

**Minutes of the City Commission Meeting  
Held Online Via the GoToWebinar Platform and  
In-Person at the City Hall Commission Chambers  
100 East Ocean Avenue, Boynton Beach, Florida  
On Tuesday, April 6, 2021, at 4:15 P.M.**

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**Present:**

Mayor Steven B. Grant  
Vice Mayor Ty Penserga  
Commissioner Justin Katz  
Commissioner Woodrow L. Hay  
Commissioner Christina L. Romelus

Lori LaVerriere, City Manager  
James Cherof, City Attorney  
Tammy Stanzione, Deputy City Clerk

**1. Openings**

**A. Call to Order – Mayor Steven B. Grant**

Mayor Grant called the meeting to order at 4:24 p.m.

**B. Roll Call**

Deputy City Clerk Stanzione called the roll. A quorum was present.

Closed-door session on Tuesday, April 6, 2021 beginning at 4:15 p.m., for a private attorney-client session to discuss pending litigation case of:

CITY OF BOYNTON BEACH, a Florida municipal corporation,  
Plaintiff, vs. JKM BTS CAPITAL, LLC., Defendant – Palm Beach  
County Circuit Court Case Number: 50-2020CA012780-XXXX-  
MB

Attorney Cherof announced those attending the closed-door session included the City Commissioners, City Manager, City Attorney, Assistant City Attorney, and a court reporter. The session was anticipated to last about 60 minutes. Attorney Cherof noted should a Commissioner who was not currently present arrive during the closed-door session, it will be reflected when the meeting reconvened.

Mayor Grant recessed the meeting at 4:26 p.m.

Mayor Grant reconvened the meeting at 5:36 p.m.

**John McNally**, ITS Director, explained how the online meeting would proceed and how the public could participate.

Invocation by Apostle Brown of New Disciples Worship Center

Apostle Brown was not in attendance. In his absence, the Invocation was given by

Mayor Grant and Reverend Wright.

Pledge of Allegiance to the Flag led by Commissioner Katz

Commissioner Katz led the Pledge of Allegiance to the Flag.

Agenda Approval:

1. Additions, Deletions, Corrections

Mayor Grant requested to add Administrative Item 5B, a discussion on a trip to Tallahassee.

2. Adoption

### **Motion**

Vice Mayor Penserga moved to approve as amended. Commissioner Romelus seconded the motion. The motion passed unanimously.

### **2. Other**

- A. Informational items by Members of the City Commission

Vice Mayor Penserga disclosed that he spoke with the property owners of the Knuth Road item on the agenda. He attended Congresswoman Lois Frankel's meeting regarding the American Rescue Plan. He attended and spoke at an anti-Asian hate rally in Lake Worth Beach.

Mayor Grant disclosed that on March 23<sup>rd</sup>, he spoke with John Markey and Jeff Johnson of JKM. On March 24<sup>th</sup>, he spoke with presenters at the COWBRA meeting. On March 27<sup>th</sup>, he attended a walk for a Healthier Boynton Beach for the Let's Move Program. He wished those who celebrated Passover a Happy Passover. On April 1<sup>st</sup>, he attended a meeting with Jeff Burns. On April 3<sup>rd</sup>, he hosted the Ambassador of Bangladesh and attended a gala in the Ambassador's honor in West Palm Beach. On April 6<sup>th</sup>, he spoke with Miranda Christian from WPTV about the boat ramp item.

Commissioner Romelus disclosed that she met with Jeff Burns and Michael Weiner and the property owner of Knuth Rd.

Commissioner Katz disclosed that he spoke with the property owners of Knuth Road. He will be meeting with Michael Weiner and his client on April 7<sup>th</sup>.

### **3. Announcements, Community and Special Events and Presentations**

- A. Dr. Anthony Lockhart, Principal of Boynton Beach High School, will make an announcement regarding the Boynton Beach

Aerospace Science Academy's participation in the FAA Airport Design Challenge for design of the Boca Raton Airport.

**Dr. Anthony Lockhart**, Principal of Boynton Beach High School, spoke about the Boynton Beach Aerospace Science Academy's participation in the FAA Airport Design Challenge for design of the Boca Raton Airport. Dr. Lockhart presented the City with a picture of the students who were part of this project.

Mayor Grant presented Dr. Lockhart with a plaque for the 2019 Holiday Parade Outstanding Performers.

Commissioner Romelus thanked Dr. Lockhart for bringing so much energy to the meeting and all the great work he does as a principal.

Commissioner Hay commented on how proud the City is of Boynton Beach High School.

- B. Proclamation recognizing April 4-10, 2021 as National Library Week. Library Director Craig Clark will accept the proclamation on behalf of the Boynton Beach City Library.

Mayor Grant proclaimed the week of April 4<sup>th</sup> as National Library Week.

