



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, April 3, 2013, Immediately
following the CRA Meeting
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, April 3, 2013 at 7:57 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioner Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Mayor DuBois led the pledge of allegiance. Town Clerk Vivian Mendez performed the Roll Call.

SPECIAL PRESENTATIONS/REPORTS

1. Proclamation Honoring Public Works Employees During National Public Works Week May 19-25, 2013

Mayor DuBois presented the proclamation to Public Works Director Dave Hunt and staff from the Public Works Department.

Public Works Director Dave Hunt recognized Walter Thomas and Paul Mathis from the Public Works staff for their hard work. He thanked the Commission for the recognition and stated that the Public Works staff is happy to work for the Town.

Vice-Mayor Glas-Castro stated that several residents have commented to her about the work that Public Works employees do. She stated that the Public Works employees are the face of the Town because they are out on the streets. She appreciates what they do and for making the Town look good.

PUBLIC COMMENT:

Roselyn Saunders, 9193 High Point Drive, stated she is still trying to do the "Rainbow Parade of Children" and wants to do it on Saturday, April 14, 2013. She stated that she spoke with Former County Commissioner Marcus who is in support of the parade. She stated that the parade route would be from Kelsey Park down Park Avenue. She spoke about the property at Congress Avenue and Northlake Blvd and stated that she wants it to become a park.

Judith Thomas, 204 E. Jasmine Drive, congratulated all the newly sworn-in Commissioners. She complimented the Public Works Department regarding Blakely Park. She stated that she has major concerns regarding property maintenance in the Town. She stated that she is frustrated that other properties are not maintained. She stated

that she requested to memorialize Town resident Mel Umbrose with a tree or plaque in Blakely Park.

Mayor DuBois spoke about property maintenance and that he does not know if there is any other way to address the issue then by continuing to issue citations and code violations.

Ms. Thomas recommended that the Town mow overgrown properties and then lien the property for the cost of the maintenance.

Mayor DuBois stated that Wellington has a process to maintain properties and asked Town Manager Sugerman if that can be done in Lake Park.

Town Manager Sugerman stated that there is a process that includes a series of notices and providing the property owner the time to comply with the violation. If the property owner does not comply, the property will come before the Special Magistrate. An order can be issued for the Town to go to clean up the property and lien the property. He stated that it is a lengthy process and often the property come, into compliance at the last minute to avoid the fees.

Mayor DuBois asked if the Code Compliance Board resolved these types of cases quicker than the Special Magistrate.

Attorney Baird stated that the Code Compliance Board rarely met because of a lack of a quorum.

Town Manager Sugerman stated that in his experience from other municipalities that the Code Enforcement Boards tends to be more lenient than a Special Magistrate because they are neighbors of the violators whereas the Special Magistrate does not typically live in the community.

Mayor DuBois asked how many of these properties have been brought into compliance.

Community Development Director Nadia DiTommaso stated that on a monthly basis the Code Compliance Officers issue sixty (60) to eighty (80) violations and that over 50% of the properties do comply and do not go to hearing. She stated that there are approximately eighty (80) registered abandoned properties in Town. She stated that the Town does have an abatement process.

Commissioner Rapoza asked if a volunteer program could be established to have volunteers maintain properties within the Town and if there would be a liability to the Town.

Attorney Baird stated that the bank registration ordinance requires that once the property has been foreclosed that the bank must register the property with the Town and then maintain the property. He stated that bringing properties that are bank owned before the Special Magistrate will spur the banks to action to maintain the property. He stated that the problem with properties that are not bank owned and are homesteaded is that the

Florida Statutes do not allow the Town to foreclose a code enforcement lien against the homesteaded property.

Vice-Mayor Glas-Castro asked if properties are being cited for lack of sod.

Community Development Director DiTommaso stated “yes”.

Vice-Mayor Glas-Castro asked if these properties go through the abatement process and sod added to the property.

Community Development Director DiTommaso stated that the only abatements that the Town have done were for overgrowth of lawns.

Commissioner O’Rourke thanked Ms. Thomas for bring the issue forward. He stated that this issue is of concern to him and that the Commission will be working towards resolving this issue.

Mayor DuBois stated that regarding the tree planting program that the locations within the parks that needed trees would be identified and thought that the process of placing trees at these locations would be expedited by having a memorial tree program. He suggested that Ms. Thomas identify where a tree could be replaced because it has died or been removed.

Ms. Thomas stated that the issue is that because of the maintenance done by the Public Works Department there is not a need for trees in Blakely Park. She stated that she was directed to the Marina to place a brick there, but the problem is that Mr. Umbrose did not go to the Marina. He went to Blakely Park and that she wants to memorialize him at that park. She suggested that the Code needs flexibility to address these situations.

