Ethics.
 - unless it is one of the exceptions to the Gift Law found in Section 2-444(g)

Exceptions to the Definition of Gifts

Section E, Item 2.

- Gifts from relatives or members of your household
- Personal gifts, if given by a personal friend or co-worker and the **motivation** of the gift is that friendship or work relationship
- Awards for civic or professional achievement
- Advertising materials (even if from vendors)
- Gifts solicited on behalf of your public employer for a public purpose
- Any inheritance (regardless of who it is from)
- Lawful political contributions
- Registration fees and other costs for educational conferences where attendance is for governmental purposes and related to public duties and responsibilities.



Gift Law Disclosure Requirements

Local Reporting Individuals/Non-state Reporters

- Yearly reporting (calendar year) but **only** if you have a gift that must be reported.
- Due January 31st of the next year after the gift was received.
- Send to COE by Fax, Email or U.S. Mail.
- If you have no reportable gifts, **please do not file a blank form.** (you have no obligation to file a gift report if you have accepted no reportable gifts that year!)

PBC Gift Form YEARLY GIFT DISCLOSURE (GIFTS OVER \$100)

Section E, Item 2.

LAST NAME—FIRST NAME—MIDDLE NAME: _____ NAME OF MUNICIPALITY: _____

MAILING ADDRESS: _____ DEPARTMENT: _____ OFFICE OR POSITION HELD: _____

CITY: _____ ZIP: _____ FOR YEAR: _____

PART A—STATEMENT OF GIFTS

Please list below each gift, the value of which you believe to exceed \$100, accepted by you during the **2024 year (October 1-September 30)** for which this statement is being filed. You are required to describe the gift and state the monetary value of the gift. The name and address of the person making the gift, and the date(s) the gift was received. If any of these gifts, other than the gift description, are unknown at the applicable, you should so state on the form. An explanation must fully in the instructions on page 2 of the form, you are not required to disclose gifts from relatives or unless other gift. **You are not required to file this statement for any fiscal year during which you did not receive a reportable gift.**

DATE RECEIVED	DESCRIPTION OF GIFT	MONETARY VALUE	NAME OF PERSON MAKING THE GIFT	ADDRESS OF PERSON MAKING THE GIFT

CHECK HERE IF CONTINUED ON SEPARATE SHEET

PART B—RECEIPT PROVIDED BY PERSON MAKING THE GIFT

If any receipt for a gift listed above was provided to you by the person making the gift, you are required to attach a copy of that receipt to this form. You may attach an explanation of any differences between the information disclosed on this form and the information on the receipt.

CHECK HERE IF A RECEIPT IS ATTACHED TO THIS FORM

PART C—OATH

I, the person whose name appears at the beginning of this form, do declare on oath or affirmation and say that the information disclosed herein and on any attachments made by me constitutes a true accurate and total listing of all gifts required to be reported by Article XVI, Sec. 2-444 of the Palm Beach County Code of Ethics.

SIGNATURE OF REPORTING OFFICIAL: _____

PART D—FILING INSTRUCTIONS

This form, when fully signed, must be filed with the Commission on Ethics, 302 South Dixie Highway, Suite 400, West Palm Beach, Florida 33411. The form must be filed no later than the first day of December for the person's reporting year.

BE CAREFUL OF “REGIFTING”

Even if you are not the final recipient of the gift, a gift that you solicited or received for the purpose of giving it to another is a “pass through gift,” and you may be responsible to report it as such.



Gift Law

Section E, Item 2.

Thank You Gift

A city library employee received a \$25 gift card from a member of the public after helping that person locate certain books in the library for research.

Can the employee accept the gift?

Gift Law

Section E, Item 2.

Thank You Gift

No!!

The employee **cannot** accept a gift for completing tasks their public employer employs them to do. This is a tip, and tips cannot be accepted **unless** it meets the **one** exception to tips. (Unlikely for that particular position)

Gift Law

Section E, Item 2.

Hotel Stay for Conference

A city employee is attending a conference on behalf of the city. The attendance at the conference and hotel stay was approved by the city and paid for by the city.

Does the employee have to report the attendance fee and hotel room as a gift?

Gift Law

Hotel Stay for Conference

No!

The employee does not have to report the travel expenses because they are excluded from definition of gift (one of the exceptions)



EXCEPTIONS TO THE DEFINITION OF GIFTS (ONLY FOR NON-STATE REPORTING INDIVIDUALS)

Section E, Item 2.

