



# CITY COMMISSION REGULAR MEETING

Meeting Streamed By YouTube - LIMITED CAPACITY  
Tuesday, February 22, 2022

## AGENDA

Keith W. Babb, Jr. **Mayor** | Regina Bohlen **Vice-Mayor**  
Greg Thompson **City Manager** | Tijauna Warner **City Clerk** | Gary Brandenburg **City Attorney**

**Commissioners:** Juan Gonzalez | Clara “Tasha” Murvin | Sara Perez

- A. INVOCATION AND PLEDGE OF ALLEGIANCE**
- B. ROLL CALL**
- C. ADDITIONS, DELETIONS, AND APPROVAL OF AGENDA ITEMS:**
- D. CITIZEN COMMENTS/PUBLIC SERVICE ANNOUNCEMENTS – All Items on Agenda (3 Minutes)**
- E. APPROVAL OF MINUTES:**
  - [1.](#) August 24, 2021 City Commission Minutes
  - [2.](#) September 15, 2021 City Commission Minutes
  - [3.](#) September 28, 2021 City Commission Minutes
  - [4.](#) October 12, 2021 City Commission Minutes
  - [5.](#) October 26, 2021 City Commission Minutes
  - [6.](#) November 10, 2021 City Commission Minutes
  - [7.](#) December 14, 2021 City Commission Minutes
- F. CONSENT AGENDA**
- G. REGULAR AGENDA**
  - 1. ORDINANCE(S) & PUBLIC HEARING:
  - 2. RESOLUTION(S):
    - [A.](#) **RESOLUTION 2022 -04** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF PAHOKEE AND THE SCHOOL BOARD OF PALM BEACH COUNTY FOR THE PURPOSE OF MUTUAL USE OF RECREATIONAL FACILITIES.
  - 3. OTHER AGENDA ITEMS PRESENTATION:
    - [A.](#) **Palm Beach County Parks & Recreation**
    - B. Western Cities Athletic League - Ronald Osborne**
    - [C.](#) **Proclamation - Isabel Teves McKinstry**
    - D. Centennial Committee - Chair Dr. Patricia Wallace**
    - E. Second Chance - Mr. William Freeman**
- H. REPORT OF THE CITY MANAGER**
- I. REPORT OF THE CITY ATTORNEY**
- J. OLD BUSINESS:**
- K. NEW BUSINESS:**

**1. 4th of July Celebration**

**2. ZAP Board**

**L. COMMISSIONER COMMENTS**

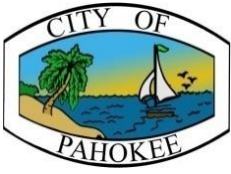
**M. ADJOURN (BY MOTION AND APPROVAL OF MAJORITY PRESENT)**

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NOTICE: If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and he or she may 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.

**SUBJECT TO CHANGE**

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**CITY COMMISSION OF THE CITY OF PAHOKEE  
REGULAR COMMISSION MEETING MINUTES  
Tuesday, August 24, 2021**

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on August 24, 2021.

The meeting was called to order by Mayor Babb at 6:30 p.m.

Official attendance was recorded as follows:

<b><u>Roll Call:</u></b>	Mayor Keith W. Babb, Jr.	Present
	Vice-Mayor Regina Bohlen	Present
	Commissioner Juan Gonzalez	Present
	Commissioner Clara M. Murvin	Present
	Commissioner Sara Perez	Present
	 Interim City Manager Greg Thompson	 Present
	City Attorney Gary Brandenburg	Present
	Sergeant At Arms Lieutenant Mugridge	Present
	City Clerk Tijuana Warner	Present

**Additions, Deletions, and Approval of Agenda Items:**

Mayor Babb requested to reinstate the Mayor’s Report to the Agenda. Discussion ensued regarding Mayor Babb’s authority and ability to comment throughout the Commission Meeting. Vice-Mayor Bohlen motioned to continue the Commission Meeting on Wednesday, August 25, 2021 at 10:00 a.m. in the event business did not conclude at a reasonable time.

**Approval of Tentative August 25, 2021, 10:00 a.m. Commission Meeting.  
Motion by Vice-Mayor Bohlen Seconded by Commissioner Perez.  
Motion carried 3-2.**

Interim City Manager Thompson requested the addition of Resolution 2021-28: Approval of PC Network Solutions to provide Business Technology Consulting and Unlimited Remote Service Network Maintenance and Support.

**Approval of the addition of Resolution 2021-28.  
Motion by Commissioner Perez, Seconded by Vice-Mayor Bohlen  
Motion carried unanimously.**

Commissioner Perez motioned to allow the City Attorney to add items to the agenda that are necessary to proceed with City Business.

**Approval of the addition of items by Attorney Brandenburg.  
Motion by Commissioner Perez, Seconded by Vice-Mayor Bohlen  
Motion was not voted upon due to Decorum.**

**Citizen Comments (Agenda Items Only):**

Richard Brown expressed concerns regarding the professionalism and decorum of the Commission, Interim City Manager, and City Attorney.

Robert Love expressed concerns regarding racism within the City of Pahokee, its Commission, and its Administration.

Otis Harvey expressed concerns regarding the decorum of the Commission and City Attorney Brandenburg.

Ms. Cowan expressed concerns regarding Public Notices of Commission Meetings not being posted to the City of Pahokee’s Website. She referred to the City of Pahokee Charter regarding the employment of the City Attorney and Clerk via Resolution; she explained that formal Resolutions had not come before the Commission.

Luz Torres expressed concerns regarding the Comments of Vice-Mayor Bohlen at the Special Scheduled Meeting of July 19, 2021. She announced Vice-Mayor Bohlen stated, “Are you going to shut them up?”; She explained that Vice-Mayor Bohlen’s comment was directed to Mayor Babb regarding the City of Pahokee Residents. Ms. Torres expressed concerns regarding the decorum of the July 21, 2021 Regular Scheduled Commission Meeting, whereas Vice-Mayor Bohlen proceeded with the start of the meeting and did not allow additional time for the attendance of the full Commission, prior to roll-call.

Christopher Trotman expressed concerns regarding the employment of City Attorney Brandenburg.

Everett McPherson expressed concern regarding the decorum of Vice-Mayor Bohlen. He pleaded for the Commission to unite and act in the best interest of the City of Pahokee Residents.

**Public Service Announcements:** *(none)*

**Approval of Minutes:**

1. City Commission Special Scheduled Meeting July 19, 2021 Minutes.
2. City Commission Special Scheduled Meeting July 21, 2021 Minutes.
3. City Commission Special Scheduled Meeting July 23, 2021 Minutes.
4. City Commission Regular Scheduled Meeting July 27, 2021 Minutes.
5. City Commission Special Scheduled Meeting July 28, 2021 Minutes.
6. City Commission Special Scheduled Meeting July 29, 2021 Minutes.

**Approval of July 19<sup>th</sup>, 21<sup>st</sup>, 28<sup>th</sup>, and 29<sup>th</sup>, 2021 Special and Regular Scheduled Commission Meeting Minutes.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried unanimously.**

**Approval of July 23, 2021 Special Scheduled Meeting Minutes and July 27, 2021 Regular Scheduled Meeting Minutes.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried 3-2.**

**Consent Agenda:** *(none)*

**Ordinances:**

*Mr. Brandenburg read the title of Ordinance 2019-02 into the record and explained the purpose of the ordinance.*

- a. **ORDINANCE 2019– 02 (first reading) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, MODIFYING ARTICLE 2 SECTION 2-26 OF THE CODE OF LAWS AND ORDINANCES OF THE CITY OF PAHOKEE, CITY COMMISSION MEETINGS, COMPENSATION, EXPENSES, ALLOWANCES FOR CITY COMMISSION, ATTENDANCE AT MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS, ORDER OF BUSINESS, CITY COMMISSIONER VOTES RECORDED ON ORDINANCES, RESOLUTIONS, ORDER OF VOTES REQUIRED TO PASS RESOLUTIONS CLERK DESIGNATED CUSTODIAN DUTIES REMOVING OR**

**WITHHOLDING FROM CUSTODIAN; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICT, INCLUSION IN THE CODE, AND EFFECTIVE DATE.**

- Discussion ensued. Attorney Brandenburg explained the City of Pahokee’s Municode Supplements had not been updated in the previous three years.

**Public Comments**

Richard Brown reiterated his concerns regarding the professionalism and decorum of the Commission.

Ms. Cowan explained that Ordinance 2019-02 provided structure for the Commission Meetings and accountability for the Commission.

Gerald Newkirk made a comment regarding Commissioner communications with residents.

Tan Allen expressed support for the adoption of Ordinance 2019-02. She asked the Commission to act in the best interest of the City of Pahokee Residents.

**Approval of Ordinance 2019-02 (First Reading).**  
**Motion by Vice-Mayor Bohlen, Seconded by Commissioner Perez.**  
**Motion carried 3-2.**

**Resolutions**

*Mr. Brandenburg read the title of Resolution 2021 -17 into the record. Interim City Manager Thompson explained the purpose of the agenda item.*

- a. **RESOLUTION 2021-17, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR FISCAL YEAR 2021/2022 BETWEEN THE CITY OF PAHOKEE AND PALM BEACH COUNTY FOR FUNDING OF CODE ENFORCEMENT SERVICES, ATTACHED HERETO AS EXHIBIT “A”; PROVIDING FOR AN EFFECTIVE DATE.**

**Approval of Ordinance 2021-17.**  
**Motion by Vice-Mayor Bohlen. Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

*Mr. Brandenburg read the title of Resolution 2021 -28 into the record and explained the purpose of the resolution. Interim City Manager Thompson explained the purpose of the agenda item.*

- b. **RESOLUTION 2021-28 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ANNUAL SERVICE AGREEMENT WITH PC NETWORK SOLUTIONS EXHIBIT “A”; PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Murvin questioned if a Request for Proposals process was completed to retain PC Network Solutions. Interim City Manager Thompson answered “No”, and explained there was a Technological Emergency, whereas the City of Pahokee Administration could not access its network. Discussion ensued regarding the previous Information Technology Provider and the aforementioned Tech Emergency.

**Approval of Resolution 2021 -28.****Motion by Vice-Mayor Bohlen. Seconded by Commissioner Perez.****Motion carried 3-2.****3. OTHER AGENDA ITEMS****A.) Discussion regarding 115 E. Main Street.**

Attorney Brandenburg explained the purpose of the item and the current condition of the building (failing infrastructure). He recommended condemning the building and changing the locks on all of the doors. Mayor Babb suggested that an inspection be completed prior to condemning the property located at 115 E. Main Street.

**Inspection prior to Condemning 115 E. Main Street****Motion by Commissioner Murvin. Seconded by Commissioner Gonzalez****Motion carried unanimously.****B.) Discussion for reimbursement to City for the cost of sending employees home for three days.**

Attorney Brandenburg explained that employees were sent home for three days at the direction of Mayor Babb. Mayor Babb explained that the Administration was sent home at the direction of the previous Interim City Manager.

**No Motion****C.) Discussion regarding reimbursement to the City for the cost of:****1. Rekeying all City Facilities.****2. Failure to hand over City computer system access codes, code to the alarm system, and access to the City Website.**

C.) 1. Attorney Brandenburg explained the item, discussion ensued regarding the responsibility of associated costs. Commissioner Gonzalez questioned if the discussion could be postponed until the conclusion of court proceedings. Attorney Brandenburg explained the responsibility of the Interim City Manager Lucas.

**Charge Mr. Lucas for the Rekeying of all City Facilities.****Motion by Vice-Mayor Bohlen. Seconded by Commissioner Perez.****Motion Failed.**

C.) 2. Attorney Brandenburg explained the item, discussion ensued regarding the responsibility of associated costs to either Mark Liskay or Mayor Babb.

**Charge Mr. Mark Liskay for failure to hand over City computer system access codes, code to the alarm system, and access to the City Website.****Motion by Vice-Mayor Bohlen. Seconded by Commissioner Perez.****No Vote.****D.) Discussion regarding City Website**

Attorney Brandenburg explained that the issue with the Town Website had been corrected and there was no need to discuss the item.

**E.) City Clerk/ Compensation**

Attorney Brandenburg explained the item. Discussion ensued; City Clerk Warner explained that she is the sole employee of the Clerk's Office. She explained that City Deeds, Ordinances, Resolutions, and County Fillings are Two Years behind. Interim City Manager Thompson supported the salary of \$72k as requested by City Clerk Warner. He explained that it would be cost-efficient to provide City Clerk Warner with an increase as compared to recruiting personnel.

**Approval of the \$72k Compensation for the City Clerk.**  
**Motion by Commissioner Perez. Seconded by Vice Mayor Bohlen.**  
**Motion carried 3-2.**

**4. Report of the Mayor:**

Mayor Babb announced that the City of Pahokee Centennial would be in March 2022. He announced that the City of Pahokee Commission is divided; lacking collaboration and decorum.

**5. Report of the City Manager:**

Mr. Thompson expressed that he was honored to be employed with the City of Pahokee. He welcomed anyone to visit his office with any questions regarding his work history and intentions.

**6. Report of the City Attorney**

A.) Office of Inspector General-Investigative Report 2018-0004, City of Pahokee Holiday Schedule and Bonus Pay.

