

**AGENDA  
CITY OF SOUTH BAY  
CITY WORKSHOP  
CITY COMMISSION CHAMBERS  
MARCH 21, 2017 @ 6:30 P.M.**

*South Bay, the Crossroads of South Florida,  
We envision a sustainable economy, Let Us Grow Together*

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**NOTICE:** If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and for that purpose, he/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, pursuant to F.S. 286.01055. The City of South Bay does not prepare or provide such records.

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1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION**
  - 3a. McKinley Financial – Health Insurance Renewal Options
  - 3b. Agenda Items – March 21, 2017 Regular Meeting
4. **ADJOURNMENT**

**AGENDA  
CITY OF SOUTH BAY, FLORIDA  
REGULAR CITY MEETING  
CITY COMMISSION CHAMBERS  
MARCH 21, 2017 @ 7:00 P.M.**

*South Bay, the Crossroads of South Florida,  
We envision a sustainable economy, Let Us Grow Together*

.....  
**NOTICE:** If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and for that purpose, he/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, pursuant to F.S. 286.01055. The City of South Bay does not prepare or provide such records.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the City Clerk's Office at 561-996-6751 no later than 2 days prior to the hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).

Any citizen of the audience wishing to appear before the City Commission to speak with reference to any agenda item must complete their "Request for Appearance and Comment" card and present completed form to the City Clerk.  
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- 1. CALL TO ORDER, ROLL CALL; MOMENT OF SILENCE, PLEDGE OF ALLEGIANCE**
- 2. DISCLOSURE OF VOTING CONFLICTS**
- 3. PRESENTATIONS/PROCLAMATIONS**

**3a. RESOLUTION 74-2017**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA ADOPTING THE CERTIFIED RESULTS OF THE MARCH 14, 2017 MUNICIPAL ELECTION RELATED TO THE CITY OF SOUTH BAY; PROVIDING FOR AN EFFECTIVE DATE.

**3b. Oath to Office**

- Seat #1 – Esther E. Berry
- Seat #3 – Taranza McKelvin
- Seat #5 – John Wilson

**3c. Appointment of officials; Motion Required**

- Mayor
- Vice-Mayor
- City Treasurer
- City Attorney
- City Clerk

**3d. Approval of Proclamation – American Red Cross**

**3e. Discussion/take action on Park of Commerce 98Acres**

4. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION**

5. **CONSENT AGENDA**

All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which the item will be removed from the general order of business and considered in its normal sequence on the Agenda.

5a. Approval of City Meeting Minutes - February 07, 2017 City Workshop  
Regular City Meeting

5b. Approval of City Meeting Minutes - February 21, 2017 City Workshop  
Regular City Meeting

6. **RESOLUTIONS – (Non- Consent) and Quasi-Judicial Hearing, if applicable)**

7. **ORDINANCE – SECOND AND FINAL READING**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, IMPOSING A MORATORIUM ON THE ACCEPTANCE OF NEW APPLICATIONS AND ON THE ISSUANCE OF CITY PERMITS OR APPROVALS FOR PENDING APPLICATIONS, FOR THE INSTALLATION OF ABOVE-GROUND "WIRELESS COMMUNICATIONS FACILITIES" WITHIN ANY CITY RIGHTS-OF WAY OR WITHIN ANY EASEMENTS ADJACENT TO CITY RIGHTS-OF-WAY; PROVIDING THAT SAID MORATORIUM SHALL BE IN EFFECT UNTIL JULY 31, 2017, UNLESS OTHERWISE MODIFIED OR EXTENDED BY THE CITY COMMISSION; FURTHER DIRECTING CITY STAFF TO UNDERTAKE A COMPREHENSIVE REVIEW OF THE CITY'S EXISTING COMMUNICATIONS FACILITIES REGISTRATION, PERMITTING AND INSTALLATION CODES WITH AN EMPHASIS ON ENSURING THE PROTECTION OF VEHICULAR AND PEDESTRIAN TRAFFIC WITHIN AND ALONG CITY RIGHTS-OF-WAY, ENSURING THE PROTECTION OF RESIDENTIAL PROPERTIES ALONG CITY RIGHTS-OF-WAY, AND COMPLIANCE WITH FEDERAL AND STATE REQUIREMENTS INCLUDING BUT NOT LIMITED TO THE TELECOMMUNICATIONS ACT OF 1996, AND SECS. 337.401 AND 365.172, FLORIDA STATUTES; PROVIDING FOR CONTINUATION, EXTENSION OR TERMINATION OF SAID MORATORIUM; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

8. **ROSENWALD ELEMENTARY SCHOOL**

9. **FINANCE REPORT**

9a. Accounts Payable Report

10. **CITY CLERK REPORT**

10a. Next City Commission Meeting – April 04, 2017

11. **CITY MANAGER REPORT**

**12. CITY ATTORNEY REPORT**

**13. FUTURE AGENDA ITEMS**

**14. COMMISSIONER COMMENTS/FOR THE GOOD OF THE ORDER**

**15. ADJOURNMENT**

## RESOLUTION 74-2017

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA ADOPTING THE CERTIFIED RESULTS OF THE MARCH 14, 2017 MUNICIPAL ELECTION RELATED TO THE CITY OF SOUTH BAY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of South Bay ("City") held a Municipal General Election on March 14, 2017 for Commission Seat 3; and

WHEREAS, Commissioner Taranza McKelvin was re-elected to Seat 3 to serve a three year term; and

WHEREAS, on March 17, 2017, the Palm Beach County Canvassing Board certified the results of the City of South Bay Municipal General Election held on March 14, 2017; and

WHEREAS, the City Commission of the City of South Bay hereby desires to adopt the certified results of the March 14, 2017 municipal election.

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

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

**Section 2.** Adoption of Certified Election Results. The City Commission of the City of South Bay hereby adopts the election results for the March 14, 2017 City of South Bay Municipal General Election for Commission Seat 3, certified by the Palm Beach County Canvassing Board, as more specifically set forth in Exhibit "A" hereto.

**Section 3.** This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 21<sup>st</sup> day of March 2017.

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Joe Kyles, Mayor

Seat THREE - SOUTH BAY

		Registered	Ballots Cast	Turnout (%)	Betty Barnard	Taranza McKevin	Over Votes	Under Votes						
6018	TC-Absentee	1471	83	5.64	46	37								
6018	TC-Early Voting	1471	0	0.00										
6018	TC-Early Voting ADA	1471	0	0.00										
6018	TC-Precinct	1471	210	14.28	96	114								
6018	TC-Precinct ADA	1471	0	0.00										
6018	TC-Provisional	1471	0	0.00										
6018	Total	1471	293	19.92	142	151								
SOUTH BAY	TC-Absentee	1471	83	5.64	46	37								
SOUTH BAY	TC-Early Voting	1471	0	0.00										
SOUTH BAY	TC-Early Voting ADA	1471	0	0.00										
SOUTH BAY	TC-Precinct	1471	210	14.28	96	114								
SOUTH BAY	TC-Precinct ADA	1471	0	0.00										
SOUTH BAY	TC-Provisional	1471	0	0.00										
SOUTH BAY	Total	1471	293	19.92	142	151								
Total - TC-Absentee		1471	83	5.64	46	37								
Total - TC-Early Voting		1471	0	0.00										
Total - TC-Early Voting ADA		1471	0	0.00										
Total - TC-Precinct		1471	210	14.28	96	114								
Total - TC-Precinct ADA		1471	0	0.00										
Total - TC-Provisional		1471	0	0.00										
Contest Total		1471	293	19.92	142	151								

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
SUSAN BUCHER, SUPERVISOR OF ELECTIONS,  
DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY  
OF THE RECORDS ON FILE IN THIS OFFICE.  
WITNESS MY HAND AND SEAL, THIS 17<sup>th</sup> DAY OF  
March, 2017

SUSAN BUCHER  
SUPERVISOR OF ELECTIONS  
PALM BEACH COUNTY, FLORIDA  
BY Charmaine A. Kelly  
Chief Deputy

# PALM BEACH

## OFFICIAL RESULTS Cumulative Totals

MUNI\_2017\_E  
March 14, 2017

### REGISTRATION & TURNOUT PALM BEACH

Completed Precincts	280 of 280
Total Registration	320,434
Precinct Ballots Cast	29,859 9.32%
Precinct ADA Ballots Cast	1 0.00%
Absentee Ballots Cast	14,331 4.47%
Early Voting Ballots Cast	0 0.00%
Early Voting ADA Ballots Cast	0 0.00%
Provisional Ballots Cast	50 0.02%

### Seat B - BELLE GLADE

Completed Precincts	6 of 6
Under Votes:	0
Over Votes	0
- Yousef Musiel	124 11.91%
- Steve B Wilson	917 88.09%

### Mayor 3Yr - BOCA RATON

Completed Precincts	38 of 38
Under Votes	122
Over Votes	1
- Susan Haynie	6,452 54.76%
- Alfred Zucaro	5,331 45.24%