**Craig Clark**, Library Director, accepted the proclamation and thanked the City and the City Commission for their continued support of the Library. Mr. Clark also thanked the library staff for their hard work and the services they provide to the community. Mr. Clark announced events happening for teens at the Library during April. In May, the Library will be launching their Makers Space.

Commissioner Romelus thanked the library staff for getting the Little Library program running, which makes books accessible to anyone everywhere.

Mr. Clark announced that the three Little Libraries are located at Barrier Free Park, Sara Sims Park and Oceanfront Park.

- C. Proclamation recognizing April 24, 2021 as Best Buddies Day in Boynton Beach and encouraging residents, visitors, employees and businesses to participate in the Best Buddies Friendship Walk on April 24, 2021. Tricia Williams, Best Buddies Area Director Palm Beach, will accept the proclamation.

Mayor Grant proclaimed April 24<sup>th</sup> as Best Buddies Day in Boynton Beach.

**Maicie Ramirez**, Community Engagement Manager of Best Buddies, accepted the proclamation. Ms. Ramirez thanked the City for their continued support over the years. If you would like to become a Best Buddy email volunteer contact Ms. Ramirez at [maicieramirez@bestbuddies.org](mailto:maicieramirez@bestbuddies.org). This year's Best Buddies walk will be a caravan, there will be virtual activities as well.

- D. Proclamation recognizing April 2021 as Autism Awareness & Acceptance Month. Dr. Jennifer Percival, Assistant Director, FAU Center for Autism and Related Disabilities (CARD) will accept the proclamation.

Mayor Grant proclaimed the month of April as Autism Awareness & Acceptance Month.

**Dr. Jennifer Percival**, Assistant Director, FAU Center for Autism and Related Disabilities accepted the proclamation. Dr. Percival stated that it has been an honor working with the City of Boynton Beach over the last several years. The City of Boynton Beach is one of the few Autism friendly cities recognized in the United States. During the month of April, there will be art displayed by artist with Autism at the Arts and Cultural Center.

- E. Proclamation recognizing April 9, 2021 as SleepIn for SleepOut Homelessness Awareness Day.

Mayor Grant proclaimed April 9<sup>th</sup> as SleepIn for SleepOut Homelessness Awareness Day.

**Diane Stanley**, CEO Lord's Place, accepted the proclamation. Ms. Stanley thanked the City of Boynton Beach for their partnership in ending homelessness. Since the SleepIn for SleepOut Homelessness Awareness Event is virtual, everyone can participate.

- F. Announcement by Sustainability Coordinator Rebecca Harvey regarding the drive-thru Earth Day Celebration and Tree Giveaway on Saturday, April 17 from 10am-12pm at the Ezell Hester Jr. Community Center; as well as virtual Earth Day events and activities at [www.GoGreenBoynton.com](http://www.GoGreenBoynton.com).

**Rebecca Harvey**, Sustainability Coordinator, announced the drive-thru Earth Day Celebration and Tree Giveaway on Saturday April 17<sup>th</sup>, from 10 a.m. to 12 p.m. The City will be celebrating all month with a variety of events and activities that can be found at [www.gogreenboynton.com](http://www.gogreenboynton.com).

- G. Announcement by Sustainability Coordinator Rebecca Harvey that Mayor Grant is joining mayors across the country during the month of April 2021 for the 10<sup>th</sup> Annual Wyland National Mayor's Challenge for Water Conservation by asking residents to make a simple pledge to conserve water and energy at [mywaterpledge.com](http://mywaterpledge.com).

**Ms. Harvey** announced that Mayor Grant is joining mayors across the country during the month of April 2021 for the 10<sup>th</sup> Annual Wyland National Mayor's Challenge for Water Conservation by asking residents to make a simple pledge to conserve water and energy at [www.mywaterpledge.com](http://www.mywaterpledge.com).

- H. Announcement by Recreation & Parks Director Kacy Young about the Youth Symposium being hosted by the Recreation & Parks Department at the Carolyn Sims Center on Saturday April 17, 2021, from 9:00am to 3:00pm.

**Kacy Young**, Recreation & Parks Director announced the Youth Symposium being hosted by the Recreation and Parks at the Carolyn Sims Center located at 225 NW 12<sup>th</sup> Avenue on Saturday April 17<sup>th</sup>. Presentations will include The World of Nanotechnology. All attendees will be able to receive community service hours and lunch will be provided. Registration is available at [www.wemakelifefun.com](http://www.wemakelifefun.com) or by calling 561-742-6641.

Mayor Grant announced that the Affair of the Arts will be at the Boynton Beach Mall April 9<sup>th</sup> to April 11<sup>th</sup>.

#### 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)**

**Irwin Cineus**, Boynton Strong, commented that an email was sent to the Commission today on a proposal for a project that he would like support from the City. Boynton Strong would like to bring an apprenticeship program to the Heart of Boynton Beach. The apprenticeship program will allow on the job training while getting paid. Studies show that people who finish an apprenticeship program have an average starting wage about sixty thousand dollars.

