



The Crossroads of South Florida,
We envision a sustainable economy, Let Us Grow Together

CITY OF SOUTH BAY

CITY COMMISSION AGENDA

CITY HALL CHAMBER

TUESDAY, DECEMBER 5, 2023

335 SW 2ND Avenue

South Bay, FL 33493

www.southbaycity.com

Phone: 561-996-6751 Fax: 561-996-7950

Mayor:

Joe Kyles Sr.

Vice Mayor:

Betty Barnard

Commissioner:

Esther Berry

Commissioner:

Taranza McKelvin

Commissioner:

Albert L. Polk

City Manager:

Leondrae D. Camel

City Attorney:

Burnadette Norris-Weeks

RULES OF PROCEDURE

WHO MAY SPEAK

Meetings of the City Commission are open to the public. They are not; however, public forums. Any resident who wishes to address the commission on any subject within the scope of the Commission's authority may do so, providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

SPEAKING ON AGENDA ITEM

- I. **Consent Agenda Item** – These are items, which the Commission does not need to discuss individually, and which are voted on as a group. Any Commissioner who wishes to discuss any individual item on the consent agenda may request the Mayor to pull such item from the consent agenda. Those items pulled will be discussed and voted upon individually.
- II. **Regular Agenda Items** – These are items, which the Commission will discuss individually in the order listed on the agenda. By majority vote, the City Commission may permit any person to be heard on an item at a non-public hearing.
- III. **Public Hearing Items** – This portion of the agenda is to obtain input from the public on some ordinances, resolutions and zoning applications. The chair will permit any person to be heard on the item during formal public hearings.

SPEAKING ON SUBJECTS NOT ON THE AGENDA

Any resident may address the Commission on any items pertaining to City business during the Opportunity for the Public to Address the Commission portion of the agenda. Persons wishing to speak must sign in with the City Clerk before the start of the meeting.

ADDRESSING THE COMMISSION: MANNER AND TIME

By majority vote the City Commission may invite citizen discussion on any agenda item. In every case where a citizen is recognized by the Mayor to discuss an agenda item, the citizen shall step to the podium/microphone, state his or her name and address for the benefit of the city clerk, identify any group or organization he or she represents and shall then succinctly state his or her position regarding the item before the city commission. Any question, shall be related to the business of the City and deemed appropriate by the Mayor, shall be directed to the Mayor and the Mayor shall

then re-direct the question to the appropriate Commissioner or City Staff to answer the citizen question which shall be related to the business of the City.

All comments or questions of the public are to be directed to the Mayor as presiding officer only. There shall be no cross conversations or questions of any other persons. The length of time each individual may speak should be limited in the interest or order and conduct of the business at hand. Comments to the Commission by individual citizens shall be limited to three (3) minutes during the citizens request period. The City clerk shall be charged with the responsibility of notifying each citizen thirty (30) seconds before said time shall elapse and when said time limit has expired.

APPEALS

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

DECORUM

If a member of the audience becomes unruly, the Mayor has the right to require the person to leave the room. If a crowd becomes unruly, the Mayor may recess or adjourn the meeting.

PLEASE SILENCE ALL CELL PHONES AND PAGERS

CONTACT INFORMATION

If anyone has questions or comments about anything on the meeting agenda, please contact the City Manager at 561-996-6751.

AMERICANS WITH DISABILITY ACT

In accordance with the Americans with Disability Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in this proceeding should contact the city clerk no later than three (3) days prior to the meeting at 561-996-6751 for assistance.

CITY OF SOUTH BAY

CITY COMMISSION WORKSHOP

CITY HALL CHAMBER
TUESDAY, DECEMBER 5, 2023
6:30 PM

NOTICE: If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.01055. The City of South Bay does not prepare or provide such records.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION**
 - a. Agenda Items
4. **ADJOURNMENT**

CITY OF SOUTH BAY

REGULAR CITY MEETING AGENDA

CITY HALL CHAMBER
TUESDAY, DECEMBER 5, 2023
7:00 PM

NOTICE: If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.01055. The City of South Bay does not prepare or provide such records.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the City Clerk's Office at 561-996-6751 no later than 2 days prior to the hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).

