



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting Minutes
Wednesday, December 4, 2019
Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, December 4, 2019 at 8:05 p.m. Present were Mayor Michael O’Rourke, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, John Linden, Roger Michaud, Town Manager John O. D’Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call, the pledge of allegiance was conducted at the CRA Board Meeting.

SPECIAL PRESENTATION/REPORT:

None

PUBLIC COMMENT:

None

CONSENT AGENDA:

- 1. Regular Commission Meeting Minutes of November 6, 2019.**
- 2. Regular Commission Meeting Minutes of November 20, 2019.**
- 3. Resolution No. 94-12-19 Canceling the January 1, 2020 Regular Commission Meeting.**
- 4. Resolution No. 95-12-19 Authorizing and Directing the Town Manager to Effectuate the Purchase of a Replacement “Grabber Arm” on Sanitation Vehicle #51.**
- 5. Authorize the Town Manager to Sign the Solid Waste Authority 2019/2020 Annual Governmental Assessment Invoice of \$18,509.94, which Exceeds his Authority.**

Motion: Vice-Mayor Glas-Castro moved to approve the consent agenda; Commissioner Michaud seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner Linden	X		
Commissioner Michaud	X		
Vice-Mayor Glas-Castro	X		
Mayor O’Rourke	X		

Motion passed 5-0.

PUBLIC HEARING – ORDINANCE ON FIRST READING:

None

PUBLIC HEARING – ORDINANCE ON SECOND READING:

None

NEW BUSINESS:

6. Discussion regarding inability of the State of Florida and the Palm Beach County Supervisor of Elections to conduct Rank-Order Elections as Proposed by The Department of Justice.

Town Manager D'Agostino explained the item (see Exhibit "A"). Town Attorney Baird explained he had not received correspondence from the Department of Justice (DOJ) regarding the information received from Palm Beach County and the State of Florida. He explained the DOJ suggested the method of Rank-Order Elections, and there was little discussion about the method of At-Large Elections. He explained that a Charter Amendment was required in order to change the Towns' voting method. He informed that he would continue to explore alternative voting methods but that he was unsure if DOJ would provide direction. Commissioner Linden suggested that the Town compose a letter to the DOJ expressing the desire to conduct At-Large Elections in the Town of Lake Park. He explained the Constituents of the Town of Lake Park wanted the ability to select the Commission versus a Commissioner. Vice-Mayor Glas-Castro questioned if the DOJ published a report as a result of the meetings with the Town. Town Attorney Baird answered, "No". Vice-Mayor Glas-Castro expressed concerns regarding the lack of correspondence from the DOJ. She explained the Town could be sued if it chose to proceed with a Referendum for a Charter Amendment. Mayor O'Rourke suggested the implementation of staggered elections, allowing two Commission Seat vacancies on separate elections. Commissioner Linden suggested the letter to the DOJ include two options (1) Staggered Elections (as suggested by Mayor O'Rourke), and (2) At-Large Elections. Attorney Baird explained the suggestion of Mayor O'Rourke was not a recognized voting system. He explained the Town could propose the suggestion to the DOJ but the Town may not receive a favorable response. He explained the At-Large Election method was previously found to be discriminatory and the basis for the lawsuit. He explained previous data and historical information of the DOJ which revealed discriminatory voting practices. Commissioner Linden restated his suggestion to write a letter to the DOJ. Attorney Baird suggested a conference call with Mr. McFarland to explain the desire of the Commission and Constituents. Commissioner Linden questioned if the Commission had opinions regarding voting districts. Commissioner Michaud suggested that the Town was too small to implement voting districts. Vice-Mayor Glas-Castro explained that the voting district method only allowed Constituents to vote for one seat. Discussion ensued regarding voting districts as related to geographical locations. Attorney Baird explained the Town of Lake Park was a majority minority community and two minority Candidates had not been elected in previous election cycles. He suggested to seek support of Town of Lake Park State Representatives. Town Manager D'Agostino announced that he would contact the Office of Congressman Alcee Hastings.