- ❖ Gifts from relatives or members of your household
- ❖ Personal gifts over \$100, if given by a personal friend or co-worker and motivation of is friendship/social relationship
- ❖ Awards for civic/professional achievement
- ❖ Advertising materials (from vendors)
- ❖ Gift solicited for a public purpose
- ❖ Inheritance
- ❖ Political contributions
- ❖ Registration fees and other costs for educational conferences where attendance is for governmental purposes and related to public duties and responsibilities



Gift Law

Section E, Item 2.

You “inadvertently” accepted a gift valued at greater than \$100 from a prohibited source (vendor, lobbyist, etc.), what can you do?

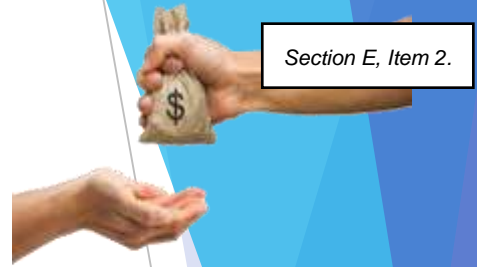


Gift Law

You can fix the problem IF you

- reimburse the gift giver the amount in excess of \$100, or
- return the entire gift.

But, you must do this within 90 days of accepting the gift.



Section E, Item 2.



Charitable Solicitations

Section 2-444(h)

How does the \$100 gift limit rule apply to solicitations and donations from a vendor or lobbyist that are meant for a charitable purpose?

Are they prohibited?

Charitable Solicitations

There is an exception!

An employee or official may solicit donations of more than \$100 from a vendor or lobbyist of their public employer on behalf of any non-profit charitable organization, providing the person or entity soliciting:

- Files a **Charitable Solicitation Log** with the COE
- And, does not solicit any person or entity with a “current” bid or proposal still outstanding (even if they are already a current vendor)

OTHER ISSUES (next few slides)

- Payment of Travel Expenses by a vendor
- Disclosure of Inside Information
- Nepotism (hiring/promoting a relative)
- Honesty in applications for employment, promotion, or transfer to another position

Travel Expenses

Officials and employees are **prohibited** from accepting travel expenses, directly or indirectly, from any:

- Contractor
- Vendor
- Service Provider
- Bidder
- Proposer

of their public employer, or the public entity they serve as an elected or appointed official.

Travel Expenses - EXCEPTIONS

1. If waived by the municipal governing body...

or

2. If the expenses are reimbursed or paid by...

a. Another governmental entity, or

b. An organization that your employer is a member, and the travel is related to your job or position (*i.e. League of Cities*)

Disclosure of Inside Information

Prohibition against **using information**

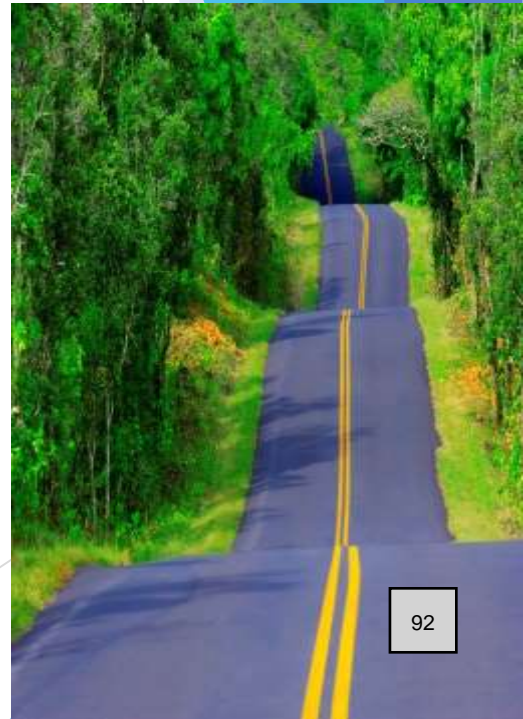
- that **is gained** through your public employment or official position,
- **for** your personal benefit **or** the personal benefit of **any** other person or entity
- when that information **is not** available to the general public