Any citizen of the audience wishing to appear before the City Commission to speak with reference to any agenda item must complete their "Request for Appearance and Comment" card and present completed form to the City Clerk.

1. **CALL TO ORDER, ROLL CALL; PRAYER, PLEDGE OF ALLEGIANCE**
2. **DISCLOSURE OF VOTING CONFLICTS**
3. **PRESENTATIONS AND PROCLAMATIONS (*Up to 5 minutes*)**

- a. Bruce Hightower, Principal
Dr. Moneek McTier, Glades Regional Instructional Superintendent
Melanie Bolden-Morris, Principal - Glades Central
Dr. Carl Gibbons, Principal - Lake Shore Middle
Mrs. Marcia Andrews
- b. Jonathan B. Brown, Director
Department of Housing & Economic Development
Palm Beach County Board of County Commissioners

4. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION**

5. **CONSENT AGENDA**

All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which the item will be removed from the general order of business and considered in its normal sequence on the Agenda.

- a. Regular City Workshop and City Meeting
Approval of City Minutes –
 - 5.a. November 21, 2023 Meeting Minutes
- b. Regular City Workshop and City Meeting
Approval of Meeting Agenda -
 - 5.b. December 5, 2023
- c. **RESOLUTION NO. 57-2023**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED STATE-FUNDED SUPPLEMENTAL GRANT AGREEMENT NUMBER 3 BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF SOUTH BAY; PROVIDING FOR AN EFFECTIVE DATE

- 5.c. Amendment for Approval

6. **RESOLUTIONS – (Non- Consent) and Quasi-Judicial Hearing, if applicable)**

- a. **RESOLUTION NO. 58-2023**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, APPROVING A CHARITABLE SPONSORSHIP IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) FOR ROSENWALD ELEMENTARY SCHOOL SAFETY PATROLS AND DETERMINING THAT SUCH EXPENDITURE SERVES A PUBLIC PURPOSE; PROVIDING FOR AN ALLOCATION OF FUNDS; PROVIDING AN EFFECTIVE DATE

6.a. Charitable Sponsorship Letter

7. **ORDINANCE**

- a. **ORDINANCE NO. 04-2023**
AN ORDINANCE AMENDING CHAPTER 8 OF THE CITY OF SOUTH BAY CODE OF ORDINANCES, ENTITLED “BUSINESSES”, SPECIFICALLY AMENDING ARTICLE I ENTITLED “IN GENERAL”, TO ADD SECTION 8-1 ENTITLED “CEMETERIES” TO PROHIBIT A CEMETERY NOT CONSTITUTED AND RECOGNIZED BY THE CITY COMMISSION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

7.a. First Reading December 5, 2023

8. **ROSENWALD ELEMENTARY SCHOOL**

9. **FINANCE REPORT**

- a. Accounts Payable Report
9.a. AP Report

10. **CITY CLERK REPORT**

- a. Tri-City BBQ December 8, 2023 at Lomax Harrelle Pavilion 12pm
b. Palm Beach County Day 2024 Tallahassee, Florida January 9th -10th, 2024

11. **CITY MANAGER REPORT**

12. **CITY ATTORNEY REPORT**

13. **FUTURE AGENDA ITEMS**

14. **COMMISSIONER COMMENTS: FOR THE GOOD OF THE ORDER**

15. **ADJOURNMENT**

CITY OF SOUTH BAY, FL
CITY/BUDGET WORKSHOP AGENDA

CITY HALL CHAMBER
TUESDAY, NOVEMBER 21, 2023
6:30PM

Present:

Mayor Joe Kyles
Vice Mayor Betty Barnard
Commissioner Esther Berry
Commissioner Taranza Mckelvin
Commissioner Albert Polk

Staff

Leondrae Camel, City Manager
Nepoleon Collins, Interim City Clerk
Burnadette Norris-Weeks, Esq., City Attorney
Massih Saadatmand, Finance Director
Aiyana Bent, Community Service Navigator

(Full recording/discussion available through the City Clerk/City website)

1. **CALL TO ORDER at 6:31pm**
2. **ROLL CALL**
3. **DISCUSSION**
 - a. **Agenda Items**
4. **ADJOURNMENT at 6:59pm**

Moved by: Commissioner Mckelvin
Seconded by: Vice Mayor Barnard

CITY OF SOUTH BAY, FL
REGULAR CITY MEETING
CITY HALL CHAMBER
TUESDAY, NOVEMBER 21, 2023
7:00PM

A Regular City Meeting of the City Commission of the City of South Bay, Florida was called to order by Mayor Joe Kyles in the Commission Chambers at 335 S.W. 2nd Avenue, South Bay, Florida on November 21, 2023 at 7:00 p.m.