PUBLIC COMMENT:

None

FUTURE AGENDA SUGGESTIONS:

None

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird announced he had received communication from Rand Hock, Founder and President of the Palm Beach County Human Resources Council. He explained Mr. Hock addressed a letter to him in March 2019, expressing frustration with the Town Commission's decision to opt-out of the Palm Beach County Housing and Public Accommodations Ordinance. He explained that opting-out was recommended to address the Town's unhappiness with the County's regulatory actions regarding rogue sober-homes. He explained the latest correspondence asked the Town to reconsider its previous decision to opt-out of the Ordinance or alternatively adopt a new Ordinance to protect Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) individuals against housing discrimination. Vice-Mayor Glas-Castro questioned if Mr. Hock had presented specific language or information regarding an opt-in or amendment to the Town Code. Attorney Baird explained that Mr. Hock believed that LGBTQ individuals were not protected because the Town had opted-out of the Palm Beach County Ordinance. He explained possible occurrences of housing discrimination, and the process of adopting public policy. Vice-Mayor Glas-Castro suggested that Mr. Hock provide language to the Town for consideration. Attorney Baird explained that the Commission would potentially create a regulatory system that protects a class of individuals who were not constitutionally protected. He explained that he would request a sample Ordinance from Mr. Hock. Mayor O'Rourke and Commissioner Flaherty suggested that there was not an immediate need for an Ordinance.

Town Manager D'Agostino announced his comments (see Exhibit "B"). Discussion ensued regarding the scheduling of Regular Commission Meetings in January 2020. Per Commission Consensus, the Regular Commission Meetings of January 2020 were scheduled for January 8th & 29th. Town Clerk Mendez explained that a Resolution would appear on the December 18, 2019 Regular Commission Meeting Agenda to reflect the proposed meeting dates. Discussion ensued regarding hosting a Palm Beach County League of Cities Meeting in the Town of Lake Park.

Commissioner Linden announced that he had volunteered with Parent to Parent and Operation Hope during their thanksgiving give-away events.

Commissioner Michaud announced that he looked forward to the December 6, 2019 Holiday Tree Lighting Event. He announced the Friends of the Lake Park Library and Kiwanis Club were expected to attend the Event.

Commissioner Flaherty had no comments

Vice-Mayor Glas-Castro asked for an update regarding the 2020 Census Committee. Community Development Director Nadia DiTommaso explained that the Census Count Date was scheduled for April 1, 2020. She explained that the Town had met with Sandy Goodman, Census Representative following the approval of Resolutions 84-10-19 and 85-10-19. She explained that Census Count Committee Training was scheduled for December 16, 2019. She explained that correspondence would be disseminated over the coming weeks. Discussion ensued regarding community efforts to ensure all Town of Lake Park Residents are included in the Census Count. Vice-Mayor Glas-Castro

announced that she attended the Ribbon Cutting Ceremony at Aldi Grocery Store. She announced that the Palm Beach County League of Cities Meeting requested that the Town host a Meeting in June 2020.

Mayor O'Rourke announced that he was unopposed during the Qualifying Period for the 2020 Mayoral Election. He announced that he was honored and humbled to serve as Mayor in the Town of Lake Park. He announced that Taylor Norris (Country Singer) would perform at the Brew House Gallery on December 6, 2019. He announced that Billy Norris, and the Chronicles would perform at the Brew House Gallery on December 14, 2019.

ADJOURNMENT

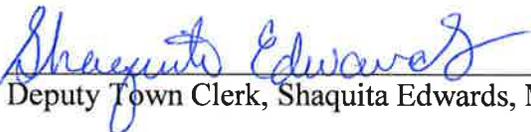
There being no further business to come before the Commission and by unanimous vote, the meeting adjourned at 9:11 p.m.



Mayor Michael O'Rourke



Town Clerk, Vivian Mendez, MMC



Deputy Town Clerk, Shaquita Edwards, MPA, CMC



Approved on this 18 of December, 2019

Exhibit "A"



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: December 4, 2019

Agenda Item No. Table

Agenda Title: Rank Order Elections Status Update

- [] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [X] OLD BUSINESS
[] PUBLIC HEARING ORDINANCE ON ___ READING
[] NEW BUSINESS
[] OTHER: WORKSHOP

Approved by Town Manager [Signature] Date: 11/26/19

John O. D'Agostino, Town Manager

Name/Title

Table with 3 columns: Originating Department, Costs, Attachments, Advertised, and notification status.

