

**Palm Beach County League of Cities  
GENERAL MEMBERSHIP MEETING  
Wednesday, February 27, 2019  
Atlantis Country Club  
Atlantis**

**MINUTES**

**1. Call to Order, Invocation and Flag Salute**

President Anne Gerwig called the meeting to order at 12:00pm.

Secretary/Treasurer Debbie Manzo of the PBC League of Cities gave the invocation.

President Gerwig led the membership in the Pledge of Allegiance flag salute.

**2. Roll Call Cities, Introductions and Welcomes**

Secretary/Treasurer Debbie Manzo called the roll and a quorum was attained.

**Cities represented were:** Atlantis, Boca Raton, Boynton Beach, Briny Breezes, Delray Beach, Glen Ridge, Greenacres, Gulfstream, Haverhill, Hypoluxo, Jupiter Inlet Colony, Lake Clarke Shores, Lake Park, Lake Worth, Lantana, Manalapan, Ocean Ridge, Pahokee (arrived late) Palm Beach, Palm Beach Gardens, Palm Beach Shores, Palm Springs, Riviera Beach, Royal Palm Beach, South Bay, South Palm Beach, Tequesta, Wellington, Westlake, West Palm Beach

**Absent were:** Belle Glade, Cloud Lake, Golf, Highland Beach, Juno Beach, Jupiter, Loxahatchee Groves, North Palm Beach,

a. Introduce Hosts for welcome:

President Anne Gerwig welcomes the membership to the Atlantis Country Club in Atlantis.

Atlantis Councilmember Michael LaCoursiere welcomed the membership to Atlantis on behalf of his council and the sister cities who partnered with them in hosting the meeting: Village of Golf, Town of Hypoluxo Town of Lantana, Town of Manalapan and Town of South Palm Beach.

b. President Anne Gerwig recognize PBC Vice Mayor Dave Kerner and PBC Commissioner Robert Weinroth in attendance.

c. President Anne Gerwig recognize the Legislative Staff in attendance: Office of Representative Matt Willhite; Office of Representative Tina Polsky; Office of Senator Lori Berman; Office of Senator Rick Scott

d. Introduce New Associate Member

1. *Alex Ortiz, Child Rescue Coalition*

Alex Ortiz introduced himself and gave an elevator speech highlighting the services his organization offers.

### 3. Additions, Deletions and Modifications to the Agenda

None

### 4. Consent Agenda

- a. Approval of the January 23, 2019 Meeting Minutes

**Motion and second to approve the Consent Agenda. Motion carried unanimously.**

### 5. Miscellaneous Business

- a. Ratification of the revised PBC Housing & Places of Public Accommodation Ordinance.

**Motion and second for no objection to the ratification of the revised PBC Housing & Places of Public Accommodation Ordinance. Motion carried unanimously.**

### 6. Legal Report

*League Attorney Jennifer Ashton, Esq.*

League Attorney Jennifer Ashton brought two cases before the membership involving vacation rentals and ministerial duties. The first case involves the City of Miami v. AirBnb where the City of Miami had an ordinance on the books since 2009 that only allowed residential uses consisting of “predominantly permanent housing” in the T3 Zone. The City’s planning Director testified that the T3 Zone was reserved for permanent housing and did not permit transient lodging like vacation or short-term rentals. The statutory preemption only applied to regulations on short-term rentals that were adopted after June 1, 2011; therefore, the City’s regulation was grandfathered. The City’s code revision in 2016 did not eliminate its grandfathered status because the 2016 language on permanent housing remained identical to the 2009 version. In regards to the First Amendment issue, the City Manager made comments at a public meeting that all those who spoke out against the City’s prohibition on short-term rentals in the T3 Zone were “now on notice” & the City would be looking at their properties for code enforcement violations. Airbnb and the property owners argued to the trial court that these statements infringed on free speech. The trial court agreed and issued an injunction where members of the public do not have to provide their names and addresses when making a public comment. The Fourth DCA reversed the injunction order mentioning that it did not infringe First Amendment rights. The Court held that providing your name and address to complete a public comment creates an orderly process and let’s elected officials know if the speaker is a resident who will be impacted by the government or not.