(Full recording/discussion available through the City Clerk/City website)

Present:

Mayor Joe Kyles

Vice Mayor Betty Barnard

Commissioner Esther Berry

Commissioner Taranza McKelvin

Commissioner Albert Polk IV

Staff:

Leondrae Camel, City Manager

Nepoleon Collins, Interim City Clerk

Burnadette Norris-Weeks, Esq., City Attorney

Massih Saadatmand, Finance Director

Aiyana Bent, Community Service Navigator

1. **CALL TO ORDER, ROLL CALL; PRAYER, PLEDGE OF ALLEGIANCE**
2. **DISCLOSURE OF VOTING CONFLICTS: NONE**
3. **PRESENTATIONS AND PROCLAMATIONS** (*Up to 5 minutes*):
4. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION**
 - a. Ms. Crawford
5. **CONSENT AGENDA**

All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commission. or person so requests, in which the item will be removed from the general order of business and considered in its normal sequence on the agenda.

- a. RESOLUTION NO. 49-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL FORUM FOR BLACK PUBLIC ADMINISTRATORS, INC. - SOUTH FLORIDA CHAPTER AND THE CITY OF SOUTH BAY FOR AMERICORPS VISTA NFPBA MEMBER; PROVIDING FOR AN EFFECTIVE DATE

5.a. NFBPA Agreement

- b. RESOLUTION NO. 50-2023 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, APPROVING A SCHEDULE FOR THE REGULAR CITY COMMISSION MEETING DATES AND OBSERVED HOLIDAYS FOR CALENDAR YEAR 2024; PROVIDING FOR AN EFFECTIVE DATE

- c. Regular City Workshop and City Meeting
Approval of City Minutes-

5.d. Meeting Minutes October 3, 2023

- d. Regular City Workshop and City Meeting
Approval of Meeting Agenda -

5.e November 21, 2023

Approve Consent Agenda

Moved by: Vice Mayor Barnard

Seconded by: Commissioner McKelvin

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

6. RESOLUTIONS- (Non- Consent) and Quasi-Judicial Hearing, if applicable)

- e. RESOLUTION NO. 51-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, APPROVING THE ADDITION OF A NEW SECTION XV TO THE CITY OF SOUTH BAY'S EMPLOYEE HANDBOOK ENTITLED, "REPORTING WHISTLEBLOWER COMPLAINTS" TO ADDRESS A POLICY AND PROCEDURE FOR REPORTING WHISTLEBLOWER COMPLAINTS; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY AND EXPEDIENT ACTION; PROVIDING FOR AN EFFECTIVE DATE

5.c. South Bay OIG Administrative Policy Manual

Moved by: Vice Mayor Barnard

Seconded by: Commissioner Berry

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

a. RESOLUTION NO. 52-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AUTHORIZING THE CITY MANAGER TO PROVIDE SUPPORT TO THE GULF STREAM COUNCIL OF BOY SCOUTS OF AMERICA, INC., THROUGH THE PROVISION OF COORDINATION ACTIVITIES WITH OTHER YOUTH PROGRAMS, ENTERING INTO A FACILITY USE AGREEMENT AND PROVIDING FOR DISCRETIONARY FUNDING NOT TO EXCEED FIVE THOUSAND DOLLARS (\$5,000.00) FOR VALID PUBLIC PURPOSE ACTIVITIES; PROVIDING FOR AN EFFECTIVE DATE

6.a. GulfStreamBSA

Moved by: Commissioner Mckelvin

Seconded by: Commissioner Polk

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

b. RESOLUTION NO. 53-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN EMERGENCY AGREEMENT BETWEEN EAGLE BRICK CONSTRUCTION, INC AND THE CITY OF SOUTH BAY FOR DEMOLITION OF A CONCRETE DRIVEWAY; PROVIDING FOR AN EFFECTIVE DATE