Mayor DuBois stated that he will contact Ms. Thomas to work with her regarding a tree memorial.

CONSENT AGENDA:

2. Regular Commission Meeting Minutes of March 20, 2013

Commissioner O’Rourke requested that on page 11 fourth paragraph that the word “industrial” be added between the words “from” and property” and that in the seventh paragraph that the word “an” be changed to “a” and that words “ Palm Beach County” be added between the words “Town’s” and “District”.

Motion: A motion was made by Commissioner O’Rourke to approve the Regular Commission Meeting Minutes of March 20, 2013, as amended; Commissioner Rapoza made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
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Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

BOARD MEMBERSHIP APPOINTMENTS:

3. Appointment of an Alternate Member to the Bioscience Land Protection Advisory Board

Town Manager Sugerman explained the item (see attached Exhibit "A").

Vice-Mayor Glas-Castro asked when the Bioscience Land Protection Advisory Board meets.

Town Manager Sugerman stated that the Board typically meets quarterly, however the next meeting will not be until September 2013 and will be hosted by the Town of Lake Park. The meetings may change to twice a year in the future.

Vice-Mayor Glas-Castro asked which properties in the Town are in the Bioscience Overlay.

Town Manager Sugerman stated that this is a County Board and that within the Town there is a Bioscience Overlay, but the Board activities are not necessarily tied to the Town's Bioscience Overlay.

Vice-Mayor Glas-Castro asked which properties in the Town are in the Town's Bioscience Overlay.

Attorney Baird stated that basically all the properties that are zoned industrial or CLIC.

Town Manager Sugerman stated that staff will provide the Commission with a map that provides the boundaries of the Bioscience Overlay.

Mayor DuBois asked Vice-Mayor Glas-Castro if she would be willing to serve as the alternate.

Vice-Mayor Glas-Castro stated that she would be willing if no other Commissioners had an interest in serving on the Board.

Commissioner O'Rourke stated that he would be interested in serving as the alternate member to the Bioscience Land Protection Advisory Board.

Motion: A motion was made by Vice-Mayor Glas-Castro to appoint Commissioner Michael O'Rourke as the Town of Lake Park's Alternate Member to the Bioscience Land Protection Advisory Board; Commissioner Flaherty made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

4. Appointment of a Regular Member to the Planning and Zoning Board

Vice-Mayor Glas-Castro asked if the alternate member would get the first option to be the regular member.

Mayor DuBois stated that there is no automatic promotion of the alternate member.

Attorney Baird stated that it is the Commission's decision on who is the regular member.

Mayor DuBois stated that the alternate member would have to apply for the regular member position.

Commissioner O'Rourke stated that it is his understanding that there are certain qualification requirements for the Planning and Zoning Board. He asked if person(s) on the Board already fulfill those qualification requirements.

Attorney Baird stated that the Code encourages the selection of individuals that have some special expertise in the planning, landscape, landscape architecture, architecture and engineering but do not mandate the selection of individuals in each of the specific categories.

Mayor DuBois thinks that it is the function of each Commissioner to locate the community members who they will approve to be on Boards and Committees. He suggested that the Commissioners should go out and ask appropriate members of the community to serve on the various boards and committees.

Commissioner O'Rourke stated that he knows the applicant Cynthia Grey and he is sure that she can serve the Town admirably if she is put into the right position. He stated that there are many issues that the Commission needs to address in conjunction with the Administration to get the Town moving in a positive direction. He wants to discuss expanding and/or creating new committees to meet those needs. He provided an example of an Arts Council and stated that Ms. Grey would be a great addition to that entity given her background and expertise.

Mayor DuBois stated that they have received redundant applications by the same person for the same board/committee until the desired result is achieved and that this is not the only case that the same person applies for the same position over and over again. He asked if the Commission wanted to put some parameters regarding the number of times a person can apply for the same board and suggested that the discussion be brought back as new business on a future agenda.

Commissioner O'Rourke suggested postponing this item because he was not aware there was an opening on the Planning and Zoning Board and he would like an opportunity to look for candidates for the position. He asked residents to step forward and apply for positions on the various Town Boards and Committees and that he will solicit people to apply for the various open positions.

Motion: A motion was made by Commissioner O'Rourke to postpone the Appointment of a Regular Member to the Planning and Zoning Board for four (4) weeks; Commissioner Rapoza made the second.