### City Council Seat A 3Yr - BOCA RATON

Completed Precincts	38 of 38
Under Votes	491
Over Votes	3
- Scott Singer	8,095 70.93%
- Patty Derush	3,317 29.07%

### City Council Seat B 3Yr - BOCA RATON

Completed Precincts	38 of 38
Under Votes:	291
Over Votes:	8
- Emily Gentile	1,372 11.82%
- Andreea Levine	5,614 48.37%
- Andy Thomson	4,621 39.81%

### City Commissioner District 2 - BOYNTON BEACH

Completed Precincts	7 of 7
Under Votes:	1
Over Votes	0
- James "Jim" DeVoursney	475 38.24%
- Woodrow L. Hay	187 15.05%
- Mack McCray	580 46.70%

### Commission Member Seat 2 3Yr - DELRAY BEACH

Completed Precincts	36 of 36
Under Votes	64
Over Votes:	6
- Richard Altous	506 8.01%
- Kelly Barrella	1,788 28.31%
- Anneze Barthelmy	488 7.73%
- Jim Chaid	3,533 55.95%

### Commission Member Seat 4 3Yr - DELRAY BEACH

Completed Precincts	36 of 36
Under Votes:	340
Over Votes:	7
- Shirley Johnson	4,384 63.75%
- Josh Smith	2,189 36.25%

### Mayor - GREENACRES

Completed Precincts	16 of 16
Under Votes:	6
Over Votes:	3
- Jbelle Flores	913 54.90%
- Jonathan G. Pearce	750 45.10%

### Council District V - GREENACRES

Completed Precincts	16 of 16
Under Votes	29
Over Votes	2
- Michael Albert	323 19.68%
- Paula Bousquet	862 52.53%
- Bill Kluth	456 27.79%

### Town Commission - GULF STREAM

Completed Precincts	1 of 1
Under Votes	195
Over Votes	5
- Paul A. Lyons, Jr.	307 18.06%
- Julio W. Martinez	112 6.59%
- Scott W. Morgan	319 18.76%
- Martin E. O'Boyle	26 1.53%
- John K. Ottwein	312 18.35%
- Thomas M. Stanley	317 18.65%
- Donna Sawhite	307 18.06%

### Mayor/Commissioner - HIGHLAND BEACH

Completed Precincts	3 of 3
Under Votes:	20
Over Votes:	0
- Ron Brown	502 45.05%
- Carl Feldman	612 54.94%

# PALM BEACH

## OFFICIAL RESULTS

MUNI\_2017\_E  
March 14, 2017

Cumulative Totals

<p>Commissioner 3Yr - HIGHLAND BEACH</p> <p>Completed Precincts 3 of 3</p> <p>Under Votes 22</p> <p>Over Votes 0</p> <p>- Barry Donaldson 511 45.95%</p> <p>- Rhoda Zeiniker 601 54.05%</p>	<p>Second District - JUPITER</p> <p>Completed Precincts 29 of 29</p> <p>Under Votes 117</p> <p>Over Votes 0</p> <p>- Ron Delaney 2,222 49.38%</p> <p>- Heidi Epstein 498 11.07%</p> <p>- Ben Klug 1,780 39.56%</p>	<p>Commissioner District #2 - LAKE WORTH</p> <p>Completed Precincts 17 of 17</p> <p>Under Votes 25</p> <p>Over Votes 0</p> <p>- Omar Hardy 1,251 50.75%</p> <p>- William Joseph 220 8.92%</p> <p>- Christopher W. McVoy 994 40.32%</p>
<p>Commissioner 2Yr - HIGHLAND BEACH</p> <p>Completed Precincts 3 of 3</p> <p>Under Votes 36</p> <p>Over Votes 1</p> <p>- Melissa Ebbs 468 42.66%</p> <p>- Carl Lee Gelman 102 9.30%</p> <p>- Elyse Riessa 527 48.04%</p>	<p>Group 2 - LAKE CLARKE SHORES</p> <p>Completed Precincts 2 of 2</p> <p>Under Votes 0</p> <p>Over Votes 0</p> <p>- Malcom K. Lewis 148 39.26%</p> <p>- Paul R. Shalhoub 229 60.74%</p>	<p>Commissioner District #4 - LAKE WORTH</p> <p>Completed Precincts 17 of 17</p> <p>Under Votes 151</p> <p>Over Votes 0</p> <p>- Maryann Polizzi 894 38.22%</p> <p>- Herman Robinson 1,221 52.20%</p> <p>- Ellie Whitley 224 9.58%</p>
<p>Mayor - HYPOLUXO</p> <p>Completed Precincts 2 of 2</p> <p>Under Votes 0</p> <p>Over Votes 0</p> <p>- David Kapina 149 42.09%</p> <p>- Michael C. Brown 205 57.91%</p>	<p>For Mayor - LAKE PARK</p> <p>Completed Precincts 5 of 5</p> <p>Under Votes 16</p> <p>Over Votes 0</p> <p>- Steve Hockman 208 36.11%</p> <p>- Michael O'Rourke 368 63.89%</p>	<p>City of Lake Worth - Question</p> <p>Completed Precincts 17 of 17</p> <p>Under Votes 193</p> <p>Over Votes 0</p> <p>YES 1,267 55.16%</p> <p>NO 1,030 44.84%</p>
<p>First District - JUPITER</p> <p>Completed Precincts 29 of 29</p> <p>Under Votes 74</p> <p>Over Votes 0</p> <p>- Teri Grooms 1,519 33.44%</p> <p>- Wayne R. Posner 2,442 53.75%</p> <p>- Carol "CD" Waisson 582 12.81%</p>	<p>Commissioner - LAKE PARK</p> <p>Completed Precincts 5 of 5</p> <p>Under Votes 12</p> <p>Over Votes 1</p> <p>- Hollis Langer 56 9.67%</p> <p>- Lawrence "Larry" Malanga 73 12.61%</p> <p>- Charlemagne Metayer 187 32.30%</p> <p>- Roger Michaud 263 45.42%</p>	<p>Councilmember Group No 3 - LANTANA</p> <p>Completed Precincts 5 of 5</p> <p>Under Votes 6</p> <p>Over Votes 0</p> <p>- Tom Deringer 260 49.81%</p> <p>- Edward Paul Shropshire 262 50.19%</p>



# PÁLM BEACH

## OFFICIAL RESULTS

MUNI\_2017\_E  
March 14, 2017

### Cumulative Totals

Councilmember Group No 4 - LANTANA

Completed Precincts 5 of 5  
Under Votes 11  
Over Votes 0  
- Philip J Aridas 294 56.87%  
- Suzanne Gordon 223 43.13%

Palm Beach Shores Question 1  
Completed Precincts 1 of 1  
Under Votes 1  
Over Votes 0  
FOR BONDS: 224 64.37%  
AGAINST BONDS 124 35.63%

Palm Beach Shores Question 5  
Completed Precincts 1 of 1  
Under Votes 12  
Over Votes 1  
YES 114 33.93%  
NO 222 66.07%

Council Seat #5 - LOXAHATCHEE GROVES

Completed Precincts 1 of 1  
Under Votes 0  
Over Votes 0  
- David DeMarois 240 52.06%  
- Tom Goltzene 221 47.94%

Palm Beach Shores Question 2  
Completed Precincts 1 of 1  
Under Votes 5  
Over Votes 0  
YES 284 82.56%  
NO 60 17.44%

Group 2 - NORTH PALM BEACH  
Completed Precincts 13 of 13  
Under Votes 0  
Over Votes 0  
- Susan Tiedemann Bickel 971 75.56%  
- Brent Keller 314 24.44%

Loxahatchee Grove Question

Palm Beach Shores Question 3

Town Commissioner - OCEAN RIDGE

Completed Precincts 1 of 1  
Under Votes 15  
Over Votes 0  
FOR BONDS 264 59.19%  
AGAINST BONDS 182 40.81%

Completed Precincts 1 of 1  
Under Votes 9  
Over Votes: 1  
YES 149 43.95%  
NO 190 56.05%

Completed Precincts 1 of 1  
Under Votes 98  
Over Votes 2  
- Richard Bajakian 164 18.22%  
- James A. Bonfiglio 249 27.67%  
- Don Magruder 319 35.44%  
- Nan Yabloug 168 18.67%

Palm Beach Gardens - Annexation 1228

Palm Beach Shores Question 4

Group 1 - PALM BEACH GARDENS

Completed Precincts 1 of 1  
Under Votes 0  
Over Votes 0  
FOR ANNEXATION 207 92.41%  
AGAINST ANNEXATION 17 7.59%

Completed Precincts 1 of 1  
Under Votes 9  
Over Votes: 1  
YES 150 44.25%  
NO 189 55.75%

Completed Precincts 50 of 50  
Under Votes 299  
Over Votes 0  
- Mark T. Marciano 4,101 66.37%  
- Michael Paolercio 2,078 33.63%

