

**MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD ON
WEDNESDAY, OCTOBER 31, 2018, AT 6:00 P.M. AT THE INTRACOASTAL PARK
CLUBHOUSE, 2240 N. FEDERAL HIGHWAY, BOYNTON BEACH, FLORIDA**

PRESENT:

Steven B. Grant, Mayor
Justin Katz, Commissioner
Joe Casello, Commissioner

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

ABSENT:

Christina Romelus, Vice Mayor Romelus
Mack McCray, Commissioner

1. OPENINGS

A. Call to Order - Mayor Steven B. Grant

Mayor Grant called the meeting to order at 6:00 p.m.

Invocation

Commissioner Casello gave the invocation.

Pledge of Allegiance to the Flag led by Commissioner Casello

Roll Call

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

Agenda Approval:

1. Additions, Deletions, Corrections

Mayor Grant requested to add Informational Item.

2. Adoption

Motion

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

Vote

The motion unanimously passed.

2. INFORMATIONAL ITEMS

Commissioner Katz distributed a packet which contained an email and Planning and Zoning Board meeting minutes from July 2016 addressing an issue which was left open from the last Commission meeting. When he cited the information he believed the information to be correct. Commissioner Katz indicated for the record his assertion at the last Commission meeting was 100% correct. As such he would stand by what was stated at that time. Attached to the package was an email from the individual which called into question his statement of accuracy at the last Commission meeting and requested a formal public apology. Commissioner Katz indicated he was correct in his statements and there was no need for an apology.

Commissioner Casello believed having this ordinance would address issues which have occurred in the City of Boynton Beach. Hopefully this ordinance would curtail some of those issues. He believed transparency was a concern for elected officials. This ordinance addresses transparency in the City of Boynton Beach.

Mayor Grant reviewed the Florida tax watch amendment 12 discussion, regarding public officials becoming lobbyist. Indicated if this amendment passes, Florida would have the strictest lobbying ordinance of any State. Public officials could become lobbyist after 12 years of leaving office. Elected official are being held to a higher standard.

Mayor Grant attended the Community Green event. Requested the approval of the Commission to place on Future Agenda about what was to be done about the Kapok tree which was not slated to be saved, also, asked how can the City further the urban canopy.

There was a consensus.

Commissioner Casello thought the tree was slated to be saved. Mayor Grant indicated the one next to the Historic School House was slated to be save but not the one next to the amphitheater

3. OTHER

- A. **PROPOSED ORDINANCE No. 18-031- Second Reading** City Commission to consider amending Part II, Chapter 2, Article I of the Code of Ordinances to create a new subsection prohibiting board member advocacy and lobbying.

Attorney Cherof read Proposed Ordinance No. 18-031 into the record on second reading.

Commissioner Katz stated he would like to offer a potential amendment to this Ordinance. In the spirit of the Constitution Revision Committee question, regarding lobbyist, there should be some type of prohibition of members which serve on the Advisory Boards or Commission. He believes that it was important to protect the integrity of these boards. He

would like to add some language which states when board members leave there would be a 12-month prohibition on their ability to become paid lobbyist to the Commission or CRA. This would make sure the board was not being corrupted by special interest. The former board member would not be able to leverage their position to become a lobbyist for special interest. He would like to place on the future agenda item a similar prohibition for elected official with similar language.

Mayor Grant questioned if Amendment 12 passes as there was no need for a new ordinance. Commissioner Katz confirmed.

Mayor Grant asked if the legal department needed specific language for the ordinance. Attorney Cherof responded language was needed to amend the ordinance. Mayor Grant stated he does not believe they can create, between the first and second reading. He asked if they could create some type of specific language. Attorney Cherof noted the Commission could amend any ordinance on the second reading. Mayor Grant asked if the ordinance language needed to be exact. Attorney Cherof stated the language needed to be worked out at this time.

Commissioner Katz said if it was tedious it could be revisited at a later date. He was withdrawing the amendment to the Ordinance.

Mayor Grant indicated it was as simple as saying a City board member would be prohibited from acting as a lobbyist for an additional 12-months after resigning from an Advisory Board.

Commissioner Katz noted if it was simple to have one sentence. He was ok with this.

Attorney Cherof suggested the conservative approach would be to defer it and do it as an add on later based on the outcome of the referendum to the Constitution amendment. If the Commission were to change the ordinance on the dais they could create a subsection. Mayor Grant stated there were some questions that needed to be answered, such as what would the remedy be if the board member lobbied the Commission or the CRA. He would like to see the ordinance approved as stated. Stated the language could be worked out at a later date.

Motion

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

City Clerk, Pyle called the roll.

Vote

3-0 (*Vice Mayor Romelus and Commissioner McCray absent*)

Attorney Cherof questioned with the new rules will this item come back as a future agenda item or new business.

Mayor Grant asked if Commissioner Katz would like to see this as a Future Agenda item. Commissioner Katz replied if this was about the prohibition on becoming a lobbyist after serving as an Advisory Board member. Mayor Grant confirmed.

Attorney Cherof inquired if this should come back in the form of ordinance. Commissioner Katz confirmed.

Commissioner Casello inquired if this would jeopardize Ordinance 18-031. Mayor Grant responded that ordinance has been approved. Explained this was something for a Future Agenda item.

Commissioner Katz believes that Elected Officials should be held to the same standard as the appointed Advisory Board members. The intent of this ordinance was to prevent the special interests from gaining undue influence over the advisory board as well as the Commission. Noted his Future Agenda was meant to prohibit Commissioners as well as appointee to the Advisory Board from becoming lobbyist subsequent to their serving in their position. Inquired if this Ordinance could stand alone to prohibit both groups. Commissioner Katz indicated the future agenda item should be to discuss a prohibition for appointed and Elected Officials in the City of Boynton Beach from serving as paid lobbyist subsequent to their time on their board or the Commission.

4. ADJOURNMENT

Motion

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

Vote

The motion unanimously passed. The meeting was adjourned 6:14 pm

(Continued on next page)

CITY OF BOYNTON BEACH

Mayor - Steven B. Grant

Vice Mayor - Christina Romelus

Commissioner – Justin Katz

Commissioner – Mack McCray

Commissioner - Vacant

ATTEST

Judith A. Pyle, CMC
City Clerk

Queenester Nieves
Deputy City Clerk