Commissioner Rapoza asked if a bio and background for the applicants can be provided.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Motion: A motion was made by Vice-Mayor Glas-Castro to direct staff to maintain a list of issues, concerns and priorities that the Commission would like to discuss and that discussion regarding Board Member Applicants be added to the list; Commissioner O'Rourke made the second.

Town Manager Sugerman stated that the Commission is on the part of the agenda title Board Membership appointments and the last item was just disposed and the Commission should be moving on to Old Business.

Mayor DuBois stated that Board Membership Appointments is a general topic and as this item pertains particularly to appointments and how they are handled that he thinks this is an appropriate discussion and action.

Commissioner O'Rourke understands Town Manager Sugerman's comments on the procedure and suggested that this be brought back and added under New Business.

Mayor DuBois stated that this discussion was going to happen now or under new business and thinks that it is appropriate to deal with it now.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

OLD BUSINESS:

None

PUBLIC HEARINGS - ORDINANCE ON FIRST READING:

5. Amending the Town Charter at Article IV, Section 4 Entitled "Filling of Vacancy on Commission".

Attorney Baird explained the item (see attached Exhibit "B").

Commissioner O'Rourke asked if the word interim can be used instead on temporary when describing an appointed Commissioner.

Attorney Baird stated that temporary is the word currently used in the Charter.

Commissioner O'Rourke asked if the same process could be used to elevate the Vice-Mayor to the seat of Mayor on a vote of the Commission.

Attorney Baird stated that there were several revisions by himself and Town Manager Sugerman attempting to create a process as described by Commissioner O'Rourke. It was determined that by doing so it would create a vacancy on the Commission which then would require the Commission to fill that vacancy. The Ordinance as it is now crafted fills the Office of Mayor when there is a vacancy as quickly as possible with an election, which eliminates the issue of then having to fill the vacancy of a Commissioner.

Motion: A motion was made by Commissioner Flaherty to approve Ordinance Amending the Town Charter at Article IV, Section 4 Entitled "Filling of Vacancy on Commission"; Vice-Mayor Glas-Castro made the second.

Commissioner O'Rourke thinks that the Mayor should be selected by the Commission and then another Commissioner appointed by the Commission.

Mayor DuBois stated that ultimately there should be an odd number of Commissioners in order to create a majority but that with four (4) Commissioners the business of the Town can still be conducted. He stated that elections come up pretty regularly. He thinks the process proposed is appropriate.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

PUBLIC HEARINGS - ORDINANCE ON SECOND READING/QUASI-JUDICIAL:

None

NEW BUSINESS:

6. Discussion regarding Changing the Limited Voting Election System

Attorney Baird explained the item (see Exhibit "C"). He stated that this is a very serious item and that the election system under which the Town operates came out of a Federal lawsuit against the Town. He stated that any change to the system is something that the

Commission needs to be fully informed about and thoughtful in regards to whether or not it is prudent to change the voting election system. He stated that based on his experience with the United States Justice Department and ongoing dialogue that if the Commission desires to change the system that the safest route to doing so would be to retain a political consultant with experience in the kinds of cases that the Justice Department brought against the Town. He stated that the consultant would analysis election results to give the Commission the data that would support any change that the Commission might decide is appropriate.

Commissioner Flaherty stated that he wants to follow-up with Attorney Baird and get information about the past reasons for the change and will be contacting Attorney Baird.

Vice-Mayor Glas-Castro stated that one of the top three (3) issues she heard on the campaign trail was about the voting election system. She stated that the residents are not happy with the system and that they think it is a disservice. They feel it is a violation of their rights that they only get to vote for one of their representatives and expressed that they want it to be changed. She stated that she wants to bring this back for further discussion and to explore the options.

Commissioner O'Rourke concurred with Vice-Mayor Glas-Castro and that he finds it troublesome the actions taken by the Federal Government.

Mayor DuBois suggested that over the next month that the Commission receive information from Attorney Baird regarding the history on this issue.

Attorney Baird requested that the item not come back until May 15, 2013 due the substantial amount of information involved in this issue. He believes that it is a good time to revisit the system because there have now been two (2) elections and the two (2) elections have not produced the results that the Justice Department wanted to impose upon the Town. That data that needs to be assembled in case the Justice Department should decide to challenge any change the Commission may make and would ensure that the Town has the evidence to withstand any challenge.

Mayor DuBois asked for the cost of the legal preparation and a political consultant be provided.

Attorney Baird stated that a change in the voting system would require an amendment to the Charter, which has to be referendum. It would logically need to be brought forward at the same time there is a regular municipal election. The next regular municipal election is the Mayoral election in March, 2014. He stated that to place the referendum on that ballot is a short time frame but it can be done. He stated that he can provide the cost information and that the legal costs would not be substantial.

