MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD ON TUESDAY, OCTOBER 2, 2018, AT 6:30 P.M. INTRACOASTAL PARK CLUBHOUSE, 2240 N. FEDERAL HIGHWAY, BOYNTON BEACH, FLORIDA 33435

PRESENT:

Steven B. Grant, Mayor Christina Romelus, Vice Mayor Justin Katz, Commissioner Mack McCray, Commissioner Joe Casello, Commissioner

Lori LaVerriere, City Manager James Cherof, City Attorney Judith A. Pyle, City Clerk

1. OPENINGS

A. Call to Order - Mayor Steven B. Grant

Mayor Grant called the meeting to order at 6:30 p.m.

Invocation

Vice Mayor Romelus gave the invocation.

Pledge of Allegiance to the Flag

Commissioner McCray led the Pledge of Allegiance to the Flag

Roll Call

City Clerk Pyle called the roll. A guorum was present.

Agenda Approval:

1. Additions, Deletions, Corrections

Commissioner Katz requested to add a presentation on Palm Beach County School referendum to Announcements for the next Commission meeting

Commissioner Casello asked for a discussion regarding the tennis club maintenance and membership costs for the next Commission meeting.

Mayor Grant requested to move item 3.D to 3.C.

2. Adoption

Motion

Commissioner McCray moved to approve the agenda as amended. Commissioner Casello seconded the motion.

Vote

The motion unanimously passed.

2. OTHER

A. Informational items by Members of the City Commission

Commissioner Katz met with Bradley Miller of Miller Land Planning.

Commissioner McCray met with Bradley Miller. He advised there was an upcoming election.

Vice Mayor Romelus noted the last day to register to vote was October 9, 2018.

Commissioner Casello advised he had a meeting with Bradley Miller.

Mayor Grant attended Palm Beach County Action Alliance for Mental Health on September 21st. Attended the National POW/MIA Memorial on September 22nd where the local Cub Scouts and Boy Scouts stood vigil at Veterans Park. Attended the Hero Challenge, Fire Department versus the Police Department. Attended the Art Walk. September 25th, met with staff at Palm Beach Rehabilitation Center which provides special needs individuals with life skills. September 26th met with Bradley Miller of Miller Land Planning, attended the League of Cities meeting in Lake Worth, also spoke with the Women's Circle. September 27th was 211 Legislative Day, attended the Palm Tram Service Board, learned more about the Route Performance Maximization (RPM), September 28th attended Federal Court for a session regarding the TD Squared program. This program provides high school students in Palm Beach County with civil discourse and decision making skills. Met with Senator Berman, attended the Firefighter spaghetti dinner. September 29th went to see Future 6 teach special needs children surfing, also attended Palm Tram opening. October 2nd, attended Palm Beach Garden Club. They are planning to have a plant sharing event. Met with My Brother's Keepers for the Race for Equality Summit, met with Mike DuBois. Mayor Grant requested a meeting 30 minutes before the next Commission meeting to discuss union salary negotiations.

Commissioner McCray questioned Attorney Cherof if this meeting would be legal. Attorney Cherof responded the Commission are fine to meet regarding collective bargaining. Union negotiation meetings are closed to the public.

Lori LaVerriere, City Manager suggested to set the meeting for an hour before the next Commission meeting. Mayor Grant noted the meeting would begin at 5:30 pm on October 16, 2018.

Mayor Grant informed the audience on October 25th, the Criminal Justice Commission was scheduled to be at the Carolyn Sims Center from 6:00 pm to 8:00 pm. to meet community experts around the County regarding keeping the residents safe.

3. ANNOUNCEMENTS, COMMUNITY & SPECIAL EVENTS & PRESENTATIONS

A. Announce that Palm Beach County Property Appraisers office will be manning a table at the Senior Center to provide Boynton Beach residents with information on how to file for Homestead Exemption from 1:30pm - 2:30pm on the following dates:

Tuesday, October 9, 2018; Tuesday, November 13, 2018; and Tuesday, December 11, 2018

Mayor Grant announced staff from Palm Beach County Property Appraiser office would be at the Senior Center, regarding filing for Homestead Exemption.

B. Announce the change in the date for the regularly scheduled November 6th Commission meeting to Wednesday, November 7th.

Mayor Grant announced the change in date for the Commission meeting to November 7, 2018, because of the upcoming election.

- C. Announce updates to the City's Energy Edge Rebate Program by Rebecca Harvey, Sustainability Coordinator.
- D. Proclaim October 5, 2018 as Energy Efficiency Day in the City of Boynton Beach. Rebecca Harvey, Sustainability Coordinator will accept the proclamation.

Mayor Grant read a proclamation acknowledging October 5, 2018 as Energy Efficiency Day. Present to accept the proclamation was Rebecca Harvey, Sustainability Coordinator.

Rebecca Harvey, Sustainability Coordinator, proudly announced the expansion of the Energy Rebate program providing cash rebate up to \$1,500 for installing solar energy and electric chargers. The City of Boynton Beach Rebate program has provided 55 rebates to residents and business owners. Ms. Harvey suggested completing the online energy survey from FPL. Ms. Harvey provided criteria for the energy rebate program.

Commissioner McCray asked how much money has the City of Boynton Beach given towards the energy rebate program. Ms. Harvey replied the energy rebate program has awarded \$50,000.

Commissioner McCray inquired as to the amount allocated for this coming fiscal year. Ms. Harvey indicated there was \$118,000 in the fund. She explained the funding source was the Green Building Ordinance which passed in 2011 and updated 2015 for a 0.05% fee accessed on the total construction cost for all building permits. Commission McCray inquired if this fee was for new construction only. Ms. Harvey replied for all construction.

Mayor Grant asked if the \$1,500 was the maximum per household or business. Ms. Harvey responded the maximum per household or business was \$1,500 within a 10-year period

Vice Mayor Romelus questioned if the applicant would be directed to the best rebate. Ms. Harvey explained residents or business owners should complete the FPL survey. The survey will identify areas where the customer could receive a rebate

E. Proclaim October 15, 2018 as White Cane Safety Day in recognition of the growing independence and self-sufficiency of blind people in America and also, to gain recognition of the white cane as the symbol of that independence and that self-reliance. Debbie Majors, Grants & ADA Coordinator will accept the Proclamation from the mayor.

Mayor Grant read the proclamation acknowledging October 15, 2018 as White Cane Safety Day.

