

CITY OF PAHOKEE



MINUTES

City Commission Regular Meeting
Tuesday, September 12, 2023, at 6:00 PM

Pahokee Commission Chambers
360 East Main Street
Pahokee, Florida 33476

CITY COMMISSION:

Keith W. Babb, Jr., Mayor
Clara Murvin, Vice Mayor
Derrick Boldin, Commissioner
Juan Gonzalez, Commissioner
Sara Perez, Commissioner

CITY STAFF:

Rodney D. Lucas, City Manager
Tijauna Warner, City Clerk
Burnadette Norris-Weeks, Esq., City Attorney
Joseph R. Martin, Interim Director of Finance

[TENTATIVE: SUBJECT TO REVISION]

MINUTES

A. CALL TO ORDER

The meeting was called to order by Mayor Babb at 6:03 PM.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Murvin led the Invocation, followed by the Pledge of Allegiance.

C. ROLL CALL

PRESENT

Mayor Keith Babb

Vice Mayor Clara Murvin

Commissioner Derrick Boldin

Commissioner Juan Gonzalez @ 6:06 PM

Commissioner Sara Perez

Rodney D. Lucas, City Manager

Burnadette Norris- Weeks, City Attorney

Tijauna Warner, City Clerk

D. ADDITIONS OF EMERGENCY BASIS FROM CITY MANAGER, DELETIONS AND APPROVAL OF AGENDA ITEMS

Motion made by Vice Mayor Murvin to approve the agenda, Seconded by Commissioner Boldin. Mayor Babb called for questions. Motion passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Perez

E. PUBLIC COMMENTS / PUBLIC SERVICE ANNOUNCEMENTS / PRESENTATIONS / PROCLAMATIONS

(This section of the agenda allows for comments from the public to speak. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk. When you are called to speak, please go to the podium or unmute your device, and prior to addressing the Commission, state your name and address for the record)

Commissioner Gonzalez arrives at 6:06pm.

Robert Van Epps (*resident*) not in favor of terminating the city manager and gave his reasoning.

Carl Morrison Sr. (*resident*) not in favor of terminating the city manager and gave his reasoning.

Ernest Bussey (*business owner*) yield his time to Tammy Bussey expressed concerns with the city not showing unity and working together. Also, she inquired about the status of Barfield Highway being completed.

Tammy Bussey (*business owner*) yield her time to Robert Love in favor of terminating the city manager and gave his reasoning.

Irma Shannon (*resident*) yield her time to Robert Love in favor of terminating the city manager and gave his reasoning.

Robert Love (*non-resident*) in favor terminating of terminating the city manager and gave his reasoning.

Loletha Kimes (*resident*) expressed concerns with the city having secret meetings, inquired why the restroom is closed at the splash pad, and inquired when are the barriers going to be install.

Vaughn Jones (*resident*) expressed concerns with her ARPA packet and receiving a call back from the city manager.

Kirk Patrick (*resident*) not in favor of terminating the city manager, expressed concerns with the city manager not responding to the citizens, advised the Mayor not to gather what everybody's saying to you, and advised no one should answer for the attorney.

Shelia Williams (*resident*) expressed concerns with termites in her house and inquired if the city will be removing the rest of the tree. Ms. Williams yield her remaining time to Mr. Love. Mr. Love expressed concerns with the city manager.

Cynthia Mitchell (*resident*) yield her time to Mrs. Tammy Bussey who advised the city manager to respond to the citizens and yield to her son which advised the city just need some help.

JoAnn Culberson (*resident*) in favor of terminating the city manager, advised she doesn't like the city manager and gave a brief explanation why.

Jason Crawford (*resident*) not in favor of terminating the city manager and a gave brief explanation of reasoning.

1. July Business of the Month - Bussey & Brothers Funeral Services

Commissioner Gonzalez presented Mr. and Mrs. Bussey and their son with July Business of the Month.

Mr. and Mrs. Bussey thanked everyone for selecting them as business of the month and advised they're not in business with Joshua Brown.

