

**CITY OF CLEWISTON**  
**Special Commission Meeting**  
**March 23, 2020**

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The City of Clewiston City Commission held a Special Commission Meeting in the City Hall Commission Chambers Monday, March 23, 2020. The meeting was called to order at 4:00 p.m. by Mayor Gardner. Commissioner Kristine Petersen gave the invocation and the audience recited the Pledge of Allegiance.

**Commissioners Present:** Mayor Mali Gardner, Vice Mayor Michael Atkinson, Commissioner Melanie McGahee, Commissioner Kristine Petersen and Commissioner Julio Rodriguez.

**Personnel Present:** City Manager Randy Martin, City Clerk Kathy Combass and City Attorney Gary Brandenburg.

**Visitors Present:** None

**Additions/Deletions/Changes and Approval of the Agenda** – At City Manager Randy Martin’s recommendation to reverse the agenda items, Mayor Gardner stated the Commission will consider the Emergency Management Issues before the Attorney/Client Meeting.

**Public Comments** - none

- 1. Consideration of Emergency Management Issues by the City Commission** – City Manager Randy Martin summarized Resolution No. 2020-23 declaring a state of local emergency for the City of Clewiston and Mayor Gardner read Resolution No. 2020-23 by title. Commissioner Rodriguez suggested that the Commission waive or allow restaurant businesses in the City to display signs indicating that their business is open without a permit due to the Governor’s executive order that prohibits dining in. City Attorney Gary Brandenburg stated that the Commission could include additional language in their motion allowing the signage when they approve the resolution. There was discussion regarding the enforcement on restaurants to abide by the Governor’s executive orders that have been issued. Attorney Brandenburg stated that he believes the City’s Police Department can enforce those orders. Mayor Gardner then asked Manager Martin to make sure the restaurants are abiding by restrictions. Commissioner Petersen requested that the executive orders be reviewed to see what can be done to those who are not abiding. Commissioner Rodriguez stated that we may need to inform the restaurant owners of what is legal; they will want to know. There was a general discussion regarding virus testing sites, monitoring of facilities to ensure that patrons are following the CDC’s guidance and the programs that are being offered by the schools. Commissioner McGahee suggested that a link to the schools’ website be provided on the City’s website. Commissioner Petersen mentioned that she has received calls from people who are very pleased with the employees who are working hard to keep the shelves stocked at Walmart, Save a Lot, Dollar Tree and Dollar General. Mayor Gardner added that we are very thankful for the retail businesses, truckers, farmers, healthcare professionals, police and firefighters. Commissioner Rodriguez stated he feels we need to support every business that stays open so that we can keep people employed. Mayor Gardner noted that the Clewiston Chamber of Commerce is working with local businesses to come up with ideas to help them.

**Commissioner Petersen made a motion, seconded by Vice Mayor Atkinson, to approve Resolution No. 2020-23 with the additional language to include the City Manager’s ability to waive minor code requirements for the economic and health benefits of residents. Vote 5 years, 0 nays**

Before the vote, Manager Martin stated that Clewiston Fire Chief Travis Reese will be communicating with Police Chief Aaron Angell to see what materials and personal protective equipment the City has available and what is needed so that we can update our request and request the supplies as quickly from state and federal emergency preparedness sources.

Manager Martin stated that it may be necessary for future meetings to consider the option presented and authorized in the Governor’s Executive Order No. 20-69 regarding virtual

public meetings of public bodies without a quorum physically present. Attorney Brandenburg stated that under the order having a quorum present is not necessary for the meeting to occur as long as you allow access to the public and the meetings continue to be recorded and accessible electronically.

- 2. Attorney/Client Meeting (Shade Meeting)** – The meeting regarding the matter of City of Clewiston v. Johnson-Prewitt & Associates, Inc. was requested by City Attorney Gary Brandenburg at the March 16, 2020 City Commission Meeting.

Attorney Brandenburg stated that this meeting will temporarily adjourn for the shade meeting which will be attended by all Commissioners, himself, Manager Martin and a court reporter.

The Special Commission Meeting temporarily adjourned at 4:39 p.m. and reconvened at 5:22 p.m.

Attorney Brandenburg stated that Johnson-Prewitt & Associates, Inc. has submitted a proposal for settlement in the amount of \$150,203. He explained that the City's position has been that when Johnson-Prewitt & Associates, Inc. provided documentation backup for the work they did for the City with regard to the C-21 Bridge, and that work was shown to further the project, the City would pay for that work. He stated that Johnson-Prewitt & Associates, Inc. has now provided the documentation sufficient for the City to go to South Florida Water Management District and obtain reimbursement for the work to further the construction of the bridge. He recommended the City accept their offer and resolve the litigation.

**Commissioner McGahee made a motion, seconded by Commissioner Petersen, to accept the proposal of settlement in the amount of \$150,203 from Johnson-Prewitt & Associates, Inc. and resolve the litigation. Vote 5 yeas, 0 nays**

#### **Adjournment**

**Vice Mayor Atkinson made a motion, seconded by Commissioner Rodriguez, to adjourn the meeting at 5:24 p.m. Vote 5 yeas, 0 nays**

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Mali Gardner, Mayor

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Mary K. Combass, City Clerk