Debbie Majors, Grants & ADA Coordinator, thanked the Commission and explained the City of Boynton Beach supports Lighthouse for the Blind of the Palm Beaches in its efforts to educate the public. Invited all to attend an Open House at the Lighthouse for the Blind of the Palm Beaches, Friday October 5, 2018 from 10:00 a.m. to 1:00 p.m. at 1710 Tiffany Drive East, West Palm Beach, Florida.

F. Arts and Humanities month. Kim Weiss, Chair of the Arts Commission Board, will be present to accept proclamation.

Mayor Grant read the proclamation acknowledging the Month of October as Arts and Humanities month.

Kim Weiss, Chair of the Arts Commission, thanked the Commission for their support.

G. Proclaim September 15- October 15, 2018 as Hispanic Heritage month. Patricia Trejo will be present to accept the proclamation.

Mayor Grant read the proclamation acknowledging September 15 -October 15, 2018 as Hispanic Heritage month.

Patricia Trejo, Administrative Program Planner for the School District of Palm Beach County, explained the School District will be celebrating the contribution made to the United States through the S.T.E.A.M. program by Hispanic Americans.

Commissioner McCray thanked Chief Gregory for the presence of the Police in the area.

4. PUBLIC AUDIENCE

INDIVIDUAL SPEAKERS WILL BE LIMITED TO 3 MINUTE PRESENTATIONS (at the discretion of the Chair, this 3-minute allowance may need to be adjusted depending on the level of business coming before the City Commission)

Susan Oyer, 14O SE 27 Way, asked if Vice Mayor Romelus would be available to judge the Halloween and Christmas contests this year.

Alexandra Wilson, 1202 NW 5th Street, commended all on the dais and told them to keep up the good work. She purchased a property near the hospital and noticed potassium in the water.

Andrew Podray, 800 North Road, noted he was a member of the Building Board of Adjustment and Appeal. He has been restoring the Casa Costa commercial property for the past two years. He indicated the interpretation of the Building Official has been less than generous on many of these projects. He has lost approximately \$60,000 because of inefficacies and bad judgement. He advised there was a pizza restaurant which applied for an awning permit. Apparently there was an ordinance which states the pizza restaurant must be the same awning as the Jamerican Restaurant which went in first. Mr. Prodray read the ordinance into the record. Asked the Commission what is compatible? Implied residents and businesses need to be able to appeal. There needs to be a reduction in the timeframe which the permits are issued and reduction to fees.

Mike Fitzpatrick, 175 S.W. 2nd Street, questioned giving FPL a perpetual easement for solar trees and canopies at Oceanfront Park. Mr. Fitzpatrick asked why the City would give a perpetual easement, maybe the City could make some money in the future with the easement.

No one else coming forward, Mayor Grant closed Public Audience.

5. ADMINISTRATIVE

A. Appoint eligible members of the community to serve in vacant positions on City advisory boards. The following Regular (Reg) and Alternate (Alt) Student (Stu) and Nonvoting Stu (N/V Stu) openings exist:

Arts Commission: 1 Alts
Building Board of Adjustments & Appeals: 1 Regs and 2 Alts
Education and Youth Advisory Bd. 1 Stu

Historic Resource Preservation Bd: 1 Reg

Mayor Grant advised of the openings on the boards.

Motion

Mayor Grant moved to nominate Courtlandt McQuire to the Arts Commission (Alt). Commissioner McCray seconded the motion.

Vote

The motion unanimously passed.

Commissioner McCray requested an update on the volunteer board dinner.

Eleanor Krusell, Marketing Director, responded the Board dinner was scheduled for October 17, 2018 from 6:00 pm to 8:30 pm. at Benvenuto Restaurant.

6. CONSENT AGENDA

Matters in this section of the Agenda are proposed and recommended by the City Manager for "Consent Agenda" approval of the action indicated in each item, with all of the accompanying material to become a part of the Public Record and subject to staff comments.

Mayor Grant requested to pull item 6-D.

- A. **PROPOSED RESOLUTION NO. R18-139** Authorize the City Manager to sign an annual service agreement with Queues Enforth Development, Inc. in the amount of \$73,812 for the continued maintenance and repair of the Public Safety Computer Aided Dispatch/Records Management System as a sole source vendor.
- B. **PROPOSED RESOLUTION NO. R18-140** Authorize the City Manager or designee to sign the Disaster Relief Funding Agreement for Federal and State assistance for Hurricane Irma between the City of Boynton Beach and State of Florida, Division of Emergency Management.
- C. **PROPOSED RESOLUTION NO. R18-141** Approve and authorize the City Manager to sign a land use agreement between the City of Boynton Beach and

Ocean One, LLC for the International Kinetic Art Exhibit & Symposium to be held February 1-3, 2019.

D. **PROPOSED RESOLUTION NO. R18-142** - Authorize the City Manager to sign the second amendment and second memorandum to solar lease and easement agreement. Both are between the City of Boynton Beach and Florida Power & Light Company for a perpetual easement supporting the solar tree and canopies at Ocean Front Park.

Mayor Grant read item 6.D into the record.

Motion

Commissioner McCray moved to approve with discussion. Seconded by Commissioner Casello.

Commissioner McCray requested staff address former Commissioner Fitzpatrick concern.

Gary Dunmyer, City Engineer, explained the amendment to the memorandum would allow more easements. The easement would create more connectivity from the infrastructure to the canopies. In order to connect and receive the power back out to the Florida Power & Light Company (FPL) grid the easement needed to be extended.

Mayor Grant believed the City has a rental agreement with FPL for the land. Mr. Dunmyer responded yes. Noted all the easements are interconnected. Advised FPL pays the City of Boynton Beach for the power collected from the grid.

Commissioner McCray inquired how much FPL was paying the City of Boynton Beach. Mr. Dunmyer responded it was about \$1,400 per month.

Commissioner Katz wanted clarification regarding the agreement with FPL. Mr. Dunmyer replied if FPL take their equipment off of the property the perpetual easement would be removed from the property.

Vice Mayor Romelus understood in no way the City would be giving the property or allowing FPL to have any ownership rights to the land. Mr. Dunmyer responded the City was not transferring ownership to the property. It demands the City to pay attention to what is in the ground.

Vote

The motion unanimously passed.