6.b. EAGLE BRICK CONSTRUCTION, INC. AGREEMENT

Moved by: Commissioner Mckelvin

Seconded by: Commissioner Berry

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

Motion to Amend to add \$700**Moved by: Commissioner Polk****Seconded by: Commissioner Mckelvin**

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

c. RESOLUTION 54-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA APPROVING CHANGE ORDER NO. 3 FROM HINTERLAND GROUP INC. FOR THE SW 10TH AVENUE ROAD AND SEWER IMPROVEMENTS PROJECT FROM MLK BLVD. TO S. TERMINUS; PROVIDING FOR AN EFFECTIVE DATE

6.c. CHANGE ORDER #3 21-0297**Moved by: Vice Mayor Barnard****Seconded by: Commissioner Mckelvin**

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

d. RESOLUTION NO. 55-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA RELATING TO FINANCES, PROVIDING FOR AMENDMENTS TO THE FISCAL YEAR BUDGET BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; APPROVING ASSOCIATED BUDGET AMENDMENTS; PROVIDING AN EFFECTIVE DATE

6.d. Legislative Priorities 2023**Moved by: Commissioner Mckelvin****Seconded by: Vice Mayor Barnard**

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

e. RESOLUTION 56-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, ACKNOWLEDGING THE 2023-2024 HARVEST SEASON IN THE GLADES COMMUNITIES; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY AND EXPEDIENT ACTION TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE

Moved by: Commissioner Polk

Seconded by: Vice Mayor Barnard

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

7. ORDINANCE: NONE

8. ROSENWALD ELEMENTARY SCHOOL: Updates

9. FINANCE REPORT

a. Accounts Payable Report

9.a. AP Report

Motion to table finance report

Moved by: Commissioner Berry

Seconded by: Commissioner Polk

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

10. CITY CLERK REPORT:

- a) Qualifying begins December 5, 2023 at 12:00 pm, and the final day for qualifying is December 11, 2023, at 12:00 pm.
- b) Holiday Toy Giveaway December 2, 2023 at Tanner Park from 9am to 12pm
- c) Tri-City BBQ December 8, 2023 at Lomax Harrelle Pavillion 12pm
- d) Palm Beach County Day 2024 Tallahassee, Florida, United States Jan 9th-10th, 2024

11. CITY MANAGER REPORT

- a) Rosenwald Safety Patrol
- b) USA Tallin Marvel-Park of Commerce
- c) Florida Commerce Grant
- d) Town Hall Meeting

12. CITY ATTORNEY REPORT

- a) Training Requirements for Commissioners

13. FUTURE AGENDA ITEMS

- a) Ordinance for historical preservation & designation and Survey moved to Manager's report
- b) Unicus-Resolution 15-2023 to be modified

Moved by: Commissioner Berry

Seconded by: Commissioner Polk

COMMISSION	VOTE
Mayor Kyles	YES
Vice Mayor Barnard	YES
Commissioner Berry	YES
Commissioner McKelvin	YES
Commissioner Polk	YES

Miss Bryant from Senator Lori Berman-Thanksgiving wishes
Chief Rodriquez-Updates

14. COMMISSIONER COMMENTS FOR THE GOOD OF THE ORDER

- 14.a. Commissioner Taranza McKelvin
- Thank you
- 14.b. Commissioner Albert L. Polk IV
- Thank you
- 14.c. Commissioner Esther Berry
- Thank you
- 14.d. Vice Mayor Betty Barnard
- Thank you
- 14.e. Mayor Joe Kyles
- Thank you

15. ADJOURNMENT 8:20pm

Moved by: Commissioner McKelvin

Joe Kyles, Mayor

ATTESTED BY:

South Bay City Clerk

RESOLUTION NO. 57-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED STATE-FUNDED SUPPLEMENTAL GRANT AGREEMENT NUMBER 3 BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF SOUTH BAY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Florida Department of Transportation ("FDOT"), has created the Small County Outreach Program ("SCOP") pursuant to Section 339.2818, Florida Statutes, for the purpose of offering funding assistance to resurface or reconstruct roadways within small counties and municipalities encompassing rural areas of critical concern; and