B.) Office of Inspector General-Investigative Report 2018-0004, City of Pahokee Inappropriate Purchasing Card Expenditures.

C.) Office of Inspector General-Contract Oversight Report CA-2019-0074, City of Pahokee, Review of Technomarine Construction, Inc., Contracts

D.) PBC COE 21-004, Public Report and Final Order of Dismissal

-Attorney Brandenburg announced that the aforementioned Reports were available to the public.

**Approval to Prosecute former City Manager Williamson for \$15k.**  
**Motion by Vice-Mayor Bohlen. Seconded by Commissioner Perez.**  
**Motion carried 3-2.**

E.) Procedure for Agenda

F.) Information regarding one-on-one meetings with the City Manager

G.) Inspector General Report

H.) Letter from Daragjati Law

**7. Old Business**

A.) Former City Manager Complaint

B.) American Rescue Plan Act (ARPA) 2021

Interim Manager Thompson explained that all documents had been submitted to receive funding.

C.) Cancellation of the September 14, 2021, City Commission Meeting to be Rescheduled to September 15, 2021

**Cancellation of the September 14, 2021, City Commission Meeting to be Rescheduled to September 15, 2021.**

**Motion by Vice-Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried unanimously.**

**8. New Business:**

A.) Mayors Golden Nail and Hammer

Mayor Babb announced the history of the Golden Nail and Hammer Award.

**9. Future Agenda Items of Commissioners, If Any**

**Commissioner Gonzalez;** Recommended to Install an administrative time-clock and cameras at City Hall.

**Recommended to Install an administrative time-clock and cameras at City Hall.**  
**Motion by Commissioner Gonzalez. Seconded by Vice-Mayor Bohlen**  
**Motion carried unanimously.**

**Vice-Mayor Bohlen** requested to have the Commission Meetings Live-Streamed in Spanish.

**Request to research the associated costs of Commission Meetings Live-Streamed in Spanish.**  
**Vice-Mayor Bohlen, Seconded by Commissioner Perez.**  
**Motion carried unanimously.**

**Commissioner Murvin** requested to add the Employee of the Quarter.

**Employee of the Quarter.**  
**Commissioner Murvin, Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

**10. For the Good of the Order (Community Events, Feel Good Announcements).**

No Announcements

**11. Adjourn**

There being no further business to discuss, Mayor Babb adjourns the meeting at 9:49 p.m.

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Keith W. Babb, Jr., Mayor

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ATTEST: Tijauna Warner, City Clerk





**CITY COMMISSION OF THE CITY OF PAHOKEE  
REGULAR COMMISSION MEETING MINUTES  
Wednesday, September 15, 2021**

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on September 15, 2021.

The meeting was called to order by Mayor Babb at 6:30 p.m.

Official attendance was recorded as follows:

<b><u>Roll Call:</u></b>	Mayor Keith W. Babb, Jr.	Present
	Vice-Mayor Regina Bohlen	Present
	Commissioner Juan Gonzalez	Present
	Commissioner Clara M. Murvin	Present
	Commissioner Sara Perez	Present
	Interim City Manager Greg Thompson	Present
	City Attorney Gary Brandenburg	Present
	Sergeant At Arms Lieutenant Mugridge	Present
	City Clerk Tijauna Warner	Present

**Additions, Deletions, and Approval of Agenda Items:** *(none)*

**Approval of Agenda as presented.**

**Motion by Vice-Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried unanimously.**

**Citizen Comments (Agenda Items Only):**

Mark Liskay read into the record an email from Coastal Network Solutions terminating the City of Pahokee as a client by repeated harassment of lawsuits by Attorney Gary Brandenburg and events that followed as a result. Discussion ensued reading the chain of events.

Robert Mitchell commented regarding the sublease of the restaurant at the Pahokee Marina. Discussion ensued; Attorney Brandenburg explained the circumstances regarding the lease option for the Marina. Mr. Lawler, Attorney representing JPDT Holdings provided clarification of the chain of events that led up to the postponing of the sublease; and read emails from Robert Lambert, Brad Richardson, and Gary Brandenburg. Mr. Lawler requested a waiver to prohibit further restrictions of the sublease. Discussion ensued; Commissioners Perez and Murvin expressed concerns regarding the chain of events.

**Direct the City Manager to notify Brad Richardson that the City of Pahokee Requests to move forward with JPDT Holdings with no restrictions.**

**Motion by Commissioner Murvin, Seconded by Mayor Babb**

**No Vote**

Attorney Brandenburg recommended the Commission add the item to the agenda to vote on the item. Commissioner Murvin amended her previous motion as follows.

**Add JPDT Holdings Sublease to the Agenda**

**Motion by Commissioner Murvin, Seconded by Mayor Babb**

**Motion carried unanimously.**

**Direct the City Manager Thompson and Attorney Brandenburg to notify Brad Richardson  
City of Pahokee Requests to move forward with JPDT Holdings with no restrictions.  
Motion by Commissioner Murvin, Seconded by Mayor Babb.  
Motion carried unanimously.**

Johnathan Mann expressed gratitude to the City of Pahokee Commission.

Ms. Cowan expressed concerns regarding the City Website, Public Records Requests, and the Employment of Interim City Manager Thompson.

Ms. Allen commended the Commission regarding their decision to move forward with JPDT Holdings.

**Approval of Minutes:**

1. **August 11, 2021 Special City Commission Meeting.**
2. **August 18, 2021 Special City Commission Meeting.**

Mayor Babb and Commissioner Murvin expressed concerns regarding the legal ability to conduct a meeting.

**Approval of August 11<sup>th</sup> Special City Commission Meeting Minutes.  
Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.  
Motion carried 3-2.**

Mayor Babb and Commissioner Murvin expressed concerns regarding the legal ability to conduct a meeting.

**Approval of August 18<sup>th</sup> Special City Commission Meeting Minutes.  
Motion by Vice Mayor Bohlen Seconded by Commissioner Perez.  
Motion carried 3-2.**

**Consent Agenda:** *(none)*

**Ordinances:**

*Mr. Brandenburg read Ordinance 2021 -06 into the record and explained the purpose of the ordinance.*

**1. ORDINANCE 2021 – 06 (first reading) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, DESIGNATING THE CITY CLERK AS THE CITY’S OFFICIAL REPRESENTATIVE IN ALL TRANSACTIONS WITH THE SUPERVISOR OF ELECTIONS IN RELATION TO MATTERS PERTAINING TO THE USE OF REGISTRATION BOOKS AND RECORDS FOR THE HOLDING OF ALL MUNICIPAL ELECTIONS; PROVIDING FOR THE CANVASSING BOARD OF PALM BEACH COUNTY, FLORIDA, TO CANVASS ALL MUNICIPAL ELECTIONS, COMPOSITION OF CANVASSING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.**

**Adoption of Ordinance 2021-06 (First Reading)  
Motion by Vice Mayor Bohlen. Seconded by Commissioner Gonzalez.  
Motion carried unanimously.**

**Resolution(s)**

*Mr. Brandenburg read Resolution 2021 -29 into the record and explained the purpose of the ordinance.*

**1.) RESOLUTION 2021 – 29 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING A CONTRACT WITH TIJAUNA WARNER AS CITY CLERK EXHIBIT “A”; PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Murvin asked several questions regarding the above-mentioned Contract (salary, severance pay, at-will employment, just means termination); Attorney Brandenburg provided clarification for each question.

**Approval of Resolution 2021-29.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried 3-2.**

*Mr. Brandenburg read Resolution 2021 -32 into the record. Interim City Manager Thompson explained the purpose of the resolution and announced that the City would receive \$3 Million.*

**2.) RESOLUTION 2021 – 32 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMERICAN RESCUE PLAN ACT CORONAVIRUS LOCAL FISCAL RECOVERY FUND AGREEMENT, ATTACHED HERETO AS EXHIBIT “A”; PROVIDING FOR AN EFFECTIVE DATE.**

**Approval of Resolution 2021-32.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Gonzalez.**

**Motion carried unanimously.**

**Public Hearings**

*Mr. Brandenburg read Resolution 2021 -30 into the record and explained the purpose of the resolution.*

**1.) RESOLUTION 2021 – 30 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE FOR FISCAL YEAR COMMENCING OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE.**

Sanquetta Cowan expressed concerns regarding the tentative millage rate and TRIM Notice. Attorney Brandenburg explained that the TRIM Notice had been approved; not the Millage Rate. He explained the above as the first reading of the tentative millage rate.

Richard Brown questioned if there would be interest on the millage Rate after adoption

Everett McPherson read a social media post regarding the TRIM Notice. He expressed that the behavior of the Commission was a disservice to the community.

Mayor Babb asked Attorney Brandenburg to provide an explanation of the difference between a TRIM Notice and Millage Rates. Attorney Brandenburg provided a thorough explanation.

**Approval of Resolution 2021-30.**

**Motion by Vice Mayor Bohlen Seconded by Commissioner Gonzalez.**

**Motion carried unanimously.**

Mr. Brandenburg read Resolution 2021 -31 into the record and explained the purpose of the ordinance.

**2.) RESOLUTION 2021 – 31 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA PROVIDING FOR THE ADOPTION AND FUNDING OF THE TENTATIVE MUNICIPAL BUDGET IN THE AMOUNT OF \$7,163,704.00 FOR THE CITY OF PAHOKEE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.**

Interim City Manager Thompson welcomed Susan Gooding to present to the Commission; discussion ensued regarding salaries and vacant positions. Ms. Gooding explained the purpose and process of budget amendments; brief discussions ensued regarding departmental budgets, expenditures, and proposed changes for the second reading of the budget.

**Approval of Resolution 2021-31 with proposed changes.**  
**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**  
**Motion carried unanimously.**

Mr. Brandenburg read Ordinance 2021 -05 into the record and explained the purpose of the ordinance.

**3.) ORDINANCE 2021 – 05 (second reading) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, MODIFYING ARTICLE II, SECTION 2-26, CITY COMMISSION MEETINGS GENERALLY; COMPENSATION AND EXPENSE ALLOWANCE FOR CITY COMMISSION; ATTENDANCE AT MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS; ORDER OF BUSINESS; CITY COMMISSIONERS’ VOTES RECORDED ON ORDINANCES AND RESOLUTIONS; ORDER, VOTES REQUIRED TO PASS RESOLUTIONS; CLERK DESIGNATED CUSTODIAN, DUTIES; REMOVING OR WITHHOLDING FROM CUSTODIAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.**

Discussion ensued regarding the standard order of business as it relates to Commissioner comments and the Mayor’s Report to conclude meetings.

Otis Harvey commented regarding the Mayor’s Report and order of business.

**Adoption of Ordinance 2021-05.**  
**Motion by Vice Mayor Bohlen. Seconded by Commissioner Gonzalez.**  
**Motion carried 3-2.**

**Proclamations:**

1. Bishop Bud Mickins Jr.- *Attorney Brandenburg read the proclamation aloud.*

**Adoption of the Proclamation for Bishop Bud Mickins Jr.**  
**Motion by Vice Mayor Bohlen Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

2. Lakeside Medical Center’s Birthing Center- *Attorney Brandenburg read the proclamation aloud.*

**Adoption of the Proclamation for Lakeside Medical Center-Birthing Center.**  
**Motion by Vice Mayor Bohlen Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

**Presentations:**

1. Gehring Group-Health Insurance

Interim City Manager Thompson introduced Cliff Gehring of Gehring Group and explained that the recommendation was to continue a contractual agreement with Florida Blue. Mr. Gehring explained the responsibilities of the Gehring Group and their efforts to assist employees of the City of Pahokee.

**Approval of Gehring Group Insurance.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Gonzalez.**

**Motion carried unanimously.**

**Report of the Mayor:**

Mayor Babb announced that he was proud of the City's accomplishments and progress over the previous six years. He challenged the Commission to continue in a supportive and positive manner and improve the quality of life for the residents of Pahokee.

**Report of the City Manager:**

Interim City Manager Thompson announced a summary of the State of the City; projects, grants, repairs, and invoices.

**Report of the City Attorney:**

1. Update on Litigation Matters

Attorney Brandenburg provided an update regarding Sara Perez vs. the City of Pahokee.

**Old Business** *(none)*

**New Business:**

1. Observed Holidays 2021-2022

Discussion ensued; Per Consensus, the discussion was tabled to a future Regular Commission Meeting.

**Citizens Comments:** *(none)*

**City Commission Comments:** *(none)*

**For the Good of the Order (Community Events, Feel Good Announcements).**

**Adjourn**

There being no further business to discuss, Mayor Babb adjourns the meeting at 11:48 p.m.

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Keith W. Babb, Jr., Mayor

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ATTEST: Tijauna Warner, City Clerk



**CITY COMMISSION OF THE CITY OF PAHOKEE  
REGULAR COMMISSION MEETING MINUTES  
Tuesday, September 28, 2021**

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on September 28, 2021.

The meeting was called to order by Mayor Babb at 6:00 p.m.