Mayor Grant commented that he looks forward to working with Boynton Strong once the City knows how the funding from the America Cares Act can be spent.

**Greta Wilson**, Assistant Director of Boynton Beach Head Start, asked the City to help the Head Start program stay in their current location. Head Start has brought great success to the children of the community.

**Bernard Wright**, 713 NW 7<sup>th</sup> Street, commented that his grandson and wife had attended the Head Start program. It is a program that is very much needed, it is historic. Mr. Wright's grandson is now in fifth grade and he was scientist of the month in December. The location is convenient for the people in the area to get there. Mr. Wright would greatly appreciate the City's help.

**Wayne Foster**, 909 NE 3<sup>rd</sup> Street, Facility Supervisor for the area stated when they moved into the Head Start building, it had its problems. There was a considerable investment made to bring the building up to a good standard and it is great to see that the children have a facility that is clean and safe. Relocating would be hard on the

families.

**Jacoby Waters**, founder of Gentlemen of Distinction, would like to discuss his ideas to make an imprint on the community. He would greatly appreciate the help of the City to make them part of the community.

## 5. Administrative

- A. Annual appointment of eligible members of the community to serve in vacant positions on City advisory boards.

Mayor Grant read the vacancies.

### Motion

Commissioner Romelus nominated Mr. Saddam Silverio as a regular member to the Arts Advisory Board. Vice Mayor Penserga nominated Mr. Courtlandt McQuire as a regular member to the Arts Advisory Board. Commissioner Katz seconded the motion. The motion passed unanimously.

### Motion

Commissioner Katz nominated Mr. Paul Bortz as a regular member to the Building Board of Adjustments and Appeals. Commissioner Romelus nominated Mr. Sanford Guritzky as a regular member to the to the Building Board of Adjustments and Appeals. Vice Mayor Penserga seconded the motion. The motion passed unanimously.

### Motion

Mayor Grant nominated Mr. Adam Kerr as a regular member to the Citizens Oversight Committee. Commissioner Katz nominated Ms. Alexandria Wilson as a regular member to the Citizens Oversight Committee. Vice Mayor Penserga seconded the motion. The motion passed unanimously.

### Motion

Mayor Grant nominated Mr. Joe Josemond as a regular member to the Community Redevelopment Agency Advisory Board. Vice Mayor Penserga nominated Ms. Yvonne Skovron as a regular member to the Community Redevelopment Agency Advisory Board. Commissioner Katz nominated Ms. Golene Gordon to the Community Redevelopment Agency Advisory Board. Commissioner Romelus seconded the motion. The motion passed unanimously.

### Motion

Commissioner Katz nominated Ms. Francoise Calixte-Dieuvil as a regular member to the Education and Youth Advisory Board. Mayor Grant nominated Ms. Lori Wilkinson as a regular member to the Education and Youth Advisory Board. Commissioner Romelus seconded the motion. The motion passed unanimously.

### **Motion**

Commissioner Romelus moved to table Commissioner Hay's appointment of a board member to the Historic Resources Preservation Board. Vice Mayor Penserga seconded the motion. The motion passed unanimously.

### **Motion**

Mayor Grant nominated Mr. Trevor Rosecrans as a regular member to the Planning and Development Board. Commissioner Katz nominated Mr. Chris Simon as a regular member to the Planning and Development Board. Commissioner Romelus seconded the motion. The motion passed unanimously.

### **Motion**

Vice Mayor Penserga moved to table Commissioner Hay's appointment of a board member to the Planning and Development Board. Commissioner Romelus seconded the motion. The motion passed unanimously.

Commissioner Romelus requested clarification on the applicants listed for appointment to the Planning and Zoning Board.

**Kathryn Matos**, Assistant City Manager, replied the City consolidated reappointments through the Ordinance. Typically, terms expired throughout the year. One of the purposes of the Ordinance was to consolidate this process so that it is an annual process. All board member terms expire on March 31<sup>st</sup>. If they want to reapply and be reappointed, it happens one time every year as opposed to every meeting. This does not cover vacancies due to people resigning throughout the year.

Commissioner Romelus requested further clarification on the applicants: If they are not on the board anymore, do they continue to serve month-to-month?

Attorney Cherof replied that the board members continue to serve month-to-month until their seat is filled. This way the boards are not short members and are able to conduct business until the seat is filled.

Commissioner Romelus requested further clarification.

Attorney Cherof explained that by virtue of the Ordinance they have a term limit. When the term expires the members are required to step down if the Commission fills that vacancy.

Commissioner Romelus inquired what prevents the board members from reapplying for the vacancy. Are the members not just reappointed like Mr. Rosecrans? Have they reached their maximum term and could be on the board?

