



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
February 6, 2008 7:30 p.m.**

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, February 6, 2008 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Attorney Karen Roselli, Human Resources Director Bambi-McKibbon-Turner and Town Clerk Vivian Mendez. Town Manager Maria Davis was absent.

Vivian Mendez led the Invocation.
Mayor Castro led the Pledge of Allegiance.
Town Clerk Vivian Mendez performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Commissioner Comments was moved to be performed before Proclamations. Discussion items #10 and #11 were deferred to the next meeting.

Motion: A motion was made by Commissioner Balius to approve the Agenda as modified; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PROCLAMATIONS

Honoring Molly Phillips

Motion: A motion was made by Commissioner Osterman to approve the Proclamation to Molly Phillips; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner			

Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Mayor Castro read the Proclamation.

Diane Sophinos accepted the Proclamation on behalf of Molly Phillips. She stated that Ms. Phillips had contacted her that afternoon and asked her to accept the proclamation on her behalf and to express her gratitude to the staff, coworkers, residents and young children of Lake Park.

Honoring Patricia Barnes – Deferred to the next Commission Meeting.

Honoring Joan Miller of Palm Beach Ballet Center, Inc.

Motion: A motion was made by Commissioner Osterman to approve the Proclamation to Joan Miller of Palm Beach Ballet Center, Inc.; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Mayor Castro read the Proclamation.

Ms. Miller accepted the Proclamation and thanked the Commission. She gave a brief history of the Ballet Center.

Honoring Helga Watta of Park Avenue Tailor, Inc.

Motion: A motion was made by Commissioner Osterman to approve the Proclamation to Helga Watta of Park Avenue Tailor, Inc.; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Mayor Castro read the Proclamation.

Ms. Watta accepted the Proclamation and thanked the residents of the Town and the Commission.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor Castro stated that he had decided not to run for Mayor. The decision was made in August of last year. It was a well thought out decision that he had made with his wife and children. He stated that it was stated in the Weekday that he announced that he was running for Mayor again which he never announced in a Public Meeting. A few weeks later it was announced that he was backing out of the race for fear of a challenge. He stated that he has never walked away from a challenge. He expressed disappointment over the inaccuracies, untruths, and hearsay reported in the Weekday. He stated that he was proud to sit with the Commission as Mayor and that he was sad to leave. He was very proud of how the Commission handled the hurricanes, budget, and surpluses over the past years. He stated that he was very proud of the community. He thanked the residents of the Town of Lake Park for allowing him to serve as their Mayor.

Commissioner Carey stated that \$15,000 would be needed for the Kelsey Irish Fest. He asked if the Town could match a donation of half the money needed if someone contributed the rest.

Mayor Castro stated the Town was in a position where employees are concerned about their benefits. He was concerned over the possibility of lay offs as an impact from the last referendum by the State.

Commissioner Carey stated that the funds could come from the Town's Contingency Fund.

Mayor Castro recommended that the Irish Fest be discussed as an agenda item at the next Commission Meeting.

Commissioner Osterman asked Commissioner Carey if he had personally spoken to business owners regarding sponsorship of the Kelsey Irish Fest.

Commissioner Carey stated that he had not.

Commissioner Osterman recommended that Commissioner Carey introduce himself to and speak to business owners. She stated that she would also like to see the Irish Fest but the Town was at the point where they may not be able to have the Fireworks Festival.

Vice-Mayor Daly stated that doing without those festivals was an unfortunate consequence of what the people voted for.

Mayor Castro stated that he would rather cut recreational activities than services or benefits for the Town's employees.

Commissioner Balius stated that he has been with the Commission since 1991. He stated that Mayor Castro was the best Mayor that the Town has had.

Mayor Castro thanked Commissioner Balius.

Commissioner Balius stated that there would need to be budget cuts as a result of the Double Homestead Exemption vote.

Vice-Mayor Daly stated he would've liked to see the Mayor stay because the Town was coming upon critical times. He stated that he was sorry to see the Mayor go and that he was a good man for the job. He stated that Governor Crist made a poor choice in pushing the Double Homestead Exemption vote.

Commissioner Osterman thanked Mayor Castro for his service on the Commission. She wished Commissioner Carey and his wife good luck on the birth of their new baby. She stated that the tax situation will be tough and it would be an approximate loss of \$500,000. She stated that recreational activities were already cut and more may need to be cut. She announced that the Palm Beach County Sheriff's Office was starting a PAL basketball league for 11 to 14 year old boys and would be called the Lake Park Lions. She stated that uniforms would be provided and anyone interested could stop by the station on 6th St. or contact Corporal Mancino at 561-841-1993. She stated that information would also be posted on the website.