Official attendance was recorded as follows:

<b><u>Roll Call:</u></b>	Mayor Keith W. Babb, Jr.	Present
	Vice-Mayor Regina Bohlen	Present
	Commissioner Juan Gonzalez	Present
	Commissioner Clara M. Murvin	Present
	Commissioner Sara Perez	Present
	 Interim City Manager Greg Thompson	 Present
	City Attorney Gary Brandenburg	Present
	Sergeant At Arms Lieutenant Mugridge	Present
	City Clerk Tijuana Warner	Present

**Additions, Deletions, and Approval of Agenda Items:**

Reorder of the agenda to hear Liability Insurance (Mike Morrill Florida League of Cities) and Centennial Celebration prior to the Regular Agenda.

**Approval of Agenda with additions.**

**Motion by Vice-Mayor Bohlen, Seconded by Commissioner Gonzalez**

**Motion carried unanimously.**

**Public Service Announcements:** *(none)*

**Approval of Minutes:** *(none)*

**Consent Agenda:** *(none)*

**Presentation**

Mike Morrill of the Florida League of Cities presented to the Commission regarding their Liability Insurance Program. He explained the cost-benefit analysis of partnering with the Florida League of Cities (FMIT).

**Approval of Agreement with the Florida League of Cities**

**Motion by Vice-Mayor Bohlen, Seconded by Commissioner Perez**

**Motion carried unanimously.**

**New Business**

Centennial Discussion, Interim City Manager Thompson suggested that a Centennial Committee be implemented to ensure a great celebration.

Mr. Collin Walkes elaborated on the importance of planning the Centennial Celebration and had intentions to volunteer.

**Citizen Comments (Agenda Items Only):** *(none)*

Ms. Ellen questioned when the scoreboard would be installed at the football field. Interim City Manager Thompson explained that Mr. Reggie Jackson donated \$5k for the scoreboard, and announced that there was a need for an additional \$10k for installation of the scoreboard. Attorney Brandenburg agreed to donate \$1k towards the project. Interim City Manager Thompson urged the Commission to reach out to possible sponsors for donations. Attorney Brandenburg suggested proceeding with the purchase and replacing the funds with donations.

**Approval of Purchase of the Electronic Scoreboard.**  
**Motion by Vice-Mayor Bohlen. Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

Franklin Butler explained that he had recently purchased a home in the City of Pahokee. He announced that he was aware of the \$8k Lien on the property. He requested to pay the lien in three payments. Commissioner Murvin announced that the property had been an eyesore for 12 years and that Mr. Butler should be allowed to make payments. Attorney Brandenburg offered to draft an agreement with stipulations for non-payments.

**Approval of Agreement with Franklin Butler.**  
**Motion by Commissioner Murvin. Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

Sanquetta Cowan requested an update for the hiring of a permanent City Manager. Mayor Babb announced that the selection process was ongoing, however, he did not have a definite timeline.

Annie Ifill of Healthier Glades announced their willingness to participate and support the City of Pahokee Centennial.

Everett McPherson commended Mr. Franklin Butler for his recent purchase and suggested that the City assist residents with a positive attitude.

Carolyn Slydell expressed concerns and disappointment regarding the decorum and professionalism of the Commission. She expressed concerns regarding the playground and urged the Commission to provide a safe playground for the children of the Community.

**Regular Agenda**

**Ordinances:**

*Mr. Brandenburg read Ordinance 2021 -06 into the record and Interim City Manager Thompson explained the purpose of the ordinance.*

- A. **ORDINANCE 2021 – 06 (second reading) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, DESIGNATING THE CITY CLERK AS THE CITY’S OFFICIAL REPRESENTATIVE IN ALL TRANSACTIONS WITH THE SUPERVISOR OF ELECTIONS IN RELATION TO MATTERS PERTAINING TO THE USE OF REGISTRATION BOOKS AND RECORDS FOR THE HOLDING OF ALL MUNICIPAL ELECTIONS; PROVIDING FOR THE CANVASSING BOARD OF PALM BEACH COUNTY, FLORIDA, TO CANVASS ALL MUNICIPAL ELECTIONS, COMPOSITION OF CANVASSING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.**

**Adoption of Ordinance 2021-06 (Second Reading).**  
**Motion by Vice-Mayor Bohlen Seconded by Commissioner Perez**  
**Motion carried unanimously.**

**Resolutions**

*Mr. Brandenburg read Resolution 2021 -33 into the record and Interim City Manager Thompson explained the purpose of the Resolution. Mr. Thompson directed the attention of the Commission to their Agenda packets and explained the breakdown of the millage rate, tax rate and roll-back rate.*

- B. RESOLUTION 2021 – 33 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, ADOPTING A FINAL MILLAGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; COMPUTING THE ROLLED-BACK RATE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING INSTRUCTIONS TO THE CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE.**

**Public Hearing Opened**

**Sanquetta Cowen** questioned if a notice was sent out to residents. Attorney Brandenburg announced that the TRIM Notice was forwarded to residents and the Tax Rate would increase 7.39 percent; Mr. Thompson reiterated the aforementioned rates.

**Public Hearing Closed**

Discussion ensued regarding the rates. Attorney Brandenburg explained the options regarding the increase and or decrease of the tax rate and roll back rate.

**Approval of Resolution 2021-33 adopting the Rollback Millage Rate as 6.0917.**

**Motion by Commissioner Murvin. Seconded by Commissioner Perez.**

**No Vote.**

**Approval of Resolution 2021-33 adopting the Tax Rate at 7.39 percent**

**Motion by Commissioner Murvin. Seconded by Mayor Babb**

**Motion carried 4-1**

*Mr. Brandenburg read Resolution 2021 -34 into the record and Interim City Manager Thompson explained the purpose of the Resolution.*

- C. RESOLUTION 2021 – 34 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA RELATING TO FINANCES, PROVIDING FOR THE ADOPTION AND FUNDING OF THE FINAL MUNICIPAL BUDGET OF THE CITY OF PAHOKEE, FLORIDA IN THE AMOUNT OF \$7,246,112.00, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**Public Hearing Opened**

Sanquetta Cowan asked if the budget could be amended to include the costs for the electronic scoreboard. Mayor Babb announced that the funding source would be determined by the Interim City Manager and Finance Director.

**Public Hearing Closed****Approval of Resolution 2021-34**

**Motion by Commissioner Murvin. Seconded by Commissioner Gonzalez.**

**Motion carried unanimously.**



*Mr. Brandenburg read Resolution 2021 -35 into the record and Interim City Manager Thompson explained the purpose of the resolution.*

- D. RESOLUTION 2021 – 35 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO EXECUTE POLLING LOCATION AGREEMENT FORM BETWEEN PALM BEACH COUNTY SUPERVISOR OF ELECTIONS AND CITY OF PAHOKEE.**

**Approval of Resolution 2021-35.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Gonzalez.**

**Motion carried unanimously.**

*Mr. Brandenburg read Resolution 2021 -36 into the record and Interim City Manager Thompson explained the purpose of the resolution. Mr. Thompson directed the attention of the Commission to their agenda packets.*

- E. RESOLUTION 2021 – 36 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA APPROVING THE EXECUTION OF STATE-FUNDED GRANT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, ATTACHED HERETO AS EXHIBIT “A,” WHICH SPECIFIES THE DELIVERABLES FOR CONSTRUCTION SERVICES FOR MCCLURE ROAD FROM PALM ROAD TO SOUTH LAKE DRIVE; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR APPROVAL; PROVIDING FOR AUTHORITY; PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Murvin asked Interim City Manager Thompson to provide clarification of allocated funds and grant expenditures. Interim City Manager Thompson explained that some grants are received on a reimbursement basis; the City of Pahokee is reimbursed per the submittal of invoices for projects. He explained that funds are released per the completion of the project.

**Approval of Resolution 2021 - 36.**

**Motion by Vice-Mayor Bohlen Seconded by Commissioner Perez.**

**Motion carried unanimously.**

*Mr. Brandenburg read Resolution 2021 - 37 into the record and Interim City Manager Thompson explained the purpose of the resolution.*

- F. RESOLUTION 2021 – 37 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE 2022 MUNICIPAL ELECTION VOTE PROCESSING EQUIPMENT USE AND ELECTIONS SERVICES AGREEMENT BETWEEN THE CITY OF PAHOKEE AND PALM BEACH COUNTY SUPERVISOR OF ELECTIONS, ATTACHED HERETO AS EXHIBIT “A”; PROVIDING FOR AN EFFECTIVE DATE.**

**Approval of Resolution 2021 - 37.**

**Motion by Commissioner Perez. Seconded by Commissioner Gonzalez**

**Motion carried unanimously.**

**Report of the City Manager:**

Interim City Manager Thompson announced that he had the pleasure of meeting with the new Commander of the Army Corps of Engineers and Farmers of the Glades. He announced that he met with the Engineer and Contractor for Barfield Highway (Progress Meeting). He announced that he met with a Contractor to close the Brownfield Project as soon as possible.

**Report of the City Attorney:**

Attorney Brandenburg announced a funding opportunity related to Case Number 534nw 5<sup>th</sup> LLC. v. Tarpin 4 LLC.

**Old Business**

1. Observed Holidays 2021-2022

Interim City Manager Thompson explained the item and his recommendation.

**Approval of the Presented Schedule of Holidays**

**Motion by Vice-Mayor Bohlen, Seconded by Commissioner Gonzalez**

**Motion carried unanimously.**

**City Commission Comments:**

Commissioner Gonzalez had no comments.

Vice-Mayor Bohlen made the following motion:

**Vice-Mayor Bohlen motioned to Hire Greg Thompson as the City Manager for the Year. Seconded by Commissioner Perez.**

**Motion carried 3-2.**

Discussion ensued regarding the qualifications of Interim City Manager Thompson. Mayor Babb explained that the formal hiring process should take place.

**Vice-Mayor Bohlen motioned to Present the State of Florida with a Contract for ERH and the Camp-ground without the Restaurant. Seconded by Commissioner Perez.**

**Motion carried 3-2.**

Mayor Babb and Commissioner Murvin commented that there needs to be an official Request for Proposals process. Attorney Brandenburg informed that the above motion was completely legal and could be voted upon.

Mayor Babb expressed condolences to Lisa and Mayor Steve Wilson for their loss of six family members due to COVID-19. He announced that the City of Belle Glade hosted a COVID Vaccination Drive where Belle Glade Residents were incentivized for participation. He suggested that the City of Pahokee host a similar event.

**Mayor Babb motioned to terminate the employment of Attorney Brandenburg, Seconded by Commissioner Murvin.**

**Motion failed 3-2.**

Commissioner Perez expressed condolences to all that have lost family members to COVID-19.

Commissioner Murvin expressed displeasure with the professionalism and decorum of the Commission.

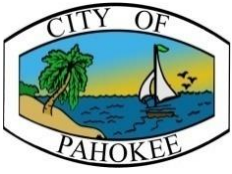
There being no further business to discuss, Mayor Babb adjourns the meeting at 9:12 p.m.

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Keith W. Babb, Jr., Mayor

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ATTEST: Tijauna Warner, City Clerk



**CITY COMMISSION OF THE CITY OF PAHOKEE  
REGULAR COMMISSION MEETING MINUTES  
Tuesday, October 12, 2021**

Section E, Item 4.

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on October 12, 2021.

The meeting was called to order by Mayor Babb at 6:00 p.m.

Official attendance was recorded as follows:

<b><u>Roll Call:</u></b>	Mayor Keith W. Babb, Jr.	Present
	Vice-Mayor Regina Bohlen	Present
	Commissioner Juan Gonzalez	Present
	Commissioner Clara M. Murvin	Present
	Commissioner Sara Perez	Present
	City Manager Greg Thompson	Present
	City Attorney Gary Brandenburg	Present
	Sergeant At Arms Lt. Mugridge	Present
	City Clerk Tijuana Warner	Present

**Additions, Deletions, and Approval of Agenda Items:**

Mr. Brandenburg requested the addition of Resolution 2021-38 City Manager Contract be added under the Regular Agenda under section two.

Mr. Thompson requested the addition RFQ for Engineering Services Recommendation.

**Approval of Agenda with the addition of Resolution 2021-38.  
Motion by Vice-Mayor Bohlen. Seconded by Commissioner Perez.  
Motion carried 3-2.**

Commissioner Murvin and Mayor Babb announced that the Copy of the City Manager Contract was received at the start of the meeting. Commissioner Murvin requested time to thoroughly review the contract. Commissioner Gonzalez commented that the item should not be delayed for two weeks.

**Approval of Agenda with the addition of the RFQ for engineering Services Recommendation  
Motion by Vice-Mayor Bohlen. Seconded by Commissioner Perez.  
Motion carried 3-2.**

Commissioner Murvin requested a copy of the RFQ that was solicited for Engineering Services. She announced that she was absent at the August 11, 2021 Meeting where the RFQ was discussed. Discussion ensued regarding the previous engineering company.

**Acceptance of the Agenda with two additions.  
Motion by Vice-Mayor Bohlen. Seconded by Commissioner Perez.  
Motion carried 3-2.**

**Citizen Comments (Agenda Items Only):**

Sanquetta Cowan read Ordinance 88-5 Section 2.83 “Duties of City Attorney” for the record. She commented that the Contract for Interim City Manager Thompson had just been provided to the Commission at 6:00 p.m. on October 12, 2021. She explained that the residents of Pahokee did not have an opportunity to review the Contract. She read Ordinance 89-4 Section 2.91 “Qualifications of the City Manager” for the record. She

requested that Mayor Babb confirm with the Inspector General if Greg Thompson could serve as City Manager for the City of Pahokee and Vice-Mayor for the City of Clewiston.