Commissioner O'Rourke asked how long is the agreement the Town entered into with the Justice Department in effect.

Attorney Baird stated that the change in the election voting system is a Federal Court Order and the Order requires the Town to change the voting system. The Order is in

effect until and unless the Town changes it again. He stated that he asked if the Order would prevent the Town from every changing the system and the answer provided was that if the evidence shows that the Town is no longer discriminating then the Town can change to another voting system. He stated that the consultant would analysis the election evidence and he presumes the evidence would provide proof that the Town changes the voting system to rectify the alleged wrong and that yet with the change in the voting system that the change desired did not come about.

Commissioner O'Rourke stated that the Town according to the Census is represented by a large percentage of African-American's and the Town must some way find a way to represent them in a proper manner and that is the other side of the equation. However, his view is that he does not need the Justice Department telling him that he has to serve his constituents and that is where he gets upset with this issue. He stated that he understands the Justice Department's concerns but there is a secondary issue. The secondary issue is that the system in place now the constituents can only vote for one Commissioner and it is a problem when one can vote for the person they want in office.

Mayor DuBois stated that it is not the intention of the Commission to harm or deny anyone equal access to the electoral process or to legislative office. That it is only the intention of the Commission, he assumes, to provide the Town with a stable and consistent mechanism for electing Commissioners in a fair way that establishes legislative continuity between terms of office. He stated that this is a sensitive issue and that the Commission needs to be prepared to listen to the other side of the issue.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Attorney Baird stated that he has no comments.

Town Manager Sugerman stated that the Palm Beach County Sheriff's Office has contacted the Town regarding the renewal of services for the 2013-2014 fiscal year and that the contract will increase by two percent (2%) which equates to an increase of about \$53,000 over the cost of the current contract.

Vice-Mayor Glas-Castro asked if the contract provides for automatic increases without coming to the Commission for an amendment.

Town Manager Sugerman stated "yes" and explained that the contract could be cancelled to avoid the increase.

Mayor DuBois stated that neighboring communities were solicited to provide police services.

Town Manager Sugerman stated that there was past interest in the Town having a 4th of July event and having fireworks. He has obtained two (2) proposals for fireworks for an approximate cost of \$20,000 to \$25,000 for an approximate fifteen (15) minutes show. He stated that the budget does not contain these funds for fireworks. He stated that former Commissioners were interested in raising funds to pay for the fireworks show and there is

a legal opinion that says the Commissioner can solicit funds as long as it is for the Town. He stated that time is nearing to lock in fireworks for the 4th of July event and asked for feedback from the Commission.

Mayor DuBois stated that it is not in the budget and he does not think there is enough time to develop a sponsors program and he was happy with the picnic concept that the Town did last year and served the purpose very well. He suggested that a sponsorship program be developed and funds raised for future years.

Commissioner O'Rourke concurred.

Commissioner Rapoza concurred.

Commissioner Flaherty concurred and stated that raising donations can be tricky and it takes time to receive the donated funds.

Town Manager Sugerman provided the Commission with a letter from Palm Beach County regarding the 2013-2014 Community Development Block Grant (CDBG) program (see attached Exhibit "D"). He advised that the letter is dated April 1, 2013 and includes an application deadline of April 19, 2013. He stated that upon receiving the letter he contacted the Palm Beach County Department of Economic Sustainability and questioned the date of the letter and deadline and advised that the Town would not be able to have public hearings, receive comments from the public and prepare the application before the deadline. He was advised by the Department of Economic Sustainability to pick anything that is grant eligible and submit it by the April 19, 2013 deadline and that between April 19, 2013 and September 30, 2013 the Town would have the opportunity to amend the grant application. He stated that the Commission could consider this item at the April 17, 2013 meeting providing him with two (2) days to submit the application. Or direct him to complete the application with grant eligible activity such as park or drainage improvements. He could then submit the application by the deadline and then the Commission can amend the application.

Motion: A motion was made by Vice-Mayor Glas-Castro to direct the Town Manager to complete and submit a Community Development Block Grant Application for fiscal year 2013-2014 for a grant eligible park or drainage improvement project and to submit the application by the April 19, 2013 deadline; Commissioner O'Rourke made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor			

Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Town Manager Sugerman announced that the next Sunset Celebration at the Marina will be on Friday, April 26, 2013 from 5:00 pm to 8:00 pm and noted that the hours of the event have changed because it is now daylight savings time. He provided to the Commission the latest legislative tracking regarding the Sober House legislation that is pending in Tallahassee (see Exhibit "E"). He advised that on April 1, 2013 the Senate Committee Children, Families and Elder Affairs approved the bill that the Town is supporting on a nine (9) to zero (0) vote.

