

Palm Beach County League of Cities, Inc.
BOARD OF DIRECTORS MEETING
Wednesday, February 27, 2019, at 10:00 am
Atlantis Country Club
Atlantis

MINUTES

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

President Anne Gerwig called the meeting to order at 10:00am. Debbie Manzo called the roll and a quorum was attained.

Board Members present were: Anne Gerwig, Kimberly-Glas-Castro, Gail Coniglio (*arrived at 10:01*), Patti Waller, Leondrae Camel, Andy Amoroso, Terence Davis (*arrived at 10:07*), Debbie Manzo, Michael Brown, Steve Grant (*arrived at 10:18*), Ilan Kaufer, Maria Marino, Peter Noble, Lawrence Gordon, Robert Gottlieb **Absent were:** Jeff Hmara, Shirley Johnson

Past Presidents in attendance were: David Stewart (*arrived at 10:01*), Bev Smith
Absent were: Robert Shalhoub, Steve Wilson, Scott Maxwell, Todd Wodraska, Tom Lynch, Keith James

Also in attendance were: Rick Christmas, Professional Firefighters/Paramedics of PBC; Reginald K. Duren, Fire Chief; Nancy Bolton Assistant County Administrator; Pamela Guerrier, Director of Palm Beach County Office of Equal Opportunity; Jessica Savage, Project Manager City of Lake Worth; Charity Lewis, Congresswoman Lois Frankel Office; Danna Ackerman-White, Office of PBC Vice Mayor Dave Kerner; Chuck Stoddard; David Ottey, Chief Assistant County Attorney; League Attorney Jennifer Ashton and Keith Davis; 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 Atlantis Country Club in Atlantis.

4. Consent Agenda

- a. Approval of the Board of Directors Meeting January 23, 2019 Minutes
- b. Approval of the January 2019 Financials
- c. FLC Nominating Committee Recommendation: Councilmember Patti Waller, Palm Springs
- d. Approval of Associate Member Application – Child Rescue Coalition.....
Sponsored by Mayor Scott Singer, City of Boca Raton

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

5. Miscellaneous Business

- a. PBC Housing & Places of Public Accommodation Ordinance
David Ottey Chief Assistant County Attorney
Pamela Guerrier, Director of PBC Office of Equal Opportunity

PB County Attorney David Ottey informed for the board of the drafted revision of the Housing and Places of Public Accommodation Ordinance which was established in 1990 to protect the interest of its citizens regarding fair treatment and equal opportunity and access in housing and public accommodation. The ordinance was last amended in 2015, to expand the definition of a Place of Public Accommodation to provide additional coverage for aggrieved persons. However, the definition for “sexual orientation” is inconsistent with the definition in the Equal Employment Ordinance. Furthermore, the definition of “aggrieved person” did not refer to places of public accommodation. In addition, a provision was made for the Fair Housing Board to review proposals and make recommendations on the award of grant funds. In order to be consistent with Florida Statutes, Repealing the Palm Beach County Physically Disabled Parking Space Ordinance (92-29) and Resolution R-92-1890 is necessary since the County is no longer receiving funds to be used for accessibility programs.

Motion and second of no objection to approve the revisions to the PBC Housing & Places of Public Accommodation Ordinance. Motion passes unanimously.

6. Special Presentations

None

7. Committee Reports

- a. **Fire Service Committee:**

Town Manager Debbie Manzo

Town Manager Debbie Manzo gave a recap of the committee’s January 28th meeting held at the Lantana Council Chambers involving a presentation by PBCFR: Mobile Integrated Health. The Mobile Integrated Health program is a newer program for Palm Beach County that they are using to accommodate repeat transports. The PBCFR hired social workers and additional staff to handle the high volume of 911 calls and assist in reducing the repetitive calls. Other actions taken are to educate residents on accident-prone living conditions as well providing material to residents informing them of ways to stay out of the emergency rooms. The next committee meeting is scheduled for April 22nd at the Lantana Council Chambers.

b. Nominating Committee:

President Anne Gerwig

President Gerwig names the members of the Nominating Committee Council Member Robert Shalhoub, Mayor Steve Wilson, Vice Mayor Pro Tem Scott Maxwell, Mayor Todd Wodraska, Mayor David Stewart, Mayor Bev Smith, and Commissioner Keith James. The Nominating Committee members will meet on March 15th to select the new PBC League of Cities' board members.

c. Fast Fly-In

Executive Director Richard Radcliffe

Executive Director Richard Radcliffe gave membership a recap of the Fast Fly-In held in Washington D.C. February 12-13th. He mentioned the board members in attendance: Scott Maxwell; Steve Wilson; Andy Amoroso, and they met with Senator Marc Rubio, Congressman Brian Mast, Congresswoman Debbie Wasserman Schultz and other legislative representatives. Members of HUD were present and were able to discuss the issues immediately affecting Florida. Newly elected officials that were present were interested in the issues plaguing Florida but were unaware of them. PBC League of Cities members in attendance were able to enlighten attendees of the priority issues Florida faces regarding FEMA, HUD, Water Quality, Vacation Rentals, and Sober homes.

8. Legal Report

League Attorney Jennifer Ashton, Esq.

League Attorney Jennifer Ashton brought two cases before the board membership involving vacation rentals and ministerial duties. The first case involves the City of Miami v. AirBnb where the City of Miami had an ordinance on the books since 2009 that only allowed residential uses consisting of "predominantly permanent housing" in the T3 Zone. The City's planning Director testified that the T3 Zone was reserved for permanent housing and did not permit transient lodging like vacation or short-term rentals. The statutory preemption only applied to regulations on short-term rentals that were adopted after June 1, 2011; therefore, the City's regulation was grandfathered. The City's code revision in 2016 did not eliminate its grandfathered status because the 2016 language on permanent housing remained identical to the 2009 version. In regards to the First Amendment issue, the City Manager made comments at a public meeting that all those who spoke out against the City's prohibition on short-term rentals in the T3 Zone were "now on notice" & the City would be looking at their properties for code enforcement violations. Airbnb and the property owners argued to the trial court that these statements infringed on free speech. The trial court agreed and issued an injunction where members of the public do not have to provide their names and addresses when making a public comment. The Fourth DCA reversed the injunction order mentioning that it did not infringe First Amendment rights. The Court held that providing your name and address to complete a public comment creates an orderly process and let's elected officials know if the speaker is a resident who will be impacted by the government or not.

The second case involving the City of Jacksonville Beach v. BCEL 4 where the city appealed an order from the circuit court granting a petition for writ of mandamus in favor of a developer. The First DCA reversed the order granting mandamus relief. The court held that the developer failed to establish that the City's decision to approve or deny its concept plan for plat application was a ministerial one.

9. Executive Director’s Report

Executive Director Richard Radcliffe

Executive Director Richard Radcliffe congratulates Patti Waller on her approved recommendation to the FLC Nominating Committee. He goes on to remind membership to pick up their gas tax maps and to give to their Public Works/City Engineer. Also, he highlighted upcoming events & meetings. The PBC Days March 5^{th-6} in Tallahassee, FL. The Legislative Action Days March 26-27 and reminds membership that the monthly meeting was moved up to March 20th due to accommodate the upcoming Legislative Action Days. The Executive Director concludes his report by mentioning the League’s Strategic Plan & Social Media Policy. He goes onto gather a consensus from board members regarding champagne being served at the 50th installation, where everyone agreed with the suggestion of apple cider/ginger ale to be provided for those who may not want to drink champagne.

10. Member Comments

Members gave feedback on the upcoming elections, upcoming municipal events, and other topics.

11. Meeting Announcements: (Mark your Calendar)

- a. Board of Directors Meeting, Community Center, Greenacres..... 10:00 a.m., March 20th
- b. General Membership Meeting, Community Center, Greenacres.....Noon, March 20th

(RSVP Required for all events)

12. Adjournment-

The Board adjourned at 11:10 a.m.