Annie Core announced that she did not mention the political endeavors of Commissioner Murvin. She expressed condolences to all who have lost family members. Commissioner Murvin explained that she noticed her name was included in a social media post by Ms. Core.

**Public Service Announcements:** *(none)*

**Approval of Minutes:**

Attorney Brandenburg explained that a Court Reporter was retained to create Action Minutes. Mayor Babb questioned how much was paid to the Court Reporter. City Clerk Warner explained that she received authorization to hire a Court Reporter. She explained that the Court Reporter completed the Minutes of June 9, 2020-December 8, 2020 for \$1,000.00.

**Consent Agenda:**

1. **June 9, 2020 City Commission Meeting**
2. **June 23, 2020 City Commission Meeting**
3. **June 30, 2020 Special Scheduled Meeting**
4. **July 28, 2020 City Commission Meeting**
5. **August 11, 2020 City Commission Meeting**
6. **August 25, 2020 City Commission Meeting**
7. **September 8, 2020 Special Scheduled Meeting**
8. **September 8, 2020 City Commission Meeting**
9. **September 22, 2020 Special Scheduled Meeting**
10. **September 22, 2020 City Commission Meeting**
11. **October 13, 2020 City Commission Meeting**
12. **October 27, 2020 City Commission Meeting**
13. **November 10, 2020 City Commission Meeting**
14. **December 8, 2020 City Commission Meeting**
15. **January 12, 2021 City Commission Meeting**
16. **January 26, 2021 City Commission Meeting**
17. **February 9, 2021 City Commission Meeting**
18. **March 23, 2021 City Commission Meeting**
19. **April 5, 2021 Special Schedule Meeting**
20. **April 13, 2021 City Commission Meeting**
21. **April 27, 2021 City Commission Meeting**
22. **May 17, 2021 Special Scheduled Meeting**

**Approval of the Consent Agenda.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried 4-1.**

**Request to Reorder the Agenda to Present Lawn of the Month and Lights On After School.**

**Motion by Commissioner Murvin. Seconded by Vice-Mayor Bohlen.**

**Motion carried unanimously.**

**Proclamations**

**Lawn of the Month**

Mr. Thompson explained the purpose of the item. The City of Pahokee Commission presented the proclamation to the Folstons. Mrs. Folston thanked the Commission for recognizing them as the Lawn of the Month.

**Lights On After School**

Attorney Brandenburg explained the purpose of the item; he read the proclamation for the record.

**Acceptance of the Lights on After School Proclamation.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Gonzalez.**

**Motion carried unanimously.**

**Resolutions**

*Mr. Brandenburg read Resolution 2021--38 into the record and explained the purpose of the item.*

1. **RESOLUTION 2021 – 38 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, RATIFYING THE APPOINTMENT OF GREG THOMPSON AS CITY MANAGER.**

He proceeded to read the Contract Line-by-Line. Discussion ensued regarding Compensation, Performance Review, Educational Criteria, Experience, Benefits, and Termination of Contract. Commissioner Murvin requested a copy of Mr. Thompsons Resume; Mr. Thompson agreed.

**Approval of Resolution 2021-38.**

**Motion by Vice-Mayor Bohlen Seconded by Commissioner Perez.**

**Motion carried 3-2.**

**Report of the City Manager:**

Mr. Thompson provided updates regarding the Barfield Highway Project, and read the State of the City for the record. Mr. Thompson announced that he would provide copies of the State of the City to the Commission.

**Report of the City Attorney:**

Attorney Brandenburg had no report.

**Old Business**

1. **PAHOKEE HOUSING AUTHORITY – One (1) Applicant (Ronald Osborne)**

Per consensus, the Commission tabled the item to allow the submittal of additional applications.

**New Business:**

1. **RFQ for Engineering Services Recommendation.**

City Manager Thompson recommended Wantman Group, Inc (WGI) due to the responsiveness of their submittal.

**Approval to move forward with an agreement with WGI.**

**Motioned by vice-Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried unanimously.**

2. **CANCELLATION OF MARCH 8, 2022 CITY COMMISSION MEETING**

**Approval of Cancellation of March 8, 2022 City Commission Meeting.**

**Motioned by Commissioner Perez. Seconded by Vice-Mayor Bohlen.**

**Motion carried unanimously.**

**City Commission Comments:**

Commissioner Murvin requested a copy of delayed invoices and credit card statements cited in the State of the City as presented by City Manager Thompson. City Manager Thompson agreed to provide the documents to the Commission.

Commissioner Perez congratulated Pahokee Middle/Senior High School 2020/2021 Resilient PBIS Model School Award Recipient.

**Approval of Staff preparing a proposal for the City to Run the Marina and Campground.**  
**Motioned by Commissioner Perez. Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

Vice-Mayor Bohlen announced the PBSO Fall Festival. She encouraged residents to contact West Tech regarding future enrollment. She announced that she received comments that the meetings were out of control; she suggested everyone be treated with respect.

Mayor Babb made comments regarding the professional ethics and decorum of the Commission and Attorney Brandenburg.

Commissioner Gonzalez suggested that Commissioner Murvin continuously tries to divide the Commission. He suggested Mayor Babb take control of the meetings.

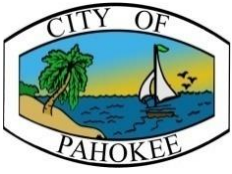
There being no further business to discuss, Mayor Babb adjourns the meeting at 9:12 p.m.

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Keith W. Babb, Jr., Mayor

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ATTEST: Tijauna Warner, City Clerk



**CITY COMMISSION OF THE CITY OF PAHOKEE  
REGULAR COMMISSION MEETING MINUTES  
Tuesday, October 26, 2021**

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on October 26, 2021.

The meeting was called to order by Mayor Babb at 6:00 p.m.

Official attendance was recorded as follows:

<b><u>Roll Call:</u></b>	Mayor Keith W. Babb, Jr.	Present
	Vice-Mayor Regina Bohlen	Present
	Commissioner Juan Gonzalez	Present
	Commissioner Clara M. Murvin	Present
	Commissioner Sara Perez	Present
	City Manager Greg Thompson	Present
	City Attorney Gary Brandenburg	Present
	Sergeant At Arms Lieutenant Mugridge	Present
	City Clerk Tijauna Warner	Present

**Additions, Deletions, and Approval of Agenda Items:**

Mr. Thompson recommended the deletion of New Business Item K(2) Building, Planning & Zoning Fees.

**Approval of Agenda with Deletion.**

**Motion by Vice Mayor Bohlen, Seconded by Commissioner Perez**

**Motion carried unanimously.**

**Citizen Comments (Agenda Items Only):**

Derrick Boldin expressed concerns regarding the manner in which City Manager Thompson was hired. He explained that plenty of qualified applicants did not receive an equal opportunity to be a part of the selection process. Mr. Boldin questioned if City Manager Thompson had submitted a Resume and Application for the position of City Manager. City Manager Thompson answered, "No, I did not." Mr. Boldin announced that the Commission voted on requirements and ignored those requirements to hire City Manager Thompson.

Sanquetta Cowan expressed concerns regarding the RFQ process to retain Wantman Group, Inc for Engineering Services. She asked Vice-Mayor Bohlen to disclose how she retrieved addresses as related to the recall election. Vice-Mayor Bohlen refused to provide an answer.

Donna Davis expressed concerns regarding Commissioner Bohlen's visit to her home. She asked Vice Mayor Bohlen how she retrieved her address. Vice-Mayor Bohlen refused to provide an answer.

Tam Ellen asked if the City of Pahokee would create a Christmas event at the Marina, (e.g., Lighting of the Christmas Tree).

**Consent Agenda:** *(none)*

**Ordinances:** *(none)*

**Resolutions:**

*Mr. Brandenburg read Resolution 2021 -39 into the record and City Manager Thompson explained the purpose of the resolution.*



**1. RESOLUTION 2021 – 39 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, ESTABLISHING THE CENTENNIAL COMMITTEE.**

Discussion ensued; Mayor Babb announced that the Chair should be selected by members of the Committee; each Commissioner could appoint at least two Committee Members.

**Approval of allowing the Committee to Select Committee Chair.**  
**Motion by Commissioner Murvin. Seconded by Mayor Babb.**  
**Motion carried 4-1.**

**Approval of Resolution 2021 - 39.**  
**Motion by Commissioner Gonzalez. Seconded by Commissioner Murvin.**  
**Motion carried unanimously.**

*Mr. Brandenburg read Resolution 2021 -40 into the record and City Manager Thompson explained the purpose of the resolution.*

**2. RESOLUTION 2021 – 40 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN WANTMAN GROUP, INC. AND THE CITY OF PAHOKEE FOR THE PURPOSE OF PROFESSIONAL GENERAL ENGINEERING AND ARCHITECTURAL SERVICES FOR THE CITY OF PAHOKEE.**

Discussion ensued regarding the recommendation of WGI; and the RFQ process.

**Approval of Resolution 2021 - 40.**  
**Motioned by Vice-Mayor Bohlen, Seconded by Commissioner Perez.**  
**Motion carried 3-2.**

**Proclamations:** *(none)*

**Presentations:** *(none)*

**Report of the City Manager:**

City Manager Thompson welcomed PBSO to announce the November 27, 2021 Fall Festival. Discussion ensued regarding the City of Pahokee’s contribution and attendance for the Fall Festival. He gave a Barfield Highway Project update and funding for the Martin Luther King Jr. Park

**Approval of Authorizing the City of Pahokee to pay at least \$350 for the Fall Festival Bounce House.**  
**Motioned by Vice-Mayor Bohlen. Seconded by Commissioner Perez.**  
**Motion carried unanimously.**

**Report of the City Attorney:**

Attorney Brandenburg announced that Chandler Williamson would be served during the week; he provided copies to the Commission. He suggested that the City of Pahokee invest in monument signs.

**Removal of Disruptive Audience Members.**  
**Motioned by Commissioner Perez. Seconded by Vice Mayor Bohlen.**  
**Motion carried 4-1.**

**Old Business**

- 1. PAHOKEE HOUSING AUTHORITY – One (1) Applicant (Ronald Osborne)**

**Approval of Appointment of Ronald Osbourne to the Pahokee Housing Authority Board.**  
**Motioned by Commissioner Murvin. Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

**New Business:**

**1. Day-to-Day Operations**

City Manager Thompson explained that he was in negotiations for extensions for project funding; as related to Commissioner Murvin’s complaints to State Agencies and Contractors.

**2. November 23, 2021 City Commission Meeting Cancellation-Due to the Thanksgiving Holiday.**

**Approval of the Cancellation of the November 23, 2021 Commission Meeting.**  
**Motioned by Vice Mayor Bohlen. Seconded by Commissioner Perez.**  
**Motion carried unanimously.**

**3. December 28, 2021 City Commission Meeting Cancellation -Due to the Christmas Holiday.**

**Approval of the Cancellation of the December 28, 2021 Commission Meeting.**  
**Motioned by Vice Mayor Bohlen. Seconded by Commissioner Perez.**  
**Motion carried unanimously.**

**City Commission Comments:**

Commissioner Gonzalez commented regarding the Commissions’ decorum.

Mayor Babb questioned if the City of Pahokee want to incentivize residents who become vaccinated. City Manager Thompson announced that financial incentives were not feasible.

**Approval of Incentivize the first 40 vaccination participants with a City Lapel Pin and \$100 Raffle**  
**Motioned by Vice Mayor Bohlen. Seconded by Commissioner Perez.**  
**Motion carried unanimously.**

Vice-Mayor Bohlen thanked the members of the audience for their attendance; and encouraged them to volunteer.

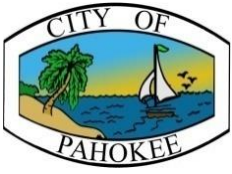
Commissioner Perez commented regarding the Commissions’ decorum.

Commissioner Murvin commented regarding the Commissions’ decorum. She cited the Statute regarding open carry of firearms at public meetings.

There being no further business to discuss, Mayor Babb adjourns the meeting at 8:31 p.m.

\_\_\_\_\_  
Keith W. Babb, Jr., Mayor

\_\_\_\_\_  
ATTEST: Tijauna Warner, City Clerk



**CITY COMMISSION OF THE CITY OF PAHOKEE  
REGULAR COMMISSION MEETING MINUTES  
Tuesday, November 10, 2021**

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on November 10, 2021

The meeting was called to order by Mayor Babb at 6:00 p.m.

Official attendance was recorded as follows:

<b><u>Roll Call:</u></b>	Mayor Keith W. Babb, Jr.	Present
	Vice-Mayor Regina Bohlen	Present
	Commissioner Juan Gonzalez	Present
	Commissioner Clara M. Murvin	Present
	Commissioner Sara Perez	Present
	City Manager Greg Thompson	Present
	City Attorney Gary Brandenburg	Present
	Sergeant At Arms Lieutenant Mugridge	Present
	City Clerk Tijauna Warner	Present

**Additions, Deletions, and Approval of Agenda Items:**

Mr. Brandenburg recommended the addition of the Wallace Case Settlement under the Attorney Report.

Mr. Thompson recommended reordering the agenda to have the Baby Blue Devils presented first.