Disclosure of Inside Information

The Pernicious Planner

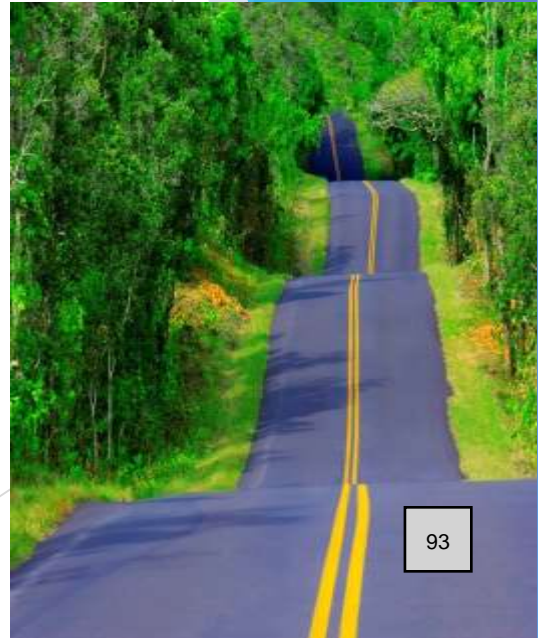
A staff member has drafted several options for the extension of a major road. She realizes that the commission has informally selected an option. The information is not yet available to the general public.



Disclosure of Inside Information

Section E, Item 2.

Is she allowed to purchase land surrounding the planned extension hoping to sell it for a premium?

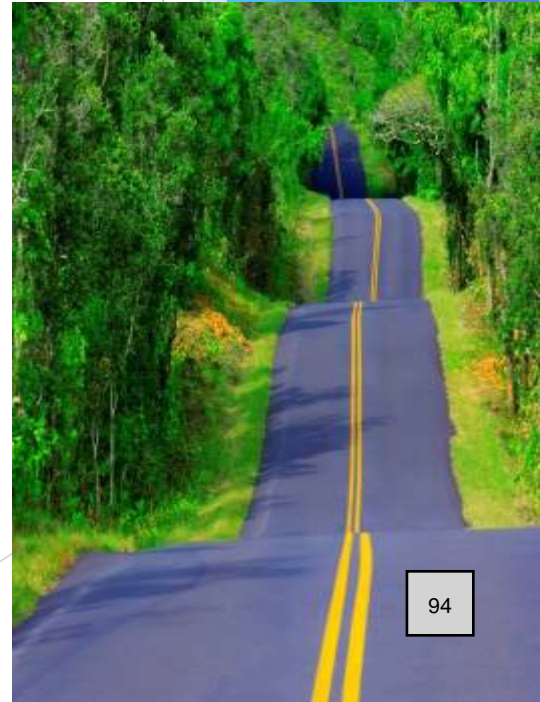


Disclosure of Inside Information

Section E, Item 2.

No!

She would be in violation of the section prohibiting the use of inside information for personal gain.



Nepotism

Section E, Item 2.

Employees and officials who are authorized to:

- Appoint,
- Employ,
- Promote, or
- Advance anyone

are prohibited from doing so (and prohibited from advocating) if that person is a close family relative, spouse, or domestic partner.



Nepotism - EXCEPTION

Section E, Item 2.

Certain Advisory Boards

Cities with a population under 35,000 may appoint these persons to boards other than those with **land-planning** and/or **zoning responsibilities**



Honesty in Applications for Positions

Any person

- seeking to become an official or employee, or
- seeking any promotion with their public employer, or
- seeking a contract with a county or municipal government

is prohibited from lying or making any false statement on their application, submitting any false document, or knowingly withholding information about wrongdoing in connection with employment

Section E, Item 2.



Enforcement by the COE

The COE is a Civil Code Enforcement Board.

➤ Sanctions that may be imposed:

1. Letter of Reprimand or Letter of Instruction.
2. Fine up to \$500 per violation.
3. Restitution where indicated.

ENFORCEMENT

➤ Criminal:

- Knowing and willful violations may be referred to the State Attorney's Office and may be punishable upon conviction with the same sanctions as a first degree misdemeanor carries:
 - ◆ Up to 1 year in jail and/or
 - ◆ Fine of up to \$1000 per violation
- * Government employer may also still discipline or terminate employees as allowed under their policies and/or rules.



PALM BEACH COUNTY COMMISSION ON ETHICS

“Honesty, Integrity, Character”

ETHICS

“Ask First, Act Later”

Call Us: *HOTLINE: 877-766-5920*

Email Us: *Ethics@palmbeachcountyethics.com*

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*The Historic 1916 Palm Beach County Courthouse
300 North Dixie Highway, Suite 450, West Palm Beach, FL 33401*



AGENDA
MEMORANDUM

TO: HONORABLE MAYOR & CITY COMMISSIONERS
VIA: RODNEY LUCAS, CITY MANAGER
FROM: Tijauna Warner, City Clerk
SUBJECT: Ordinance 2024 - 01
DATE: 4 April 2024

GENERAL SUMMARY/BACKGROUND:

During the March 26, 2024 City Commission Meeting, Mayor Babb requested amending the City Commission Agenda Layout to reflect Public Comment (agenda items only) at the beginning of the meeting and General Public Comments at the end.