# PALM BEACH

## OFFICIAL RESULTS Cumulative Totals

MUNI\_2017\_E  
March 14, 2017

### Group 3 - PALM BEACH GARDENS

Completed Precincts	50 of 50
Under Votes	336
Over Votes	1
- Ron Berman	1,918 31.23%
- Kathryn 'Kaite' Gellinger	1,139 18.55%
- Matthew Jay Lane	3,084 50.22%

### Group #4 - ROYAL PALM BEACH

Completed Precincts	24 of 24
Under Votes	49
Over Votes	1
- Renatta Adan-Espinoza	455 28.74%
- Ian Rodusky	1,128 71.26%

### Group 5 - PALM BEACH GARDENS

Completed Precincts	50 of 50
Under Votes	147
Over Votes	0
- Kevin Easton	578 9.13%
- Rachelle Lilt	2,315 36.57%
- Joseph R. Russo	2,175 34.35%
- George A. Wicker	1,263 19.95%

### Seal THREE - SOUTH BAY

Completed Precincts	1 of 1
Under Votes	0
Over Votes	0
- Betty Barnard	142 48.46%
- Taranza McKeelvin	151 51.54%

### Council District 1 - PALM SPRINGS

Completed Precincts	21 of 21
Under Votes	0
Over Votes	0
- Dawn Marie Cox	164 54.85%
- Douglas Gunther	135 45.15%

### Group #2 - ROYAL PALM BEACH

Completed Precincts	24 of 24
Under Votes	8
Over Votes	1
- Dave Swift	807 49.69%
- Richard Valuntas	817 50.31%

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
I, SUSAN BUCHER, SUPERVISOR OF ELECTIONS,  
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY  
OF THE RECORDS ON FILE IN THIS OFFICE.  
WITNESS MY HAND AND SEAL, THIS March, 20 17.

SUSAN BUCHER  
SUPERVISOR OF ELECTIONS  
PALM BEACH COUNTY, FLORIDA  
BY: *[Signature]*

**CITY SOUTH BAY**  
**PROCLAMATION**

**DECLARING MARCH 2017 AS  
AMERICAN RED CROSS MONTH**

*WHEREAS*, In the City of South Bay, we have a long history of helping our neighbors in need. American Red Cross Month is a special time to recognize and thank our heroes – those Red Cross volunteers and donors who give of their time and resources to help community members.

*WHEREAS*, these heroes help families find shelter after a home fire. They give blood to help trauma victims and cancer patients. They deliver comfort items to military members in the hospital. They use their lifesaving skills to save someone from a heart attack, drowning or choking. They enable children around the globe to be vaccinated against measles and rubella.

*WHEREAS*, the American Red Cross depends on local heroes to deliver help and hope during a disaster. We applaud our heroes here in the City of South Bay give of themselves to assist their neighbors when they need a helping hand.

*WHEREAS*, across the country and around the world, the American Red Cross responds to disasters big and small. In fact, every eight minutes the organization responds to a community disaster, providing shelter, food, emotional support and other necessities to those affected. It collects nearly 40 percent of the nation's blood supply; provides 24-hour support to military members, veterans and their families; teaches millions lifesaving skills, such as lifeguarding and CPR; and through its Restoring Family Links program, connects family members separated by crisis, conflict or migration.

*WHEREAS*, we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

*NOW, THEREFORE*, I, Joe Kyles Mayor of the City of South Bay by virtue of the authority vested in me by the Constitution and laws of the City South Bay and Florida do hereby proclaim March 2017 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

*IN WITNESS WHEREOF*, I have hereunto set my hand this 21<sup>st</sup> day of March, in the year of our Lord two thousand seventeen, and of the City of South Bay.

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Joe Kyles, Mayor

ATTESTED BY:

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Jessica Figueroa, City Clerk

**City of South Bay  
City Workshop  
February 07, 2017**

A City Workshop of the City Commission of the City of South Bay, Florida was called to order by Mayor Joe Kyles in the Commission Chambers at 335 S.W. 2<sup>nd</sup> Avenue, South Bay, Florida on February 07, 2017 at 6:30 p.m.

**Present:**

Mayor Joe Kyles  
Vice-Mayor John Wilson  
Commissioner Esther E. Berry  
Commissioner Taranza McKelvin

**Staff:**

Burnadette Norris-Weeks, City Attorney  
Leondrae Camel, City Manager  
Jessica Figueroa, City Clerk  
Edgar Kerr, Public Works Director

Mayor Kyles mentioned discussion of the regular agenda items. He mentioned the certificates of recognition for the Oratorical winning contestants under proclamations. He thanked Commissioner Berry and Commissioner McKelvin for being involved with the Oratorical contest.

Mayor Kyles mentioned discussion of 5a. approval of city minutes for January 03rd and 17th 2017. Commissioner Berry had an observation on page 3385, adding "Berry" after Commissioner, in the second paragraph. The City Clerk stated that she would make the correction to the January 17, 2017 city minutes.

Mayor Kyles mentioned discussion of Resolution 68-2017.

The City Clerk read Resolution 68-2017 for the record.

A resolution of the city commission of the City of South Bay, Florida, authorizing the Mayor and City Manager to execute an agreement for emergency information technology services with Coastal Network Solutions, LLC for technical support of the City's computer network; providing an effective date

The City Manager stated that the city's informational system was looking forward with moving with the purchase of \$1,500 with Coastal Network Solutions and stated that the "they" are currently providing for the City of Pahokee's IT services. He said that the city had external influences with the city's system within the City.

Vice-Mayor Wilson asked "who would monitor the technology services". The City Manager said that there would be someone "in house" working with our systems now, however it would be the information technology working within itself. Vice-Mayor Wilson asked if there were three bids for this service. The City Manager said that the company was currently working with the City of Pahokee and said that staff did not go out for the three bids. He said that there was situation that was going on with the city's technology system and requested to move forward with an emergency purchase. The City Manager clarified that the \$1,500.00

per month and the \$90.00 per hour was for anything that was not in the scope of work. The City Attorney requested to offer a supplement to Article 4.1 (per month) behind "managed IT services".

Commissioner Berry stated that she had a reservation on approving due to the item not being placed out to bid. The City Manager stated that the city was protected under a procurement policy for emergency purchases.

Mayor Kyles mentioned discussion of Resolution 69-2017.

The City Clerk read Resolution 69-2017 for the record.

A resolution of the City Commission of the City of South Bay, Florida, authorizing the sale of a parcel of city-owned land, as more specifically described in exhibit "A" attached hereto, to Palm Beach County Housing Authority, for the amount of two hundred and fifty thousand dollars (\$250,000.00); authorizing the city manager and the Mayor to execute all necessary documents, including the purchase and sale agreement set forth in exhibit "B"; authorizing the City Clerk to record and transmit all documents necessary for the sale of the property; Providing for an effective date.

The City Manager stated that the commission requested that staff seek an appraisal of 845 Palm Beach Road for fair market value and the price came back at \$250,000.00. He said that the Commission also instructed staff to create a purchase/sale agreement with Palm Beach County Housing Authority. He stated that staff was requesting approval of Resolution 69-2017.

Larry Greenberg, Vice-President of Development with Palm Beach County Housing Authority made a comment on the new South Bay Villas. He also introduced Joe Glucksman, President of McCurdy Senior Housing. Mr. Greenberg stated that Palm Beach County Housing Authority had teamed up with McCurdy group. He said that the development that was being built had been keeping up with everything that was being proposed for the last years. He said that the redevelopment of the south bay villas property was in conjunction with the redevelopment of Marshall Heights. He said that 845 Palm Beach Road was to be the main hub of that community and the management office. He said that there will be a separate entrance for the fortin center (daycare).

Mr. Glucksman stated that the site plan approval had went through this past year and stated that the offset for preliminary closing was scheduled for February 28, 2017 and final closing scheduled for March 02, 2017. He said that "they" are scheduled to be heard before the Palm Beach County Housing Finance Authority on Friday, February 10, 2017. Mr. Glucksman said that all of their efforts had been sanctioned by the HUD office and had gained approval for their demo disposition application. Mr. Glucksman also stated that their subsidy laying review passed with flying colors, which allows vouchers that would go into helping support residents of the subdivision living area.

Commissioner McKelvin asked a question in reference to the old community center. He asked if the building was to be torn down or remodeled. Mr. Glucksman stated that they would strip it down and remodeling the current structure.

Commissioner McKelvin asked "what is the square footage of the building". The City Manager responded that the building was exactly 4,440 square feet. The City Manager also clarified that "they" were also purchasing the property as is, at market value.

Mayor Kyles mentioned discussion of Resolution 70-2017. The City Clerk read Resolution 70-2017 for the record, a Resolution of the City Commission of the City of South Bay, Florida, approving an extension to the external audit services agreement with HCT Certified Public Accountants and Consultants, LLC (HCT) until September 30, 2018; providing and effective date.