**Approval of Reordering the Agenda to Recognize the Baby Blue Devils First.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Gonzalez.**

**Motion carried unanimously.**

The City of Pahokee Commission Recognized the Baby Blue Devil as the 10 and Under Youth League Champions.

**Citizen Comments (Agenda Items Only):**

Bobby Colvin encouraged all residents to conduct their own research prior to being vaccinated.

Sanquetta Cowan questioned why the Commission chose to meet on November 10<sup>th</sup>, instead of November 9<sup>th</sup>. Mayor Babb announced that the meeting was rescheduled due to the Farm Growers Dinner. City Manager Thompson announced that the majority of the Commission agreed to reschedule the meeting (Vice Mayor Bohlen, Commissioners Gonzalez, and Perez). Mayor Babb and Commissioner Murvin announced they were not contacted.

Everett McPherson announced the Commissioners were public servants and were obligated to act in the best interest of the residents of the City of Pahokee.

**Public Service Announcements:** *(none)*

**Approval of Minutes:** *(none)*

**Consent Agenda:** *(none)*

**Ordinances:** *(none)*

**Resolutions:**

*Mr. Brandenburg read Resolution 2021 -41 into the record and City Manager Thompson explained the purpose of the resolution.*

1. **RESOLUTION 2021 – 41 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY MEMORANDUM OF AGREEMENT BY AND BETWEEN THE CITY OF PAHOKEE AND THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.**

Discussion ensued regarding the selection of a non-profit organization at a future commission meeting.

**Approval of the Appointment of Mayor Babb as the point of Contact.**

**Motion by Commissioner Murvin. Seconded by Mayor Babb.**

**Motion failed 3-2.**

**Approval of the Appointment of City Manager Thompson as the point of Contact**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried 3-2.**

**Approval of Resolution 2021-41.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried unanimously.**

*Mr. Brandenburg read Resolution 2021 -42 into the record and City Manager Thompson explained the purpose of the resolution.*

2. **RESOLUTION 2021 – 42 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA APPROVING BUDGET AMENDMENT NO. 1 IN THE AMOUNT OF \$4,620,885.00 FOR FISCAL YEAR 2020–2021, SET FORTH IN COMPOSITE EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.**

City Manager Thompson explained that the increase to the City Manager Salary was due to the payout of \$63k to the previous City Manager that was not previously accounted for in the budget.

**Approval of a Deduction of \$9k from the City Managers Salary moved to the reserve Account and Approval of Resolution 2021 - 42.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried unanimously.**

*Mr. Brandenburg read Resolution 2021 -43 into the record and City Manager Thompson explained the purpose of the resolution.*

3. **RESOLUTION 2021 – 43 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE MAYOR’S EXECUTION OF AN APPLICATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR A PERMIT FOR THE ANNUAL PAHOKEE CHRISTMAS PARADE.**

**Approval of Resolution 2021-43.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**

**Motion carried unanimously.**

**Proclamations:****1. FORMER COMMISSIONER DIANE L. WALKER PROCLAMATION**

*Attorney Brandenburg read the Proclamation for the record.*

Discussion ensued regarding Commissioner Walkers years of service and contributions to the City of Pahokee

**Approval of Former Commissioner Diane L. Walker Proclamation.**  
**Motion by Vice Mayor Bohlen. Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

**Approval of a Waiver of Deposit Fees for Facility (Walker Repast) and Honor Commissioner Walker with a Bench in Commissioner Park. Bench not to exceed \$1k.**  
**Motion by Commissioner Murvin. Seconded by Vice Mayor Bohlen.**  
**Motion carried unanimously.**

**2. WORLD AIDS DAY PROCLAMATION**

*Attorney Brandenburg read the Proclamation for the record.*

**Approval of World AIDS Day Proclamation.**  
**Motion by Commissioner Murvin. Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

**Report of the City Manager:**

City Manager Thompson announced that he believed it was important to reschedule the meeting to support the farm and agriculture community. He announced that the State of the City Reports were shared to document progress.

**Report of the City Attorney:**

Announced that he attended mediation in West Palm Beach, Fl, regarding the Wallace Case. He directed the attention of the Commission to the "Settlement Agreement" and explained the document. He recommended approval of the settlement.

**Approval of Settlement and Authorization of Release.**  
**Motion by Vice Mayor Bohlen. Seconded by Commissioner Perez.**  
**Motion carried unanimously.**

Attorney Brandenburg announced that he had made several attempts to contact the representative of JPDT Holdings. He explained that correspondence had not transpired for a few weeks.

Johnathan Mann made comments regarding JPDT Holdings; he provided the original ERH Lease between ERH and the City of Pahokee. He announced that at least \$140k had been invested over 14 months. He announced that legal action would occur if the project was further obstructed. Discussion ensued between the Commission, City Manager Thompson, Attorney Brandenburg, and Mr. Mann regarding the clauses of the agreement and necessary requirements to move forward.

**Old Business** (*none*)

**New Business:**

**1. BUILDING, PLANNING, & ZONING FEES**

City Manager Thompson explained the item, and suggestions to modify the fee schedule. He asked the Commission to review the schedule and provide a recommendation at the next regular commission meeting.

**2. SOLID WASTE GARBAGE & TRASH COLLECTION FEES**

City Manager Thompson explained the item; he announced that rates would increase/decrease periodically because rates had not changed since 2009. He recommended an increase of 20 percent and asked the Commission to provide a recommendation at the next regular commission meeting

**Citizens Comments:** *(none)*

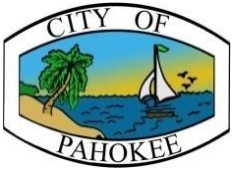
**City Commission Comments:**

Discussion ensued regarding Veteran’s Day Celebration and the intent to plan for the November 2022 celebration.

There being no further business to discuss, Mayor Babb adjourns the meeting at 9:50 p.m.

\_\_\_\_\_  
Keith W. Babb, Jr., Mayor

\_\_\_\_\_  
ATTEST: Tijauna Warner, City Clerk



**CITY COMMISSION OF THE CITY OF PAHOKEE  
REGULAR COMMISSION MEETING MINUTES  
Tuesday, December 14, 2021**

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on December 14, 2021.

The meeting was called to order by Mayor Babb at 6:00 p.m.

Official attendance was recorded as follows:

<b><u>Roll Call:</u></b>	Mayor Keith W. Babb, Jr.	Present
	Vice-Mayor Regina Bohlen	Present
	Commissioner Juan Gonzalez	Present
	Commissioner Clara M. Murvin	Present
	Commissioner Sara Perez	Present
	 City Manager Greg Thompson	 Present
	City Attorney Gary Brandenburg	Present
	Sergeant At Arms Mugridge	Present
	City Clerk Tijauna Warner	Present

**Additions, Deletions, and Approval of Agenda Items:**

City Manager Thompson recommended the addition of Resolution 2021-46 to the agenda.

Commissioner Murvin recommended the addition of the Second Star and the Centennial Committee (Prior to Citizen Comments).

**Approval of Agenda with additions.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Gonzalez.**

**Motion carried unanimously.**

**Second Star**, 501c3 Non-Profit Organization provides housing, non-clinical, and social services throughout Palm Beach County.

**Centennial Committee Members** Annie Ifill and Collin Walkes provided an update regarding the previous Centennial Committee Meetings; encouraged residents to volunteer; plans for the City of Pahokee 100<sup>th</sup> Celebration, and an increase to the proposed budget. Discussion ensued regarding the invitations for additional members. Commissioner Perez asked for clarification regarding the process of member selection. City Clerk Warner provided clarification of the process; Commissioner Murvin confirmed that an email was received from City Clerk Warner to the Commission requesting names of individuals to forward invitations for selection of members. Annie Ifill announced the next meeting would be held virtually on December 16, 2021 at 6:00 p.m. and in person at the Parks and Recreation Center.

**Citizen Comments (Agenda Items Only):** *(none)*

**Richard Sears**, Commander of American Legion Post 414, provides assistance to local veterans; Mr. Sears expressed the importance of the program. He announced that the group met at the Pahokee Dance Academy on Fridays, 6:30 p.m.-8:00 p.m.

**Dennis Osbourne**, Administrator of American Legion Post 414, provided a brief history of Post 414.

**Carl Morrison Sr.** made comments regarding Attorney Brandenburg’s decorum. He questioned why Prince Hall had not been demolished as required. He informed Mr. Brandenburg that his \$1k donation towards the

Electronic Scoreboard could be returned because it was not needed. He made comments regarding the employment of City Manager Thompson.

**Harry Folger** made comments regarding the new minimum requirements of the Marina Rates. He announced that his 25ft Sailboat did not have electrical appliances. He suggested the Commission create two categories (1) Non-Live Aboard (2) Live Aboard and charge renters accordingly.

**Sanquetta Cowan** made comments regarding COVID Funds, expressed concerns regarding the Veteran’s Day Celebration, and to not allow Attorney Brandenburg’s name to be placed on the donation sign for the Electronic Scoreboard.

**Sam McKinstry** made comments regarding the condition of the United States Flag, sanitation rate increases, the possibility of contracting services to maintain the campground landscape, regular scheduled mowing day/time, insurance carriers for the marina campground, and restaurant.

**Michael Joseph** expressed concerns regarding Attorney Brandenburg’s decorum and lack of respect for the Commission and Residents of the City of Pahokee. He suggested the resignation of Attorney Brandenburg.

**Carl Morrison Sr.** made comments regarding the dysfunction of the City Commission.

**PBSO** presented certificates and gift cards to three finalists for the City of Pahokee Logo. Shamaria Elliot was announced as the winner of the contest, she delivered a speech to the Commission explaining her inspiration for the Logo. Ms. Elliot received a standing ovation from the Commission and Audience.

**Ms. Joyce Smith** was announced as the winner of the \$100 gift card for the Vaccination Drawing.

**Public Service Announcements:** *(none)*

**Approval of Minutes:** *(none)*

**Consent Agenda:** *(none)*

**Ordinances:** *(none)*

**Resolutions:**

*Mr. Brandenburg read Resolution 2021 -44 into the record and City Manager Thompson explained the purpose of the resolution.*

- A. RESOLUTION 2021 – 44 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AMENDING RATES FOR THE CITY’S MARINA AND ESTABLISHING AN EFFECTIVE DATE.**

City Manager Thompson announced a comparative analysis of Marina Rates of neighboring Municipalities. Discussion ensued.

**Approval of Resolution 2021 - 44.**

**Motion by Vice Mayor Bohlen. Seconded by Commissioner Murvin.**

**Motion carried 4-1.**



Mr. Brandenburg read Resolution 2021 -45 into the record and City Manager Thompson explained the purpose of the resolution.

**B. RESOLUTION 2021 – 45 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AMENDING RATES FOR THE CITY’S BUILDING, PLANNING & ZONING DEPARTMENT AND ESTABLISHING AN EFFECTIVE DATE.**

A brief discussion ensued regarding the purpose of the item.

**Approval of Resolution 2021 - 45.**  
**Motion by Vice Mayor Bohlen Seconded by Commissioner Perez.**  
**Motion carried unanimously.**

Mr. Brandenburg read Resolution 2021 - 46 into the record and City Manager Thompson explained the purpose of the resolution.

**C. RESOLUTION 2021 – 46 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AMENDMENT NO. 4 TO THE STATE-FUNDED GRANT AGREEMENT NO. G-1605 BETWEEN THE CITY OF PAHOKEE AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ATTACHED HERETO AS EXHIBIT “A” PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR APPROVAL; PROVIDING FOR AUTHORITY; PROVIDING FOR AN EFFECTIVE DATE.**

Discussion ensued regarding the amendment to the prior agreement; and resurfacing repairs.

**Approval of Resolution 2021 - 46.**  
**Motion by Commissioner Murvin. Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

**Proclamations:**

**A. RATIFYING IDELLA BRINSON 100<sup>TH</sup> BIRTHDAY PROCLAMATION**

Attorney Bradenburg read the proclamation for the record.

**Acceptance of Idella Brinson 100<sup>th</sup> Birthday Proclamation.**  
**Motion by Commissioner Murvin. Seconded by Commissioner Gonzalez.**  
**Motion carried unanimously.**

**Report of the City Manager:**

City Manager Thompson provided an update on grant negotiations, projects, and upcoming events.

**Report of the City Attorney:**

Attorney Brandenburg made a comment regarding Election Fraud; he suggested the United States Department of Justice oversee the upcoming election.

**Approval of Requesting the Department of Justice to Oversee the March 2022 Municipal Election.**  
**Motion by Commissioner Perez. Seconded by Vice-Mayor Bohlen.**  
**Motion carried 4-1.**

**Old Business** (none)

**New Business:** (none)

**City Commission Comments:**

**Mayor Babb** wished everyone a Merry Christmas and a Happy New Year. He requested for City Manager Thompson to complete an employment application and resume for his personnel file.

**Commissioner Gonzalez** had no comments.

**Vice-Mayor Bohlen** thanked City Manager Thompson for implementing the City of Pahokee Green Market. She commended PBSO for their participation in the Christmas parade. She announced that she was embarrassed by the Commissions behavior during the meeting; and saddened because children were in the audience.

