

CITY OF CLEWISTON
Regular Commission Meeting
July 18, 2022

The City of Clewiston City Commission held its regular Commission Meeting in the City Hall Commission Chambers Monday, July 18, 2022. In the absence of the Mayor being physically present, the meeting was called to order at 5:00 p.m. by Vice Mayor Thompson. Commissioner James Pittman gave the invocation and the audience joined in reciting the Pledge of Allegiance.

Commissioners Present: Vice Mayor Greg Thompson, Commissioner Mali Gardner, Commissioner Hillary Hyslope and Commissioner James Pittman. Mayor Kristine Petersen attended via telephone.

Personnel Present: City Manager Randy Martin, City Clerk Kathy Combass, Finance Director Shari Howell, Police Chief Thomas Lewis, Consulting Engineer Joe DeBono and City Attorney Dylan Brandenburg.

Visitors Present: Lavonne Sherrell, Roly Gonzalez, Daniel Anderson and Ian Stone. Members, coaches and supporters of the Clewiston Babe Ruth Youth 12U Girls Softball Team.

Additions/Deletions/Changes and Approval of the Agenda - none

1. Consent Agenda

- A. *City Commission Meeting Minutes – June 23, 2022*
- B. *City Commission Workshop Minutes – June 23, 2022*
- C. *Resolution No. 2022-052 – MOU with Santa Rosa County Sheriff's Office*
- D. *Resolution No. 2022-053 – 1st Amendment to the Clewiston Alverdez Ave & Commercio St Water Main Improvements Project Agreement with Johnson-Davis, Inc.*
- E. *Resolution No. 2022-054 – Recognizing the Clewiston Babe Ruth Youth 12U Girls Softball Team*

Commissioner Hyslope made a motion, seconded by Commissioner Gardner, to approve the Consent Agenda. Vote 5 yeas, 0 nays

Public Comments – Mr. Lavonne Sherrell of 911 Gratton Road, Clewiston, FL came forward and provided information about a fishing program that was implemented by the Fish and Wildlife Commission in 1977 to benefit Lake Okeechobee. He stated the program provided FWC with a tool, which is the commercial fishermen, to regulate some of the overpopulated species of fish and allow for a much stronger growth rate and removed other things from the lake such as phosphorus and nutrients and nitrogen, which was also good for the lake. He had been a part of the program for 45 years and noted that the program is also being used in other lakes in the State of Florida. He stated that there is a severe problem with an abundance of undesirable species of fish in some areas of the lake. Those fish are very aggressive which make it hard for desirable sporting fish to compete with them. He stated the only way to have a little control over this problem at little cost to FWC and no cost to the public or sports industry, is to use the commercial fishermen to help control the overpopulation of those species. He feels everyone keeps trying to get rid of the commercial fishermen. He stated that he should receive some biological data from FWC and will provide it to the City, however, if the City is not interested in the health and welfare of Lake Okeechobee, let him know and he will not waste his or the Commission's time.

- 2. Presentation of Resolution No. 2022-054 - Clewiston Babe Ruth Youth 12U Girls Softball Team** – Vice Mayor Thompson read aloud Resolution No. 2022-054 and presented a copy to the team. The Commission congratulated the girls for winning the state championship and wished them luck at the upcoming World Series.
- 3. Presentation of Financial Audit for Fiscal Year 2021 – Mauldin & Jenkins** – Finance Director Shari Howell introduced Daniel Anderson, Director with the City's independent auditing firm of Mauldin & Jenkins. She stated that her experience over the last three years in working with Mauldin & Jenkins had been very positive. Mr. Anderson came forward and stated that he was responsible for the day to day activities for the City's 2021 Fiscal Year

financial statements review and Audit. He then presented the audit results and reported that the firm has issued an unmodified audit opinion report which is the highest form of assurance they could render. He pointed out that the auditing standards have changed to be in effect for the 2022 Fiscal Year Audit so next year's report will be significantly different. He reported that there were no issues in the recently completed audit review within the Yellow Book Report, Single Audit Report and Independent Accountant's Report. He noted that there was one management letter comment which was not a finding of a material weakness or a significant deficiency; however they noted that there were some significant interfund balances due between several of the funds. He explained that this was a previous comment where it was recommended that management implement a pooled cash system to help the interfund activity go away. In performing the audit, they noted that management had implemented the pooled cash system but just needed to post some entries during Fiscal Year 2022 to true up some of those interfund balances to complete efforts to address the comment. He stated that this is something they felt had already been corrected by the city but because the process took so long and those balances were still outstanding at the end of the year, the repeat management letter comment was warranted. Commissioner Gardner expressed her appreciation to Mr. Anderson for taking time with her to explain some things and for the firm's efforts to work with the city for the last three years. Mr. Anderson thanked Director Howell and her staff for providing all the information that was requested in a timely manner. Manager Martin congratulated Director Howell and her staff and thanked the Commission for their continued support.

RESOLUTION

4. **Resolution No. 2022-055** – Resolution No. 2022-055 approves the completed forms the City will include in Step 2 of the Florida Department of Revenue Truth in Millage (TRIM) Process. The state requires that this step be completed by August 4, 2022. Commission action is necessary prior to that date to comply.