The City Manager recommended that the City Commission exercise an extension provision set forth relating to the contract with HCT certified public accountants and consultants, LLC.

Mayor Kyles mentioned discussion of Resolution 71-2017. The City Clerk read Resolution 71-2017 for the record, a resolution of the City Commission of the City of South Bay, Florida, authorizing the City Manager to execute the attached work order proposal from C.A.P. Engineering, Inc. D/B/A Cap Engineering, pertaining to NW 1st Street from 3rd Avenue to 1st Avenue rehabilitation project as a continuing agreement; providing for an effective date.

The City Manager stated that the work order presented from CAP Gov, included sign and sealed drawings for NW 1st street from 3rd Avenue to 1st Avenue, reviewing sub-consultants and their activities, verifying deliverables, including surveys and utility coordination, geotechnical services and landscaping, for the resurfacing of "that" roadway. He said that the engineering services were in an amount of \$4,250.00. Commissioner McKelvin asked for a timeframe for the resurfacing. The City Manager stated that the drawings were already completed and FDOT was reviewing now. The City Manager also stated that would take the longest would be going out for RFP for a minimum of 14 days.

Vice-Mayor Wilson asked if the project would begin during the construction of Palm Beach Road or after. The City Manager said it may be at the end of the construction of Palm Beach Road, which was in April.

Mayor Kyles mentioned discussion of the City Manager's Report.

The City Manager stated that at 3:58 pm "today", senate bill 10 was approved relating to the buying of 60,000 acres of land south of South Bay.

The City Manager stated that the Parks and Recreation Director met with the architect for city park updates. He said "hoping that by the end of the month, we will have the scope of work from Coleme & Associates".

The City Manager also gave an update on the Brownsfield Project. He stated that there was a 12 month extension some months ago, due to contamination. He said that the site was cleaner, as of today, however the city was waiting on compliance from the state.

Mayor Kyles adjourned the City Workshop at 6:59 p.m.

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Joe Kyles, Mayor

ATTEST:

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Jessica Figueroa, City Clerk

**City of South Bay  
Regular City Meeting  
February 07, 2017**

A Regular City Meeting of the City Commission of the City of South Bay, Florida was called to order by Mayor Joe Kyles in the Commission Chambers at 335 S.W. 2<sup>nd</sup> Avenue, South Bay, Florida on February 07, 2017 at 7:00 p.m.

**Present:**

Mayor Joe Kyles  
Vice-Mayor Wilson  
Commissioner Esther E. Berry  
Commissioner Shanique Scott  
Commissioner Taranza McKelvin

**Staff:**

Burnadette Norris-Weeks, City Attorney  
Leondrae Camel, City Manager  
Jessica Figueroa, City Clerk  
Edgar Kerr, Public Works Director

Mayor Kyles called for voting conflicts. There were none.

Mayor Kyles announced a presentation of certificate of recognition for the 32nd annual Martin Luther King Oratorical contest for the following winning contestants:

**K-2nd Grade**

- Mariah Charles - 1st Place (\$100.00)
- Adriana Ashley - 2nd Place (\$75.00)
- Precious Vickers - 3rd Place (\$50.00)

**3rd - 5th Grade**

- Jada Lovely - 1st Place (\$100.00)
- Andy Jean-Baptiste - 2nd Place (\$75.00)
- Kamia Williams - 3rd Place (\$50.00)

**6th - 8th Grade**

- Jermaine Lovely Jr. - 1st (\$100.00)
- Roel Rivera - 2nd Place (\$75.00)
- Samaria Exantus - 3rd Place (\$50.00)

**9th - 12th Grade**

- Jon'Quella Jackson - 1st Place (\$100.00)
- Marco Sanchez - 2nd Place (\$75.00)

**Consent Agenda**

Mayor Kyles called for approval of the consent agenda, inclusive of January 03rd and January 17th city workshop and regular city meeting minutes. The motion to approve the consent agenda was made by Vice-Mayor Wison and seconded by Commissioner McKelvin. The vote was unanimously approved.

Mayor Kyles called for approval of the regular agenda. The motion to approve the regular agenda was made by Commissioner Scott and seconded by Commissioner McKelvin. The vote was unanimously approved.  
CS second CM regular agenda

**Resolutions**

The City Clerk read Resolution 68-2017 for the record.

Commissioner McKelvin made a motion to approve Resolution 68-2017, a resolution of the city commission of the City of South Bay, Florida, authorizing the Mayor and City Manager to execute an agreement for emergency information technology services with Coastal Network Solutions, LLC for technical support of the City's computer network; providing an effective date. The motion was seconded by Vice-Mayor Wilson.

Commissioner Scott mentioned deletion of language "final spray" in article 4.4 of the contract. And add "\$1,500.00 per month" in article 4.1.

Commissioner McKelvin made a motion to resend his original motion. The motion was seconded by Commissioner Scott.

Commissioner McKelvin made a motion to approve Resolution 68-2017, deleting "final spray" in article 4.4 and adding "\$1,500.00 per month" in article 4.1. The motion was seconded by Commissioner Scott. The vote was Commissioner McKelvin, yes; Commissioner Scott, yes; Commissioner Berry, no; Vice-Mayor Wilson, yes; and Mayor Kyles, yes.

The City Clerk read Resolution 69-2017 for the record.

Vice-Mayor Wilson made a motion to approve Resolution 69-2017 for the record, a resolution of the City Commission of the City of South Bay, Florida, authorizing the sale of a parcel of city-owned land, as more specifically described in exhibit "A" attached hereto, to Palm Beach County Housing Authority, for the amount of two hundred and fifty thousand dollars (\$250,000.00); authorizing the city manager and the Mayor to execute all necessary documents, including the purchase and sale agreement set forth in exhibit "B"; authorizing the City Clerk to record and transmit all documents necessary for the sale of the property; Providing for an effective date. the motion was seconded by Commissioner McKelvin. The vote was unanimously approved.

The City Clerk read Resolution 70-2017 for the record.

Commissioner Berry made a motion to approve Resolution 70-2017, a Resolution of the City Commission of the City of South Bay, Florida, approving an extension to the external audit services agreement with HCT Certified Public Accountants and Consultants, LLC (HCT) until September 30, 2018; providing and effective



date. The motion was seconded by Vice-Mayor Wilson. The vote was Commissioner Mckelvin, yes; Commissioner Scott, no; Commissioner Berry, yes; Vice-Mayor Wilson, yes; and Mayor Kyles, yes.

The City Clerk read Resolution 71-2017 for the record.

Commissioner Berry made a motion to approve Resolution 71-2017, a resolution of the City Commission of the City of South Bay, Florida, authorizing the City Manager to execute the attached work order proposal from C.A.P. Engineering, Inc. D/B/A Cap Engineering, pertaining to NW 1st Street from 3rd Avenue to 1st Avenue rehabilitation project as a continuing agreement; providing for an effective date. The motion was seconded by Vice-Mayor Wilson. The vote was unanimously approved.

### **Rosenwald Elementary School**

Commissioner McKevin stated that there would be a SAC meeting tomorrow at 6:30 pm in the cafeteria. He also mentioned that Rosenwald Elementary drum line would be performing in a show case competition in Boynton on Saturday, February 11, 2017.

### **Finance Report**

Commissioner Berry made a motion to table the accounts payable report until the next meeting. The vote was unanimously approved.

### **City Clerk Report**

The City Clerk mentioned the oath to office for South Bay's Youth Council that took place on February 06, 2017. She stated that she would like for the Commissioners to speak to the youth council "individually" at one of the future youth council meetings.

The City Clerk also stated that there was a need for additional assistance within the City Clerk's department. She stated that she did have someone assisting her from workforce, however they end there term in March. She requested that Commission allow her to have a full time clerk's assistant from the remaining fiscal year. Mayor Kyles said "get with the City Manager and the City Manager will bring it back to us".

### **City Manager Report**

The City Manager mentioned the following updates:

- Senate Bill 10 relating to the buying of land, south of the lake. He said the senate bill was approved today by the preservation committee and will be going through the "house" process. *(full discussion available through the clerk's office)*
- City parks modernization

### **Future Agenda Items**

Commissioner Berry made a motion to place Senate Bill 10 on the next agenda and align that discussion with the regional economic development plan and the City's strategic plan and move to develop a draft document for discussion to share with others, for consensus. The motion was seconded by Commissioner Scott. The vote was unanimously approved.

Commissioner Scott made a motion for documentation for a proposed agreement of contract for an assistant for the City Clerk's Office, as well as documentation that coincides with the budget. The motion was seconded by Commissioner McKelvin. The City Manager stated that the City Clerk would compile the justification and the supporting documentation. Commissioner Scott stated that the City Clerk would also need to get with City staff, in regards to the budget. The vote was unanimously approved.