**Commissioner Perez** wished everyone Happy Holidays

**Commissioner Murvin** made comments regarding job postings to the City Website; she requested a copy of the invoice for the scoreboard; and a recent Sunshine Law violation.

There being no further business to discuss, Mayor Babb adjourns the meeting at 9:07 p.m.

\_\_\_\_\_  
Keith W. Babb, Jr., Mayor

\_\_\_\_\_  
ATTEST: Tijauna Warner, City Clerk



AGENDA  
MEMORANDUM

TO: HONORABLE MAYOR & CITY COMMISSIONERS  
VIA: GREG THOMPSON, CITY MANAGER  
FROM: MICHAEL PINKNEY  
SUBJECT: ILA THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
DATE: 2/14/2022

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**GENERAL SUMMARY/BACKGROUND:** Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities.

**BUDGET IMPACT:** Yes

**LEGAL NOTE:** N/A

**STAFF RECOMMENDATION:** Approval of Resolution and ILA with The School Board of Palm Beach County.

**ATTACHMENTS:** Resolution 2022- 04 and ILA The School Board of Palm Beach County.

**RESOLUTION 2022-04**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF PAHOKEE AND THE SCHOOL BOARD OF PALM BEACH COUNTY FOR THE PURPOSE OF MUTUAL USE OF RECREATIONAL FACILITIES.**

**WHEREAS**, Section 163.01, Florida Statutes, known as the “Florida Interlocal Cooperation Act of 1969”, authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, Part 1 of Chapter 163, Florida Statutes permits public agencies, to enter into Interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

**WHEREAS**, the City and the Board recognize the benefits to be derived by utilizing each other’s facilities thereby minimizing the duplication of facilities; and

**WHEREAS**, the City and the Board desire the ability to use the facilities of each other.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, THAT:**

- Section 1.** This Agreement shall become effective when signed by both parties, and filed with the Clerk of the Circuit Court in Palm Beach County.
- Section 2.** The term of this Agreement shall be for a period of one (1) year and shall be automatically renewed up to four (4) additional consecutive one (1) year terms, unless either party provides a written notice of intent to terminate the Agreement to the other party.
- Section 3.** The Mayor is hereby authorized and directed to execute the attached Interlocal Agreement.

**PASSED AND ADOPTED** this 22<sup>nd</sup> day of February, 2022.

ATTESTED:

\_\_\_\_\_  
Keith W. Babb, Jr., Mayor

\_\_\_\_\_  
Tijauna Warner, City Clerk

APPROVED AS TO LEGAL  
SUFFICIENCY:

\_\_\_\_\_  
City Attorney

Mayor Babb \_\_\_\_\_  
Vice Mayor Bohlen \_\_\_\_\_  
Commissioner Gonzalez \_\_\_\_\_  
Commissioner Murvin \_\_\_\_\_  
Commissioner Perez \_\_\_\_\_

**INTERLOCAL AGREEMENT BETWEEN  
THE CITY OF PAHOKEE  
AND THE SCHOOL BOARD OF PALM BEACH COUNTY  
FOR THE MUTUAL USE OF RECREATIONAL FACILITIES**

This Interlocal Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2022, between the City of Pahokee, a municipal corporation of the State of Florida ("City") and the School Board of Palm Beach County, Florida, a corporate body politic pursuant to the Constitution of the State of Florida ("Board"), each one constituting a public agency as defined in Part I of Chapter 163, Florida Statutes.

**WITNESSETH**

**WHEREAS**, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, Part I of Chapter 163, Florida Statutes, permits public agencies, as defined therein, to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority that such agencies share in common and which each might exercise separately; and

**WHEREAS**, the City and Board recognize the benefits to be derived by utilizing each other's facilities thereby minimizing the duplication of facilities; and

**WHEREAS**, the City and Board desire the ability to use the facilities of the other.

**NOW THEREFORE**, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

1. Recitals.

The foregoing recitals are true and correct and are hereby incorporated herein by reference.

2. Purpose.

The purpose of this Agreement is to enable the Board and City to utilize each other's recreational facilities and provide a procedure for authorizing the use of the Board's recreational facilities by City-affiliated recreation groups and organizations that have been approved by the parties.

3. Definitions.

A. "Board Facilities" and "Board Facility" mean facilities owned or operated by the Board that are made available for public use by the Board and are used primarily for recreational activities, excluding facilities that are leased, licensed or under the contractual control of others. The terms "Board Facilities" and "Board Facility" shall

include gymnasiums, playgrounds, swimming pools, tennis, racquetball and basketball courts, athletic fields and tracks.

B. "City Facilities" and "City Facility" mean facilities owned or operated by the City that are made available for public use by the City and are used primarily for recreational activities, excluding facilities that are leased, licensed or under the contractual control of others. The terms "City Facilities" and "City Facility" shall include, parks, wrestling rooms, gymnasiums, weight room, pavilions, community centers, playgrounds, swimming pools, tennis, racquetball and basketball courts, and athletic fields and tracks.

C. "Facilities" means the Board Facilities and City Facilities.

D. "Priority of Use" means the priority of uses when there are conflicting requests for the use of a Facility.

**For Board Facilities, the Priority of Use shall be as follows:**

1. Board activities and programs or Board Facility lease agreements;
2. County activities and programs pursuant to the Mutual Use Interlocal Agreement between the Board and Palm Beach County dated October 20, 2015 or the latest approved Agreement; and
3. City or City Recognized Sports Provider activities and programs pursuant to this agreement.

**For City Facilities, the Priority of Use shall be as follows:**

1. City or City Recognized Sports Provider activities and programs or City facility rental agreements; and
2. Board activities and programs pursuant to this Agreement.

E. "Recognized Sports Provider" means an organized youth recreation program conducted by a non-City organization identified in the attached Exhibit "A", which may be amended or supplemented from time to time upon the mutual written agreement of the Board's Chief Operating Officer and the City's Parks and Recreation Director without formal amendment hereto.

To qualify as a Recognized Sports Provider, the organization shall provide the following documents to the Board:

1. Proof of current good standing from the Secretary of State in which the organization is incorporated; and
2. A Certificate of Insurance (COI) evidencing all of the insurance coverages required in Section 5.C.1 of this Agreement.

**4. Use of Facilities by the Parties.**

A. The Board agrees to make the Board Facilities available for use by the City according to the Priority of Use at no cost or expense to the City, except as otherwise provided for in this Agreement. The City's use of the Board Facilities shall be subject to and in accordance with: (i) the terms and conditions of this Agreement, including but not limited to Exhibit "B" which may be amended or supplemented from time to time upon the

mutual written agreement of the Board's Chief Operating Officer and the City Manager or his or her designee without formal amendment hereto; (ii) the Board's rules, regulations and policies governing the use of the Board Facilities; (iii) any grant or bond obligations pertaining to the use of any of the Board Facilities; and (iv) all applicable local, state and federal laws.

B. The City agrees to make available the City Facilities for use by the Board according to the Priority of Use at no cost or expense to the Board, except as otherwise provided for in this Agreement. The City is eligible to request use of the Board Facilities at the following public schools pursuant to this Agreement and the following public schools are eligible to request use of City Facilities pursuant to this Agreement:

1. Pahokee Elementary School
2. Pahokee Middle-Senior High School

The Board's use of the City Facilities shall be subject to and in accordance with: (i) the terms and conditions of this Agreement; (ii) the City's rules, regulations and policies governing the use of the City's Facilities; (iii) any grant or bond obligations pertaining to the use of any of the City Facilities; and (iv) all applicable local, state and federal laws.

C. The City and Board shall each be responsible for paying the actual charges incurred by each of them for necessary Facility staff and utilities if all or a portion of the Facility is scheduled to be closed or not normally staffed during the proposed use.

D. The City shall submit all requests for use of the Board Facilities in writing on the form attached hereto as Exhibit "C" to the Principal responsible for the management of the Board Facility or his or her designee no less than thirty (30) days prior to the date that the City desires to use the Board Facility. The Board shall be responsible for ensuring that a written response to the request is provided to the City within fifteen (15) days of the date of the request. In the event a request is denied, the reason for denial shall be stated in the written response. The Board reserves the right to deny use of the Board Facility if that particular Board Facility has been selected to remain closed during the summer.

E. The Board shall submit all requests for use of the City Facilities in writing on the form attached hereto as Exhibit "C" to the City Manager or his or her designee, no less than thirty (30) days prior to the date that the Board desires to use the City Facility. The City shall be responsible for ensuring that a written response to the request is provided to the Board within fifteen (15) days of the date of the request. In the event a request is denied, the reason for denial shall be stated in the written response.

F. Notwithstanding the requirements set forth in Paragraphs 4.D. and 4.E. above, in the event that a need to use a Facility arises less than thirty (30) days prior to the date the City or Board Facility is needed, the City or Board, as applicable, will use reasonable efforts to expedite the review of and accommodate such request to the extent practicable under the circumstances.

G. The Board and City acknowledge the waiver of sovereign immunity for liability in tort contained in Florida Statutes Section 768.28, the State of Florida's partial waiver of sovereign immunity, and acknowledge that such statute permits actions at law



to recover damages in tort for money damages up to the limits set forth in such statute for death, personal injury or damage to property caused by the negligent or wrongful acts or omissions of an employee acting within the scope of the employee's office or employment. The Board and City agree to be responsible for all such claims and damages, to the extent and limits provided in Florida Statutes Section 768.28, arising from the actions of their respective employees. The parties acknowledge that the foregoing shall not constitute an agreement by either party to indemnify the other, nor a waiver of sovereign immunity, nor a waiver of any defense the parties may have under such statute, nor as consent to be sued by third parties.

H. Without waiving the right to sovereign immunity, the parties acknowledge that they are self-insured for commercial general liability and automobile liability in the amounts specified in Florida Statutes Section 768.28, as may be amended from time to time. In the event either party maintains third-party commercial general liability or business automobile liability insurance in lieu of exclusive reliance on self-insurance, the party maintaining the third-party insurance shall maintain limits of not less than One Million Dollars (\$1,000,000) combined single limit for bodily injury or property damage. The parties agree to maintain or to be self-insured for worker's compensation and employer's liability insurance in accordance with Chapter 440, Florida Statutes, as may be amended from time to time. Each party agrees to provide the other party with an affidavit or certificate of insurance evidencing insurance, self-insurance and/or sovereign immunity status, which the parties agree to recognize as acceptable for the above-referenced coverages. Compliance with the requirements of this paragraph shall not relieve the parties of their liability and obligations under this Agreement.

I. Each party agrees to provide adequate supervision of its own activities to prevent bodily harm to the users and damage to the Facilities, taking into consideration the types of activities planned, when using the other's Facilities. When aquatic facilities will be included in the Facilities to be utilized, the party using the Facility shall provide supervisors certified in Lifeguard Training in addition to any other supervision required hereunder. Notwithstanding the foregoing, the party using the City's aquatic facilities shall be required to use the City's lifeguards and will be responsible for the cost of the lifeguards for any use of the facility beyond its normal operating hours.

J. In the event the Facilities are damaged, the party using the Facilities of the other party shall promptly notify the other party in writing of the damage and shall reimburse the other party for the actual costs to repair the damage. Reimbursement shall be made within sixty (60) days of a written request for reimbursement of costs.

K. The Facilities shall be surrendered by the party using them in the same condition as they were accepted and the party using the Facilities shall cause to be removed from the Facilities all waste, garbage and rubbish resulting from such party's use of the Facilities.

L. The Board acknowledges and agrees that the City may charge a fee for: (1) City lifeguards at the Aquatic Center in accordance with Paragraph 4.I.; (2) City staff when City Facilities are closed; (3) City staff for preparation of recreational and athletic Facilities for Board use, if field preparation is requested by the Board; (4) Staff and utilities in accordance with Paragraph 4.C. of this Agreement.

M. The City acknowledges and agrees that the Board may charge a fee for: (1) Board staff when Board Facilities are closed; (2) Board staff for preparation of recreational and athletic Facilities for City use, if field preparation is requested by the City; and (3) Staff and utilities in accordance with Paragraph 4.C. of this Agreement.

N. The City may use a Board Facility or other Board-owned and controlled facility for a one-time City meeting or annual City-sponsored community event with prior written authorization from the Board's Area Superintendent and the Board's Chief Operating Officer, or designee, provided that the event benefits the community or student population. Such events shall have the same priority as the City's other uses of the Board Facilities set forth in this Agreement.

O. The Board may use a City Facility or other City-owned and controlled facility for a one-time Board meeting or annual Board-sponsored community event with prior written authorization from the City Manager or designee, provided that the event benefits the community or student population. Such events shall have the same priority as the Board's other uses of the City Facilities set forth in this Agreement.

5. Use of Board Facilities by City Recognized Sports Providers.

A. The Board agrees to make the Board Facilities available for use by the City Recognized Sports Providers according to the Priority of Use, except as otherwise provided for in this Agreement. The City Recognized Sports Provider shall be responsible for payment of any fees set forth in Paragraph 4.M above directly to the Board. Use of the Board Facilities by the City Recognized Sports Providers shall depend on availability and shall be subject to and in accordance with: (i) the terms and conditions of this Agreement including but not limited to Exhibit "B"; (ii) the Board's rules, regulations and policies governing the use of Board Facilities; (iii) any bond or grant obligations pertaining to the use of the Board Facilities; and (iv) all applicable local, state and federal laws.