Attorney Cherof replied the Ordinance provides that no member shall be appointed for more than two consecutive terms. The clause essentially terms the board members out.

Commissioner Romelus remarked that makes sense. These four members will continue to serve until other individuals present themselves. At that point the Commission will appoint a new member and the current member's term will end.

### **Motion**

Commissioner Romelus moved to remove Commissioner Hay's nomination of board members to the Historic Resources Preservation Board and the Planning and Development Board from the table. Vice Mayor Penserga seconded the motion. The motion passed unanimously.

### **Motion**

Commissioner Hay nominated Ms. Dorothy Block as a regular member to the Historic Resources Preservation Board. Vice Mayor Penserga seconded the motion. The motion passed unanimously.

### **Motion**

Commissioner Hay nominated Mr. Kevin Fischer as a regular member to the Planning and Development Board. Commissioner Katz seconded the motion. The motion passed unanimously.

Commissioner Romelus requested clarification on Mr. Fischer's term: Will this be his second term?

Mayor Grant clarified Commissioner Romelus' question on Mr. Fischer's term: Was Mr. Fischer allowed to apply for this appointment?

Attorney Cherof replied that if Mr. Fischer has already served two terms he is not eligible for reappointment.



Deputy City Clerk Stanzione clarified that the applicants listed for the Planning and Development were not previously serving on the Board. They are looking to be appointed for the new term.

Mayor Grant remarked that Mr. Fischer had served on the Planning and Development Board previously.

Deputy City Clerk Stanzione replied that Mr. Fischer was not serving when this term expired; he is looking to serve again.

Mayor Grant thanked Deputy City Clerk Stanzione for the clarification.

### **Motion**

Mayor Grant nominated Mr. Eugene Fagan as a regular member to the Recreation and Parks Board. Vice Mayor Penserga seconded the motion. The motion passed unanimously.

- B. Mayor Grant requests approval for the Commission to travel to Tallahassee for the Florida legislature.

Mayor Grant requested approval for the Commission to travel to Tallahassee. Normally the Commission is there for the beginning of the Legislative Session. Mayor Grant would like to be there for the end of session, that is when most of the representatives and senators are there.

Vice Mayor Penserga supported Mayor Grant's request and would like to travel to Tallahassee as well.

Commissioner Hay commented that he will not be going to Tallahassee.

### **Motion**

Commissioner Romelus moved to approve Mayor Grant's request. Commissioner Hay seconded the motion. The motion passed unanimously.

## **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**

- A. Legal Expenses - February 2021 - Information at the request of the City Commission. No action required.
- B. Accept first quarter report on operations of the Schoolhouse

Children's Museum and Learning Center for FY20/21.

- C. Approve an increase for metal containers and roll-offs from the estimated amount of \$150,000.00 to \$180,000.00 with the current vendor Iron Container based on the increased pricing for steel and iron
- D. **Proposed Resolution No. R21-033** - Establish a new Special Revenue Fund for the Building Division pursuant to State of Florida Statutes 553.80 and 166.222.
- E. Approve minutes from the City Commission meeting on March 2, 2021.
- F. **Proposed Resolution No. R21-034** - Assess the cost of nuisance abatement on properties within the City of Boynton Beach.
- G. Approve the issuance of a purchase order to Thompson Pump & Manufacturing Company Inc. utilizing Florida Sheriff's Association Contract #FSA 20-EQU 18.0 for one (1) new mobile bypass pump for an estimated cost of \$98,139.00. The Florida Sheriff's contract satisfies the City's purchasing requirements.
- H. Approve the one-year extension for RFPs/Bids and/ or piggy-backs for the procurement of services and/or commodities as described in the written report for April 6, 2021- "Request for Extensions and/or Piggybacks."

### Motion

Vice Mayor Penserga moved to approve the Consent Agenda. Commissioner Hay seconded the motion. The motion passed unanimously.

### 7. Consent Bids and Purchases Over \$100,000

- A. **Proposed Resolution No. R21-035** - Approve utilizing Omnia Partners Contract # 2017025 with Toro pricing through local distributor Hector Turf for the conversion of irrigation system from hydraulic to electric control at the Links at Boynton Beach for a total not to exceed \$325,000.00.
- B. Approve task order to Murphy Pipeline Contractors based on the unit price contract for Pre- Chlorinated Pipe Bursting of Potable Water Mains, Bid No. 036-2821-16/TP for water mains located on NW 1st Street and NW 2nd Street, in the amount of \$532,536.00 plus a 10% contingency of \$53,253.60 for a total expenditure of \$585,789.60.
- C. Approve the one-year extension for RFPs/Bids and/ or piggy-backs for the procurement of services and/or commodities over \$100,000 as

described in the written report for April 6, 2021 -  
"Request for Extensions and/or Piggybacks."

