

Palm Beach County League of Cities, Inc.
BOARD OF DIRECTORS MEETING
Wednesday, January 23, 2019, at 10:00 am
Palm Beach International Equestrian Center
Wellington

MINUTES

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

President Anne Gerwig called the meeting to order at 10:00 a.m. The swearing in of Vice Mayor Robert Gottlieb of South Palm Beach to the Board of Directors At Large Representative Seat took place. Debbie Manzo called the roll and a quorum was attained.

Board Members present were Anne Gerwig, Jeff Hmara, Kimberly Glas-Castro, Gail Coniglio (*arrived at 10:09*), Patti Waller, Leondrae Camel, Andy Amoroso, Terence Davis (*arrived at 10:11*), Debbie Manzo, Michael Brown, Shirley Johnson (*arrived at 10:20*), Steve Grant, Ilan Kaufer (*arrived at 10:06*), Maria Marino, Peter Noble (*arrived at 11:09*), Lawrence Gordon (*arrived at 10:06*), Robert Gottlieb.

Past Presidents in attendance were: Robert Shalhoub, Todd Wodraska, Steve Wilson, David Stewart **Absent were:** Scott Maxwell, Tom Lynch, Keith James.

Also in attendance were: Liz Herman, PBC County Attorney’s Office; Joanne Keller PBC Engineering; Charity Lewis, Congresswoman Lois Frankel Office; Andrea Mccue, City of Greenacres; Rick Christmas, Professional Firefighters/Paramedics of Palm Beach County, Inc.; Anna Yeskey, PBC IPARC; Constance Scott, FAU; Chuck Stoddard, League Attorney Jennifer Ashton; League staff Richard Radcliffe, JeRiise Hansen and Aziza Isles.

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

None

3. President’s Welcome

President Gerwig welcomed the Board to the Palm Beach International Equestrian Center in Wellington.

4. Consent Agenda

- a. Approval of the Board of Directors Meeting November 28, 2018 Minutes
- b. Approval of the November and December 2018 Financials
- c. Appointment of Councilwoman Jan Rodusky of Royal Palm Beach and Associate Member Lisa Tropepe of Engenuity Group to the ITE Committee.....

Motion and second to approve the consent agenda. Motion passes unanimously.

5. Miscellaneous Business

a. PBC Right-of-Way Permitting Ordinance

Liz Harman Assistant County Attorney

Joanne Keller, Director of Land Development of PBC Engineering and Public Works

Joanne Keller presented the permitting ordinance and registration ordinance revisions that will affect the county. The Right-of-way Permitting Ordinance enacted in 2008 identifies the need for a permit and the process to do so. In 2016, the state enacted new rules that affect the review and issuance of permits for some wireless utilities that required changes to the ordinance. Changes were made to the ordinance that did not affect public safety. The drafted revision of the ordinance was provided to the board members to review. The PBC Registration Ordinance was updated in 2000 and the new revisions will affect the county's registration process. The goal is to assist county staff with identifying which companies are exempt from paying permit fees because they limit taxes based on what the telecommunications companies collect. The proposed registration ordinance includes registration requirements for all communications companies. The registration process will continue to include a letter indicating the companies information, services they provide, and state/federal certifications etc.

Motion and second to approve the revisions to the Permitting Ordinance & Registration Ordinance. Motion passes unanimously.

b. Appointment to the Issues Forum Executive Committee

Executive Director Richard Radcliffe

Richard Radcliffe mentioned to the board membership that Keith James can no longer lead the Issues Forum Executive Committee. Historically the replacement would be the League's incoming president Jeff Hmara be appointed to the Issues Forum Executive Committee.

Motion and second to appoint Jeff Hmara to the Issues Forum Executive Committee. Motion passes unanimously.

6. Special Presentations

None

7. Committee Reports

a. ITE Committee:

Vice Mayor Lawrence Gordon

Vice Mayor Lawrence Gordon gave a recap of the committee's December 13th meeting involving presentations from: Prime Star, Jeff Industries Inc., and United Way.

