

MEMORANDUM

TO: CITY COUNCIL

FROM: PAM E. BOOKER, CITY ATTORNEY

DATE: DECEMBER 28, 2020

REFERENCE: December Monthly Legal Update

SID/ITID Litigation:

Review of court files and pleadings to stay apprised of litigation status. The Parties filed a Joint Motion to Compel Mediation on November 17, 2020, in an attempt to resolve the outstanding dispute. Mediation has been scheduled for February 3, 2021, with Fred Hazouri as the mediator.

Review of proposed local bill for Indian Trail Improvement District, presented by Betty Argue to revise the boundaries of the District, providing a procedure for a feasibility study of an elector-initiated conversion of the District to a municipality, requiring execution of agreements, providing powers for a Safe Neighborhood Program, providing for a transition schedule, providing for a referendum and an effective date. Schedule of conference call with the City Manager and District Council regarding the proposed local bill. The public hearing on the local bill will take place on Thursday, January 7, 2021.

Ordinances & Resolutions:

Prepare resolutions for the following:

- POD G South Plat
- Town Center Parkway West Roadway Plat
- POD S Plat Phase 1A
- Finalize Resolution for Publix Master Sign Plan
- Finalize Resolution for 7-11 Master Sign Plan
- Orchards of Westlake Plat
- Review and final edits to the Pod G, Pod S and Orchards plats.

Noise Ordinance: Awaiting comments on Noise Ordinance.

Florida Public Utilities: Discussions with Attorney Jeffrey Decker regarding franchise agreement with Florida Public Utilities and SID's authority regarding the road rights of way and waiver of permit fees. Conference calls with all parties regarding structure of proposed agreement. Discussions between the Parties will continue in January.

Solid Waste Collection Fee Ordinance per F.S. 197.3632: Review and research Florida Statutes for the collection of solid waste annual fees on the tax roll for the 2021 tax year. Coordination with the City Clerk regarding notice requirements and the tax collector's office.

Review of proposed Interlocal Agreement with PBC Tax Collector for the implementation of the Solid Waste utilization of F.S. 197.3632.

Review of proposed Interlocal Agreement with PBC Property Appraiser's Office for the implementation of the Solid Waste utilization of F.S. 197.3632.

Code Inquiries: Review the City's Interim code and the City's adopted code in response to potential non-conforming use application for the Packing House. Provide response and direction in responding to applicant. Review codes in preparation for drafting ordinance amendment to Chapter 2, implementing procedures for applicants with non-conforming uses and/or structures.

Bond Reviews/Reductions and Release:

Review of documents for approval of recordation of bonds for Persimmon Phase 4, plat.

Agreements:

Research documents related to creation of Palm Beach County Commission on Ethics and draft ordinance for the City of Westlake to enter into an agreement with the Palm Beach County Commission on Ethics. Review of proposed Interlocal Agreement with Palm Beach County and the Palm Beach County Commission on Ethics.

Review of Parking Enforcement Agreement for the Meadows with Palm Beach County Sheriff's office. Follow-up discussions and proposed changes will be discussed in January with Attorney.

Provide Builder's At Risk Agreement for construction prior to recordation of plat.

Public Records Request:

Respond to public records requests.

Lien Search:

Received, review and draft responses to Lien Search Requests.

HAPPY PROGRAM:

- Review of applications and provide responses to applicants, lenders and attorneys for the applicants regarding the program and status of the files.
- Draft Award Letter, Promissory Note & Second Mortgage.
- Correspond via email and telephone with FBC Mortgage & Loan Depot.
- Review of revised loan documents for applicants with January closing dates and follow-up with title companies for closing documents.

Attended Webinars:

Paralegal attended the following webinars.

- The Duty to Vote and Voting Conflicts: Law and Best Practice (Sponsored by League of Cities)
- 2021 Housing Market Trends & Outlook (Sponsored by League of Cities)
- As Women, As Leaders: A Community Conversation on Racial Justice and Policing (Sponsored by League of Cities) (Vice-Mayor Long Robinson was also in attendance).

General meetings:

Attend regular weekly staff meetings and follow-up as needed for various applications. Phone calls and meetings with City Council members regarding questions, inquiries and agenda review.

Prepare items for agenda review and finalization. Provide corrections on agenda items for execution as necessary.

- Attended Regular Council Meeting December 14, 2020
- Schedule Sunshine Law training for new board members on the Education and Youth Advisory Board.
- Review and respond to lien search requests.

Community Meetings:

Florida Bar Constitutional Judiciary Committee, Florida Bar Meeting
Florida Bar, City, County and Local Government Law Section meeting
Palm Beach County Bar Association
F. Malcolm Cunningham, Sr. Bar Association
Palm Beach County League of Cities Luncheon
First Tee of the Gold Coast Meetings, Board of Directors
PACE Center for Girls Meetings, Board of Directors
Florida Association of Women Lawyers (FAWL)
Suits for Seniors, Mentor