Summary Explanation/Background: The Department of Justice met with the Town Commission individually, Representative Al Jacquet's Aide and Senator Bobby Powell to discuss the Town Commission elections subsequent to the change in the voting system, effective 2010.

Following the meetings with the DOJ lawyers, and upon the advice of the Town Attorney, staff contacted the Palm Beach County Supervisor of Elections (SOL) to inquire whether the SOL could implement the Rank Order Election system strongly recommended by the

DOJ's lawyers. The SOL was provided the information received by the Town Attorney regarding the Ranked Order Election System. After a careful review, the SOL determined that it could not implement such a system and that it was not constitutional. The State of Florida also concluded that the Ranked Order Election System was unconstitutional.

Staff was informed that implementing the Rank Order Election System in Florida, would require an amendment to the Florida Constitution. As you know, an amendment to the Florida Constitution would require a referendum whereby Floridians would have to affirmatively vote by more than 60% to amend the constitution. Voters statewide must approve the change. Staff has concluded that the pursuit of amending in the Florida Constitution to permit the Rank Order Election System would consume an extraordinary amount of staff time, which would only initially result in a ballot question one or more years from now.

As a result, I am not recommending that the Rank Order Election System be pursued.

Recommended Motion: No motion is necessary at this time. However, direction as to next steps such as whether any other changes to the current voting system should be pursued.

TOWN MANAGER COMMENTS

DECEMBER 4, 2019 – TOWN COMMISSION MEETING

MAYOR

Qualifying for the position of Mayor ended on **November 19th at noon**. Mayor Michael O'Rourke was unopposed and we will be swearing him in at a future Commission meeting. Congratulations!

HOLIDAY TREE LIGHTING

The Town will host its annual Holiday Tree Lighting Ceremony on **Friday, December 6th from 6:00 pm – 8:00 pm** at the Town Green (located on the corner of Park Avenue and 9th Street). This family friendly event will include children's activities, holiday entertainment, food & beverages, arts & crafts and give-a-ways. There will be free admission and free parking for everyone. For more information please contact the Special Events Department at 561-840-0160.

OFFICES WILL BE CLOSED IN OBSERVANCE OF CHRISTMAS AND NEW YEARS

Town Hall, the CRA Office, Library and Public Works will be closed.

Friday, December 20 – Early Release offices close at 2 p.m.

Tuesday, December 24 through 27, 2019 The Library will also be closed Saturday December 28.

Wednesday, January 1, 2020

Sanitation Schedule:

Tuesday, December 24 – No change

Wednesday, December 25 – Christmas Day - No Service

Thursday, December 26-Sanitation Service will resume. No Recycle Service.

Friday, December 27 – No Change.

Tuesday, December 31 – No Change. **Recycling service will run on Tuesday instead of New Year's Day.**

Wednesday, January 1 – New Year's Day - Commercial pick up only.

TOWN HALL MEETING

Senator Bobby Powell, Jr. has requested to host a “Town Hall” meeting, similar to last year’s event, here in the Commission Chambers on **Tuesday, January 7, 2020 from 6-7 p.m.** The “Town Hall” meeting would be open to the public to speak to the Senator about issues they would like him to raise when he travels back to Tallahassee.

TOWN GRANTMAKING POLICY PROGRAM

The Town Grantmaking Application and Instructions are available. The electronic version can be found on the front page of the Town’s website, as well as on the documents page. Hard copies can be found in both the upstairs and downstairs information racks. The same application is to be used for the “small grant program” (\$500 and under) and the “large grant program” (\$500.01 up to \$25,000). There was a Mandatory pre-application meeting for applicants requesting funds under the large grant program held on November 21, 2019 where eight people were in attendance. Any applicant wishing to request guidance or assistance from the Town’s grants writer may schedule an appointment with her at any time until **December 18, 2019**. Complete instructions are included with the application packet. **All applications must be submitted no later than 5:00 PM on January 17.**