Commissioner Rapoza suggested that the Commission have a tour of the Marina and receive a presentation regarding issues at the Marina. She asked if a survey has been done to determine why boaters are using the Marina. She requested a tour of the Palm Beach Scrub to get a further understanding of the project. She stated that she would like to see more focus on meeting announcements and agendas in the Palm Beach Post to promote the good things and activities happening in the Town.

Commissioner Flaherty thanked Ms. Saunders and Ms. Thomas for their comments. He stated that the service for Genanne Doughty's memorial services will be held on Saturday, April 6, 2013 at 2:30 pm at the Baptist Church. He stated that Ms. Doughty will be missed. He stated that the Easter Egg Hunt was great. He stated that he attended the Vintage Worship Service and it was great and thanked staff for their assistance. He stated that the Relay for Life event will be held on April 26 and 27, 2013 at Lake Shore Park and noted that the Seeds of Hope Garden has a team. He stated that he attended the Friends of the Library Meeting on April 2, 2013 and encouraged people to participate. He stated that the next Community Watch meeting will be on Wednesday, April 10, 2013 at 6:30 pm at the Fire Station. He stated that the next Citizens on Patrol (COP) meeting will be on April 17, 2013 at 10:00 am at the Sheriff's Office Substation. He advised that he will be unable to attend the April 17, 2013 Commission meeting.

Commissioner O'Rourke stated that during the CRA meeting the Board discussed shared parking and that it was suggested that an Ordinance be created regarding shared parking requirements.

Motion: A motion was made by Commissioner O'Rourke to direct staff to draft an Ordinance to properly address issues related to shared parking in the Town to prevent hazardous conditions from arising and keep ascetics with regard to shared parking structures; Vice-Mayor Glas-Castro made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner			

O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Commissioner O'Rourke thanked Town Manager Sugerman for his service and asked for patience. He asked if the Commission can expand input from other people. He provide an example from the Northern Palm Beach County Improvement District where its members of the Board were assigned a committee for a project or issue and then that Board Member would present as a member of the committee ideas that they have with regards to that project or issue. He provided an example of the Marina and that there is not only the issue of vacancies but the interlocal agreement with Palm Beach County.

Mayor DuBois suggested a workshop for discussion of priorities and that each Commissioner should develop their own priority list. He stated that the task force model could be used for some of these project and issues. He asked what is the best way to provide Town Manager Sugerman with their priorities.

Town Manager Sugerman agreed with Mayor DuBois that each Commission has a top ten priority list and to have all of those priorities are difficult to make happen. He stated that one of the things that will be discussed at the Commission Orientation Workshop is the Comprehensive Annual Financial Report (CAFR) and that he is going emphasize that it is important for the Commission to understand the finances of the Town and then set the priorities with that knowledge. He thinks that the discussion regarding Commission priorities needs to be a public discussion. He stated that he is happy to meet with each Commissioner one on one but that the direction that the Commission will take collectively needs to be done in a open public process. He suggested a workshop meeting to work toward creating a priority list. He emphasized that he is proud to work for the Commission collectively and that he does not work for one Commissioner and decisions and actions must come from the Commission collectively.

Commissioner O'Rourke asked if the Commission is going to have a priority setting workshop.

Town Manager Sugerman stated anytime the Commission is ready after the Commission Orientation.

Vice-Mayor Glas-Castro expressed her support for a workshop for setting Commission priorities. She stated that the Marina Task Force has completed and asked if the recommendations would be coming before the Commission for review and possible action.

Town Manager Sugerman stated that the Task Force report and recommendations are complete and can be placed on a future Commission agenda when directed.

Vice-Mayor Glas-Castro requested that the item be scheduled for an agenda and that the Task Force members and interested parties be advised when that will happen so that they can participate.

Commissioner O'Rourke asked if the meeting regarding the Marina Task Force recommendations could take place at the Marina.

Town Manager Sugerman stated "yes" but there are two (2) issues; first there is only seating for fifty (50) and second there are recording and amplification issues and it cannot be broadcast on channel 18.