BUDGET IMPACT: N/A

LEGAL NOTE: Recommends reviewing Ordinance 2024 – 01 for any amendments.

STAFF RECOMMENDATION:

The City Clerk Department recommends reviewing the attached Ordinance 2024 – 01 for any amendments.

ATTACHMENTS:

Ordinance 2024 - 01

ORDINANCE NO. 2024 - 01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AMENDING ARTICLE II, SECTION 2-29 ENTITLED "ORDER OF BUSINESS"; RENUMBERING AND REORDERING AS NECESSARY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Pahokee ("City Commission") desires to revise its Rules of Procedure by revising Article II, Section 2-29, of the City of Pahokee's Code of Ordinances entitled "Order of Business"; and

WHEREAS, the City Commission finds that it would operate more efficiently if the Rules of Procedure were amended.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AS FOLLOWS:

Section 1. Amending Section 2-29 of the City of Pahokee's Code of Ordinances entitled "Order of Business", shall be replaced and shall read as follows:

Order of Business.

The following order of business shall be observed:

- a. Call to Order
- b. Invocation and Pledge of Allegiance;
- c. Roll call;
- d. Additions of emergency basis from City Manager, deletions and approval of agenda items;
- e. ~~Public Comments/Public Service Announcements~~/Presentations/Proclamations/Public Service Announcements/Public Comments (agenda items only)
- f. Consent agenda;
- g. Old Business (discussion of existing activities or previously held events, if any)
- h. Public Hearings and/or Ordinances
- i. Resolution (s)
- j. New Business (Presentation by city manager of activity or upcoming event, if any);
- k. Report of the mayor;
- l. Report of the city manager;
- m. Report of the city attorney;
- n. Future Agenda Items of Commissioners, if any.
- o. General Public Comments (items not on the agenda)

- p. Commissioner Comments and For the Good of the Order (community events, feel good announcements), if any
- q. Adjourn.

Section 2. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. Effective Date.

This Ordinance shall take effect immediately upon final passage.

PASSED FIRST READING this 9th day of April 2024.

PASSED SECOND READING this 23rd day of April 2024.

Keith W. Babb, Jr., Mayor

ATTEST:

Tijauna Warner, CMC, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, Esq.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Boldin	_____ (Yes)	_____ (No)
Commissioner Gonzalez	_____ (Yes)	_____ (No)
Commissioner Perez	_____ (Yes)	_____ (No)
Vice-Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)



MEMORANDUM

TO: HONORABLE MAYOR & CITY COMMISSIONERS
VIA: RODNEY LUCAS, CITY MANAGER
FROM: Lakeria Phillips, Clerk Specialist
SUBJECT: American Rescue Plan Act Fund Allocation-Minor Home Repair
DATE: April 05, 2024

GENERAL SUMMARY/BACKGROUND:

The City of Pahokee has instituted a Minor Home Repair Program. Minor Home Repair Program to provide grants benefiting residents in need of assistance in order to complete approved home repairs for owner-occupied, single-family homes within the City.

The City of Pahokee has received an allocation of \$3,162,890. The funds were received in two transactions of \$1,581,445. We will start with the first year, FY2022-23, allocating \$342,500 and the second year, FY2023-24, allocating \$135,000 totaling \$477,500 to cover up to \$5,000 per qualifying household.

In this first batched, the City is seeking approval to award 27 qualifying residents for approved minor home repairs to their residences (Exhibit A attached – Resident Spreadsheet).

In a combined effort to spend the City’s allocated funds responsibly, the City’s elected officials established an advisory committee, meetings, workshops and townhalls to share thoughts and suggestions as to what City ARPA funds should be allocated to.

Thus, recommended utilize spending of funds in several categories: I. Revenue Replacement. II. Reimbursement for Covid Related Revenue Shortfall. III. Housing: Minor Home Repair, Utilities (water)/Rental Assistance and IV. Small Businesses.

BUDGET IMPACT: ARPA funds were received in the amount of \$3,162,890. \$477,500 will be allocated towards Minor Home Repair Program up to \$5,000 per qualifying household, totaling \$130,961. Requesting approval for 27 qualifying residents.