Vice-Mayor Wilson requested that staff to research the cost for camera to be installed by the post office, palm beach road, cox park, villa lago etc. as it related to preventing crime within the City. The motion was seconded by Commissioner Berry. The vote was unanimously approved.

#### **Commissioners Comments**

Commissioner McKelvin thanked all who attended the meeting.

Commissioner Scott thanked all who attended the meeting.

Commissioner Berry asked to yield her time to Pastor Polk and Pastor Hamilton.

Vice-Mayor Wilson stated that he was proud of Mr. Kerr and his public works department for how well he was handling the work done around the city. He also yielded his time the pastors.

Pastor Hamilton and Pastor Polk made a comment on the Guardian of the Glades, relating to land within the Glades.

Mayor Kyles mentioned a program from Comcast relating to educating seniors on technology. He also made a comment on bringing in a project that rehabs houses within the city. He said that he would be bringing back information after speaking with representatives, related to the programs mentioned.

Mayor Kyles adjourned the regular city meeting at 8:25 p.m.

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Joe Kyles, Mayor

ATTEST:

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Jessica Figueroa, City Clerk

City of South Bay  
City Workshop  
February 21, 2017

A City Workshop of the City Commission of the City of South Bay, Florida was called to order by Mayor Joe Kyles in the Commission Chambers at 335 S.W. 2<sup>nd</sup> Avenue, South Bay, Florida on February 21, 2017 at 6:30 p.m.

Present:

Mayor Joe Kyles  
Vice-Mayor John Wilson  
Commissioner Esther E. Berry  
Commissioner Taranza McKelvin

Staff:

Burnadette Norris-Weeks, City Attorney  
Leondrae Camel, City Manager  
Jessica Figueroa, City Clerk  
Edgar Kerr, Public Works Director

Mayor Kyles mentioned discussion of the request made by the City Clerk in reference to an assistant needed. He stated that it was requested by Commission Scott that the City Manager compile the back-up information needed for the request.

The City Manager stated that at the last commission meeting, the City Clerk requested to create an administrative assistant position. He stated that a memo went out to the City Clerk requesting a job description, identifying whether the position was exempt or non-exempt, the justification for that position, how the position would benefit the city, identifying any inefficiencies and how this position would improve in those areas that need addressing, determine cost saving measures that would allow for a increase level of service and how it will improve overall efficiency. He stated that the City Clerk presented some information to the Manager's office along with a resolution. He said that the position was requiring an increase in the City Clerk's budget of \$17,060 and said "we were unable to identify any additional revenue to cover "that" expense as well as line items for essential services to decrease for that position".

Commissioner McKelvin requested additional information on why the City Clerk was proposing for additional help. The City Clerk mentioned the memo in the packet distributed to the Commission, relating to the justification for additional personnel. She stated that the Commission established a beautification committee and youth council just recently and her primary goal for the youth council would be to spend as much time with the new council in order to get the youth council off the ground. She stated that in order to build and keep the council as her main focus at this time she would need assistance within the Clerk's department.

Commissioner Berry asked if the statement by the City Manager, relating to the item not being in the budget for 2016-2017, was correct. The City Manager stated "that was correct". Commissioner Berry mentioned the "general description of class" and asked "what was the process of amending the budget to include additional

personnel". She clarified that the City Clerk's position was in the charter and that position and duties were specified. She said that it appeared that the City Clerk wanted to include other items in her responsibilities. She asked if the present duties would not allow her to do her responsibilities without additional help. The City Clerk said that it was possible, however this year she needed help, relating to her responsibilities and for other personnel health reasons, and that she is overwhelmed. She said that she would like additional time to review the additional duties as presented. She also stated that she was concerned about adding the item as "an amended budget item". She said that this may be a time to assess the budget, due to the statement earlier relating to not being able to make the budget adjustment. She asked if there were any adjustment in the budget relating to personnel. She stated that she would like to review the budget to see how the commission could support the staff's request. She also asked for any adjustments relating to salaries to be included in the budget discussion, moving forward. She requested to put the item on the next agenda for discussion.

The City Manager stated that he did support the statements from Commissioner Berry. He said that he was looking into putting out an RFQ for an effective and efficiency study to take place within the City of South Bay and not only looking at one department but looking at the entire departments in the City as a whole. He said there may be needing assistance in additional departments. He said that he would like to present to the commission, that the city is "right sizing" the city moving forward.

Commissioner Berry said that she would like to address "this item" first, relating to the clerk's request and consider the RFQ, if feasible, to have the study done during the next budget discussion.

Vice-Mayor Wilson said that the City Clerk was, Mrs. Walker's assistant for many years and at that time there was not as much going on in the city as there is now. He recommended allowing the Clerk to have an assistant, due to her being over worked.

Mayor Kyles recommended bringing back the item at the next meeting, due to the additional information needed from the City Manager, to make sure that the City can move "this position" into a budget item.

The City Clerk stated that the statement "there was no revenue within the budget" made by the City Manager. She asked "then what exactly would need to come back, shouldn't that have been brought up at this time". Mayor Kyles stated that "at this time" the information was requested again by Commission Berry from the City Manager and the Finance Director.

The City Manager clarified that there was no additional revenue recognized in order to fund the line item for the clerk.

The City Manager also clarified that the City Manager, City Clerk and City Attorney are all appointed by the City Commission and the form of government practice in the City of South Bay is a Commissioner/Manager form of government. He said that the budget amendments and the budget items would come to the Commissioner for final approval. He also said that the City Charter for the City of South Bay is chartered as a Commission/Manager form of government and not a Commission/Clerk form of government.

Commissioner Berry mentioned that at the last meeting she requested that Senate Bill 10 be on the agenda for discussion, which it was not. She requested that the item be placed on the agenda for the next meeting for discussion.

Mayor Kyles adjourned the City Workshop at 6:55 p.m.

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Joe Kyles, Mayor

ATTEST:

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Jessica Figueroa, City Clerk

City of South Bay  
Regular City Meeting  
February 21, 2017

A Regular City Meeting of the City Commission of the City of South Bay, Florida was called to order by Mayor Joe Kyles in the Commission Chambers at 335 S.W. 2<sup>nd</sup> Avenue, South Bay, Florida on March 21, 2017 at 7:00 p.m.

Present:

Mayor Joe Kyles  
Vice-Mayor Wilson  
Commissioner Esther E. Berry  
Commissioner Shanique Scott  
Commissioner Taranza McKelvin

Staff:

Burnadette Norris-Weeks, City Attorney  
Leondrae Camel, City Manager  
Jessica Figueroa, City Clerk  
Edgar Kerr, Public Works Director

Mayor Kyles called for voting conflicts. There were none.

Mayor Kyles mentioned item 3a. letters of intent for South Bay Park of Commerce from Biochar Technologies, Bridge Solutions and Kestrel Logistics.

*(Full discussion relating to South Bay Park of Commerce available through the City Clerks Office)*

Mayor Kyles stated that the Commission would make a decision "tonight" relating to the 98 acres at the park of commerce. He stated that the three companies had already presented their presentations before the commissioners. He stated "after discussion we will take action".

Commissioner McKelvin said "after reviewing the documents and going over the plans he wanted to go with a company that would better serve our people". He said that his mind is made up and he is ready to make his decision.

Commissioner Scott stated that she also had reviewed the documents and would be going with the company that was in the best interest of the city.

Commissioner Berry stated that the City of South Bay had explored several options and she was not prepared "tonight" to make a decision. She said that she would like to explore land use options, infrastructure capability options and explore the long term strategic plan for south bay, relating to "those" options. She said "realistically, how can the city train people for specific employment options and what kind of mechanism we can build for those people".

Vice-Mayor Wilson stated the has had that land for so many years and for so many years the city had been trying to get someone to come in. He said that there is an opportunity to move the city forward and he was ready to make his decision.

Mayor Kyles stated that he wanted to make sure that the city did the right thing and make sure the company fulfills their obligations in reference to their proposals. He said that the Commission has had ample amount of time to review the documents, discuss and now ready to make a decision tonight.

Commissioner Scott recommended that the City Clerk notice each company and ask for a vote from the commissioners. The Commission gave consensus to vote one by one.

The City Clerk called for a vote for BioChar Technologies:

Commissioner McKelvin	no
Commissioner Scott	no
Commissioner Berry	no
Vice-Mayor Wilson	no
Mayor Kyles	no

The City Clerk called for a vote for Bridge Solutions Inc.

Commissioner McKelvin	yes
Commissioner Scott	no
Commissioner Berry	no
Vice-Mayor Wilson	yes
Mayor Kyles	no

The City Clerk called for a vote for Kestrel Logistics LLC.

Commissioner McKelvin	no
Commissioner Scott	no
Commissioner Berry	yes
Vice-Mayor Wilson	no
Mayor Kyles	yes

The City Clerk read the results for the records.

Commissioner Scott clarified that the commissioners vote was split and suggested that the Commissioners go back to the drawing board, relating to the sale of the property.