Mayor Castro stated that most residents believe that municipalities are fat and wasteful in their spending. He stated that they do not understand that a municipality's funds provide services such as Fire Rescue and Police to a community.

Commissioner Balius stated that 72% of the Town's budget was salaries and after all recreational activities are cut they would have to cut employees.

Mayor Castro stated that the Town would work hard to not cut any employees.

Town Manager Maria Davis

Absent

Bambi McKibbon-Turner stated that Town Manager Maria Davis asked her to deliver the following comments on her behalf. She stated that as a result of the budget cuts it was necessary

to reduce the Town Library's operation hours to Mondays and Tuesdays 9 am to 7 pm, Wednesday thru Saturday, 9 am to 5 pm and closed on Sunday. The new hours had been posted at the Library and on the Library's website. She announced that a new Palm Beach Post Job Search kiosk had been installed at the Library. It would enable job seekers to access actual job listings by using a computer touch screen to print out job listings. It would be a free service that was posted on the Library's website. The Library would receive statistics on the usage of kiosk. She stated that it had been installed on January 24, 2008 and from January 24th thru the 31st there had been 110 kiosk users, 918 jobs viewed, 9 job applications, 70 print outs, 101 videos viewed and 11 e-mailed jobs.

The March 5, 2008 Commission Meeting conflicts with Palm Beach County Days in Tallahassee. She stated that she was seeking consensus to reschedule the meeting.

Mayor Castro stated that the March 5, 2008 meeting would be his last Commission Meeting.

Commissioner Osterman recommended that the meeting be held the last week of February.

Discussion ensued between the Commission regarding the rescheduling of the March 5, 2008 Commission Meeting.

The Commission came to consensus to have the March Commission Meetings on March 12 and March 26, 2008.

Bambi McKibbon-Turner stated that irrigation was complete and sodding had commenced for the Ilex Park Project. The clock tower was being painted.

Mayor Castro objected to a song that he heard being played at the clock tower one day while dropping his daughter off at school.

Bambi McKibbon-Turner stated that she would make Town Manager Maria Davis aware that he was displeased with the song.

Commissioner Balius stated that the reason Town Manager Maria Davis was absent was because of the death of her brother.

Town Attorney Karen Roselli

None

PRESENTATION

Introduction of Newly Assigned Battalion Chief Ron Beesley to Station 68

Mayor Castro introduced and congratulated the new Battalion Chief Ron Beesley.

Battalion Chief Ron Beesley introduced himself and thanked the Commission. He stated that the Battalions in Palm Beach County had been restructured. He gave a brief background and description of his duties and the Battalions of Palm Beach County. He stated that he was part of the lobbying team in Tallahassee for tax reform as it pertained to Fire Rescue. He explained what he and the other Battalions were doing with regards to strategies in response to tax reform.

Vice-Mayor Daly stated that he would like Chief Beesley to contact Town Manager Maria Davis and speak to her regarding having more contact and a better relationship between the Town and the men in the Battalions.

PUBLIC and OTHER COMMENT

Merilee Tutcik, Lake Park – stated that she was glad to see the Clock Tower playing music again. She stated that the choice of music was a little over the top. She asked for a status on the One Park Place Project and Park Avenue Barbeque.

Attorney Karen Roselli stated that foreclosure proceedings had begun on the One Park Place property.

BOARD APPOINTEES

The following persons were appointed to the Planning and Zoning Board:

- Tim Stevens – Regular Member
- Robin Maibach – 1st Alternate Member
- Mason Brown – 2nd Alternate Member

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of December 19, 2007
2. Regular Commission Meeting Minutes of January 16, 2008
3. Resolution No. 08-02-08 Poll Workers for March 11, 2008 Election
4. Resolution No. 09-02-08 Assistant Dock Master Position
5. Resolution No. 11-02-08 International City/County Management Association Retirement Corporation (ICMA)
6. Corradino Group Contract Extension for 90 days to Prepare the EAR Based Amendment to the Lake Park Comprehensive Plan
7. Proclamation for The Arc of Palm Beaches

Public Comment Open.

None

Public Comment Closed.

Mayor Castro pulled items 4 and 6 from the Consent Agenda for discussion.

Motion: A motion was made by Commissioner Balius to approve the Consent Agenda with the exception of items 4 and 6; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		

Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Mayor Castro asked for an explanation of Resolution No. 09-02-08 Assistant Dock Master Position.