LEGAL NOTE: N/A

STAFF RECOMMENDED MOTION:

Approval of Resolution 2024 - 09.

ATTACHMENTS:

Resolution 2024 - 09

RESOLUTION NO. 2024 - 09

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS BETWEEN QUALIFIED APPLICANTS AND THE CITY OF PAHOKEE FOR THE CITY'S MINOR HOME REPAIR PROGRAM, AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pahokee ("City") has instituted a Minor Home Repair Program as a part of the American Rescue Plan Act initiative; and

WHEREAS, Twenty-Seven (27) applicants ("Grantees") have qualified and will be invited to execute Grant Agreements. The applicants are listed in attached Exhibit "A" attached hereto; and

WHEREAS, the City has budgeted funds to provide grants benefiting Pahokee residents who desire assistance in order to complete health, safety, and welfare related home repairs to owner-occupied, single-family homes in the City totaling Four Hundred Seventy-Seven Thousand Five Hundred Dollars (\$477,500); and

WHEREAS, the Grantees, in conjunction with a licensed home repair contractor and or registered handyman, will perform the services required under the City of Pahokee's Minor Home Repair Program.

WHEREAS, the City Commission of the Pahokee desires to approve One Hundred Thirty Thousand, Nine Hundred Sixty-One Dollars (\$130,961.00) for Twenty-Seven (27) qualified applicants ("Grantees") for the Minor Home Repair Program as part of the American Rescue Plan Act funding.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Approval of Minor Home Repair Program Grants. The City Commission of the City of Pahokee hereby grants approval and acceptance of the Minor Home Repair Program qualified applications, as set forth in Exhibit "A", attached hereto.

Section 3. Authorization of City Manager. The City Commission of the City of Pahokee hereby authorizes the City Manager to execute Grant Agreements between Twenty-Seven (27) qualified applicants and the City of Pahokee for the City of Pahokee’s Minor Home Repair Program for applicants set forth in Exhibit “A” attached hereto.

Section 4. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 11th day of April 2023.

ATTEST:

Keith W. Babb, Jr., Mayor

By: _____
Tijuana Warner, CMC, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Week, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Boldin	_____ (Yes)	_____ (No)
Commissioner Cowan-Williams	_____ (Yes)	_____ (No)
Commissioner McPherson	_____ (Yes)	_____ (No)
Vice Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)

EXHIBIT “A”

MINOR HOME REPAIR QUALIFIED GRANT APPLICANTS



ARPA Minor Home Repair Program - Exhibit A

Last Name	First Name	Resident Address	Funds Requested	Advance (60%)	Scope of Work	Balance
1 Willis	Carl	1615 N Baines Terr	5000	3000	Floors & Cabinets	2000
2 Johnson	David	8861 Seville St	2376	1425.6	Remove & Replace interior doors	950.4
3 Lewis	Archaud	1625 N Baines Terr	5000	3000	Kitchen Cabinets & sink, Bathroom sink, Toilet	2000
4 Bryant	Vivian	483 E Jordan Blvd	5000	3000	Windows & Doors	2000
5 Abrams	Telica	158 S Flame Ave	5000	3000	Repair Kitchen ceiling & replace 2 windows	2000
6 Hearn	Ferrica	1527 New Jesse Biggs	5000	3000	R&R exterior door, kitchen cabinet, bathroom vanity, Electrical lights	2000
7 Haynes	Latonya	420 Dr MLK Jr Blvd	5000	3000	Bathroom repair	2000
8 Bryant	Mary	775 Rickey Jackson Blvd	5000	3000	R&R window/sidings,kitchen countertop, ceiling repair, electrical	2000
9 Brown	Rosevelt	507 W Baines Terr	5000	3000	R&R kitchen cabinets/counter top, exterior door	2000
10 Syddell	Carolyn	520 E Jordan Blvd	5000	3000	3 windows, 3 light fixtures, GFI receptacles	2000
11 Washington	Mary	436 Royal Palm Ct	5000	3000	R&R kitchen cabinets,door	2000
12 Pringle	Mary	1538 Boones Ave	5000	3000	Frasca Board/door,bathroom lights	2000
13 Tulloch	Bertha	778 Barack Obama Blvd	5000	3000	Windows & Doors	2000
14 Jones	Debra	140 Banyan Ave	3585	2151	locate,leak and repair	1434
15 Hudson	Wallace	320 W 5th Terr	5000	3000	R&R kitchen cabinets	2000
16 Louise	Eeene	284 Banyan Ave	5000	3000	Windows	2000
17 Ross	Stacy	1530 Bacom Point Rd	5000	3000	exterior doors, interior doors, r&r vanity, shoer heads	2000
18 Jackson	Lanyn	526 Palhokee Circle	5000	3000	shower conversion, kitchen electrical,	2000
19 Rodriguez	Higinio	360 Kismet	5000	3000	windows & doors	2000
20 Wilson	Willie Mae	460 E 5th St	5000	3000	windows	2000
21 Muniz	Octavio	265 Banyan Ave	5000	3000	Windows & Doors	2000
22 Williams	Gwendolyn	302 Carissa Dr	5000	3000	shower conversion	2000
23 Powell	Windell	2537 SW 14th Terr	5000	3000	Windows & Doors	2000
24 Dowdell	Tamara	141 N Flame Ave	5000	3000	r&r door frame,garage ceiling, lanai windows, garage door opener, skylight leak, & plumbing leak	2000
25 Mc Elveen	Rosa	176 N Flame Ave	5000	3000	roof repair	2000
26 Jones	Vaughn	315 Amayllis Ct	5000	3000	Kitchen Cabinets, Vanity, Backdoor	2000
27 Hill	Felisia	397 Annona Ave	5000	3000	Kitchen Cabinets	2000
Total			130961	78576.6		52384.4