- D. **Proposed Resolution No. R21-036** - Award Bid No. 002-2511-21/RW, Harvey E. Oyer Jr. Park Marina Boat Ramp Improvement Project, and authorize the City Manager to sign an agreement with to issue a Purchase Order to Anzco, Inc. of Boca Raton, FL as the lowest responsive, responsible bidder in the amount of \$967,538.00 plus contingency amount of \$232,462.00 for a total estimated amount of \$1,200,000.00.

*Mayor Grant pulled this item.*

Mayor Grant read public comment from Peter Kolb, Vice President of Operations, Poseidon Dredge and Marina, Inc. *"I am a Palm Beach County Resident who lives close to this boat ramp. I am concerned that the recommended Contractor is not qualified and experienced with this type of work. Internet searches of the Company show the company is permanently closed. Have they done cofferdam work, Boat Ramps, and coral relocation projects before? Do they have the required Longshoreman's insurance and USL & H as required by the State of Florida for this type of work?"*

**Gary Dunmyer**, Interim Director of Public Works & Engineering, gave a presentation on the improvements that will be made to the boat ramps at Harvey Oyer Jr. Park.

Mayor Grant inquired if the ramp on the south side will be closed off leaving only two in the center.

Mr. Dunmyer responded that there is going to be five ramps instead of four, the floating dock is going to be shifted.

Mayor Grant stated Mr. Kolb is concerned with the protecting and maintaining the environment. He wants to make sure that the vendor is licensed and has done work like this before.

Mr. Dunmyer commented that the vendor is required to hire an environmental specialist.

Mayor Grant requested that once the vendor is contracted with the City, the environmental report be released to the public.

## **Motion**

Vice Mayor Penserga moved to approve Item 7D as stated. Commissioner Romelus seconded the motion. The motion passed unanimously.

- E. Approve the renewal of the bid no. 019-2821-19/IT award for "Repairs and Emergency Services for Water Distribution, Wastewater Collection, Lift Stations and Storm Water Utility Systems."

Approve an increase to the annual estimated expenditure from

\$355,000 to \$900,000 for Fiscal Year 2021. Beginning in FY 2022, the request for annual expenditure will be reduced to \$500,000.00

### **Motion**

Vice Mayor Penserga moved to approve the remaining items on Consent Agenda Bids and Purchases of \$100K. Commissioner Hay seconded the motion. The motion passed unanimously.

### **8. Public Hearing**

**6 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. 21-021 - First Reading** - Approve revisions to the Workforce Housing Program (CDRV 21-001) - Amending the LAND DEVELOPMENT REGULATIONS, Chapter 1, General Administration, Article II, Definitions, and Article V, Housing Initiatives, Section 2, Workforce Housing Program. **(Tabled to May 4, 2021)**

### **9. City Manager's Report**

- A. Commissioner Katz requested staff provide a report on the Police Department's vacancies/staffing levels for last five years. Chief Michael Gregory will make the presentation.

Chief Michael Gregory gave a presentation on the Police Department's vacancies and staffing levels for the last five years.

Commissioner Katz thanked Chief Gregory for the presentation. Staffing was a concern a couple of years ago so an update was needed. He was happy to see that the numbers have gone down in vacancies and that the Police Department is retaining its officers. Keep up the good work and do what is necessary to keep recruitment up.

Mayor Grant inquired if the Police Department was doing anything to have local youth involved in becoming police officers.

Chief Gregory replied they were and part of that is having the youth exposed to the police officers so they become familiar with who the officers are. The Police Department has accomplished this with the Explorer Program. The Explorer Program has been successful with keeping youth in contact with the police officers. Sadly, the past year has been a write-off due to Covid. Yet the Police Department has big plans for the program as we go through the summer and remarketing and bringing new faces into the program.

Mayor Grant inquired about the Police Department's Police Athletic League (P.A.L.) and how he can get involved.

Chief Gregory responded that they are involved and fully support the Boynton Beach Bulldogs as well as the afterschool basketball league.

Commissioner Hay thanked Chief Gregory for the presentation. P.A.L. is an excellent program to get the youth and the police officers interacting. He asked if the Bonus Program has been a help in hiring new officers?

Chief Gregory replied that the Police Department has not had great success with the Bonus Program. The program started last year and due to Covid, was not successful, although, this year is off to a good start. The Police Department has hired an officer from New York who will qualify for the Certified Officer Bonus.

Vice Mayor Penserga inquired about the 12 vacancies. Are the vacancies relative to the allocated 155 positions?

Chief Gregory replied that the 12 vacancies are out of the allocated 155 positions, and that is less than 10%.

Vice Mayor Penserga questioned if 155 positions were enough for a city of this size.

Chief Gregory commented that after being with the Police Department for over two years, he believes that the allocated number should be evaluated going into the future. The Police Department's number one priority is to eliminate the 13 vacancies. There are several different factors that go into the staffing levels, downtown, infrastructure, population growth and crime rate. Staffing cannot be based on just one factor.