Vice-Mayor Glas-Castro stated that at the last meeting the Commission approved the grant application for the breakwater improvements at the Marina and that since then she has heard from residents with concerns regarding shoaling and wave action undermining the seawalls on the nearby condominium properties. She spoke with Town Manager Sugerman regarding the concerns and the coastal engineer that designed the breakwater provided a professional recommendation that there would not be any issues. Additionally, Town Manager Sugerman advised that coastal permitting is very arduous and that this issue will also be evaluated through the permitting process. She stated that in the monthly report it is not that the Community Development Block Grant allocation could be increased and asked if the Commissioners should be contacting the Town's County District Commissioner in support.

Town Manager Sugerman stated that it could go a long way for the Commissioners to contact the County Commissioners in support of expanding the allocation.

Vice-Mayor Glas-Castro stated that she has a conflict for the June 19, 2013 Commission meeting and will not be attendance. She asked if the monthly reports are on the website.

Town Manager Sugerman stated "no".

Vice-Mayor Glas-Castro asked if it can be placed on the website.

Town Manager Sugerman stated that if it is the direction of the Commission it can be placed on the website.

Mayor DuBois stated that he would prefer to keep the monthly report not publicized on the website before the Commission has had the opportunity to address it.

Town Manager Sugerman stated that the report is a public record and is available to anyone who requests it. It has not been his practice to post the monthly report on the website.

Commissioner Rapoza asked for information regarding the number of visits to the Town website.

Mayor DuBois provided clarification to the configuration of the Marina and noted that the Army Corps of Engineers permit defined the scope of the project and that determination of where the access point was placed was determined due to the presence of environmental sensitive plants. He stated that the Boat Show was a success and that he would volunteer next year. He asked if the grant is awarded for the breakwater grant will the Town have an engineer representing the Town to oversee all contractor work.

Town Manager Sugerman explained that is his policy to recommend that a engineer representing the Town to oversee all contractor work.

Mayor DuBois requested that the report by Robert Cutcher regarding the Marina deficiencies be provided to the new Commission.

Town Manager Sugerman stated that it can be provided but it could cause confusion because at the next meeting staff is bring forward a solution to the physical problems at the Marina.

Discussion ensued regarding which report Mayor DuBois was referencing to and it was determined that Mayor DuBois would provide the report to Town Manager Sugerman and that the report would then be provided to the Commission.

Mayor DuBois stated that there has been significant progress made regarding the extension of Tri-Rail. He thanked Kiwanis and Bridges of Lake Park for the Easter Egg Hunt and requested that the photographs be placed on the website. He went to Tallahassee and gave a two (2) minute speech before the House Appropriations Committee regarding the Lake Shore Drive storm water drainage application for \$500,000. The application scored seven (7) out of eight (8) and that the Town may receive funding. In the next few weeks the House Appropriations Committee will recommend which projects should get funded.

Town Manager Sugerman explained the process and that the Town should know by the end of July if the project will be funded.

Mayor DuBois provided testimony before the Children, Families and Elder Affairs Committee regarding the Sober House legislation and that the bill passed the Committee unanimously. He stated that the bill needed to be heard before another committee but the committee closed before hearing it and in order to be passed this year it will need to be added as an amendment to another bill. He stated that Palm Beach County State College is having a trustee event and asked if the information was provided to the Commission.

Town Manager Sugerman advised that the e-mail was forwarded to all Commissioners.

Mayor DuBois stated that the Library Board needs a liaison. He stated that Genanne Doughty passed away and will be missed.

Commissioner O'Rourke nominated Commissioner Flaherty as liaison to Library Board.

Commissioner Flaherty accepted the nomination.

Motion: A motion was made by Commissioner O'Rourke to appoint Commissioner Flaherty as liaison to the Library Board; Vice-Mayor Glas-Castro made the second.

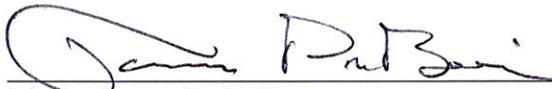
Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

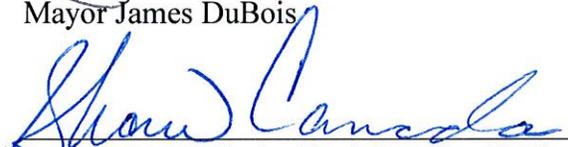
Motion passed 5-0.

ADJOURNMENT

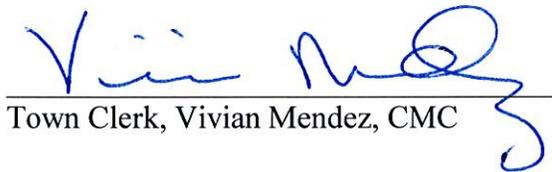
There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 10:20 p.m.