F. CONSENT AGENDA

1. August 22, 2023 City Commission Meeting Minutes

Motion made by Commissioner Boldin approve the Consent Agenda Items, Seconded by Commissioner Gonzalez. Mayor Babb called for questions. Motion passed unanimously. Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

G. OLD BUSINESS (*discussion of existing activities or previously held events, if any*)

1. RESOLUTION 2023 - 48 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, ESTABLISHING CITY VEHICLE TAKE HOME PROCEDURES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Norris-Weeks read Resolution 2023 - 48 into the record.

Mr. Lucas gave a brief explanation of Resolution 2023 - 48.

Motion made by Commissioner Boldin approve Resolution 2023 - 48, Seconded by Commissioner Gonzalez. Mayor Babb called for questions. A discussion ensued. Motion passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

H. PUBLIC HEARINGS AND/OR ORDINANCES

1. RESOLUTION 2023 - 52 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE FOR FISCAL YEAR COMMENCING OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Norris-Weeks read Resolution 2023 - 52 into the record.

Mr. Lucas gave a brief explanation of Resolution 2023 - 52.

Mayor Babb Opened Public Hearing 7:24pm

Robert Love inquired if the millage changed.

Mr. Lucas advised the millage didn't change.

Mayor Babb Closed Public Hearing 7:24pm

Motion made by Vice Mayor Murvin to approve Resolution 2023 - 52, Seconded by Commissioner Boldin. Mayor Babb called for questions. Motion passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

2. RESOLUTION 2023 - 54 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA PROVIDING FOR THE ADOPTION AND FUNDING OF THE TENTATIVE MUNICIPAL BUDGET IN THE AMOUNT OF \$9,036,654.00 FOR THE CITY OF PAHOKEE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Norris-Weeks read Resolution 2023 - 54 into the record.

Mr. Lucas gave a brief explanation of Resolution 2023 - 54.

Mayor Babb Opened Public Hearing 7:30pm

Robert Love inquired if the budget amount was correct.

Mr. Lucas responded yes.

Mayor Babb Closed Public Hearing 7:33pm

Motion made by Vice Mayor Murvin to approve Resolution 2023 - 54, Seconded by Commissioner Boldin. Mayor Babb called for questions. A discussion ensued. Motion passed 4-1.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez

Voting Nay: Commissioner Perez

I. RESOLUTION(S)

- A. RESOLUTION 2023 - 50 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A LED LIGHTING AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE.

Mrs. Norris-Weeks read Resolution 2023 - 50 into the record.

Mr. Lucas gave a brief explanation of Resolution 2023 - 50.

Motion made by Commissioner Boldin to approve Resolution 2023 - 50, Seconded by Commissioner Gonzalez. Mayor Babb called for questions. Motion passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

- B. RESOLUTION 2023 - 51 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER TO ENTER INTO AND EXECUTE THE EIGHTEENTH ADDENDUM TO THE LAW ENFORCEMENT SERVICE AGREEMENT BETWEEN THE CITY OF PAHOKEE AND RICK L. BRADSHAW, SHERIFF OF PALM BEACH COUNTY, FLORIDA, ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Norris-Weeks read Resolution 2023 - 51 into the record.

Mr. Lucas gave a brief explanation of Resolution 2023 - 51.

Motion made by Commissioner Boldin to approve Resolution 2023 - 51, Seconded by Commissioner Gonzalez. Mayor Babb called for questions. A discussion ensued. Motion passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

- C. RESOLUTION 2023 - 53 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA APPROVING A PRELIMINARY RESOLUTION TO TERMINATE CITY MANAGER, RODNEY D. LUCAS, WITH CAUSE, PURSUANT SECTION 3.03 OF THE CITY OF PAHOKEE'S CHARTER; TO PROVIDE REASONS FOR THE INTENDED REMOVAL OF THE CITY MANAGER AND OFFER THE CITY MANAGER AN OPPORTUNITY FOR A PUBLIC HEARING BEFORE THE COMMISSION ON THE MATTERS RAISED BY THE PRELIMINARY RESOLUTION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Norris-Weeks read Resolution 2023 - 53 into the record.

Mr. Lucas gave a brief explanation of Resolution 2023 - 53.

