

MEMORANDUM

TO: CITY COUNCIL

FROM: PAM E. BOOKER, CITY ATTORNEY

DATE: January 22, 2020

REFERENCE: January 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
- POD S Plat Phase 1A
- Orchards of Westlake Plat
- Noise Ordinance
- POD M-2 Crossings of Westlake

Review of Articles of Incorporation, By-laws of the Orchards of Westlake Homeowner's Association, Inc., the Orchards of Westlake Rules and Regulations, and the Declarations for the Orchards of Westlake in connection with approval of the plat.

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.

Chapter 5, revisions with comments from SID and the agreed upon language by the City Engineer and SID's Engineer. The revisions will be provided to SID and the City Manager. The final revisions should be on the March City council agenda.

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.

Conference with Developers of Grove Market shopping center and staff regarding the redevelopment of the site and additional site improvement discussions as impacting by the City's current code requirements.

Bond Reviews/Reductions and Release:

Review of documents for approval of recordation of bonds for Sky Cove South plat recordation.

Review reduction of bond for Persimmon Blvd East Phase 2

Review reduction of bond for Persimmon Blvd East Phase 3A

Review reduction of bond for Persimmon Blvd East Phase 4

Review reduction of bond for Green Lane

Review reduction of bond for Ilex Way Phase 2

Agreements:

Review of Parking Enforcement Agreement for the Meadows with Palm Beach County Sheriff's office. Draft parking enforcement agreements for other developments within the City for review and approval. Documents were submitted to Palm Beach County Sheriff's office for review and approval.

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 for closings in Sky Cove.
- 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.

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 January 11, 2021
- Schedule Sunshine Law training for new board members on the Education and Youth Advisory Board.

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