Mayor James DuBois



Deputy Town Clerk, Shari Canada, CMC



Town Clerk, Vivian Mendez, CMC



Approved on this 17 of April, 2013



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, April 3, 2013,
Immediately Following the
CRA Board Meeting
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Michael O'Rourke	—	Commissioner
Kathleen Rapoza	—	Commissioner
.....		
Dale S. Sugerman, Ph.D.	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez, CMC	—	Town Clerk

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, 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. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATIONS/REPORTS

1. Proclamation Honoring Public Works Employees During National Public Works Week May 19-25, 2013

Tab 1

D. PUBLIC COMMENT:

This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

E. 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 event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked

to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

2. Regular Commission Meeting Minutes of March 20, 2013 Tab 2

F. BOARD MEMBERSHIP APPOINTMENTS

3. Appointment of an Alternate Member to the Bioscience Land Protection Advisory Board Tab 3

4. Appointment of a Regular Member to the Planning and Zoning Board Tab 4

G. OLD BUSINESS:

None

H. PUBLIC HEARINGS - ORDINANCE ON FIRST READING:

5. Amending the Town Charter at Article IV, Section 4 Entitled "Filling of Vacancy on Commission". Tab 5

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN CHARTER AT ARTICLE IV, SECTION 4 ENTITLED "FILLING OF VACANCY ON COMMISSION"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

I. PUBLIC HEARINGS - ORDINANCE ON SECOND READING/QUASI-JUDICIAL:

None

J. NEW BUSINESS:

6. Discussion regarding Changing the Limited Voting Election System Tab 6

K. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

L. ADJOURNMENT



Exhibit "A"
04/03/2013

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 3, 2013

Agenda Item No. *Tab 3*

Agenda Title: Appointment of an Alternate Member to the Bioscience Land Protection Advisory Board

- | | |
|--|--|
| <input type="checkbox"/> CONSENT AGENDA | <input checked="" type="checkbox"/> DISCUSSION/POSSIBLE ACTION |
| <input type="checkbox"/> PRESENTATION/PROCLAMATION | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> ORDINANCE ON ___ READING |
| <input type="checkbox"/> BID/RFP AWARD | <input type="checkbox"/> OTHER: |

Approved by Town Manager *DSS* Date: 3/26/13

Vivian Mendez - Town Clerk

Name/Title		
Originating Department: <p style="text-align: center;">Town Clerk</p>	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Bioscience Land Protection Advisory Board Interlocal Agreement
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u><i>VM</i></u> Please initial one.

Summary Explanation/Background: The Bioscience Land Protection Advisory Board Interlocal Agreement, to which the Town of Lake Park is a party, designates that this advisory Board shall consist of a regular member and an alternate member from the Town of Lake Park.

As a result of the General Municipal Election of March 12, 2013 the position of alternate member of this Board became available. The purpose of this item is to appoint an alternate member to represent the Town of Lake Park on the Board.

A copy of the Bioscience Land Protection Advisory Board Interlocal Agreement is attached.

Recommended Motion: Appoint a member of the Town Commission as an alternate member to the Board.

Exhibit "B"
04/03/2013



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 3, 2013

Agenda Item No. *Tab 5*

Agenda Title: An Ordinance Amending the Town Charter Dealing with the Filling of Vacancies on the Town Commission

- | | | | |
|-------------------------------------|--------------------------------------|-------------------------------------|------------------------------|
| <input type="checkbox"/> | SPECIAL PRESENTATION/REPORTS | <input type="checkbox"/> | CONSENT AGENDA |
| <input type="checkbox"/> | BOARD APPOINTMENT | <input type="checkbox"/> | OLD BUSINESS |
| <input checked="" type="checkbox"/> | PUBLIC HEARING ORDINANCE ON <u>1</u> | | READING |
| <input type="checkbox"/> | NEW BUSINESS: RESOLUTION | <input checked="" type="checkbox"/> | DISCUSSION FOR FUTURE ACTION |
| <input type="checkbox"/> | OTHER: _____ | | |

Approved by Town Manager *[Signature]* Date: 3/20/13

DALE S. SUBERMAN / TOWN MANAGER
Name/Title

Originating Department: Town Attorney	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: Draft Ordinance
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u><i>[Signature]</i></u> Please initial one.

Summary Explanation/Background:

At a prior Town Commission meeting, then Commissioner Longtin asked that the newly seated Commission consider taking up a discussion concerning changing the Town Charter dealing with the filling of vacancies on the Town Commission. A copy of the draft ordinance is attached for purposes of discussion.

Recommended Motion:

None needed as this is a discussion item only.