B. The Recognized Sports Provider represents and warrants that it shall be responsible for monitoring and complying with all CDC and OSHA regulations and guidance, and other federal, state and local regulations and guidance for responding to COVID-19 during the event period. This includes, but is not limited to regulations and guidelines related to cleaning and disinfecting during the event, promoting efforts that reduce the spread of COVID-19, providing healthy environments for all persons attending or participating in the event, protecting communal spaces and arranging for food service. The School Board shall not be responsible for any costs associated with the Recognized Sports Provider's duty to comply with COVID-19 regulations and guidelines as mandated by the terms of this Agreement. The School Board shall not be responsible for monitoring or enforcing the Recognized Sports Provider's compliance with CDC and OSHA regulations and guidance, and other federal, state and local regulations and guidance for responding to COVID-19 during the event. The Recognized Sports Provider shall indemnify, defend and hold harmless the School Board for any claims, expenses, liabilities, losses or damages resulting from a failure to comply with CDC and OSHA regulations and guidance, and other federal, state and local regulations and guidance for responding to COVID-19 during the event or as a result of a breach of the terms of this Agreement.

C. Prior to being granted access to any of the Board Facilities, each City Recognized Sports Provider shall be required to obtain a Facility Use Permit from the City. The Facility Use Permit shall, at a minimum, require the City Recognized Sports Provider to: have a current executed Recognized Sports Provider Agreement and meet all of its requirements.

1. Provide proof of insurance in the amounts listed below:

**COMMERCIAL GENERAL LIABILITY:** City Recognized Sports Provider shall procure and maintain, for the life of the contract Commercial General Liability Insurance from a carrier that has an A.M. Best rating of A- VIII or better. This policy shall provide coverage for death, bodily injury, personal injury, products and completed operations liability and property damage that could arise directly or indirectly from the use of the Board Facilities. It must be an occurrence form policy. **THE SCHOOL BOARD OF PALM BEACH COUNTY, 3300 Forest Hill Blvd, West Palm Beach FL 33406 SHALL BE NAMED AS AN ADDITIONAL INSURED ON THE CERTIFICATE FOR COMMERCIAL GENERAL LIABILITY INSURANCE.**

The minimum limits of coverage shall be \$1,000,000/occurrence, \$2,000,000 aggregate, for Bodily Injury Liability and Property Damage Liability.

Required Endorsements:

- o Additional Insured – CG 20 26 or CG 20 10 and CG 20 37 or their equivalents.

Note: CG 20 10 or CG 2026 must be accompanied by CG 20 37 to include products/completed operations.

- o Waiver of Transfer Rights of Recovery – CG 24 04 or its equivalent.
- o Primary and noncontributory – CG 20 01 or its equivalent.

Note: If blanket endorsements are being submitted, please include the entire endorsement and applicable policy number.

**WORKERS' COMPENSATION:** City Recognized Sports Provider must comply with Section 440, Florida Statutes, Workers' Compensation and Employers' Liability Insurance with minimum statutory limits or elective exemptions as defined in Florida Statute 440 will be considered on a case by case basis.

Required Endorsements:

- o Waiver of Subrogation – WC 0003 13 or its equivalent

(Required if employees provide work in conjunction with the facility use.)

**BUSINESS AUTOMOBILE LIABILITY:** City Recognized Sports Provider shall procure and maintain, for the life of the contract, Business Automobile Liability Insurance. **THE SCHOOL BOARD OF PALM BEACH COUNTY, 3300 Forest Hill Blvd, West Palm Beach, FL 33406 SHALL BE NAMED AS AN ADDITIONAL INSURED ON THE CERTIFICATE FOR BUSINESS AUTOMOBILE LIABILITY INSURANCE.**

The minimum limits of coverage shall be \$500,000 Combined Single Limit for Bodily Injury Liability and Property Damage Liability. This coverage shall be an "Any Auto" form policy. The insurance must be an occurrence form policy.

In the event the City Recognized Sports Provider does not own any vehicles, the School District will accept hired and non-owned coverage in the amounts listed above. In addition, the School District will require an affidavit signed by the awarded proposer indicating the following: The City of Pahokee does not own any vehicles. In the event the company acquires any vehicles throughout the term of the contract, the City of Pahokee agrees to purchase "Any Auto" coverage as of the date of acquisition.

**PARTICIPANT ACCIDENT COVERAGE: \$25,000**

Required if City Recognized Sports Provider utilizes Board facilities for any type of athletic activities. Examples are: team sports like soccer, football, tennis, tournaments, practice, swim and gymnastic meets, dance/cheer competitions, karate, dance recitals, and fitness class. This also includes games, camps or practice.

In the event of loss, damage or injury to the City Recognized Sports Provider's property, the City Recognized Sports Provider shall look solely to any insurance in its favor without making any claim against the Board. The City shall require the Recognized Sports Provider to waive any right of subrogation against the Board, for loss, damage or injury within the scope of the City Recognized Sports Provider's insurance, and on behalf of itself and its insurer, waives all such claims against the Board;

2. Protect, defend, reimburse, indemnify and hold the Board, its agents, employees and elected officers harmless from and against all claims, liability, expenses, costs, damages and causes of action of every kind or character, including attorney's fees and costs, whether at trial or appellate levels or otherwise, arising from or in any way connected to the City Recognized Sports Provider's use of the Board Facilities;

3. Provide adequate supervision of its own activities to prevent bodily harm to the users or damage to the facilities, taking into consideration the types of activities planned;

4. Return the Board Facilities in the same condition as they were accepted and to remove all waste, garbage and rubbish resulting from the City Recognized Sports Provider's use of the Board Facilities;

5. Notify the Board and the City Manager or his designee of any damage to the Board Facilities resulting from the City Recognized Sports Provider's use of the Board Facilities and reimburse the Board for the actual costs to repair the damage; and

6. Notify the Board of any dangerous conditions existing on the Board's Facilities.

D. The Facility Use Permit issued by the City shall also indicate that the Facility Use Permit may be revoked or suspended by the City and the Board may deny access to the Board Facilities for failure to comply with the terms and conditions of the Facility Use Permit.

E. The City Recognized Sports Providers shall be required to submit all requests for use of the Board Facilities in writing in the form attached hereto as Exhibit "C" to the City Manager or his or her designee, no less than forty-five (45) days prior to the date the City Recognized Sports Provider desires to use the Board Facility. The City Manager or his designee shall coordinate scheduling of the use of the Board Facility with the Principal responsible for the management of the Board Facility or his or her designee. The Board shall be responsible for ensuring that a written response to the request is provided to the City Manager or his or her designee within fifteen (15) days of the date of the City Manager's, or his or her designee's request. In the event a request is denied, the reason for denial shall be stated in the written response.

F. Notwithstanding any provision of this Agreement to the contrary, the Board shall not be obligated to make the Board Facilities available for use for summer camps, tournaments, travel team practices or games or any events where admission, vendor fees and or charges will be collected or imposed by the City or City Recognized Sports Provider. These events shall require the parties to enter into a lease for use of the Board Facility and the payment of all fees, all in accordance with Board Policy 7.18.

G. To the extent that the Board's aquatic facilities are included within the term Board Facilities, as defined in Section 3.A. of this Agreement, the Board's aquatic facilities may only be utilized under this Agreement for aquatic programs and competitive activities such as swimming, diving, water polo practices and competitions and shall not be utilized for leisure activities such as pool parties and/or open swims. The City acknowledges and agrees the Board may charge a fee for use of the Board's aquatic facilities, which shall be consistent with Board Policy 7.18.

6. Maintenance/Repair of Facilities.

The parties acknowledge and agree that either party may deny a request for use of a Facility to perform maintenance or repairs to the Facility.

7. Notification of Responsibilities under Agreement.

The Board agrees to notify the Board's Principals of the terms and conditions of this Agreement and the Board's commitment to make the Board Facilities available to the City and City Recognized Sports Providers in accordance with the Priority of Use.

8. Dispute Resolution.

In the event an issue arises that cannot be resolved between the Board's Principal and the City's Director of Parks and Recreation or his or her designee regarding the use or availability of a Facility, the dispute shall be referred to the Board's Chief Operating Officer and the City Manager who shall both make a good faith effort to resolve the dispute. If the dispute cannot be settled through negotiation, the parties agree to try in good faith to settle the dispute by mediation before resorting to litigation.

9. Acceptance of Facilities.

Neither party shall be required to make any improvements or repairs to the Facilities as a condition of use of the Facilities by the other party or City Recognized Sports Providers. The parties and City Recognized Sports Providers shall accept the Facilities in their "As Is", "Where Is" condition. The parties acknowledge and agree that

neither party has made any warranties or representations to the other party regarding the Facilities, including, but not limited to, any representations or warranties regarding the suitability of the Facilities for use by the other party or City Recognized Sports Providers.

10. License.

Notwithstanding any provision of this Agreement to the contrary, the use the Facilities by either of the parties or the City Recognized Sports Providers shall only amount to a license to use the Facilities on a non-exclusive basis, which license shall be revocable by the party licensing the use for any reason whatsoever. The parties agree that nothing in this Agreement shall be construed as granting either party or the City Recognized Sports Providers any title, interest or estate in the Facilities.

11. Default.

The parties agree that, in the event either party is in default of its obligations under this Agreement, the non-defaulting party shall provide to the defaulting party thirty (30) days written notice to cure the default. In the event the defaulting party fails to cure the default within the thirty (30) day cure period, the non-defaulting party shall be entitled to seek any remedy available to it at law or equity, including, but not limited to, the right to terminate this Agreement and seek damages, if any.

12. Termination.

Notwithstanding any provision of this Agreement to the contrary, this Agreement may be terminated by either party: (i) without cause upon thirty (30) days prior written notice to the other party or (ii) with cause upon the expiration of the thirty (30) day cure period provided for in Paragraph 11 above.

13. Annual Appropriation.

Each party's performance and obligations under this Agreement shall be contingent upon an annual budgetary appropriation by its respective governing body for subsequent fiscal years.

14. Notice.

All notices required to be given under this Agreement shall be deemed sufficient to each party when delivered by United States Mail to the following:

**IF TO City:**  
City of Pahokee  
ATTN: City Manager  
207 Begonia Drive  
Pahokee, FL 33476

**IF TO BOARD:**  
Director of Planning and Intergovernmental Relations  
3661 Interstate Park Road N, Suite 200  
Riviera Beach, FL 33404

15. Governing Law and Venue.

This Agreement shall be construed by and governed by the laws of the State of Florida. The parties agree that any controversies or legal disputes arising out of this Agreement and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the State courts of the Fifteenth Judicial Circuit of Palm Beach County, Florida. If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, each party shall be responsible for their own attorney's fees and costs incurred.

16. Subordination to Bond and Grant Obligations

The parties acknowledge that certain Facilities may be subject to bond covenants and restrictions or grant obligations and agree that this Agreement shall be subject and subordinate to any such covenants, restrictions and obligations. Notwithstanding any provision of this Agreement to the contrary, the parties shall not be obligated to make any Facility available for use by the other party or City Recognized Sports Providers in a manner which either party has determined, in its sole discretion, would be contrary to any of its bond or grant obligations, including, but not limited to, making any of the Facilities available at no cost when such an action would be contrary to either party's bond or grant obligations. Each party agrees to provide timely notice to the other party in the event this provision makes a Facility unavailable for use.

17. Equal Opportunity Provision.

The parties agree that no person shall, on the grounds of race, color, sex, age, national origin, disability, religion, ancestry, marital status, familial status, sexual orientation, gender, gender identity or expression be excluded from the benefits of, or be subjected to any form of discrimination under any activity carried out by the performance of this Agreement.

18. Captions.

The captions and section designations set forth herein are for convenience only and shall have no substantive meaning.

19. Severability.

In the event that any section, paragraph, sentence, clause, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Agreement and the same shall remain in full force and effect.

20. Entirety of Agreement.

This Agreement represents the entire understanding between the parties, and supersedes all other negotiations, representations, or agreements, either written or oral, relating to this Agreement.

21. Incorporation by Reference.

Exhibits attached hereto and referenced herein shall be deemed to be incorporated into this Agreement by reference.

22. Amendment.

Except as otherwise provided for in this Agreement, this Agreement may be modified and amended only by written instrument executed by the parties hereto.

23. Waiver.

No waiver of any provision of this Agreement shall be effective against any party hereto unless it is in writing and signed by the party waiving such provision. A written waiver shall only be effective as to the specific instance for which it is obtained and shall not be deemed a continuing or future waiver.

24. Construction.

Neither party shall be considered the author of this Agreement since the parties have participated in extensive negotiations and drafting and redrafting of this document to arrive at a final Agreement. Thus, the terms of this Agreement shall not be strictly construed against one party as opposed to the other party based upon who drafted it.

25. Filing.

A copy of this Agreement shall be recorded with the Clerk of the Circuit Court in and for Palm Beach County pursuant to Section 163.01(11), Florida Statutes.

26. Effective Date/Term.

This Agreement shall become effective when signed by both parties, and recorded with the Clerk of the Circuit Court in and for Palm Beach County. The term of this Agreement shall be for a period of one (1) year and shall be automatically renewed up to four (4) additional consecutive one (1) year terms, unless either party provides a written notice of intent to terminate the Agreement to the other party pursuant to Paragraph 12.