WHEREAS, FDOT has determined that the transportation project described in the attached funding agreement is necessary to facilitate economic development and growth within the State of Florida; and

WHEREAS, the City of South Bay and FDOT now desire to execute an Amendment to the SCOP Agreement in the form of a State-Funded Grant Supplemental Agreement that modifies the construction schedule of the initial SCOP Agreement; and

WHEREAS, the City Commission of the City of South Bay has determined that it is in the best interests of the residents of the City of South Bay to allow the City Manager to execute the State-Funded Grant Supplemental Agreement, attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Authorization of City Manager. The City Commission of the City of South Bay hereby authorizes the City Manager to execute the attached State-Funded Grant Supplemental Grant Agreement Number 3, attached hereto as Exhibit "A." The City Manager is further authorized to take all necessary and expedient action to effectuate the intent of this Resolution.

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and **ADOPTED** this 5th day of December 2023.

Joe Kyles, Mayor

ATTEST:

By: _____
Vicenta Del Bosquez, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Week, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Berry	_____ (Yes)	_____ (No)
Commissioner McKelvin	_____ (Yes)	_____ (No)
Commissioner Polk	_____ (Yes)	_____ (No)
Vice-Mayor Barnard	_____ (Yes)	_____ (No)
Mayor Kyles	_____ (Yes)	_____ (No)

**STATE-FUNDED GRANT
SUPPLEMENTAL AGREEMENT**

SUPPLEMENTAL NO.

3

CONTRACT NO.

G-1599

FPN

442025-1-54-01Recipient: CITY OF SOUTH BAY

This Supplemental Agreement ("Supplemental"), dated _____ arises from the desire to supplement the State-Funded Grant Agreement ("Agreement") entered into and executed on February 19, 2019, as identified above. All provisions in the Agreement and supplements, if any, remain in effect except as expressly modified by this Supplemental.

The parties agree that the Agreement is to be amended and supplemented as follows:

This Supplemental extends the term of the Agreement. Paragraph 3 of the Agreement is amended as follows:

This Agreement shall commence upon full execution by the Parties and the Recipient shall complete the Project on or before June 30, 2024. If the Recipient does not complete the Project within this time period, the Agreement will expire on the last day of the scheduled completion, as provided in this paragraph, unless an extension of the time period is requested by the Recipient and granted in writing by the Department prior to the expiration of this Agreement. Expiration of this Agreement will be considered termination of the Project. The Recipient acknowledges that no funding for the Project will be provided by the State under this Agreement for work on the Project that is not timely completed and invoiced in accordance with the terms of this Agreement, or for work performed prior to full execution of the Agreement. Notwithstanding the expiration of the required completion date provided in the Agreement and the consequent potential unavailability of any unexpended portion of State funding to be provided under the Agreement, the Recipient shall remain obligated to complete all aspects of the Project identified in Exhibit "A" in accordance with the remaining terms of the Agreement, unless otherwise agreed by the Parties, in writing.

Reason for this Supplemental and supporting engineering and/or cost analysis:

The Recipient has experienced material delays in construction activities due to Palm Beach County Water Utilities Division's (PBCWUD) water main and sewer system replacement project and rain day delays. This Supplemental Agreement extends the Term of the State Funded Grant Agreement from December 31, 2023 to June 30, 2024 to be in alignment with the revised construction schedule and to avoid expiration of the Agreement prior to Project completion.

**STATE-FUNDED GRANT
SUPPLEMENTAL AGREEMENT**

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date(s) below.

AGENCY

City of South Bay

By: _____

Print Name: _____

Title: _____

As approved by the Board on:

Attest: _____

Legal Review:

City Attorney

FDOT

State of Florida, Department of Transportation

By: _____

Print Name: JOHN P. KRANE, P.E.