- E. **PROPOSED RESOLUTION NO. R18-143** Authorize Mayor to sign Interlocal Agreement with Boynton Beach Community Redevelopment Agency to provide partial funding for improvements at Sara Sims Park.
- F. PROPOSED RESOLUTION NO. R18-144 Approve and Authorize the City Manager to sign a piggy-back Agreement with CRS Max Consultants based on its proposal from CRS Max Consultants, Inc. of Coconut Creek, FL, for Community Rating System (CRS) services by utilizing Lee County's Contract 7177 Professional Services Agreement for "Miscellaneous Professional Services for FEMA/NFIP/CRS CN150249 for a not to exceed amount of \$36,000.
- G. Accept the transfer of Lot 13 on NW 10th Ave from the Boynton Beach Community Redevelopment Agency.
- H. Approve the ranking as recommended by the Selection Committee and authorize City Staff to negotiate an Agreement with EPR SYSTEMS USA, INC. of Sarasota, Florida for RFP No. 027-2210-18/IT for RFP for Fire-Rescue Records Management System. The agreement will be brought back to the City Commission for approval once negotiated.
- I. Approve utilizing the City of Stuart Bid No. ITB No. 2019-100 for Chemicals for Water Treatment and Water Reclamation Facility, with Tanner Industries Inc. of Southampton, PA with the same terms, conditions, specifications and pricing. Tanner Industries will provide anhydrous ammonia to the Utilities Department on an "as-needed" basis, for an estimated annual expenditure of up to \$40,000. Procurement has reviewed and concur that the City of Stuart bid process satisfies the City of Boynton Beach's competitive bid requirements.
- J. Approve the Bid for "ANNUAL BID FOR THE PURCHASE OF CLEANING CHEMICALS AND JANITORIAL SUPPLIES" Bid No. 036-1412-18/MFD to the following eight (8) companies: 5 Star Enterprises, All American Poly, Clean All Products, Imperial Dade, Medline Industries, Neeld Supply, Pride Enterprises and Pyramid School Supplies on an overall basis, to the lowest, most responsive, responsible bidders who met all specifications. Items will be ordered on an "AS NEEDED" basis for an estimated annual expenditure of \$40,000.
- K. Approve change orders in the amount of \$23,082.25 to Johnson-Davis, Inc. for the North and South Roads Stormwater and Water Main Improvements project, increasing the project cost from \$2,077,317.60 to \$2,100,399.85.
- L. Approve increasing the purchase order to Sherwin Williams Company for paint and supplies utilizing the Broward County School Board contract #18-022R from \$24,500

to \$30,000. Finance has reviewed and determined that Broward County School Board procurement process satisfies the City's competitive bid requirements.

M. Approve the minutes from City Commission meetings held on September 6, 2018 and September 11, 2018.

Mayor Grant requested a motion to approve the Consent Agenda as amended.

Motion

Commissioner Casello moved to approve the Consent Agenda as amended. Commissioner McCray seconded the motion.

Vote

The motion unanimously passed.

7. BIDS AND PURCHASES OVER \$100,000

A. PROPOSED RESOLUTION NO. R18-145 - Authorize the City Manager to sign an annual service agreement with Motorola, Inc. in the amount of \$117,320.04 for the continued maintenance and repair of the City's radio telecommunications systems as a sole source vendor.

Mayor Grant read the item into the record.

Motion

Vice Mayor Romelus moved to approve. Commissioner McCray seconded the motion.

Vote

The motion unanimously passed.

B. PROPOSED RESOLUTION NO. R18-146 - Approve the ranking as recommended by the Evaluation Committee and authorize the City Manager to sign an Agreement with Downs and St. Germain Research of Tallahassee, FL for RFP No. 026-2511-18/IT for Public Opinion Survey Services. The Agreement shall be for a period of four (4) years commencing on the date the Agreement is awarded by the City Commission. The total cost over the agreement period is approximately \$158,925, of which \$47,925 has been included in the FY 18/19 approved budget.

Mayor Grant read item 7.B into the record.

Commissioner Casello asked for clarification on this project.

Eleanor Krusell, Marketing Director explained this was part of the citywide initiative. The project would help connect and engage the community. The firm which the evaluation committee selected was a well-known company. Ms. Krusell noted this was a four-year project. Advised the first year the survey would be conducted on the web, with postcards, and by telephone. The next year the company would have a focus group.

Commissioner Casello requested an explanation regarding the percentage which must be reached. Ms. Krusell said the bid indicated the company must have a 95% confidence rate. Commissioner Casello inquired if this information will be shared with the strategic plan. Ms. Krusell stated this will help with the strategic plan and a presentation will be made to the Commission.

Vice Mayor Romelus inquired when the presentation would be available to the Commission to review. Ms. Krusell responded the bid indicates the company has 120 days to provide a presentation.

Vice Mayor Romelus requested clarification of the presentation time. Ms. Krusell stated the first one would be 120 days. Advised there would be a presentation after each yearly component.

Commissioner McCray requested the names of those who served on the selection committee. Ms. Krusell responded David Scott, Rebecca Harvey, the Finance Director, Assistant Finance Director and the Procurement Coordinator.

Commissioner McCray inquired if there was a reason they did not reach out to the business s sector, why did they not ask the chamber of commerce. Ms. Krusell stated they did not ask anyone outside of the agency. Commissioner McCray indicated since this would affect residents, businesses, he wanted to know why the business owners were not included.

Mayor Grant advised the City census was approaching and he wanted to make sure everyone was being reported on the census. Ms. Krusell responded this information would be provided to the vendor.

Vice Mayor Romelus understood the survey would be bilingual and inquired which languages. Ms. Krusell responded Creole and Spanish. Vice Mayor Romelus inquired as to the method of evaluation. Ms. Krusell responded the collection would be through the website, online, telephone and postcards.

Vice Mayor Romelus asked who are the targeted audience. Ms. Krusell responded the target audience were residents and businesses within the boundary of Boynton Beach. Vice Mayor Romelus inquired how was the survey information being distributed. Ms. Krusell responded the vendor has completed multiple community survey and analysis.

Vice Mayor Romelus inquired how effective has the vendor been in acquiring information from minority audiences. What are the methods of evaluations?

Ms. LaVerriere pointed out this was a requirement of the bid. The vendor has been provided with demographics of the City of Boynton Beach. The vendor will ensure they have a scientifically sound sampling of the demographics for the City of Boynton Beach.