The second case involving the City of Jacksonville Beach v. BCEL 4 where the city appealed an order from the circuit court granting a petition for writ of mandamus in favor of a developer. The First DCA reversed the order granting mandamus relief. The court held that the developer failed to establish that the City’s decision to approve or deny its concept plan for plat application was a ministerial one.

## 7. Executive Director's Report

*Executive Director Richard Radcliffe*

Executive Director Richard Radcliffe mentioned the importance of the gas tax maps and reminded municipal representatives to pick up their gas tax maps prior to leaving the meeting. He mentions to the membership about the upcoming presentation regarding the 2020 U.S. Going Electronic by Lisa De La Rionda. The Legislative Action Days March 26-27 and reminds membership that the monthly meeting was moved up to March 20<sup>th</sup> in Greenacres due to accommodate the upcoming Legislative Action Days. The NLC Congressional Conference coming up in Washington D.C. March 10-13, 2019. Finally, the ADA compliance and if anyone has the inclination March 9-15<sup>th</sup> to get onto the advocacy committee.

## 8. President's Report

*President Anne Gerwig*

President Gerwig named the members of the Nominating Committee: Council Member Robert Shalhoub of Lake Clarke Shores, Mayor Steve Wilson of Belle Glade, Vice Mayor Pro Tem Scott Maxwell of Lake Worth, Mayor Todd Wodraska of Jupiter, Mayor David Stewart of Lantana, Mayor Bev Smith of Palm Springs, and Commissioner Keith James of West Palm Beach. She went on to provide membership with an update of what's been happening. Per the PBC League's strategic plan the president & Executive Director Richard Radcliffe met with the two new county commissioners, Robert Weinroth and Gregg Weiss, and discussed the importance of the County/League relationship. They have worked to invigorate the issues forum for all the elected governmental agencies to looking at larger community issues. The Board of County Commissioners (BCC) voted unanimously to recommit to the issues forum and selected Commissioner Robert Weinroth as the county's member and Commissioner Gregg Weiss as the alternate. The League representatives on the issues forum are Mayor Todd Wodraska as chair, Vice Mayor Kim Glas-Castro as Vice Chair along with myself and 1<sup>st</sup> Vice President Jeff Hmara to complete the Executive Committee. President Gerwig went on to mention the vacancies on the League's County and School Board Committees. Here are the committees that has vacancies:

### **County:**

Community Land Trust – (Housing/Real Estate Experience or Interest)

Impact Fee – 1 regular and 1 alternate (Financial (Cost Benefit) Analysts)

Treasure Coast Regional Planning Council Alternate Seat (Planning and Community Development Experience or Interest)

Water Resource Task Force Alternate Seat (Water Experience or Interest)

### **School Board:**

Academic Advisory Committee (Interest in the School Board Academic System)

Advisory Boundary Committee (Interest in the School Board Academic System)

\*not opened to elected officials who is employed by a public or charter school\*

**9. Presentation**

- a. 2020 Census Going Electronic

*Lisa De La Rionda, PBC Director of Public Affairs*

*Andrea Robinson, PBC Media Specialist*

Lisa De La Rionda provided membership with an update of the processes that will take place with the upcoming 2020 U.S. Census. In addition, she introduced Andrea Robinson & Angela Johnson who went into detail on the methods membership may expect when the 2020 U.S. Census is being conducted.

**10. Member Comments**

None

**11. Meeting Announcements**

- a. Board of Directors Meeting, Community Center, Greenacres..... 10:00 a.m., March 20<sup>th</sup>
- b. General Membership Meeting, Community Center, Greenacres ..... Noon, March 20<sup>th</sup>

**(RSVP REQUIRED for all events)**

**12. Adjournment- The meeting was adjourned at 1:03 pm.**