Motion made by Commissioner Perez to approve Resolution 2023 - 53 with suspension immediately, Seconded by Commissioner Gonzalez. Mayor Babb called for questions. A discussion ensued. Motion failed 2-3.

Voting Yea: Commissioner Gonzalez, Commissioner Perez

Voting Nay: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin

J. NEW BUSINESS (*presentation by city manager of activity or upcoming event, if any*)

Robert Ardette gave a brief update on Barfield Highway.

K. REPORT OF THE MAYOR

Mayor Babb advised he had concerns with the city manager, but he's not going along just to get along. He explained that we had to give the city manager time to make changes and gave a brief explanation.

L. REPORT OF THE CITY MANAGER

Mr. Lucas advised he gave all the commissioners a copy of the signed marina contract, just pending the submittal of the bond. He announced the splash pad hours of operations, Monday through Friday from 2pm to 5pm and Saturday through Sunday from 11am to 5pm. Public works is working on street signs, signage, speed bumps, bollards, mowing and edging for East Lake Village Canal, MLK Park to capture the alligator threat in the community, and swimming pool repair. Mr. Lucas advised we are working with HTC to get the FY 2020-2021 Audit completed. He advised the Palm Beach County OIG will come to City Hall on September 28, 2023 to meet with staff on assessments.

M. REPORT OF THE CITY ATTORNEY

Mrs. Norris-Weeks announced the Executive Closed Session at approximately 5:30 PM on September 26, 2023, or as soon thereafter as it may be heard, the City Commission shall meet privately to discuss pending litigation pursuant to Section 286.011(8), Florida Statutes for the following case: A E ENGINEERING, INC. v. CITY OF PAHOKEE, et. al., in the Fifteenth Judicial Circuit in and for Palm Beach County; Case No: 50-2023-CA-010731-XXXX-MB at 360 East Main Street in the City of Pahokee's Commission Chambers, or a nearby adjoining room in Pahokee, FL. Present at the attorney-client session will be Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez, Vice Mayor Murvin, Mayor Babb, City Manager Rodney Lucas, City Attorney Burnadette Norris-Weeks, Assistant City Attorney Jordan Gary and On the Record Court Reporters. The estimated length of the attorney-client session will be 30 minutes.

N. FUTURE AGENDA ITEMS OF COMMISSIONERS, IF ANY

Vice Mayor Murvin advised prior to 2020 the City of Pahokee was one (1) year behind on the financial audit.

Commissioner Perez advised she needs to have the agenda at least a work week ahead of the meeting and gave a brief explanation. She request the complete financials, not the documents she been receiving.

Motion made by Mayor Babb to approve the City Commission receiving Monthly Financial Reports and Quarterly Report verbally by Finance Department, Seconded by Commissioner Gonzalez. Mayor Babb called for questions. Motion passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

Motion made by Mayor Babb to approve the City Manager create a policy requiring the agenda be submitted to the commission at least five (5) business days prior to meeting,

Seconded by Commissioner Gonzalez. Mayor Babb called for questions. Motion passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

Commissioner Perez request the department heads attend the city commission meeting to provide updated reports.

Mrs. Norris-Weeks advised the commission to ask the city manager if that's something he wanted staff to do.

O. COMMISSIONER COMMENTS AND FOR THE GOOD OF THE ORDER (*community events, feel good announcements, if any*)

Mayor Babb advised he has received several complaints in reference to public records request.

Ms. Warner's advised all public records request that are received and have been acknowledged immediately. She advised that the department heads need to submit the documents to the City Clerk's Office to process the public records request.

Mrs. Norris-Weeks gave a brief description of public records documents and the timeframe to fulfill those requests. A discussion ensued.

Commissioner Boldin advised this is a collective effort and we are going to need people that have the ability to communicate effectively. A discussion ensued.

P. ADJOURN

Motion made by Commissioner Perez to adjourn the meeting, Seconded by Commissioner Gonzalez. Mayor Babb called for questions. Motion passed unanimously.

Voting Yea: Mayor Babb, Vice Mayor Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez

There being no further business to discuss, Mayor Babb adjourned the meeting at 9:55 PM.

Keith W. Babb, Jr., Mayor

ATTEST: Tijauna Warner, CMC, City Clerk