Vice Mayor Romelus inquired what was being surveyed. Ms. Krusell responded the City wanted to measure the City performance.

Mayor Grant inquired if this includes the City Commission? Ms. Krusell indicated it can be added if requested.

Mayor Grant asked if it was possible to have a meeting with the vendor to provide information and insight from each of the districts to the vendor.

Commissioner McCray suggested a broader survey.

Vice Mayor Romelus clarified she believed it was important to survey the residents. Directed staff to provide additional information/presentations to elaborate on what was being surveyed and some past survey initiatives.

Commissioner Katz pointed out in regards with the Commissioners individually sitting down with the vendor, he was against that. The point of contracting with the vendor was to maintain objectivity. He was not opposed to having a survey being provided to each Commissioner. Believed direct contact with the vendor would compromise the survey.

Commissioner McCray questioned if there was an exit clause. Ms. LaVerriere responded all of the contract has an exit clause.

Commissioner McCray requested more information on what the vendor would provide. Ms. LaVerriere responded she would direct staff to contact the vendor and have their Marketing Manager provide a narrative of services.

Mayor Grant hoped the vendor would be available when the survey began.

Motion

Commissioner McCray moved to approve. Commissioner Casello seconded the motion.

Vote

The motion unanimously passed.

C. Award the Bid for "TWO YEAR CONTRACT FOR LANDSCAPE MAINTENANCE" Bid #029-2730-18/IT to Blue Marlin Investment Company, Duval Landscape, LV Superior Landscaping, Property Works, and Vincent & Sons Landscaping. The estimated annual expenditures are \$1,080,896.18 which includes the award amount of \$900,896.18 and \$100,000.00 for additional services for Nuisance Abatement, Median Restoration, and unforeseen requests. The bid allows for three (3), one (1) year renewals.

Mayor Grant read the item into the record.

Motion

Commissioner Katz moved to approve. Commissioner Casello seconded the motion.

Commissioner McCray inquired if staff looked at local and minority businesses for this contract.

Andrew Mack, Director of Public Works confirmed the bid was sent out to local businesses. He was not aware if minority businesses received notification of the bid.

Commissioner McCray requested the name of the local business. Mr. Mack responded the local awarded business was Vincent and Sons Landscaping.

Commissioner Casello requested clarification regarding the \$100,000 for additional services for nuisance abatement. Mr. Mack answered this was an "as needed service" for mowing not just nuisance abatement.

Vote

The motion unanimously passed.

D. Approve the purchase from Kompan Let's Play Inc. utilizing the US Communities contract #2017001135 for an estimated cost of \$150,000 for the Oceanfront Park playground equipment design and installation with the acceptance of the Kompan Americas matched funding grant awarded to our agency in the amount of \$50,000.

Mayor Grant read the item into the record.

Motion

Commissioner Katz moved to approve. Commissioner Casello seconded the motion.

Commissioner McCray requested photographs of the playground and fitness equipment.

Mr. Mack provided some drawings and photographs of the playground equipment and fitness equipment.

Commissioner McCray asked how would this equipment withstand the Florida sun. Ms. Glenda Hall, Forester answered all of the equipment was made of galvanize steel and plastic.

Commissioner Casello asked about shade sails. Mr. Mack responded there are no shade sails anticipated for this park. There are some trees in the park which could provide some shade.

Vice Mayor Romelus inquired about Americans Disability Act (ADA) compliance. Mr. Mack responded the equipment was ADA complainant.

Mr. Mack informed the Commission this was a very competitive grant. There were 5000 applicants and only 5 grants were awarded.

Vote

The motion unanimously passed.

E. Approve the Bid for "ANNUAL SUPPLY OF PIPE FITTINGS AND ACCESSORIES" Bid No. 037-1412-18/MFD to the following three (3) companies: Core and Main, Ferguson Enterprises and Fortiline on a primary, secondary and third basis, to the lowest, most responsive, responsible bidders who met all specifications with an estimated annual expenditure of \$210,000.

Mayor Grant read the item into the record.

Motion

Commissioner Casello moved to approve. Commissioner McCray seconded the motion with discussion.

Commissioner McCray requested the amount spent last fiscal year on pipe fittings and accessories.

Colin Groff, Assistant City Manager responded last year the City spent \$204,000 on pipe fittings and accessories.

Commissioner McCray inquired if the \$210,000 was enough for the coming year. Mr. Groff responded yes.

Vote

The motion unanimously passed.

8. PUBLIC HEARING

7 P.M. OR AS SOON THEREAFTER AS THE AGENDA PERMITS

The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.

A. PROPOSED ORDINANCE NO. 18-024 - FIRST READING - Approve Good Stone Townhomes annexation (ANNEX 18-001) Applicant: Good Stone, LLC.

Attorney Cherof read Proposed Ordinance No. 18-024 by title only on first reading.

Motion

Commissioner McCray motioned to remove Proposed Ordinance No. 18-024, 18-025 and 18-026 from the table. Commissioner Casello seconded the motion.

Vote

The motion unanimously passed.

Attorney Cherof requested to combined Proposed Ordinance No. 18-024, 18-025 and 18-026 if applicant was in agreement. Bradley Miller of Miller Land Planning nodded in agreement.

Attorney Cherof read Proposed Ordinance No. 18-024, Ordinance 18-025 and Ordinance 18-026 by title only on first reading. Attorney Cherof stated this was a quasi-judicial hearing and swore in all those who wished to testify.

Attorney Cherof addressed the Commission and asked if all previous contact with the applicant has been disclosed.

There was a consensus.

Bradley Miller, Miller Land Planning, 508 E. Boynton Beach Boulevard, representing Good Stone LLC., provided an overview of the property. He indicated the property was located in an unincorporated pocket of Palm Beach County. Mr. Miller explained the property was zoned Commercial High designation (CHD) within Palm Beach County. His client was asking for the parcel to be annexed into Boynton Beach as a Special High Density Residential (SHDR). The zoning would change from the general commercial into an Infill Planned Unit Development (IPUD).

Mr. Miller presented a site plan with 4 townhomes which fronts Federal highway. The townhomes allow for 6 additional parking spaces. There was a requirement of 2.15 parking spaces per unit. His client was providing 3 parking spaces per unit.

Mr. Miller stated the Planning and Development Board recommended the approval of the proposed annexation. Indicated there was some drainage issues with Chucker Road. Mr. Miller believed the development of the site will help cure the draining issue. The request from Ms. Oyer was to include additional plants to attract butterflies.