27. Prohibition Against Alcohol, Tobacco and Drones.

The manufacture, distribution, dispensation, possession, consumption or use of alcohol, tobacco products of any kind, e-cigarettes or controlled substances on City or School Board-owned property is strictly prohibited and violation of this provision shall be a material breach of this Agreement. No unmanned aerial vehicles of any kind, also known as drones, shall be permitted on or about City or School Board-owned property. Violation of this provision by any person associated with a City Recognized Sports Provider shall be just cause for termination of the City Recognized Sports Provider's privilege to use any Board Facility in the future.

28. Inspector General.

The City agrees and understands that, except as otherwise required by law, it will provide the School Board's Office of Inspector General ("School Board's Inspector General") access to records related to this Agreement as required by School Board Policy 1.092(5)(e) and Policy 6.14(12).

Similarly, in accordance with Palm Beach County ordinance number 2011-009, the School Board acknowledges that this Agreement may be subject to investigation and/or audit by the Palm Beach County Inspector General. The School Board has reviewed



Palm Beach County ordinance number 2011-009 and is aware of its rights and/or obligations under such ordinance.

29. No Third Party Beneficiaries.

No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employees of the City and/or Board.

30. Liens.

Each party's respective interest in the Facilities shall not be subject to liens arising from the others or the City Recognized Sports Provider's use of the Facilities, or exercise of the rights granted hereunder. Each party shall promptly cause any lien imposed against the Facility of the other party relating to the use of Facilities under this Agreement to be discharged or transferred to bond.

31. No Agency Relationship.

Neither party is an agent or servant of the other. No person employed by either party to this Agreement, shall in connection with the performance of this Agreement or any services or functions contemplated hereunder, at any time, be considered the employee of the other party, nor shall an employee claim any right in or entitlement to any pension, workers' compensation benefit, unemployment compensation, civil service, or other employee rights or privileges granted by operation of law or otherwise, except through and against the party by whom they are employed.

32. Records.

Each party shall maintain its own respective records and documents associated with this Agreement in accordance with the records retention requirements applicable to public records. Each party shall be responsible for compliance with any public documents request served upon it pursuant to Section 119.07, Florida Statutes, and any resultant award of attorney's fees for non-compliance with that law.

33. Survival.

Provisions contained in this Agreement that, by their sense and context, are intended to survive the suspension or termination of this Agreement, shall so survive.

34. Waiver of Jury Trial.

EACH OF THE PARTIES HERETO HEREBY KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY WAIVES THE RIGHT EITHER OF THEM MAY HAVE TO A TRIAL BY JURY IN RESPECT OF ANY LITIGATION BASED HEREON, OR ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS AGREEMENT.

35. Authority to Execute

Each Person signing this Agreement on behalf of either party individually warrants that he or she has full legal power to execute this Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have affixed their signatures on the day and year first above written.

**CITY OF PAHOKEE  
FLORIDA**

**SCHOOL BOARD OF PALM BEACH  
COUNTY, FLORIDA**

By: \_\_\_\_\_  
Keith W. Babb, Mayor

By: \_\_\_\_\_  
Frank A. Barbieri, Jr., Chairman

**ATTEST:**

**ATTEST:**

\_\_\_\_\_  
Tijauna Warner, City Clerk

\_\_\_\_\_  
Michael J. Burke, Superintendent

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
School Board Attorney

\_\_\_\_\_  
City Council Meeting Date

\_\_\_\_\_  
School Board Meeting Date

## **EXHIBIT "A"**

### **City Youth Recognized Programs and City Recognized Sports Providers**

(All programs are limited to youth sports activities only)

1. Baby Blue Devil City Youth Football
2. City of Pahokee Youth Soccer
3. City of Pahokee Youth Basketball
4. City of Pahokee Youth Track
5. City of Pahokee Baseball

**EXHIBIT “B”**

**School Board of Palm Beach County Standard Facility Operating Hours**

The Board agrees to make the Board Facilities available for use by the City according to the Priority of Use, at no cost to the City and in accordance with the following maximum operational hours for indoor and outdoor facilities.

When School is in session:

Weekdays (Monday through Friday):	From the close of the school day until 9:30 pm
Saturdays:	From 8:00 am to 9:30 pm
Sundays:	From 8:00 am to 1:00 pm

When School is out of session (Summer Break and Spring Break):

Weekdays (Monday through Thursday):	From 8:00 am until 9:30 pm
Fridays, Saturdays, Sundays:	Closed

School Holidays and Winter Break:

The Board Facilities will be closed the day of the school holiday plus any immediately preceding or following weekend days (i.e. the weekend preceding a Monday National Holiday or following Thanksgiving). The Board Facilities will also be closed for the entire Winter Break (traditionally beginning on the Saturday prior to Christmas and extending through the Sunday following New Year’s).

The maximum operational hours may be amended from time to time upon the mutual agreement of the Board’s Chief Operating Officer and City Manager or his or her designee.

**City of Pahokee Hours of Operation**

City agrees to make the City Facilities available for use by the Board according to the Priority of Use, at no cost to the Board and in accordance with the following maximum operational hours for indoor and outdoor facilities.

When School is in session:

Monday through Sunday: From 8:00 am to 9:30 pm

When School is out of session:

Monday through Sunday: From 8:00 am to 9:30 pm

The maximum operational hours may be amended from time to time upon the mutual agreement of the Board’s Chief Operating Officer and City Manager or his or her designee.

**EXHIBIT "C"**

The City of Pahokee and The School Board of Palm Beach County  
**INTER-LOCAL FACILITY REQUEST FORM**

_____	_____	_____
Date	Contact Person	School Name (if applicable)
_____	_____	_____
Phone Number	Fax Number	Other Contact Number
_____	_____	_____
Address	City	State/ZIP

**FACILITY REQUEST:**

_____	_____
<b>Choice #1</b>	<b>Choice #2</b>
_____	_____
Activity	Age Group

Estimated Attendance:  
 Participants: \_\_\_\_\_ Spectators: \_\_\_\_\_ Total: \_\_\_\_\_

Mark appropriate day(s) facility will be needed:

Monday    Tuesday    Wednesday    Thursday    Friday    Saturday    Sunday  
 Date(s): \_\_\_\_\_

Time(s): From: \_\_\_\_\_ am/pm      To: \_\_\_\_\_ am/pm

New Request  
 Repeat Request:  
 Date and location of previous use: \_\_\_\_\_

Other pertinent information (as necessary): \_\_\_\_\_

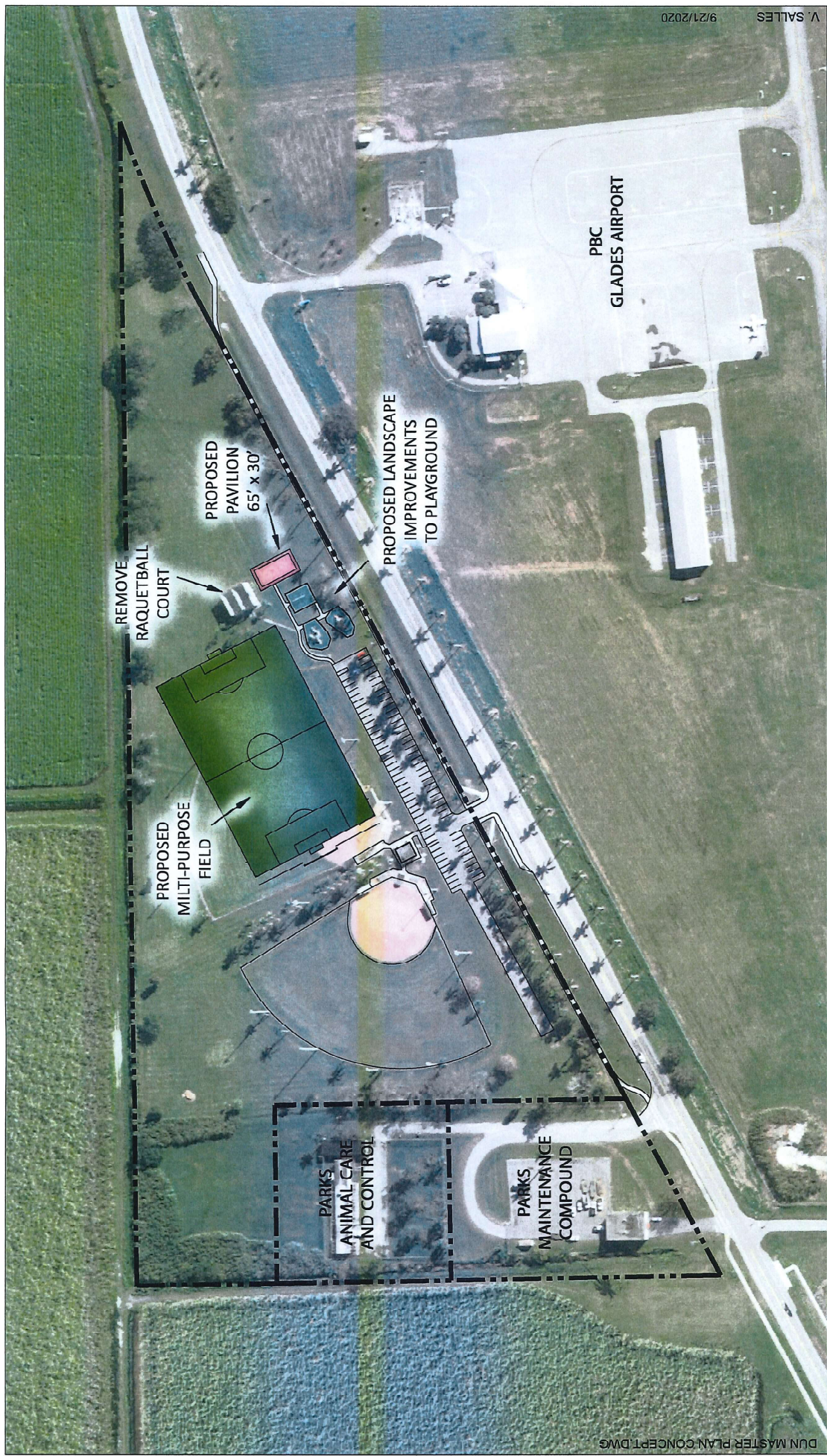
_____	_____
<input type="checkbox"/> <b>Requesting Principal</b>	<b>Date</b>
<input type="checkbox"/> <b>Director of Recreation Services</b>	
.....	

Approve       Disapprove  
 Reason if disapproved: \_\_\_\_\_

_____	_____
<input type="checkbox"/> <b>Principal</b>	<b>Date</b>
<input type="checkbox"/> <b>Director of Recreation Services</b>	



V. SALLES 9/21/2020



DUN MASTER PLAN CONCEPT DWG

DUNCAN PADGETT PARK PAHOKEE, FLORIDA  
**MASTER PLAN - PROPOSED IMPROVEMENTS**  
 PALM BEACH COUNTY PARKS & RECREATION DEPARTMENT - PLANNING, RESEARCH & DEVELOPMENT DIVISION





**Proclamation**  
*Celebrating 100th Birthday*  
*Isabel (Teves) McKinstry*

*Whereas, Ms. Isabel McKinstry was honored by friends and relatives on the occasion of her 101st birthday on Monday, October 11, 2021; and*

*Whereas, Ms. McKinstry was born in Honolulu, Hawaii on October 11, 1920 to Charles and Marion Teves; and*

*Whereas, Ms. McKinstry married William E. McKinstry on June 22, 1942; and*

*Whereas, Ms. McKinstry gave birth to a baby girl name JoAnn McKinstry on March 20, 1944; and*

*Whereas, Around the year of 1946 the McKinstry Family decided to leave Honolulu and move to the States, at that time Hawaii was not yet part of the United States of America. They found themselves settling down in Pahokee, Florida; and*

*Whereas, Upon arrival in Pahokee, they built their home on N. Elm Street, had a son William E McKinstry II and opened a business called Billy's Boats and Motors and a Gas Station which was located across from the Prince Theater; and*

*Whereas, Ms. McKinstry is a survivor of Pearl Harbor and a three (3) time survivor of Breast Cancer. She has been blessed to be surrounded by her daughter, son, three grandchildren and their spouses, nine great grandchildren and their spouses and one great great grandchild that is due in April.*

**NOW, THEREFORE,** be it resolved, on behalf of the City Commission and the Citizens of Pahokee, that by the virtue of the authority vested in me as Mayor of Pahokee do hereby extend this Proclamation of Recognition to Isabel (Teves) McKinstry on the occasion of her 101st Birthday, with sincere congratulations and best wishes for many more happy productive years.

***"Happy 101st Birthday Isabel (Teves) McKinstry"***

*Keith W. Babb, Jr.*  
\_\_\_\_\_  
Mayor Keith W. Babb, Jr.

*Regina Bohlen*  
\_\_\_\_\_  
Vice Mayor Regina Bohlen

*Juan Gonzalez*  
\_\_\_\_\_  
Commissioner Juan Gonzalez

*Clara M. Murvin*  
\_\_\_\_\_  
Commissioner Clara Murvin

*Sara Perez*  
\_\_\_\_\_  
Commissioner Sara Perez