Title: Director of Transportation Development

Date: _____

Legal Review:

See attached Encumbrance Form for date of
funding approval by Comptroller

RESOLUTION NO. 58-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, APPROVING A CHARITABLE SPONSORSHIP IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) FOR ROSENWALD ELEMENTARY SCHOOL SAFETY PATROLS AND DETERMINING THAT SUCH EXPENDITURE SERVES A PUBLIC PURPOSE; PROVIDING FOR AN ALLOCATION OF FUNDS; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida State Statutes provides that the governing body of each municipality has the power to enact legislation concerning any subject matter upon which it may act; and

WHEREAS, on April 19, 2016, through Resolution 21-2016, the City Commission of the City of South Bay ("City Commission") created a charitable contribution policy to address requests made by the public for charitable gifts and events; and

WHEREAS, Resolution 21-2016 further authorized the allocation of up to Two Thousand Five Hundred Dollars (\$2,500.00) per fiscal year for the City Commission to award to a charitable organization or organizations; and

WHEREAS, the City Commission, as a body, has determined that the Rosenwald Elementary School Safety Patrols programming would serve a public purpose; and

WHEREAS, Rosenwald will target students from the community in Fifth (5th) Grade; and

WHEREAS, the City Commission desires to approve funding for the Safety Patrols sponsorship in the amount of Two Thousand Five Hundred Dollars (\$2,500.00); and

WHEREAS, the City Commission of the City of South Bay finds that the sponsorship of Safety Patrols for the benefit of the Fifth Grade Safety Patrols travel to Washington D.C. is in the best interests of the residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, THAT:

Section 1. Adoption of Representations. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Approval of Charitable Sponsorship. The City Commission of the City of South Bay hereby approves a charitable sponsorship in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) to Rosenwald Elementary School Safety Patrols and further finds that said expenditure is deemed to be a valid charitable public purpose.

Section 3. Allocation of Funds. The City Commission hereby authorizes and allocates funding sponsorship from the following General Fund account number: Legislative: - 001-711-556150.

Section 4. Effective Date. This Resolution shall be effective immediately upon its adoption.

PASSED and ADOPTED this 5th day of December 2023.

Joe Kyles, Mayor

ATTEST:

By: _____
Vicenta Del Bosquez, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

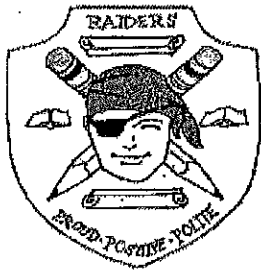
Burnadette Norris-Week, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Berry	_____ (Yes)	_____ (No)
Commissioner McKelvin	_____ (Yes)	_____ (No)
Commissioner Polk	_____ (Yes)	_____ (No)
Vice-Mayor Barnard	_____ (Yes)	_____ (No)
Mayor Kyles	_____ (Yes)	_____ (No)



ROSENWALD ELEMENTARY SCHOOL

1321 Martin Luther King Jr. Blvd

South Bay, Florida 33493

Phone: (561) 993-8900

Fax: (561) 993-8938

"Where Every Child Can Achieve"

Bruce Hightower
Principal

Sonya Green
Assistant Principal

November 3, 2023

Ref: Rosenwald Elementary School Safety Patrols

Rosenwald Elementary School is preparing our future leaders of tomorrow to become successful by introducing new avenues and adventures that they will remember for the rest of their lives.

The 5th Grade Students parents are having a challenging time with the amount of the trip that it is going to cost to send their children to Washington D.C. this year. The total cost per child is \$1211.00 in which we are trying to send at the minimum of 25 children this year. If your organization can assist with donating at least \$5,000.00 we will be able to minimize the cost for each student to attend the trip. In order to ensure that our students get a chance to experience this once in a lifetime trip, we would appreciate your organization donating monetary funds to help our Fifth Grade Safety Patrols travel to Washington D.C. You and your organization will be recognized for any donations and participation at our events. Your organization will assist Rosenwald Elementary School with our mission in providing excellence and opportunities to our future leaders.

Thanking you in advance for your cooperation and participation. If you have any questions or concerns, please feel free to contact Taranza Mckelvin who will be the contact person for all scheduled events and activities. If you have any questions or concerns, my phone number is 561-370-4383 or 561-993-8902.