Commissioner Casello wanted to know how far the bus stop was being moved. Mr. Miller responded he believed it would be within the frontage area.

Commissioner McCray asked if all the homes were 3000 square feet. Mr. Miller responded the town homes were approximately 3000 square feet per building. The end units were smaller than the middle units.

Commissioner McCray asked about the drainage system connection. Mr. Miller answered the drainage system was an exfiltration trench built under the parking lot.

Commissioner McCray pointed out he does not want to put any housing which would flood the adjoining areas. Mr. Miller acknowledged there was no drainage system currently. The development of the property would put in drainage to accommodate not only their property but a portion of Chukker road which abuts the property.

Commissioner McCray affirmed the drainage issue of the water running down, settling some place. Mr. Miller assured the Commission the design of the development would remove the dip and improve the flooding situation.

Mayor Grant opened up to public comment.

Carol Landry, 815 Chukker Road, said at the last meeting the developer indicated they would repair the dip. Indicated what is done at the top of the road would affect the bottom of the road. Ms. Landry was not opposed to the development on the lot. The concern was for the traffic and the flooding from lack of drainage. She suggested installing a larger warning sign.

Commissioner McCray inquired if a traffic study was completed.

Arthur Shilling, 818 Chukker Road, indicated the dip in the road was near Waterside. The aerial pictures from Federal Highway did not show any access. Traffic and drainage was a problem. He questioned why there an annexation going on now. He believed Waterside was using the canal as a drainage.

Bob Stephens 812 Chukker Road, needed some place for cars to pass.

Commissioner Casello asked why these trucks were going down Chukker Road. Mr. Stephens answered he spoke with some of the truckers and the GPS indicated they should take Chukker Road to get to Waterside.

Commissioner Casello asked if he thought improved signage would help the traffic situation. Mr. Stephen believed it would. He indicated the current sign was small.

Commissioner Casello asked about Home Owners Association (HOA). Mr. Stephens stated the streets was deeded to the residents.

Carol Landry 815 Chukker Road, indicated the garbage trucks must back onto the vacant lot. The road needs to be widen. There are a lot of deliveries to Waterside. Ms. Landry showed a deed to the Commission indicating the road was deeded to Chukker Road residents.

Commissioner Katz stated the only aspects was the property owners trying to develop their property. Trucks are illegally using the applicant property. He understands the concern; he cannot force the property owner to give up a portion of their property for a turnaround for cars and trucks. The property owners could choose to annex themselves to the City and then the City would be responsible for the drainage.

Mr. Stephens asked how many parking spaces are being allocated. Commissioner Katz stated there are 12 parking spaces being allocated.

Carol Landry, 815 Chukker Road, wanted the Commission to be aware there are problems with the road.

Vice Mayor Romelus asked who was responsible for the road. Attorney Cherof stated this road was not within the City limits of Boynton Beach.

Vice Mayor Romelus asked who was responsible for maintaining Chukker Road. Mr. Groff answered Palm Beach County was responsible. It appears the County dedicated the road to the residents because of the narrow size of the road.

Vice Mayor Romelus stressed Chukker Road was not in the jurisdiction of the City of Boynton Beach.

Commissioner Casello asked if the City annexed the property, does this mean the City would annex the road as well. Mr. Groff stated this needed to be reviewed prior to second reading. Staff believed this to be a Palm Beach County road when the application was reviewed.

Commissioner Casello inquired who was responsible for the road if the City annexes the applicant's parcel. Mr. Groff replied it would be the property owners or Palm Beach County. It would not be the City of Boynton Beach.

Vice Mayor Romelus stated what was being annexed was the property up to the property line, not the road. Attorney Cherof advised there are many examples of private roads and driveways within the boundary of the City of Boynton Beach.

Commissioner McCray asked who was responsible for police and fire service. Mr. Groff indicated he was unable to answer as he did not have the utilities map available.

A Fire representative advised with regards to the width of roadway there are legal requirements.

Commissioner McCray requested staff to provide information on whether the City was responsible for fire and police service.

Mr. Miller responded staff reviewed access to the property. Commissioner McCray understands if Mr. Miller's project was approved, it would require police and fire services. Commissioner McCray noted he was speaking about the other homeowners on the street.

Commissioner Casello said there was always confusion when a property was annexed. When a homeowner dials 911 the homeowner was not sure who will respond. Mr. Miller indicated this was one of the reasons why the City and County encourages annexation of those pockets.

Mr. Miller said there seem to be a misconception regarding a wall. Noted his client was not proposing a wall. There are means of improving the drainage situation, there is a grass detention area which is on the Northeast portion of the property. There is an exfiltration trench below the property.

Mr. Miller indicated the conceptual design was reviewed by the City of Boynton Beach, Lake Worth Drainage District, and South Florida Water Management District. One of the criteria was not to cause any flooding to other property owners. The issue of the flooding would be addressed. A traffic study has been completed and reviewed and approved by Palm Beach County. The bus stop location was being moved further away from Chukker Road.

Mr. Miller advised the annexation of this property was part of the City of Boynton Beach Comprehensive Plan.

Mayor Grant asked if Mr. Miller was in agreement with the conditions of the Planning and Development Board. Mr. Miller responded he was in agreement with both conditions.

Mayor Grant said he was in agreement with helping with any flooding issues. Mr. Miller confirmed.

Motion

Vice Mayor Romelus moved to approve. Commissioner Casello seconded the motion.

Clerk Pyle called the roll.

Vote

5-0

PROPOSED ORDINANCE NO. 18-025 - FIRST READING - Approve Good Stone Townhomes Future Land Use Map Amendment (LUAR 18-002) from Palm Beach County's Commercial High with a maximum density of 5 dwelling units/acre (CH/5) to Special High Density Residential (SHDR). Applicant: Good Stone, LLC.

Attorney Cherof read Proposed Ordinance No. 18-025 by title only on first reading.

Motion

Commissioner McCray motioned to remove Proposed Ordinance No. 18-024, 18-025 and 18-026 from the table. Commissioner Casello seconded the motion.

Vote

The motion unanimously passed.

Motion

Vice Mayor Romelus moved to approve. Commissioner Casello seconded the motion.

Clerk Pyle called the roll.