Vice Mayor Penserga inquired what does noncertified mean.

Chief Gregory explained that the applicant does not have a State of Florida certification. They do not have a license to be a police officer in the state of Florida. If the applicant was a police officer with another agency in Florida or graduated from the academy and became certified, they would be in the other column.

Vice Mayor Penserga requested further clarification on the number of vacancies. Why would the noncertified officer be counted as one less vacancy?

Chief Gregory explained that the staffing level has to be approved in the budget every year. The noncertified officers are on salary; therefore they took the positions that have been vacant. The Police Department has to control that closely so that they do not accidentally hire too many officers. There certainly is an impact that they are not on the road. There is an impact with officers in military service, they are hired, they are being paid, yet they are not here on patrol, they are serving the country locally or abroad. The same for injured officers. They cannot count them as a vacancy.

Vice Mayor Penserga's concern was if there are enough officers on the road if an emergency arises.

Chief Gregory explained that is the role of the managers, the shift commanders and the Assistant Chief in Support Services. That is their responsibility no matter who is missing personnel is reallocated to ensure that the Police Department has a safe number of officers on the road, taking and handling calls for service. The twelve vacancies are spread throughout the department and are not in the same unit or same shift. There is not a large impact to any one area.

Vice Mayor Penserga questioned insufficient background investigations and if the Police Department tried using a third party to accelerate the number of people who can do background checks and accelerate the number of candidates.

Chief Gregory responded that is an area the Police Department is working on. There is one full-time person and there are people who have this as a lateral assignment to help out. The Police Department has hired a part-time person for background investigations. There is another part-time background investigator coming on board. The Police Department is looking at the possibility of contracting companies who can help out as well as purchasing a software program that will send out letters and emails to the applicants references to assist in background investigations.

Vice Mayor Penserga inquired how the tier levels of the applicants worked.

Chief Gregory explained that the tier levels are a method of ranking that comes from their multiple-choice test and assessment. These scores are sent to Human Resources to create the final score for each candidate. Those scores are broken out into the three tiers. Tier one is the highest scoring group, midlevel scores are in tier two and lowest of scores is in tier three.

Commissioner Romelus thanked Chief Gregory and the Police Department for all the hard work they do.

**B. Staff overview on Federal Earmarks and the American Rescue Plan.**

**Lori LaVerriere**, City Manager, commented that staff created a list of seven projects that would meet the criteria. Staff is working on collecting letters of support from the community to be submitted with the request for Federal Earmarks from the American Rescue Plan. The City will be receiving \$14.9 million within the next 60 days. No other information has been received. As soon as the guidelines come out, the City will be able to focus more on the ideas that have been suggested.

Mayor Grant commented that one of the economic effects of Covid-19 that he would like to see is a reduction in the millage rate, hazard pay to frontline workers, not just police and fire, but also water utilities, sanitation, those who helped service the community during Covid and transportation for passengers; he would like to move forward with the bike sharing program in the City.

Commissioner Katz commented the two most important items he would like are

infrastructure that would save residents money in the future, broadband or fiber optic in the City, particularly in lower income areas and to help those in the community who were truly impacted by Covid.

Vice Mayor Penserga commented that he does not want the City to be redundant. He did not want to give stimulus money where it has already been given. He thought the City should use these funds to generate more funds for a continuing benefit in the long run. He suggested requiring non-profits who receive funding to spend that money within the City and believes that guidelines should be in place for deciding on how the funding is going to be used.

City Manager LaVerriere agreed with Vice Mayor Penserga that developing principles and guidelines would be a good place to start.

Vice Mayor Penserga stated that he missed the last National League of Cities (NLC) conference call on the America Rescue Plan. He asked if the NLC knows when the Treasury was going to release guidelines?

Attorney Cherof responded that he watched the NLC conference with the White House on Friday and that the Treasury Department was working on the guidelines and it will probably be several more weeks.

Mayor Grant commented that the Treasury was going to give out the guidelines before the funding. The second meeting in May there will be a discussion on how to allocate the money that the City wants to spend as an investment versus money allocated to programs which would be spent over a period of time.

## **10. Unfinished Business**

- A.** Reconsider Knuth Road Future Land Use Amendment and Rezoning applications (LUAR 21-003) and direct staff accordingly.

Attorney Cherof gave a brief overview on the history of item 10A. The Commission took no action on the item at the March 2, 2021, City Commission Meeting. At the second meeting in March, the Commission asked to bring the item back for reconsideration. If the Commission wants to bring the item back it will be on the agenda for the next meeting for first reading.

Mayor Grant inquired about the cost of bringing this item back.

**Mike Rumpf**, Development Director responded that an estimate of cost of bringing this item back would be approximately six hundred dollars to run the advertisement.