MEMORANDUM

TO: HONORABLE MAYOR & CITY COMMISSIONERS
VIA: RODNEY LUCAS, CITY MANAGER
FROM: Lakeria Phillips, Clerk Specialist
SUBJECT: American Rescue Plan Act Fund Allocation – Rental/ Water Assistance
DATE: April 05, 2024

GENERAL SUMMARY/BACKGROUND:

The City of Pahokee has instituted a Residential Utilities and Rental Assistance Program to provide grants benefiting residents in need of rental and or water assistance within the City.

The City of Pahokee has received an allocation of \$3,162,890. The funds were received in two transactions of \$1,581,445. FY2022-23, with a program allocation of \$225,000 to cover up to \$1,500 per qualifying household/ renter.

In this third batch, the City is seeking approval to award 2 qualifying residents for approved rental/relocation/water assistance (Exhibit A attached – Resident Spreadsheet).

BUDGET IMPACT: ARPA funds were received in the amount of \$3,162,890. Revised allocation remains \$225,000 and will be allocated towards Residential Utilities and Rental Assistance Program up to \$1,500 per qualifying household/ renter. Requesting approval for 2 qualifying residents totaling \$2,000.00.

LEGAL NOTE: N/A

STAFF RECOMMENDED MOTION:
CED recommend approval of Resolution 2024 – 10.

ATTACHMENTS:
Resolution 2024 – 10

RESOLUTION NO. 2024 - 10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS BETWEEN QUALIFIED APPLICANTS AND THE CITY OF PAHOKEE FOR THE COVID-19 RESIDENTIAL UTILITIES AND RENTAL ASSISTANCE PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pahokee (“City”) has instituted a COVID-19 Emergency Rental Assistance Program (“Program”) as a part of the American Rescue Plan Act city initiative; and

WHEREAS, two (2) applicants (“Grantees”) have qualified for the program and will be invited to execute Grant Agreements. The applicants are set forth in attached Exhibit “A”; and

WHEREAS, the City has budgeted funds to provide grants benefiting Pahokee residents who desiring utility and rental assistance, as a part of the City’s COVID-19 Emergency Rental Assistance Program, in an amount not to exceed Two-Hundred Twenty-Five Thousand Dollars (\$225,000); and

WHEREAS, the Grantees are required to provide the necessary documents for program participation; and

WHEREAS, the City of Pahokee seeks to approve Two Thousand Dollars and 00/100 (\$2000.00) for Two (2) qualified applicants for the Program.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Approval of Applications. The City Commission of the City of Pahokee hereby grants approval and acceptance of two (2) applications for grant agreements for residential utilities for the City’s COVID-19 Emergency Rental Assistance Program, as set forth in Composite Exhibit “A” attached hereto

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 9th day of April, 2024.