Vote

5-0

PROPOSED ORDINANCE NO. 18-026 - FIRST READING - Approve Good Stone Townhomes Rezoning (LUAR 18-002) from Palm Beach County's Commercial General (CG) to Infill Planned Unit Development (IPUD). Applicant: Good Stone, LLC.

Attorney Cherof read Proposed Ordinance No. 18-026 by title only on first reading.

Motion

Commissioner McCray motioned to remove Proposed Ordinance No. 18-024, 18-025 and 18-026 from the table. Commissioner Casello seconded the motion.

Vote

The motion unanimously passed.

Motion

Vice Mayor Romelus moved to approve. Commissioner Casello seconded the motion.

Clerk Pyle called the roll

Vote

5-0

B. Approve Good Stone Townhomes New Site Plan (NWSP 18-001) to allow construction of a multi-family residential project consisting of four (4), three-story townhomes totaling 12,180 square feet and related site improvements, located on the southeast corner of Federal Highway and Chukker Road. This request is in coordination with applications for Annexation, Future Land Use Amendment, and Rezoning. Applicant: Good Stone, LLC.

Mayor Grant the read item into the record.

Motion

Commissioner McCray moved to table to October 16, 2018. Commissioner Casello seconded the motion.

Vote

The motion unanimously passed.

C. PROPOSED ORDINANCE NO. 18-027- FIRST READING - Approve Arden Park abandonment (ABAN 18-002) allowing the abandonment of the unimproved, 10.2-foot wide alley running north / south from NE 9th Avenue, for a distance of approximately 148 feet, to the south end of Lot 2 of the Robert Wells' Subdivision, between NE 3rd Street and Railroad Avenue. Applicant: Michael Simon, CRA Executive Director. - (Due to advertising deadlines item tabled to October 16, 2018).

D. **PROPOSED ORDINANCE NO. 18-023 - SECOND READING -** Approve NE 1st Avenue Abandonment (ABAN 18-003) abandoning the improved 45-foot-wide right-of-way running east / west from NE 1st Street, for a distance of approximately 588.02' feet, to Seacrest Boulevard. Applicant: City of Boynton Beach.

Attorney Cherof read Proposed Ordinance No. 18-023 by title only on first reading.

Motion

Commissioner McCray moved to remove from the table. Commissioner Casello seconded the motion.

Vote

The motion unanimously passed

Motion

Commissioner Katz moved to approve. Commissioner McCray seconded the motion.

Clerk Pyle called the roll.

Vote

5-0

9. CITY MANAGER'S REPORT

A. Report on the local artist's participation for the Town Square project

Lorie LaVerriere, City Manager to give an update on the Arts in Public places.

Debby Coles-Dobay, Public Arts Manager, explained that Palm Beach County has very few Public Artist. This program would align itself with the initiative to build wealth in the community.

This program would identify local artist who desire to team up with accomplished public artists to create and integrate public art in the City's Town Square project.

Ms. Coles-Dobay explained artist were told to submit their information to the City website. This was published through Palm Beach County listing, social media and other organizations. The applications would be reviewed and approved by the Arts Commission. The artist will be paired with Public Artists which were selected for the Police Station and the Interactive plaza. The objective was to implement an opportunity for

emerging local artist. This would provide an opportunity to learn budgeting, installation, material handling. Additional opportunity to create original artwork for the Fire Station, and on canvases on various garages. There are five opportunities for the emerging artist to be able to learn how to become a Public Artist.

Commissioner Casello asked if the decision was made by majority vote. Ms. Coles-Dobay responded yes.

Vice Mayor Romelus asked if there was any other board voting on the emerging artists. Ms. Coles-Dobay stated it would be the Arts Commission.

Vice Mayor Romelus inquired what counts as local emerging artist. Ms. Coles-Dobay responded Palm Beach County residents. The Building Wealth program focused directly on Boynton Beach residents.

Vice Mayor Romelus asked about the process to select the artists to receive a stipend. Ms. Coles-Dobay stated there are two different projects. For the Police station, the Interactive Plaza, those were calls to artist. Everyone was welcomed to submit their past projects. Then the Arts Commission looks at the letter of intent and the type of project they have previously completed. There are many criteria which are judged and then they are selected. Then the two shortlisted artist are given a stipend to prepare a proposal for the Commission and the Art Commission for approval.

Vice Mayor Romelus stated it was a continuation of that process. Ms. Coles-Dobay responded the emerging local artist program follow a similar process. The emerging artist will learn the process and procedures.

Commissioner McCray asked what was the qualifications and the duties of the Arts Commission. Sometimes it seems they are getting off track. Ms. Coles-Dobay answered to manage the arts program based on guidelines and recommendation and the ordinance. Her job was to guide the artist through that process.

Commissioner McCray asked for the ordinance and guidelines. Ms. Coles-Dobay replied she will provide that information.

Mayor Grant asked when the Arts Commission meet. Ms. Coles-Dobay stated their meetings are the 2nd Thursday of each month at 6:30 pm to 9:00 pm at Fire Station #5.

Commissioner McCray requested all members of the Art Commission receive the ordinance and guidelines.

Vice Mayor Romelus requested clarification regarding the Minnesota LLC. Ms. LaVerriere answered they are the bond issue and the funding partner for the Town Square. Vice Mayor Romelus asked for the amended contract.

Ms. LaVerriere said typically they sign off on the agreement, she will send the contract when the artists are engaged. Ms. Coles-Dobay stated it would take a couple of months before the City receive the artist contracts.

Mayor Grant asked when they can begin to see the art. Ms. LaVerriere replied about a year and a half.

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS

A. Vice Mayor Romelus requested the Commission discuss the attached email from Susan Oyer.

Vice Mayor Romelus creates something which integrates the City logo.

Ms. LaVerriere indicated this items have been discussed with staff.

Susan Oyer, 140 SE 27th Way, suggested the ideal of having the City of Boynton Beach logo made into an aluminum fish/spinning sailfish. Ms. Oyer stated she has seen a similar project in London and Germany. She believes this could be successful and there are so many possibilities. This could be used as a photo opportunity for visitors to the City as well as having businesses participate.

Vice Mayor Romelus wanted to create a layout to rollout this program. This would bring interaction awareness to the City of Boynton Beach.