## **Motion**

Commissioner Katz moved to bring the item back at the next City Commission Meeting. Vice Mayor Penserga seconded the motion. The motion passed unanimously.

## 11. New Business

- A. **Proposed Resolution No. R21-037** - Approve and ratify the appointment of Andrew Mack as Assistant City Manager - Public Services, pursuant to City Code of Ordinances, Chapter 2, Article II, Section 2-30(b).

### Motion

Vice Mayor Penserga moved to approve Resolution No. R21-037. Commissioner Romelus seconded the motion. The motion passed unanimously.

Mayor Grant, Vice Mayor Penserga and Commission congratulated Mr. Mack on his promotion.

Assistant City Manager Mack stated that he feels truly blessed to work for the City and to serve the residents of the City. He recognized all the great employees that work with him and for him. Without the employees, he would be nothing.

- B. Commissioner Romelus requested a discussion regarding City Advisory Boards, Ordinance 20-016.

Commissioner Romelus does not want the Commission to be in a position to select Chairs and Vice Chairs for advisory boards and would like boards to nominate them. Then the Commission approves, this would give autonomy to boards while also giving Commission some oversight.

Mayor Grant agreed with Commission Romelus. He would like recommendation from each advisory board for Commission approval and would also like to be able to appoint new Chairs and Vice Chairs each year in order to have rotating leadership within advisory boards.

Commissioner Hay agreed with Mayor Grant to have advisory board recommendations for Chair and Vice Chair brought to Commission for approval. He also wants limitations and rotations for serving as Chair and/or Vice Chair.

Vice Mayor Penserga stated that he wants to stop reappointing individuals that have missed 50% of meetings.

Mayor Grant would like three absences maximum for advisory board members before they are removed.

There was a consensus that three absences in one calendar year and then removal.



Commissioner Romelus stated she wants to look at streamlining the permitting process by mitigating steps that are duplicative in the process.

There was a consensus to have a conversation about streamlining the permit process and for staff to bring back options for discussion to make changes to the ordinance.

## 12. Legal

- A. Proposed Ordinance No. 21-011 - First Reading** - Approve Ordinance Amending Chapter 23 entitled "TAXATION, ASSESSMENTS AND FEES" to create a new Article VI, entitled "CANAL MAINTENANCE SERVICES SPECIAL ASSESSMENT"

Attorney Cherof read proposed Ordinance No. 21-011 into the record by title only, on First Reading.

Commissioner Romelus stated that the canals are in her district and would greatly appreciate the support of the other Commissioners to approve the passage of this Ordinance.

John McNally, ITS Director, read a comment that was posted at 7:49 pm from Mr. James Hendricks into the record.

### Motion

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

### Vote

Deputy City Clerk Stanzione called the roll. The vote was 5-0.

- B. Proposed Ordinance No. 21-12 - First Reading** - Approve ordinance amending Chapter 15, "Offenses-Miscellaneous" of the Code of Ordinances, by creating a new article XIV, entitled "Polystyrene Foam Waste Reduction Ordinance."

Attorney Cherof read proposed Ordinance No. 21-012 into the record by title only, on First Reading.

**Rebecca Harvey**, Sustainability Coordinator, gave a presentation on the Polystyrene Foam Waste Reduction Ordinance.

### Motion

Vice Mayor Penserga moved to approve. Commissioner Katz seconded the motion.

**Drew Martin** stated he was in favor of the Ordinance and thanked the Commission and Ms. Harvey for all their hard work.

**Vote**

Deputy City Clerk Stanzione called the roll. The vote was 5-0.

- A. Proposed Ordinance No. 21-004 - Second Reading** - Amend Chapter 26, Article III, retitling article to "Water Shortage Plan and Year-round Landscape Irrigation Conservation Measures" and adding a new Section 26-46, Year-round landscape irrigation conservation measures.

Attorney Cherof read proposed Ordinance No. 21-004 into the record by title only, on Second Reading.

Mayor Grant inquired if the violation notices are sent by certified or regular mail.

**Joe Paterniti**, Utilities Director, responded that the City will provide two written notices after the effective date. During the ninety-day period, staff will educate City residents on the use of irrigation. The warning violation will be left on the door of the violator.

Mayor Grant inquired about who would be issuing the fines.

Mr. Paterniti replied that the Ordinance provides that the City Manager can designate any department to enforce the Ordinance.

Attorney Cherof clarified that language in the Ordinance states law enforcement officials and others as designated.

Mr. Martin encouraged residents to have rain sensors, required by law, on their irrigation systems so they are not watering their lawn when it is raining.

**Motion**

Commissioner Hay moved to approve. Vice Mayor Penserga seconded the motion.

**Vote**

Deputy City Clerk Stanzione called the roll. The vote was 5-0.

- C. Proposed Resolution No. R21-038** - Approve demolition of the building located at 1101 - 1103 North Federal Highway.