Vice-Mayor Wilson stated that he would like to make a motion to allow each company to be able to what they need to do, as it related to the sale of the park of commerce. He stated that both companies should be able to work together for the community.

Commissioner Scott stated that it was under her impression that the companies were to work together and bring back a presentation to the Commission, which did not happen. She mentioned that there was a lot of

factors that the businesses have done in the past that have not moved forward; that she had researched. Commissioner Scott asked if the mortgage had been paid on the land. The City Manager clarified that the city had sent an executed agreement to the state and was now awaiting on the notification of general entry and transfer of funds from Department of Economic Opportunity to Division of State Land.

Vice-Mayor Wilson made a motion to direct the City Manager to negotiate with Bridge Solutions and Florida Crystals to allow them to come up with a contract, that would allow Florida Crystals to have access through South Bay to get to their 850 acres of land and build their proposed 5000 square ft building and allow Bridge Solutions to have the access they would need to build their future hotel, strip mall, farmers market, fitness center and whatever that they were proposing to build. The motion died for lack of a second.

Vice-Mayor Wilson made a motion that the Commission do a re-vote. The motion was seconded by Commissioner McKelvin. The vote was Commissioner McKelvin, yes; Commissioner Scott, no; Commissioner Berry, yes; Vice-Mayor Wilson, yes; and Mayor Kyles, yes;

The City Clerk called for a vote for Bridge Solutions Inc. The Vote was:

Commissioner McKelvin	yes
Commissioner Scott	no
Commissioner Berry	no
Vice-Mayor Wilson	yes
Mayor Kyles	no

The City Clerk called for a vote for Kestrel Logistics. The vote was:

Commissioner McKelvin	no
Commissioner Scott	no
Commissioner Berry	yes
Vice-Mayor Wilson	no
Mayor Kyles	yes

Mayor Kyles apologized to the public for not making a decision tonight.

The City Manager asked for direction from the City Commissioner to move forward.

Commissioner Scott requested a series of workshop for further discussion on the sale of the park of commerce, at the next city workshop, due to the commission having the companies down to two.

Mayor Kyles stated that the Commission needed to move on the sale of the land and make a decision and after the next workshop, be able to move forward. He stated that the City had ample amount of time and years to discuss and now the City need to make a decision.

Vice-Mayor Wilson made a motion that at the next Commission meeting, allow the two companies to come back and the Commission make a final decision. The motion was seconded by Commissioner McKelvin. The vote was Commissioner McKelvin, yes; Commissioner Scott, no; Commissioner Berry, yes; Vice-Mayor Wilson, yes; and Mayor Kyles, yes.



The City Manager clarified that the item would come before the commission on March 21, 2017. He stated that he would be seeking assistance from Palm Beach County Business Development Board, who is the City's business development partner, and any information to provide to the Commission with, before the March 21st meeting.

**Public Comments (Summary)**

Willie Lawrence made a public comment relating to the sale of the park of commerce. He said he was hoping that the Commission come to a conclusion. He said that the Commission needed to be concerned on what was best for the citizens, not personal agendas or opinions but what was best for the city. He said that there should be some direction given to the City Manager. He said that the Commission should find some kind of way to get both companies to the table.

Debie Issacs, with Bridge Solutions Inc made a public comment relating to the park of commerce. She stated that at the last meeting there was a proposal for the companies to work together. She said that in their proposal it indicated that they would work with the other companies, which Biochar was the only one to step up "that night". She stated that the city needed more than just a warehouse and packaging within the city.

Shirley Walker-Turner made a public comment relating to the park of commerce. She said that the discussion "tonight" had no direction. She said that it was stated that the companies work together or not work together and asked, due to the election, if there were a new commissioner on the dais, would the process have to start over. She said "there were some seats that were opposed and "we" don't know what is going to happen". She stated that the city needed businesses and housing in the community.

Mayor Wilson called for a motion to approve the regular agenda. The motion was made by Commissioner Scott and seconded by Vice-Mayor Wilson. The vote was unanimously approved.

**Resolutions**

The City Clerk read Resolution 72-2017 for the record.

Commissioner McKelvin made a motion to approve Resolution 72-2017 a Resolution of the City Commission of the City of South Bay, Florida, commending the Florida Association of the City Clerks for the Its 45th Anniversary; Providing for an effective date. The motion was seconded by Vice-Mayor Wilson. The vote was unanimously approved.

The City Clerk read Resolution 73-2017 for the record.

Commissioner Scott made a motion to approve resolution 73-2017, a resolution of the City Commission of the City of South Bay, Florida, supporting adequate funding of the low income home energy assistance program (LIHEAP); Providing for an effective date. The motion was seconded by Commissioner Berry. The vote was unanimously approved.

**Ordinance**

The City Clerk read Ordinance on its first reading, for the record.

Commissioner Scott made a motion to approve Ordinance 07-2017 an ordinance of the City Commission of the City of South Bay, Florida, imposing a moratorium on the acceptance of new applications and on the issuance of the city permits or approvals for pending applications, for the installation of above-ground "wireless communications facilities" within any city rights-of-way; providing that said moratorium shall be in effect until July 31, 2017, unless otherwise modified or extended by the city commission; further directing city staff to undertake a comprehensive review of the City's existing communications facilities registration, permitting and installation codes with an emphasis on ensuring the protection of vehicular and pedestrian traffic within and along city right-of-way, ensuring the protection of residential properties along city right-of-way, and compliance with federal and state requirements including but not limited to the telecommunications act of 1996, and sec. 337.401 and 365.172, Florida Statutes; providing for continuation extension or termination of said moratorium; providing a conflicts clause and a severability clause; providing an effective date. The motion was seconded by Vice-Mayor Wilson. The vote was unanimously approved.

### **Rosenwald Elementary School**

Commissioner McKelvin stated that the 4th and 5th grade FSA writing would begin on next Tuesday. He also mentioned that the Roswnwald Drumline placed 3rd at the Boynton Beach High School Drumline Competition.

### **Finance Report**

She stated that she had asked the Finance Director to include, the accounts payable report, the revenue and expenditures, capital improvement summary to accompany the weekly check register. She said "that would give the commission a better understanding of the city's finances and to look at specific departments. She stated the city needed to assess the city's spending pattern and any amendments in the budget.

Commissioner Berry made a motion to accept the check register report. The motion was seconded by Vice-Mayor Wilson.

### **City Clerk Report**

The City Clerk mentioned the next city meeting for March 21, 2017.

### **City Manager Report**

The City Manager mentioned the following updates: *(full discussion/recording available through the City Clerk's Office)*

- Storm Water and Community Center Project being presented at 9:00 am to the Tourism and Economic Development Committee in Tallahassee, by the City Manager.
- Camera Information - Sergeant Angelo was working with the camera expert, to assess where cameras could be placed in the City and cost associated
- Parks and Recreation modification was on schedule, Architect will be prepared for the March meeting with their scope of work and information relating to the RFP that would go out for those services

- Brownsfield Site - the State was asking for offsite testing in front of 480 US 27 and requesting a monitoring rail to be placed in the median. He also stated that the site was 90 days ahead of schedule.
- Senate Bill 10 - relating to water resources (*discussion by Mayor Kyles*)

**Future Agenda Items**

Commissioner Scott requested additional information from the City Manager on providing options of different locations for the South Bay signage. The City Manager stated that he would provide information to the Commission at the next meeting.

**Commissioners Comments**

Commissioner McKelvin thanked all who attended the meeting.

Commissioner Scott thanked all who attended the meeting. She also said, relating to the public wanting action on an item, "it is not that the Commission wanted to delay an action "tonight", however the commission should make the best decision for the citizens of south bay".

Commissioner Berry thanked all who attended the meeting.

Vice-Mayor Wilson thanked Dr. Walker and Bridge Solutions for their presentation. He said that he wanted to see the companies working together. He stated that there will be a decision made at the next made, which would be in the best interest of the city. He also thanked everyone who attended the meeting.

Mayor Kyles requested a motion to create a proclamation of sympathy for the Anthony Family this Saturday, relating to death of Irene Anthony, mother of former Mayor Clarence Anthony and Mother In-Law to Public Works Director Edgar Kerr. The motion was made by Commissioner Berry and seconded by Vice-Mayor Wilson. The vote was unanimously approved.

Mayor Kyles also thanked everyone who attended the meeting.

Mayor Kyles adjourned the City Meeting at 8:40 p.m.