Vice Mayor Thompson summarized and read Resolution No. 2022-055 by title.

Commissioner Hyslope made a motion, seconded by Commissioner Pittman, to approve Resolution No. 2022-055. Vote 5 yeas, 0 nays

Before the vote, Director Howell reviewed the TRIM process and provided a budget overview for Fiscal Year 2023.

ORDINANCE

5. **Ordinance No. 2022-09 – First Reading** - Ordinance No. 2022-09 designates account signatories for the purpose of disbursing city monies from city depositories.

Vice Mayor Thompson summarized and read Ordinance No. 2022-09 by title. Manager Martin reminded the Commission that they had previously authorized the City Attorney to prepare this ordinance to update the City's code.

Commissioner Gardner made a motion, seconded by Commissioner Hyslope, to approve Ordinance No. 2022-09 on first reading and set the public hearing for August 15, 2022. Vote 5 yeas, 0 nays

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

6. **2022 Legislative Session Summary** – Dylan J. Brandenburg, City Attorney – Attorney Brandenburg reviewed the legislative updates information provided to the Commission. He reported that HB 7055 and HB 1411 will require action by the City. HB 7055 requires the City to adopt Cyber Security Standards and ensure that employees who access its internal network complete the required training by January 1, 2025. HB 1411 requires the City to allow floating solar facilities as a permitted use within appropriate land use categories. He stated that he will be working with City staff to look at our land development regulations to see if and where things will have to be amended.

7. Old Business**8. Departmental Monthly Activity Reports** - Presented for information only.

Comments from City Manager – Manager Martin stated that he and Commissioner Pittman attended the FMEA Annual Conference last week. He reported that the conference was very informative and FMPA and City staff continue working very hard to control costs for electric service in the next year. Commissioner Pittman stated that the object of the energy increase is to keep the adjustment cost as flat as possible. He also commented that one of the big discussions at the conference was how to provide adequate charging stations to recharge electric vehicles over the next 5-10 years. Vice Mayor Thompson stated that he feels the City should be the first to install electric vehicle charging stations because there are no charging stations between each coast. Manager Martin stated that Director Williams is working on evaluating options and has communicated with some of the companies. Staff are looking at the pros and cons, how to manage it and where to locate. He added that in his opinion the city should not interfere with any private sector efforts but the private sector thus far has been slow to respond in rural areas.

Comments from City Attorney – no comments

Comments from the City Commission – Commissioner Pittman congratulated Director Howell and her staff for their work. He then stated that he would like the City to consider a donation to the girls' softball team.

Commissioner Pittman made a motion, seconded by Mayor Petersen, to donate \$250.00 to the Clewiston Babe Ruth Youth 12U Girls Softball Team.

Before the vote, Commissioner Gardner expressed her concern that this would set precedence and suggested that we get an accounting on all the private businesses that have already donated to see if they have a shortfall before we spend taxpayer's dollars.

Commissioner Pittman revised his motion, seconded by Mayor Petersen, to donate \$250.00 to the Clewiston Babe Ruth Youth 12U Girls Softball Team if the accounting on all the private businesses that have already donated shows there is a shortfall. Vote 5 yeas, 0 nays

Commissioner Gardner stated that she is looking forward to the workshop on July 25, 2022 and thanked Director Howell and Manager Martin for this year's overall good news from the auditor.

Commissioner Hyslope stated that she continues to see comments from the public about their utility bills on social media and suggested that a sample utility bill highlighting the power cost adjustment with information be posted on the City's social media platforms so that the public will better understand the reason for the increase in their utility bills. She understands the City is not charging more for electricity but others only know that their utility bill went up.

Vice Mayor Thompson thanked Director Howell and her staff for getting through the audit with no findings. He stated that things keep getting better and we want to continue moving forward in that direction.

Mayor Petersen added to Commissioner Hyslope's comments regarding the power cost adjustment, stating that the city needs to ensure that we continue putting out tips on how to reduce utility usage to offset the fuel adjustment. Manager Martin stated that the last billing cycle was thus far the highest peak of usage because of the prevailing hot weather and it will consequently have the highest power cost adjustment of the season because it is in billed in arrears. Usage and hopefully the cost is supposed to level off in the months ahead. He further stated that as previously reported FMPA is taking some steps to cap the cost going forward by pre-buying. He reminded the Commission that FMPA under prior leadership previously made some aggressive buying and received criticism when the price went down quicker than they could go down with the rates so the current board has taken more of a conservative approach by limiting the advance purchases to 50% of the power demand.

Commissioner Hyslope stated that communication is important and should be the standard that we set on any issue. Manager Martin agreed.

Commissioner Hyslope announced that the Hendry County Economic Development downtown revitalization meeting last week went well.

Commissioner Pittman advised that he will not be here next Monday and hoped to get with Manager Martin and/or Director Howell this week to go over the planned presentation for Monday.

Adjournment

Commissioner Hyslope made a motion, seconded by Commissioner Pittman, to adjourn the meeting at 5:51 p.m. Vote 5 yeas, 0 nays

Kristine Petersen, Mayor

Mary K. Combass, City Clerk