Bambi McKibbon- Turner explained the reason for Resolution No. 09-02-08 was that the current Ship Store Clerk was performing the duties of a dock attendant and assisting the Marina Director. She stated that because the Marina does not generate enough revenue to pay the salary of a full-time Ship Store Clerk the proposal would enable this person to perform the duties of Dock Master by transferring into the new position and would be able to keep their current salary.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 09-02-08; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Mayor Castro asked for an explanation of the request of a 90 day extension for the Corradino Group Contract. He asked what the cost would be for the Town.

Community Development Director Patrick Sullivan stated that there would be not cost to the Town for the extension and the Town would meet all DCA deadlines except the February 1st deadline for the contract.

Motion: A motion was made by Commissioner Balius to approve the 90 day extension for the Corradino Group Contract; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner			

Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC HEARING(S)

ORDINANCES ON 2ND READING

ORDINANCE NO. 01-2008 – Permitting a Referendum Question on the March 11 Ballot Relating to Financing the Downtown Alleyway Improvement Project

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, SUBMITTING TO REFERENDUM THE QUESTION OF WHETHER THE COMMUNITY REDEVELOPMENT AGENCY MAY PLEDGE OR OTHERWISE ENCUMBER TAX INCREMENT FUNDS TO FINANCE THE DOWNTOWN ALLEYWAY IMPROVEMENT PROJECT; ESTABLISHING THE DATE OF MARCH 11, 2008 FOR THE REFERENDUM; PROVIDING FOR A BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE AND ADVERTISING OF THE REFERENDUM; PROVIDING FOR REFERENDUM CANVASSING; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Commissioner Osterman asked if the wording had changed in the ordinance since the last meeting.

Attorney Karen Roselli explained that a dollar amount was added to the wording in the ordinance.

Motion: A motion was made by Commissioner Balius to approve Ordinance No. 01-2008 upon 2nd reading; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		

Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Karen Roselli read Ordinance 01-2008 by caption only.

ORDINANCE NO. 02-2008 – Abolish the Merit System

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO ARTICLE VI, SECTION 1, OF THE TOWN OF LAKE PARK, FLORIDA MUNICIPAL CHARTER ENTITLED “CREATION OF MERIT SYSTEM; MERIT SYSTEM COMMISSION” TO ELIMINATE THE MERIT SYSTEM OF EMPLOYMENT FOR TOWN EMPLOYEES, INCLUDING THE MERIT SYSTEM BOARD; ESTABLISHING THE DATE OF MARCH 11, 2008 FOR THE REFERENDUM; PROVIDING FOR A BALLOT TITLE AND SUMMARY; PROVIDING FOR NOTICE AND ADVERTISING OF THE REFERENDUM; PROVIDING FOR REFERENDUM CANVASSING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Commissioner Balius asked if the Town employees that were not under the union were covered by the merit system referenced in the ordinance.

Human Resources Director Bambi McKibbon-Turner explained that no employee either in the union or those not in the union were currently covered by the merit system.

Motion: A motion was made by Commissioner Balius to approve the Ordinance No. 02-2008 upon 2nd reading; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor			

Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Attorney Karen Roselli read Ordinance 02-2008 by caption only.

RESOLUTIONS

RESOLUTION NO. 10-02-08

A RESOLUTION OF TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE APPROPRIATIONS AND INTERGOVERNMENTAL CONSULTING FIRM OF GOMEZ BARKER & ASSOCIATES, INC., TO REPRESENT THE TOWN OF LAKE PARK BEFORE THE EXECUTIVE AND LEGISLATIVE BRANCHES OF THE FLORIDA STATE GOVERNMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Fausto Gomez of Gomez, Barker and Associates stated that the average rate of return from his lobbying firm to municipalities in excess of 3000 to 4000 percent. He stated that he has conducted discussions with Town Manager Maria Davis regarding the needs of the Town. He stated that those needs were to enhance the Town’s profile in Tallahassee in order to secure resources directly from the legislature and/or from different agencies. He gave the Town’s desire for a Community Center as an example of issues that could be pursued. He explained how resources could be brought in to enhance businesses in the Town.

Mayor Castro stated that he was disappointed that Town Manager Maria Davis did not approach him regarding the request for an intergovernmental consulting firm before placing the item on the agenda. He stated that Governor Crist would have to cut 5 billion out of the state budget and he is committing an additional 1 billion to school funding. He stated that the Town had hired a grant writer in order to obtain grants and funding for the Town. He stated that the Town was currently in a position of determining how to recover. He expressed concern over the Town hiring a firm to lobby for grants and funds.

Vice-Mayor Daly stated that the money to pay for the consulting firm would be split between the Town and the CRA. He supported the hiring of the firm and stated that the Town would need to try another direction in order to finance the things that need to be done here.