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Joe Kyles, Mayor

ATTEST:

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Jessica Figueroa, City Clerk

**ORDINANCE NO. 07-2017**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, IMPOSING A MORATORIUM ON THE ACCEPTANCE OF NEW APPLICATIONS AND ON THE ISSUANCE OF CITY PERMITS OR APPROVALS FOR PENDING APPLICATIONS, FOR THE INSTALLATION OF ABOVE-GROUND "WIRELESS COMMUNICATIONS FACILITIES" WITHIN ANY CITY RIGHTS-OF WAY OR WITHIN ANY EASEMENTS ADJACENT TO CITY RIGHTS-OF-WAY; PROVIDING THAT SAID MORATORIUM SHALL BE IN EFFECT UNTIL JULY 31, 2017, UNLESS OTHERWISE MODIFIED OR EXTENDED BY THE CITY COMMISSION; FURTHER DIRECTING CITY STAFF TO UNDERTAKE A COMPREHENSIVE REVIEW OF THE CITY'S EXISTING COMMUNICATIONS FACILITIES REGISTRATION, PERMITTING AND INSTALLATION CODES WITH AN EMPHASIS ON ENSURING THE PROTECTION OF VEHICULAR AND PEDESTRIAN TRAFFIC WITHIN AND ALONG CITY RIGHTS-OF-WAY, ENSURING THE PROTECTION OF RESIDENTIAL PROPERTIES ALONG CITY RIGHTS-OF-WAY, AND COMPLIANCE WITH FEDERAL AND STATE REQUIREMENTS INCLUDING BUT NOT LIMITED TO THE TELECOMMUNICATIONS ACT OF 1996, AND SECS. 337.401 AND 365.172, FLORIDA STATUTES; PROVIDING FOR CONTINUATION, EXTENSION OR TERMINATION OF SAID MORATORIUM; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the telecommunications industry is regulated by both federal and state laws, which said laws provide for the adoption of reasonable local rules that allow local governments to regulate the placement of wireless communications facilities and

other communications facilities within rights-of-way and on other property within their jurisdictions; and

**WHEREAS**, the City has recently received applications and requests for the placement of above-ground wireless communications facilities within City rights-of-way or in easements adjacent to City rights-of-way, including rights-of-way in residential districts; and

**WHEREAS**, the City's Code of Ordinances contains certain sections and provisions which, as written, apply to such applications; but which, upon review, were not written with the current state of the art or technological advances in telecommunications in mind; and

**WHEREAS**, the City Commission of the City of South Bay has been made aware of the above referenced applications and requests.

**WHEREAS**, further, the City Commission has been made aware of factual data indicating the proliferation of similar wireless communications facilities in other jurisdictions, as well as the health, safety and welfare implications and concerns associated therewith, including but not limited to, the diminishment of residential property values and a decline in the aesthetics and character of the City's rights-of-way and the City's residential districts; and

**WHEREAS**, the City Commission believes that a five (5) month moratorium on the acceptance of new applications and on the issuance of City permits or approvals for pending applications for the installation of above-ground wireless communications facilities within any City rights-of-way or within any easements adjacent to City rights-

of-way as more fully set forth herein is necessary in order to maintain the status quo in the City and simultaneously allow City Staff time to conduct a comprehensive review of the City's existing codes to determine their compliance with federal and state laws, to determine what revisions are required in order to best protect the residents, property and rights-of-way of the City as permitted by law, and to ensure that City Code provides for a thorough and efficient application process for applicants; and

**WHEREAS**, the City of South Bay has held all required public hearings and has provided public notice in accordance with applicable State statutes and City ordinances; and

**WHEREAS**, the City Commission of the City of South Bay has determined that the enactment of this moratorium is in the best interest of the City and is necessary in order to protect the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, THAT:**

**Section 1.**    **Adoption of Representations.**

The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

**Section 2.**    **Findings.**

The recitals set forth in the "Whereas" clauses above are true and correct and are hereby adopted as findings by the City Commission for the adoption of this Ordinance.

**Section 3.**    **Definitions.**

For purposes of this temporary moratorium, the following definitions apply as these terms are used in this Ordinance:

**Section 4. Temporary Moratorium.**

There is hereby imposed a moratorium with respect to the acceptance of new applications, and the issuance of City permits or approvals for pending applications, for the installation of above-ground "wireless communications facilities" within any City rights-of-way or within any easements adjacent to City rights-of-way. For purposes of this ordinance, the term "wireless communications facility" means any equipment or facility used to provide wireless communications service and may include, but is not limited to, antennae, towers, equipment enclosures, cabling, antenna brackets, and other such equipment. Placing a wireless communications facility on an existing tower or building does not cause the existing tower or building to become a wireless communications facility.

During the term of the moratorium, City Staff shall conduct a comprehensive review of the City's existing communications facilities registration, permitting and installation codes, to ensure compliance with federal and state laws including but not limited to the Telecommunications Act of 1996, and Sections 337.401 and 365.172, Florida Statutes, to ensure the safety of vehicular and pedestrian traffic within and along City rights-of-way, to ensure the protection of City residents that live along City rights-of-way from adverse impacts associated with the installation of above-ground

wireless communications facilities, and to ensure that City Code provides for a thorough and efficient application process for applicants.

During the term of the moratorium, it shall be unlawful for any person or entity to install new above-ground wireless communications facilities within any City rights-of-way or within any easements adjacent to City rights-of-way. Nothing contained in this ordinance shall be construed to apply to communications facilities other than above-ground wireless communications facilities as defined herein, to prevent or prohibit the acceptance and processing of applications, or the issuance of permits for the maintenance, repair or removal of any wireless communications facility installed and existing prior to the adoption of this ordinance, or to prevent or prohibit the expansion of existing wire line communications facilities that do not provide wireless communications services.

This moratorium shall remain in full force and effect until 5:00 p.m. on July 31, 2017. This moratorium shall automatically expire at said time unless terminated sooner by the City Commission at a public hearing called for such purpose. The City Commission may, by ordinance, and upon the adoption of findings of fact justifying same, extend the term of this moratorium beyond its automatic expiration date.

Violations of this moratorium may be remedied through any means available to the City, both in law and at equity.

#### Section 6. Conflict & Repealer.

All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed.



**Section 7. Severability.**

If any section, sentence, clause or any other provision of this Ordinance shall be held invalid or be found unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed so as to render invalid or unconstitutional the remaining sections, sentences, provisions or clauses of this Ordinance.

**Section 8. Inclusion In Code.**

It is the intention of the City Commission of the City of West Park that the provisions of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of West Park and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

**Section 9. Effective Date:**

This Ordinance shall become effective as provided by law.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2017.

---

Joe Kyles, Mayor

Attested

By: \_\_\_\_\_

Jessica Figueroa, City Clerk

**APPROVED AS TO FORM AND**

**LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Burnadette Norris-Week, Esquire  
City Attorney

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**VOTE:**

Commissioner Berry	_____ (Yes)	_____ (No)
Commissioner McKelvin	_____ (Yes)	_____ (No)
Commissioner Scott	_____ (Yes)	_____ (No)
Vice-Mayor Wilson	_____ (Yes)	_____ (No)
Mayor Kyles	_____ (Yes)	_____ (No)



## City of South Bay

South Bay City Hall  
335 SW 2nd Avenue  
South Bay, FL 33493  
Telephone: 561-996-6751  
Facsimile: 561-996-7950

[www.southbaycity.com](http://www.southbaycity.com)

### Commission

Joe Kyles Sr.  
Mayor

John Wilson  
Vice Mayor

Esther E. Berry

Shanique S. Scott

Taranza McKelvi

Leondrae Camel,  
City Manager

Jessica Figueroa, City Clerk

Bernadette Norris-Weeks  
City Attorney

"An equal Opportunity  
Affirmative Action Employer"

To: Honorable Mayor and Commissioners

From: Massih Saadatmand, Finance Director

Thru: Mr. Leondrae Camel, City Manager

Date: March 16, 2017

Ref: Weekly check register

Enclosed, please find the summary of check register as of March 16, 2017:

#### General Fund

• Utility:		
	AT & T Mobility	\$ 797.64
	FPL	5,792.85
	DeltaCom	1,254.69
	PBC Water	1,708.89
• Aetna		13,073.58
• PBC Sheriff		14,782.33
• Bank of America		2,869.07
• CAP Government		2,187.50
• Palm Beach County (Engineering Dept)		3,542.88
• Marthon Fleet		1,022.83
• FL Municipal Ins		8,062.00
• Deposit refund		150.00
• Coastal network Solution		1,719.91
• Purchased of supplies, materials and parts		4,109.95 A
• Payment for various services		2,385.43 C
• Payroll deductions		3,832.33 B
• Other		<u>7,233.43 D</u>
	Total	\$ <u>74,525.31</u>

#### W & S Fund

US Water \$ 3,942.43

#### Sanitation Fund

Southern Waste \$ 35,071.65

#### Revenues:

• Ad Valorem Tax	\$ 31,150.97
• PBCHA	407,893.80
• Board of PBC	356,037.70
• Other	<u>83,760.40</u>
Total	\$ <u>878,842.87</u>