Sincerely,

Bruce Hightower
Principal

ORDINANCE NO. 04-2023

AN ORDINANCE AMENDING CHAPTER 8 OF THE CITY OF SOUTH BAY CODE OF ORDINANCES, ENTITLED "BUSINESSES", SPECIFICALLY AMENDING ARTICLE I ENTITLED "IN GENERAL", TO ADD SECTION 8-1 ENTITLED "CEMETERIES" TO PROHIBIT A CEMETERY NOT CONSTITUTED AND RECOGNIZED BY THE CITY COMMISSION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 2 of the Florida Constitution and Chapter 166 of Florida Statutes, the City of South Bay ("City") has been granted a broad exercise of home rule powers granted by the constitution which includes the power and authority to enact regulations for valid governmental purposes that are not prohibited by general or special law; and

WHEREAS, the City Commission of the City of South Bay ("City Commission") desires to amend Chapter 8 of the City of South Bay Code of Ordinances entitled "Businesses", by specifically amending Article I of the City's Code of Ordinances entitled "In General", to add Section 8-1 entitled "Cemeteries" to prohibit a cemetery not constituted and recognized by the City Commission; and

WHEREAS, the City Commission has determined that it is in the best interests of the City to specifically amend the foregoing article of the City's Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations.

The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Ordinance.

Section 2. Amending Chapter 8 "Businesses", Article I "In General", to add Section 8-1 entitled "Cemeteries" to read as follows with all other provisions of this article remaining the same:

Sec. 8-1. - Cemeteries.

It shall be unlawful for any person to bury a dead human body other than in a cemetery duly constituted and recognized as such by the city commission.

Section 4. Conflict & Repealer.

All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed.

Section 5. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of the Code or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 6. Inclusion In Code.

It is the intention of the City Commission of the City of South Bay that the provisions of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of South Bay and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to

"Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon final passage and adoption.

PASSED FIRST READING this ____ day of _____ 2023.

PASSED SECOND READING this ____ day of _____ 2023.

Joe Kyles, Mayor

ATTEST:

By: _____
Vicenta Del Bosquez, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Week, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Berry	_____ (Yes)	_____ (No)
Commissioner McKelvin	_____ (Yes)	_____ (No)
Commissioner Polk	_____ (Yes)	_____ (No)
Vice-Mayor Barnard	_____ (Yes)	_____ (No)
Mayor Kyles	_____ (Yes)	_____ (No)



City of South Bay

South Bay City Hall
335 SW 2nd Avenue
South Bay, FL 33493
Telephone: 561-996-6751
Facsimile: 561-996-7950

www.southbaycity.com

Commission

Joe Kyles Sr.
Mayor

Betty Barnard
Vice Mayor

Esther E. Berry

Albert Polk

Taranza McKelvin

Leondrae Camel
City Manager

City Clerk
Vincent Del Bosquez

Burnadette Norris-Weeks
City Attorney

"An equal Opportunity
Affirmative Action Employer"

To: Honorable Mayor and Commissioners
From: Massih Saadatmand, Finance Director
Thru: Mr. Leondrae Camel, City Manager
Date: November 30, 2023
Ref: Weekly check register

Enclosed, please find the summary of check register as of November 30, 2023:

General Fund

Palm Beach Sheriff	\$ 19,601.50
• Andre Hamilton	3,175.00
• CAP Government	3,120.00
• Tax Collector PBC	6,126.94
• Verizon	770.37
• Purchased of supplies, materials and parts	937.61
• Payment for various services	1,723.56
• Payroll deductions	5,045.00
• Other	<u>2,572.21</u>
Total	<u>\$ 43,072.19</u>

Sanitation Fund

Waste Management	<u>\$ 13,249.90</u>
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ARPA Fund

Payroll	<u>\$ 823.52</u>
Total	<u>\$ 823.52</u>

The expenses classifications are reported in general ledger

AP Check Register Report

City Of South Bay (CSBFND)