**Motion**

Commissioner Katz moved to approve. Commissioner Romelus seconded the motion. The motion passed unanimously.

- D. **Proposed Ordinance No. 21-013 - First Reading** - Approve proposed amendments to Ordinance No.01-66, Chapter 2, Section 2-56 "Purchasing agent, selection, duties; competitive bidding" and Section 2-56.1 "Exceptions to competitive bidding amending purchasing threshold language.

Attorney Cherof read proposed Ordinance No. 21-013 into the record by title only, on First Reading.

### **Motion**

Commissioner Romelus moved to approve. Commissioner Hay seconded the motion.

### **Vote**

Deputy City Clerk Stanzione called the roll. The vote was 5-0.

### **13. Future Agenda Items**

- A. E2L Solutions to provide Town Square presentation to City Commission. - **April 20, 2021**
- B. Update by Charlotte Pelton on Naming Rights Campaign for BBTS - **April 20, 2021**
- C. Monthly update from JKM Developers on the Town Square project. - **April 20, 2021**
- D. Mayor Grant has requested a staff report on engineering and construction projects over \$500,000. - **April 20, 2021**
- E. Presentation by the external auditors of the 2020 City's Comprehensive Annual Financial Report. -**April 20, 2021.**
- F. Appoint Chairs & Vice Chairs for City Advisory Boards per Ordinance 20-016. - **April 20, 2021**
- G. Staff report on history/process to add names to the Heritage Park monument - **April 20, 2021**
- H. Voluntary Sustainability Payment Program - **April 20, 2021**
- I. Present results of the multi-jurisdictional Climate Change Vulnerability

Assessment – **May 2021**

- J. Vice Mayor Penserga has requested the Commission explore ideas for new Economic Development incentive programs - **May 2021**
- K. Vice Mayor Penserga requested a discussion regarding a City Mural Program - **May 2021**
- L. Hear presentation from City staff on Neighborhood Traffic Calming Program - **May 2021**
- M. Discussion on funding for expanding Wi-Fi to City parks. - **May 2021**
- N. Ordinance regarding automatic reversion back to previous zoning if a property is rezoned for planned development and then is not developed. - **June 2021**
- O. ILA for Sara Sims Park Pavilion Improvements - **June 2021**
- P. Monuments on City Property - **June 2021**
- Q. Mayor Grant requested information on the water quality of canal systems within the City. – **June 2021**
- R. Discussion of LOI process for sale of City land – **TBD**

Mayor Grant requested to add an item to Future Agenda: an update and discussion on Head Start at the next meeting.

Assistant City Manager Mack stated that he stepped out and spoke with Mrs. Wilson. He is going to schedule a meeting as soon as possible with Mrs. Wilson to coordinate the lease and help with relocation as well.

Assistant City Manager Mack stated that the lease renews in February 2022.

City Manager LaVerriere commented that the City has time to work with Head Start to find a location for them.

Mayor Grant said he was under the impression that the lease expired in July 2021. He requested to have a follow up discussion added to Future Agenda for July and the Commission gave consensus. He believes that the CRA has funding allowed for relocation.

John McNally, ITS Director, stated as a reminder, a recorded version of this session would be posted to the City of Boynton Beach's YouTube channel. Links to that channel are

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available on the City of Boynton Beach's website at: [www.Boynton-Beach.Org](http://www.Boynton-Beach.Org). This concludes tonight's meeting.

**14. Adjournment**

There being no further business, Mayor Grant adjourned at 9:55 p.m.

CITY OF BOYNTON BEACH

\_\_\_\_\_  
Mayor - Steven B. Grant

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Vice Mayor – Ty Penserga

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Commissioner – Justin Katz

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Commissioner – Woodrow L. Hay

\_\_\_\_\_  
Commissioner – Christina Romelus

ATTEST:

\_\_\_\_\_  
Crystal Gibson, MMC  
City Clerk

\_\_\_\_\_  
Tammy Stanzione  
Deputy City Clerk

**Public Comments – April 6, 2021 Commission Meeting**

	<u>Agenda Item No(s).</u>	<u>Name</u>	<u>Comments</u>	<u>E-mail and/or Physical Address</u>	<u>Phone No.</u>	<u>Date/Time Received</u>	<u>Method Received</u>
1.	7D	Peter Kolb VP of Operation Poseidon Dredge & Marine Inc.	I am a Palm Beach County Resident who lives close to this boat ramp. I am concerned that the recommended Contractor is not qualified and experienced with this type of work. Internet searches of the Company show the company is permanently closed. Have they done cofferdam work, Boat Ramps, and coral relocation projects before? Do they have the required Longshoreman's insurance and USL & H as required by the State of Florida for this type of work? "	PeterK@pdmarineinc.com	561-296-4991 (Office)	4/6/21; 10:22 am	Email