ATTEST:

Keith W. Babb, Jr., Mayor

By: _____
Tijauna Warner, CMC, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Week, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Boldin	_____ (Yes)	_____ (No)
Commissioner Cowan-Williamson	_____ (Yes)	_____ (No)
Commissioner McPherson	_____ (Yes)	_____ (No)
Vice-Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)

EXHIBIT “A”

RENTAL/ WATER ASSISTANCE

APPA Rental and Utilities (Water) Assistance-Exhibit A									
Last Name	First Name	Resident Address	Landlord Verified	Funds Requested	Rental Approved	Relocation Approved	Utilities Approved	Total	
Murray Lott	Meredith	354 Rardin Ave	Yes	\$ 2,150.00	\$ 1,000.00	\$ 1,000.00		\$ 1,000.00	
Torres	Luis	251 Banyan Ave	Yes	\$ 1,800.00	\$ 1,000.00			\$ 1,000.00	
Total Relocation, Rental, and Utilities (water)				\$ 2,150.00	\$ 1,000.00	\$ 1,000.00	\$ -	\$ 2,000.00	



AGENDA
MEMORANDUM

TO: HONORABLE MAYOR & CITY COMMISSIONERS
VIA: RODNEY LUCAS, CITY MANAGER
FROM: Jongelene Adams
SUBJECT: Community & Economic Development Department
DATE: 4 April 2024

GENERAL SUMMARY/BACKGROUND:

Barfield Highway Change Order #26 – This change order is for Barfield Highway Reconstruction. The change order is to compensate Rosso Site Development (contractor) for the asphalt price increase.

This additional work was performed as per Rosso Site Development contract Section 12.03B.

Rosso is entitled to 100% of the \$10,586.91 for the asphalt price adjustment.

BUDGET IMPACT: \$10,586.91 concurrency is granted by FDOT for this asphalt price adjustment.

LEGAL NOTE: N/A

STAFF RECOMMENDATION:

The Department of Community & Economic Development recommends approval of this change order #26.

ATTACHMENTS:

Change Order #26
Resolution 2024 - 11
Exhibit “A”

RESOLUTION 2024 - 11

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING CHANGE ORDER NO. 26 TO RESOLUTION #2021-02 PERTAINING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), CONTRACT G-1753, FM# 442030-01-54-1, BARFIELD HIGHWAY RECONSTRUCTION PROJECT AS SET FORTH IN EXHIBIT “A”; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution 2019-14 adopted by the City Commission of the City of Pahokee, Florida (“CITY”) on March 26th, 2019, the City and the Florida Department of Transportation (FDOT) enter into a grant funding Agreement for Construction and Construction Inspection (CEI) Engineering Services pertaining to S. Barfield Road from East Main Street to East 7th Street; and

WHEREAS, pursuant to Resolution 2021-02, the City approved the grant award funding for the reconstruction of Barfield Highway in the amount of \$3,891,096.63 to Rosso Site Development, Inc. and authorized the Mayor to execute the necessary agreement; and

WHEREAS, a change order is necessary to compensate Rosso Site Development, Inc., for the asphalt price adjustment based on Section 12.03B (“Contractor shall be entitled to an equitable adjustment in the Contract Price or the Contract Times or both.”) of Rosso Site Development, Inc. contract; and

WHEREAS, this asphalt price adjustment is due to the increase inflation costs since the inception of the FDOT Barfield Highway Reconstruction Project; and

WHEREAS, the City Commission of the City of Pahokee finds that a Change Order is necessary to compensate the contractor for the asphalt price adjustment in the amount of \$10,586.91; and

WHEREAS, the City Commission of the City of Pahokee finds that approving Change Order #26 is in the best interest of the City of Pahokee; and

WHEREAS, the City Commission of the City of Pahokee finds it necessary to compensate the contractor for per the concurrence of the funder, Florida Department of Transportation (FDOT) per attachment “Exhibit A” for the Reconstruction of Barfield Highway.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AS IT FOLLOWS:

Section 1. Adoption of Representations. The foregoing “Whereas” clauses are hereby confirm as being true, and the same are hereby made a specific part of this resolution.

Section 2. Authorization and Approval. The City Commission of the City of Pahokee hereby authorizes and approves Change Order #26 for the asphalt price adjustment to Rosso Site Development, Inc. for the Barfield Highway Reconstruction Project FM# 442030-1-54-01.

Section 3. Authorizing City Manager. The City Manager is hereby authorized to take all necessary and expedient action to effectuate the intent of this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 9th day of April 2024.