Commissioner Katz echoed the sentiment. He fully supports Ms. Oyer idea, especially for the downtown area. The hope was having a lot of foot traffic and pedestrian activity. There should be art for the people, not art thrust upon the people. He believes it was important and affordable. A regular person that appreciates art would appreciate attending a site with the aluminum fish. Commissioner Katz informed the audience the most successful art event was the Lake Worth Street Painting Festival. He liked the aluminum fish. This would be great because this was a marine theme. He likes the direction this would potentially drive the City. Public participation was needed to engage regular people.

Vice Mayor Romelus agreed arts by the public and for the public.

Mayor Grant indicated this would not be cheap. The art would need to be hurricane proofed. The City could look at something much smaller scale. He spoke with the City Manager regarding the mural painting at the solar canopies. He wanted to make sure this was fiscally responsible. He agreed with Vice Mayor Romelus and Commissioner Katz to have art for the public.

Ms. LaVerriere said there was some beautiful space at Town Square with some open public space. The City could get real local artist, the moms and dads that paint for a hobby to come out and do some fun events.

Mayor Grant asked if the City would be forming a Brand Taskforce. Ms. LaVerriere stated they are working towards that.

Mayor Grant asked if they would be working on the City of Boynton Beach Centennial. Ms. LaVerriere replied yes. Mayor Grant suggested combining those two events.

Commissioner McCray said everyone was in agreement. He does not want to see overkill.

B. Discussion on Board Member Advocacy Ordinance

Mayor Grant read the item into the record.

Attorney Cherof advised the history of the drafting the ordinance. Met with Mark Bannon. the Executive Director for the Palm Beach County Commission on Ethics (COE) and Christy Kelly the General Counsel for the COE to review the previous draft the Commission reviewed and tabled. This new version goes significantly further in distinguishing between the advocacy by a board member and lobbying by a board member. The City of Boynton Beach in 2010 adopted and came under the jurisdiction of Palm Beach County Code of Ethics. This Code specifically controls lobbying so those definitions apply to this ordinance. Nothing has been expanded in the definition of lobbying as it relates to that. The Palm Beach County Code of Ethics would apply in the Palm Beach County Ethics Commission rules and regulations that would apply if someone had an issue regarding a board member engaged in lobbying, the complaint would be filed with and reviewed by that entity. What this draft does was to describe advocacy which was not lobbying. Lobbying involves payment of money or compensation for the effort. Advocacy was defined as the use of the position of a board member to advance or block some proposed item that come before the Commission or the Board. The actions that a board member could do would be unrelated to items which would come before the Board. The actions that a board member could do would be unrelated to items that would come before the board; they could essentially do what they would want to do as a citizen or business owner within the City. What the draft does provide was lobbying by a board member was prohibited. A board member cannot engage in the business of lobbying. What a board member needed to do, faced with the choice of being a board member or being a lobbyist must choose their path.

The board member penalty for violation of the provision was removal from the board. Attorney Cherof was not certain whether this advances the intent of the Commission as discussed. He asked the Commission to focus first on the "whereas" provisions of the draft and see it this within the ballpark of what the Commission's intent. A provision has been added to make clear that these new rules regarding lobbying and advocacy are supplemental to the existing limitations set forth in the Palm Beach County Code of Ethics

Commissions Casello inquired if the City was changing anything from the Palm Beach County Code of ethics. Attorney Cherof replied there was nothing the Commission needed to change, unless the Commission wanted to reverse what was put in place in 2010; which is working very well.

Commissioner Casello said the ordinance provides a defined definition of advocacy on what a board member can do. A board member can still advocate in front of the Commission as long as the item has not come before the board on which the individual sits. Attorney Cherof stated that was correct.

Commissioner McCray stated since they are following the purview of the County he does not see any reason why this item was being moved forward. Asked the City manager what happened to the money being set aside. Ms. LaVerriere stated that was for the Inspector General (IG). Advised the lawsuit was appealed. There was not a mechanism at this point for the City to pay the IG. Commissioner McCray asked how much was stored. Ms. LaVerriere stated she would get that information to the Commission.

Mayor Grant asked if this would be a new ordinance. Was this a recommendation to be placed on the next agenda? Attorney Cherof stated at this point it was a suggestion. The Commission needed to place for first reading.

Motion

Commissioner Casello moved to approve. Commissioner Katz seconded the motion.

Vote

- 3-2 (Commissioner McCray and Vice Mayor Romelus dissenting)
 - **C.** Commission to discuss Commission Meeting that would normally be scheduled for Tuesday, January 1, 2019 and decide to either re-schedule or cancel the meeting.

Mayor Grant read the item into the record.

Motion

Commissioner McCray moved to cancel the January 1, 2019 meeting. Vice Mayor Katz seconded the motion.

Vote

The motion unanimously passed.

D. Approve the request of Commissioner Joe Casello to distribute \$1,000 of his Community Support Funds to Youth Enrichment Association for Academics and Athletics (Wildcats Football).

Motion

Commissioner McCray moved to approve. Vice Mayor Romelus seconded the motion.

Vote

The motion unanimously passed.

E. Approve the request of Commissioner Joe Casello to distribute \$1,000 of his Community Support Funds to Florida Youth Rugby Union a non-profit organization.

Motion

Commissioner McCray moved to approve. Commissioner Katz seconded the motion.

Commissioner McCray noted Commissioner Casello's replacement would not have any Community Support funds for 2019.

Vote

The motion unanimously passed.

F. Approval of proposed settlement of litigation matter of Dennis Galindez v. City of Boynton Beach and all other pending claims by this employee.

Motion

Commissioner McCray moved to approve. Vice Mayor Romelus seconded the motion.

Commissioner Casello said this was a police officer. The police officer was at a training facility when some type of horseplay resulted in the officer being injured. The City took care of him medically and he returned to work.

Attorney Cherof clarified when an employee was injured on the job or an associated activity of the job, most individuals believe that workman's compensation would cover exclusively. There are some exceptions to the coverage which allow an employee to sue their own employer. Attorney Cherof indicated if the employee can establish certain facts associated with the conditions which gave rise to the injury, this case falls under that exception to the worker's compensation rule.

Commissioner Casello asked the conditions that prompted this action by the City. Attorney Cherof replied a slip and fall case associated with the sidewalk area which had a material on it, the plaintiff claimed should have been known and corrected. Commissioner Casello said the City made the officer whole again and he was able to come back to work. Attorney Cherof agreed. Commissioner Casello queried why the City was being sued. He understood the original amount of the lawsuit was about \$200,000. Attorney Cherof confirmed.