The presenters highlighted services their businesses offer in Palm Beach County. PrimeStar Digital Network is a company who can set up Close Captioning and Live Streaming for Cities and take care of all their audio/visual needs. The second presentation was from Jeff Industries Inc., a not-for-profit that supplies signs, benches, and many other items for cities made by persons with mental illness, who they are teaching life improvement skills. They have housing and training facilities to work with those with mental illnesses. Finally, Alexia Savage from United Way presented the services and programs they have that provided services throughout Palm Beach County.

b. Technology Committee:

Executive Director Richard Radcliffe

The Technology Committee met December 11th at the League Office and the presenters were VC3, Gary Resnick, Jaime Titcomb and Joann Skaria. VC3's Sandy Reeser informed committee members that government agencies are the number one target for hackers. He explained the different types of attacks and stressed the importance of an Incident Response Plan. Attorney Gary Resnick, informed members on Florida Legislation and lawsuits concerning the Communications Service Tax and an FCC update. Mr. Resnick touched on Florida Legislation on Small Cell Statute that many feel is unconstitutional due to the mandated timeframe to review and provide a decision on an application. FCCMA's Co-Chair of their Communications Committee, Jaime Titcomb, informed members of his committee's legislative tool kit they are developing for city officials to use these videos and they would be available to cities and presented to the upcoming legislative session. Finally, City of Palm Beach Gardens Grant Manager, Joann Skaria informed us how they received the Department of Economic Opportunity (DEO) grant for technology upgrades. The grant's goal is logistics, developing regional issues, education and integrating individual efforts (ex: mobility fee). She explained the vision of creating a smart and connecting region, which they are doing by collaborating with 10 municipalities in Northern Palm Beach County along with several businesses (Northern Palm Beach Chamber of Commerce, PB TPA).

c. PBC Legislative Delegation Workshop Report

President Anne Gerwig

Anne Gerwig gave a recap of the meeting and the home rule issues discussed at the PBC Legislative Delegation Workshop held on January 17, 2019. The League Committee members highlighted the different Home Rule issues that impacted communities within Palm Beach County. Jeff Hmara highlighted the issues with water quality and septic tanks; Patti Waller spoke on Annexation; Andy Amoroso focused on Sober Homes; Kim Glas-Castro spoke about CRAs; and Scott Maxwell highlighted Vacation Rentals. Board members further discussed and commented on the Legislative Delegation Workshop.

8. Legal Report

League Attorney Jennifer Ashton, Esq.

League Attorney Jennifer Ashton brought one case and two attorney general opinions before the board membership to keep in mind if they are approached with similar cases within their municipalities. In the Vale v. Palm Beach County case the appellants purchased homes in a planned unit development adjacent to a golf course that they do not legally own. After the golf course failed, its owner attempted to rezone the property for residential development. The appellants sued the county for damages under the Bert J. Harris Private Property Rights Protection Act alleging the zoning approval inordinately burdened their properties in that it diminished property value. The Act defines a "property owner" as "the person who holds legal title to the real property that is the subject of and directly impacted by the action of a governmental entity." Therefore, the appellants did not have a winning case. The Florida Attorney General's Opinion from December 21, 2018 regarding Municipalities, Vacation Rentals & Dwelling Units was that a "sleeping facility," without more such as a permanent area for food preparation, is not a "house or dwelling unit" sufficient to constitute a "vacation rental" under §509.242(1) (c). The Florida Attorney General on January 7, 2019 addressed whether an advisory group formed by a Mayor is subject to the public meetings law (Sunshine Law). Advisory groups

appointed by a single public official are not immunized from the public meetings requirements. The nature of their functions, rather than the manner of their appointment, must be scrutinized to determine whether the Sunshine Law applies.

9. Executive Director’s Report

Executive Director Richard Radcliffe

The Executive Director Richard Radcliffe mentions to membership the nomination form the for Executive Board, highlighted past meetings attended such as the ITE Committee meeting held on December 3th and Technology Committee held on December 11th. He highlighted the Elected Officials workshop in Palm Beach Gardens on April 24th and asked membership if they have suggestions for topics to contact our office. The FLC is preparing for the legislation session and a conference call will be held on February 1st as well as a webinar on February 28th.

10. Member Comments

Members gave feedback on the recent Legislative Workshop held at FAU on January 17, 2019.

11. Meeting Announcements: (Mark your Calendar)

- a. Texting and Public Records, What You Need to Know, Jay Daigneault January 23rd
- b. Fast Fly-In, Washington D.C.....February 12-13
- c. Board of Directors Meeting, Atlantis Country Club, Atlantis (District 3 Small Cities: Atlantis, Golf, Hypoluxo, Lantana, Manalapan, South Palm Beach)..... 10:00 a.m., February 27th
- d. General Membership Meeting, Atlantis Country Club, Atlantis (District 3 Small Cities: Atlantis, Golf, Hypoluxo, Lantana, Manalapan, South Palm Beach)..... Noon, February 27th

(RSVP Required for all events)

12. Adjournment-

The Board adjourned at 11:20 a.m.