ATTEST

Keith W. Babb, Jr., Mayor

Tijauna Warner, CMC, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P.A.
City Attorney

Moved By: _____

Seconded By: _____

Vote:

Commissioner Boldin	_____ (Yes)	_____ (No)
Commissioner Cowan-Willaims	_____ (Yes)	_____ (No)
Commission McPherson	_____ (Yes)	_____ (No)
Vice Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)

EXHIBIT “A”
CHANGE ORDER #26



CHANGE ORDER #26

Project: Barfield Highway Reconstruction
Date of Issuance: 11/1/2023
Owner: City of Pahokee
Project Engineer: CAPGOV
Consultant/Contractor: Rosso Site Development

Project No: FM# 442030-1-31-01
Effective Date: 4/10/2024

Purpose of Change Order:

Barfield Highway Change Order 26- This change order is for Barfield Highway Reconstruction. The change order is for compensation to Rosso Site Development (contractor) for the asphalt price adjustment for the completion of Barfield Highway.

This change order request is due to the increase cost of asphalt/inflation costs from the inception of the Barfield Highway project. This CO#26 based on Section 12.03B of the Rosso Site Development contract with the City of Pahokee.

FDOT has given concurrence to fund the asphalt price adjustment.

Attachment:

If a claim is made that the above change(s) have affected Contract Price or Contract Times any claim for a Change Order based thereon will involve one or more of the following methods of determining the effect of the change(s).

Method of determining the change is:

Change Price:

- Unit Price
Lump Sum
Other

Increase/Decrease) in Contract Price:

\$10,586.91- cost covered by FDOT

If the change involves an increase, the amount is not to be executed without further authorization

Method of determining the change is:

Change Times:

- Contractor's records
Engineer's records
Other

Increase/Decrease in Contract Times:

Substantial Completion: days

Ready for final payment: days

If the change involves an increase, the times are not to be exceeded without further authorization.

RECOMMENDED:

ENGINEER

BY: (Authorized Signature)

AUTHORIZED:

City of Pahokee
OWNER

BY: (Authorized Signature)

Section 2.04. Mayor-commissioner and vice-mayor.

- (a) *Duties.* The mayor-commissioner shall preside at meetings of the commission and shall be recognized as the head of the city government for service of process, ceremonial matters, and execution of contracts, deeds, and other documents. The mayor-commissioner may be referred to as the "mayor." The mayor shall have no administrative duties. The mayor has the right to vote on all matters coming before the commission.
- (b) *Selection of vice-mayor.* At the first regular meeting in April each year the city commission shall appoint from the sitting commissioners a vice-mayor.
- (c) *Absences.* The vice-mayor shall act as mayor during the absence or disability of the mayor. If a vacancy occurs or exists in the office of mayor the vice-mayor shall become mayor for the completion of the unexpired term of the former mayor and shall also serve his regular term as a commissioner. In the temporary absence of the mayor and vice-mayor the remaining commissioners shall select a mayor pro tempore. In the event that there is neither a mayor nor a vice-mayor sitting on the commission, the commissioners shall select a mayor to serve in that capacity until the next election. A vice-mayor designate may refuse such office or once in office may resign from such office and remain on the commission as a member during his term.

(Ord. No. 2017-09 , § 1, 12-12-2017)



Designation of Voting Delegate & Alternate(s) to the Palm Beach County League of Cities, Inc.

In accordance with Article Four of the Bylaws of the Palm Beach County League of Cities, Inc., as amended January 25, 2017, the governing body of (City, Town, or Village name):

City of Pahokee

Took the official action and designated the following voting delegate and alternate(s) to vote on behalf of the above named municipality at any League of Cities general membership meeting, special general membership meeting and/or function of the general membership. This designation applies **ONLY** to weighting voting items for the General Membership.

Voting Delegate: Mayor Keith W. Babb, Jr *Email:* kbabb@cityofpahokee.com

Alternate(s): Commissioner Clara "Tasha" Murvin *Email:* cmurvin@cityofpahokee.com

Alternate(s): Commissioner Derrick Boldin *Email:* dboldin@cityofpahokee.com

Alternate(s): Commissioner Sanquetta Cowan-Williams *Email:* scowan-williams@cityofpahokee.com

Alternate(s): Commissioner Everett D. McPherson, Sr. *Email:* emcpherson@cityofpahokee.com

Alternate(s): City Manager Rodney D. Lucas *Email:* rlucas@cityofpahokee.com

Alternate(s): City Clerk Tijauna Warner *Email:* twarner@cityofpahokee.com

Action taken this 9th day of April, 2024

Mayor Signature

Attest:

Clerk Signature (SEAL)