**AP Check Register Report**  
City Of South Bay (CSBFND)

2/17/2017 11:12:45 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount	
23	FLORIDA ELECTION COM	FLORIDA ELECTION COMMISSION	2/17/2017	275.40	D
9724	FLORIDA MUNICIPAL IN	FLORIDA MUNICIPAL INSURANCE TRUST	2/17/2017	8,062.00	
9725	INDEPENDENT NEWSPAF	INDEPENDENT NEWSMEDIA INC USA	2/17/2017	87.36	D
9726	JOHN DEERE FINANCIAL	JOHN DEERE FINANCIAL	2/17/2017	496.63	L
9727	ORIGINAL EQUIPMENT	ORIGINAL EQUIPMENT	2/17/2017	189.65	A
9728	PBC BOARD OF COUNTY	PALM BEACH COUNTY	2/17/2017	3,542.88	
9729	PERFORMANCE NAPA	PERFORMANCE NAPA	2/17/2017	456.75	A
9730	TIRE SERVICE PLUS CO	TIRE SERVICE PLUS CO	2/17/2017	114.95	
9731	TRC FARM INDUSTRIAL	TRC FARM & INDUSTRIAL SUPPLY INC	2/17/2017	61.10	
9732	WOLFF'S LAWN	WOLFF LAWN MACHINE INC	2/17/2017	134.99	A
9733	XEROX CORP	XEROX CORPORATION	2/17/2017	208.00	C
Non-Electronic Transactions:				13,629.71	
Total Transactions:				13,629.71	

# AP Check Register Report

## City Of South Bay (CSBFND)

3/1/2017 11:53:22 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
9734	AETNA	AETNA	3/1/2017	13,073.58
9735	AFLAC	AFLAC	3/1/2017	1,693.20 <i>B</i>
9736	ALOFT TALLAHASSEE	ALOFT TALLAHASSEE	3/1/2017	876.00
9737	AT&T MOBILITY	AT&T MOBILITY -ROC	3/1/2017	797.64
9738	BANK OF AMERICA, NA	BANK OF AMERICA	3/1/2017	2,869.07
9739	BELLE GLADE WHOLESAL	BELLE GLADE WHOLESALE	3/1/2017	283.39 <i>A</i>
9740	CAP GOVERNMENT	CAP GOVERNMENT	3/1/2017	2,187.50
9741	CHRISTOPHER E. BENJA	CHRISTOPHER E. BENJAMIN	3/1/2017	495.00 <i>C</i>
9742	COASTAL NETWORK SOL	COASTAL NETWORK SOLUTIONS, LLC	3/1/2017	1,719.91
9743	COLONIAL LIFE PROCES	COLONIAL LIFE PROCESSING CENTER	3/1/2017	340.50 <i>B</i>
9744	COMCAST	COMCAST	3/1/2017	164.85
9745	DELTACOM 1058	EARTHLINK	3/1/2017	1,254.69
9746	ESTHER BERRY	ESTHER BERRY	3/1/2017	72.00 <i>D</i>
9747	HILTON GARDEN INN	HILTON GARDEN INN	3/1/2017	418.00
9748	HOMELESS COALITION O	HOMELESS COALITION OF PALM BEACH COUNTY II	3/1/2017	250.00
9749	<del>HOTEL DUVAL</del>	<del>HOTEL DUVAL</del>	3/1/2017	<del>578.00</del> <i>void</i>
9750	IAMAW	IAMAW	3/1/2017	324.72 <i>B</i>
9751	JEANETTE HICKMAN	Jeanette Wislon	3/1/2017	* 150.00
9752	JOE KYLES	JOE KYLES	3/1/2017	439.00 <i>D</i>
9753	JOHN WILSON	JOHN WILSON	3/1/2017	72.00 <i>L</i>
9754	JP ELECTRONIC	JEFF PAULO D/B/A JP ELECTRONICS &	3/1/2017	85.00 <i>C</i>
9755	LAKE HARDWARE	LAKE HARDWARE	3/1/2017	62.95 <i>A</i>
9756	ONE STOP SHOP	ONE STOP SHOP	3/1/2017	208.19 <i>A</i>
9757	ORIGINAL EQUIPMENT	ORIGINAL EQUIPMENT	3/1/2017	143.70 <i>L</i>
9758	PBC SHERIFF'S OFFICE	PALM BEACH COUNTY SHERIFF'S OFFICE	3/1/2017	14,782.33
9759	PERFORMANCE NAPA	PERFORMANCE NAPA	3/1/2017	178.59 <i>A</i>
9760	PETTY CASH	CITY OF SOUTH BAY-PETTY CASH	3/1/2017	419.19 <i>D</i>
9761	ROBBIE TIRE	ROBBIE TIRE	3/1/2017	12.00 <i>L</i>
9762	SEASON TO SEASON, LL	SEASON TO SEASON, LLC	3/1/2017	445.00 <i>C</i>
9763	SOLSTICE BENEFITS IN	SOLSTICE MARKETPLACE	3/1/2017	518.78 <i>B</i>
9764	<del>TARANZA MCKELVIN</del>	<del>TARANZA MCKELVIN</del>	3/1/2017	<del>450.00</del> <i>void</i> <i>D</i>
9765	TRC FARM INDUSTRIAL	TRC FARM & INDUSTRIAL SUPPLY INC	3/1/2017	32.19 <i>A</i>
9766	U & ME RECORDS MANAC	U & ME RECORDS MANAGEMENT	3/1/2017	303.02 <i>C</i>
9767	UNUM LIFE INS	UNUM LIFE INSURANCE COMPANY OF AMER	3/1/2017	155.69 <i>D</i>

Non-Electronic Transactions: 45,855.68  
Total Transactions: 45,855.68

*44,827.68*

**AP Immediate Check Register Report**  
City Of South Bay (CSBFND)

3/6/2017 3:12:18 PM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount	
9768	MARRIOTT WARDMAN PA	MARRIOTT WARDMAN PARK HOTEL	3/6/2017	1,232.02	D
9769	MARRIOTT WARDMAN PA	MARRIOTT WARDMAN PARK HOTEL	3/6/2017	1,232.02	J
Totals:			Total Transactions:	2,464.04	

# AP Check Register Report

## City Of South Bay (CSBFND)

3/10/2017 9:58:12 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount	
9770	ALLY	ALLY	3/10/2017	502.52	D
9771	EVERGLADES TRADING	EVERGLADES TRADING	3/10/2017	7.98	A
9773	FPL	FPL	3/10/2017	5,792.85	
9774	HOME DEPOT CREDIT SE	HOME DEPOT CREDIT SERVICES	3/10/2017	1,416.22	
9775	JIM HOOKS WELDING IN	JIM HOOKS WELDING INC.	3/10/2017	120.00	C
9776	LEGAL SHIELD	PRE PAID LEGAL SERVICES INC	3/10/2017	25.90	B
9777	LIBERTY NATIONAL	LIBERTY NATIONAL	3/10/2017	752.95	L
9778	MARTHON FLEET	WEX BANK	3/10/2017	1,022.83	
9779	NEOFUNDS BY NEOPOST	NEOFUNDS BY NEOPOST	3/10/2017	400.00	D
9780	NEW YORK LIFE INS	NEW YORK LIFE INSURANCE COMPANY	3/10/2017	176.28	B
9781	OFFICE DEPOT CREDIT	OFFICE DEPOT CREDIT PLAN	3/10/2017	348.29	A
9782	PBC WATER UTILITIES	PALM BEACH COUNTY WATER UTILITIES	3/10/2017	1,708.89	
9783	TOTAL TRUCKS PARTS	TOTAL TRUCKS PARTS	3/10/2017	389.87	A
9784	WALMART COMMUNITY	WAL-MART COMMUNITY	3/10/2017	81.14	L
9785	XEROX CORP	XEROX CORPORATION	3/10/2017	329.41	C
				Non-Electronic Transactions:	13,075.13
				Total Transactions:	13,075.13

**AP Immediate Check Register Report**  
City Of South Bay (CSBFND)

3/10/2017 10:14:26 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
0036	JERYL MADDIE	Jeryl Maddie	3/10/2017	390.75
Totals:			Total Transactions:	390.75



**AP Immediate Check Register Report**  
City Of South Bay (CSBFND)

3/10/2017 11:29:52 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
137	JOE KYLES	JOE KYLES	3/10/2017	138.00
Totals:			Total Transactions:	138.00

# AP Immediate Check Register Report

City Of South Bay (CSBFND)

3/1/2017 9:39:38 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
15	US WATER	U S WATER SERVICES CORPORATION	3/1/2017	3,942.43
Totals:			Total Transactions:	3,942.43

# AP Check Register Report

City Of South Bay (CSBFND)

2/17/2017 11:34:10 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
35	WASTE MANAGEMENT	WASTE MANAGEMENT	2/17/2017	13,084.12
Non-Electronic Transactions:				13,084.12
Total Transactions:				13,084.12

**AP Check Register Report**  
City Of South Bay (CSBFND)

2/27/2017 1:55:34 PM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
137	WASTE MANAGEMENT	WASTE MANAGEMENT	2/27/2017	21,987.53
Non-Electronic Transactions:				21,987.53
Total Transactions:				21,987.53