Commissioner Casello indicated the City make settlements as a normal course of business. Attorney Cherof explained the City evaluates the risk and settlement are made in the best interest of the City.

Commissioner Casello asked if this employee could bring a lawsuit against the City then other employees could do this same thing. This could become an ongoing issue. Attorney Cherof responded this could be an ongoing thing. This was an exception to the general rule.

Commissioner Casello asked what made this an exception. Attorney Cherof replied the condition the employer knew of and did not repair the condition.

Mayor Grant stated it was like a negligence case. Attorney Cherof indicated it sounds like it.

Commissioner Casello questioned if the employee had agreed to leave the City employment. Attorney Cherof replied yes. Commissioner Casello asked if the individual was still employed with the City. Ms. LaVerriere stated the employee was on Family Medical Leave Assistance (FMLA), but is still an employee. Commissioner Casello said he is on FMLA for another medical illness.

Mayor Grant inquired how much has the City spent on legal fees. Attorney Cherof responded he would get that number to the Commission.

Mayor Grant questioned how many years this case has been in litigation. Attorney Cherof believed five years. Mayor Grant inquired if the City takes this to court would it be another \$30,000. Mayor Grant stated the employee could not claim worker's compensation at a later date. Attorney Cherof replied that was correct.

Commissioner Casello advised these type of cases have given hundreds of thousands of dollars in cases where the City believed it to be a business decision. Businesses outside this chamber would be out of business if they settled claims like the City. They have only litigated one case since he has been Commissioner and they won the case.

Commissioner Katz indicated he was pretty good at weighing the cost benefit of settling cases. He believes this one was he does not see a reason to settle. Based on the circumstances he does not see the City bearing any responsibility. He was in agreement

with Commissioner Casello there was no reason to believe the City would lose this case. While on the job the individual engaged in some sort of negligence behavior.

Commissioner McCray asked if the employee was presently working. Ms. LaVerriere stated he was on FMLA.

Commissioner McCray asked the salary of the employee. Ms. LaVerriere responded about \$70,000. Commissioner McCray stated settle this.

Commissioner Casello inquired if the employee could come back and file a disability pension claim. Attorney Cherof stated he did not believe he could. Explained the way the settlement was structured, the employee waived all additional claims.

Vote

2-3 Settlement Denied. (Commissioner Katz, Commissioner Casello and Mayor Grant dissenting)

12. LEGAL

A. The Town of Hypoluxo agreed to terminate the current water services agreement with the Town of Manalapan and allow the City to serve these customers with water services. The City currently serves the whole Town with sewer services and one third of the Town with water services. This agreement will allow the City to serve all property within the municipal limits of the Town of Hypoluxo and expand services as requested.

Motion

Commissioner McCray moved to approve. Commissioner Casello seconded the motion.

Vote

The motion unanimously passed.

B. PROPOSED ORDINANCE NO. 18-017 - SECOND READING - Approve Wireless Communication Facilities (CDRV 18-001) amending Chapter 3. Article V. Section 13 of the Land Development Regulations to implement regulations consistent with State legislation known as the Advanced Wireless Infrastructure Deployment Act that regulates WCF within public rights-of-way. City-initiated

Attorney Cherof read Proposed Ordinance No. 18-017 by title only into the record.

Motion

Commissioner McCray moved to remove from the table. Commissioner Casello seconded the motion.

Vote

The motion unanimously passed.

Motion

Commissioner McCray moved to approve. Commissioner Casello seconded the motion.

Vice Mayor Romelus inquired if the City received clarification from the outside entities. Attorney Cherof replied yes.

Clerk Pyle called the roll.

Vote

5-0

13. FUTURE AGENDA ITEMS

- A. Commission wants to discuss public safety as it relates to the Town Square Redevelopment – TBD
- B. Staff to bring information concerning the following land parcels for the Commission to review TBD
 Nichols Property
 Rolling Green
 Girl Scout Park
- C. Approve Cottage District Alley Abandonment (ABAN 18-001) allowing abandonment of the unimproved 15-foot wide alley running east / west from Seacrest Boulevard to NE 1st Street, between NE 4th Avenue and NE 5th Avenue. Applicant: Michael Simon, CRA Executive Director. - October 16, 2018
- D. Approve McDonald's Restaurant Conditional Use and Major Site Plan Modification (COUS 18-006 / MSPM 18-008) consisting of the construction of a 4,490 square foot fast food restaurant and associated site improvements at 1701 S. Congress Avenue in the C-3 (Community Commercial) zoning district. Applicant: Edward Ploski, Corporate Property Services, Inc. - October 16, 2018

E. Approve 1320 S. Federal Highway Future Land Use Map Amendment (LUAR 18-001) from Office Commercial (OC) to Mixed Use Low (MXL). Applicant: Exsorro One, Inc.

Approve 1320 S. Federal Highway Rezoning (LUAR 18-001) from C-1, Office Professional to MU-1, Mixed Use 1. Applicant: Exsorro One, Inc. - October 16, 2018

- F. Approve 1320 S. Federal Hwy. Office Building Major Site Plan Modification (MSPM 18-009) to construct a 10,898 square foot structure and associated site improvements. Applicant: Exsorro One, Inc. October 16, 2018
- G. Approve 1320 S. Federal Hwy. Office Building Height Exception (HTEX 18-001) to construct an office building in a MU-1 (Mixed Use 1) zoning district with architectural features up to 54'-10" in height, 9'-10" above the maximum allowable height. Applicant: Exsorro One, Inc. October 16, 2018

Mayor Grant indicated he would like to discuss the City Development Code regarding the signage, awnings and the appeal process. Ms. LaVerriere replied staff needed time to review the Code. Commissioner McCray noted this was something which was needed. Ms. LaVerriere advised staff have projects and strategic plan objectives to meet. Advised she would provide updates at the next meeting.

14. ADJOURNMENT

Motion

There being no further business to discuss, Commissioner Katz moved to adjourn. Commissioner McCray seconded the motion.

Vote

The motion unanimously passed. The meeting was adjourned at 9:21 p.m.

(Continued on next page)

	CITY OF BOYNTON BEACH
	Mayor - Steven B. Grant
	Vice Mayor - Christina Romelus
	Commissioner – Justin Katz
	Commissioner - Mack McCray
	Commissioner - Joe Casello
ATTEST	
Judith A. Pyle, CMC City Clerk	
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Queenester Nieves Deputy City Clerk	_