Exhibit "C"
04/03/2013

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 3, 2013

Agenda Item No. Tab 6

Agenda Title: Changing the Limited Voting Method System

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON _____ READING
- NEW BUSINESS: RESOLUTION
- OTHER: _____
- CONSENT AGENDA
- OLD BUSINESS
- DISCUSSION FOR FUTURE ACTION

Approved by Town Manager Date: 3/20/13

DALE S. SUGARMAN / TOWN MANAGER
Name/Title

Originating Department: Town Manager	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: None
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u></u> Please initial one.

Summary Explanation/Background:

At a prior Town Commission meeting, then Commissioner Longtin asked that the newly seated Commission consider taking up a discussion concerning changing the limited voting election system now in place in the Town. This agenda item will allow for that discussion.

Recommended Motion:

None needed as this is a discussion item only.

Exhibit "D"
04/03/2013



April 1, 2013

Mr. Dale Sugarman, Town Manager
The Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

Dear Mr. Sugarman,

The Department of Economic Sustainability (DES) is accepting funding applications for the FY 2013-2014 Community Development Block Grant (CDBG) Program. By participating in the County's CDBG Program and by having an approved target area, the Town of Lake Park is entitled to receive funding. **The enclosed CDBG application must be completed and returned to DES no later than April 19, 2013.**

Please note the following:

- Since HUD has not yet determined the overall CDBG grant amount to the County, please limit your funding request to the amount received in FY 2012-2013 (\$37,294).
- Please submit only one (1) CDBG application for one (1) activity.
- Activities must be eligible per CDBG regulations at 24 CFR Part 570. In addition to activities designated as ineligible by the CDBG regulations, Planning and Administrative activities and Public Service activities are prohibited.
- Activities must address one of the three national objectives of the CDBG program: provide benefit to low- and moderate-income persons; aid in the prevention of slums and blight; or meet an urgent community development need.

An electronic version of the enclosed CDBG application has been emailed to your office. If you have any questions regarding application requirements or the CDBG Program in general, please contact Clement C. Clarke at ccclarke@pbcgov.org or at (561) 233-3622.

Sincerely,

Edward Lowery, Director, DES
Department of Economic Sustainability

Cc: Nadia DiTommaso, Director of Comm. Dev. Town of Lake Park
Sherry Howard, Deputy Director
Carlos Serrano, SPO Director, DES

**Department of
Economic Sustainability**

Strategic Planning

100 Australian Avenue, Suite 500
West Palm Beach, FL 33406
(561) 233-3600
FAX: (561) 656-7589
www.pbcgov.com/des



**Palm Beach County
Board of County
Commissioners**

Steven L. Abrams, Mayor

Priscilla A. Taylor, Vice Mayor

Hal R. Valeche

Paulette Burdick

Shelley Vana

Mary Lou Berger

Jess R. Santamaria

County Administrator

Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"

Exhibit "E"
04/03/2013

The Florida Senate

SB 738: Substance Abuse Services

Tracking This Bill

GENERAL BILL by Clemens

Substance Abuse Services; Defining the term "sober house transitional living home" as it relates to the Hal S. Marchman Alcohol and Other Drug Services Act; requiring that an applicant seeking licensure for a proposed facility that would provide specified substance abuse services adhere to local, municipal, or county standards for zoning and occupancy; providing that a local government is not precluded from adopting ordinances that govern facilities that offer certain substance abuse services, etc.

Senate Committee References: Children, Families, and Elder Affairs (CF), Community Affairs (CA), Appropriations Subcommittee on Health and Human Services (AHS), Appropriations (AP)

Last Action: 04/01/2013 CS by Children, Families, and Elder Affairs; YEAS 9 NAYS 0

Effective Date: July 1, 2013

Bill History

DATE	CHAMBER	ACTION
02/08/2013	Senate	• Filed
02/13/2013	Senate	• Referred to Children, Families, and Elder Affairs; Community Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations -SJ 54
03/05/2013	Senate	• Introduced -SJ 54
03/27/2013	Senate	• On Committee agenda-- Children, Families, and Elder Affairs, 04/01/13, 3:15 pm, 37 Senate Office Building
04/01/2013	Senate	• CS by Children, Families, and Elder Affairs; YEAS 9 NAYS 0

Related Bills

BILL NUMBER	SUBJECT	FILED BY	RELATIONSHIP	LAST ACTION	TRACK BILLS
<u>H 1089</u>	Substance Abuse Services	Grant	Identical	03/06/2013 H Referred to Health Innovation Subcommittee; Local and Federal Affairs Committee; Health and Human Services Committee -HJ 199	Track Bill