11/30/2023 8:23:25 AM

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Check Number	Vendor Number	Vendor Name	Check Date	Check Amount	Classification
15791	1143	PPLSI	11/30/2023	76.80	
15792	IAMAW	IAMAW	11/30/2023	269.28	
15793	AFLAC	AFLAC	11/30/2023	1,685.33	
15794	MUTUAL OF OMAHA	MUTUAL OF OMAHA	11/30/2023	285.19	
15795	COLONIAL LIFE PROCES	COLONIAL LIFE PROCESSING CENTER	11/30/2023	395.37	
15796	LIBERTY NATIONAL	LIBERTY NATIONAL	11/30/2023	284.94	
15797	WASHINGTON NATIONAL	WASHINGTON NATIONAL INS. CO.	11/30/2023	68.50	
15798	AMERICAN PUBLIC LIFE I	AMERICAN PUBLIC LIFE INSURANCE COMPANY	11/30/2023	1,365.02	
15799	UNITED HEALTH CARE	UHS PREMIUM BILLING	11/30/2023	505.10	
15800	1331	LORINE LOTT	11/30/2023	150.00	
15801	1330	ASSURITY LIFE INSURANCE COMPANY	11/30/2023	1,259.68	
				Non-Electronic Transactions:	6,345.21
				Total Transactions:	6,345.21

AP Immediate Check Register Report

City Of South Bay (CSBFND)

11/28/2023 7:55:45 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount	Classification
15790	JOE KYLES	JOE KYLES	11/28/2023	143.00	
Totals:			Total Transactions:		143.00

AP Immediate Check Register Report
City Of South Bay (CSBFND)

11/27/2023 1:29:53 PM

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Check Number	Vendor Number	Vendor Name	Check Date	Check Amount	Classification
15789	EDGAR KERR	EDGAR W KERR	11/27/2023	125.00	
Totals:			Total Transactions:		125.00

AP Check Register Report

City Of South Bay (CSBFND)

11/21/2023 10:35:46 AM

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Check Number	Vendor Number	Vendor Name	Check Date	Check Amount	Classification
15774	1004	RELIANT FIRE & SECURITY	11/21/2023	185.00	
15775	1146	VERIZON CONNECT FLEET USA LLC	11/21/2023	189.50	
15776	BELLE GLADE WHOLESAL	BIG LAKE SNACK SALES, INC	11/21/2023	71.97	
15777	BROOKER GLASS CO	GLADES GLASS	11/21/2023	428.10	
15778	CAP GOVERNMENT	CAP GOVERNMENT	11/21/2023	3,120.00	
15779	EL LATINO	PALM BEACH LATINO INC DBA/ EL LATINO	11/21/2023	280.00	
15780	FEDERAL EXPRESS	FEDERAL EXPRESS	11/21/2023	21.35	
15781	FSA	FLORIDA STORMWATER ASSOCIATION	11/21/2023	504.00	
15782	HOME DEPOT CREDIT SE	HOME DEPOT CREDIT SERVICES	11/21/2023	865.64	
15783	PBC SHERIFF'S OFFICE	PALM BEACH COUNTY SHERIFF'S OFFICE	11/21/2023	19,601.50	
15784	ROSENWALD ELEMENTAI	ROSENWALD ELEMENTARY	11/21/2023	500.00	
15785	TAX COLLECTOR PALM B	TAX COLLECTOR PALM BEACH COUNTY	11/21/2023	6,126.94	
15786	VERIZON WIRELESS	VERIZON WIRELESS	11/21/2023	580.87	
15787	VRC	VRC	11/21/2023	418.62	
15788	WOLFF'S LAWN	WOLFF LAWN MACHINE INC	11/21/2023	390.49	
				Non-Electronic Transactions:	33,283.98
				Total Transactions:	33,283.98

AP Immediate Check Register Report
City Of South Bay (CSBFND)

11/16/2023 10:38:55 AM

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Check Number	Vendor Number	Vendor Name	Check Date	Check Amount	Classification
15773	ANDRE L. HAMILTON	ANDRE L. HAMILTON	11/16/2023	3,175.00	
Totals:			Total Transactions:		3,175.00

AP Check Register Report
City Of South Bay (CSBFND)

11/21/2023 11:06:56 AM

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Check Number	Vendor Number	Vendor Name	Check Date	Check Amount	Classification
327	WASTE MANAGEMENT	WASTE MANAGEMENT INC. OF FLORIDA	11/21/2023	13,249.90	
Non-Electronic Transactions:					13,249.90
Total Transactions:					13,249.90