Commissioner Balius recommended staying with the same sort of plan used when employing a grant writer. Hire the firm for one year and see if the position pays for itself based upon the amount of grant funding obtained.

Commissioner Osterman explained why the Town needed an advocate to obtain funding. She stated that she supported the idea of hiring the consulting firm and was willing to take the risk.

Mr. Gomez stated that the budget deficit was \$2.5 billion. He stated that 1 billion of those dollars are in the current fiscal year budget. The House and Senate will be cutting 1 billion dollars from the current year budget which leaves a \$1.5 billion deficit for the 2008-2009 fiscal year. He stated that there will be declining revenues in the State of Florida. He explained the

reasons for those declines. He gave an update on and the results of the Property Tax Proposal that was passed (see Exhibit “A”).

Public Comment Open.

Desca Dubois, 516 Sabal Palm Dr. – stated that she could see both perspectives regarding the decision to hire the lobbyist consulting firm. She read a response letter that she received from Mayor Sleznik in Coral Gables with regards services received from Mr. Fausto Gomez. The letter stated that “It was a very valuable asset for a municipality to have a person who can translate the actions of the legislature into useful guidelines for local officials and who can represent the needs of the city for state funding”. She read the amount of returns brought in by Mr. Gomez for Coral Gables. She stated that the grant writer for the Town was good for accomplishing projects for the Town. The consulting firm was different in that it would provide a valuable and knowledgeable person to represent the Town before the legislature.

Public Comment Closed.

Motion: A motion was made by Commissioner Osterman to approve Resolution No. 10-02-08; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Commissioner Balius requested that a discussion item be placed on the next Commission Meeting Agenda to discuss security gates at the Marina.

Commissioner Osterman recommended that Recreation Director Greg Dowling also approach businesses to obtain sponsors and funding for the Kelsey Irish Fest.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Osterman and seconded by Commissioner Balias, and by unanimous vote, the meeting adjourned at 9:08 p.m.



Mayor Castro



Deputy Clerk Jessica Shepherd



Town Clerk Vivian Mendez



Approved on this 12 of March 2008.

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**Gomez Barker
Associates, Inc.**

Memorandum

To: Mayor and Commission
From: Fausto B. Gomez
CC: Yvonne Soler-McKinley
Date: 11/12/2007
Re: Property Tax

The Florida Legislature on Monday passed a scaled-back property tax proposal that will go to voters on January 29th and will require a 60% vote at the polls to be enacted. Together, the proposals would cut property taxes \$1.4 billion in 2008-09 -- with about \$204 million of that taken from public schools. That equals a statewide average savings of \$240 from individual homeowners' property tax bills. Lawmakers met in a 17-day special session that began with what was presented as a done deal and soon devolved into a series of different proposals, with the House of Representatives promoting a number of more-ambitious plans.

House members grudgingly voted 97-18 to approve the package, sent to them as a take-it-or-leave-it deal. The Florida Senate had passed it 35-4 earlier in the day and adjourned. A bipartisan cadre of House members spent hours denouncing the deal and accusing legislative leaders of failing to deliver on promises of big cuts to homeowners. The final package was crafted largely by Senate Majority Leader Daniel Webster and Minority Leader Steve Geller who sought to offer tax relief without cutting too deeply into schools and other programs.

The end of the special session on property taxes may leave a lasting mark on relations between the House and Senate. That much was evident at a post session news conference the governor held. Governor Crist was surrounded by Republican

senators but not one House leader attended -- underscoring the sense that the result was a Senate-only product. Notwithstanding the Governor indicating that that more property tax relief and reform is coming, Senators Dan Webster and Steve Geller both

stated that this was the last time that they would tackle the issue and Speaker Marco Rubio told reporters that "I really think at this point anything more meaningful than what you've already seen is probably going to have to come from the tax and budget commission or from the citizens of the state." He further stated that he was considering taking up a signature petition to eliminate property taxes altogether.

Already considerable opposition to the proposal has emerged. Business groups, including the National Federation of Independent Businesses, have indicated that the 10% cap on non-homestead property is meaningless and they will either actively oppose the plan or simply sit on the sidelines. Conversely, the state's teachers' union told House Democrats the cost of nearly \$2.7 billion in education funding over five years made their support unlikely. Equally noteworthy, a legal analysis prepared for the Legislature earlier this year concluded that "portability" would create sharp disparities between new-home buyers whose taxes were reduced by a Save of Homes discount and someone moving in from out-of-state. The analysis further concluded that such disparities violate the U. S. Constitution's commerce clause and invite a constitutional challenge that could endanger Save our Homes protection.

After months of legislative wrangling and a number of special sessions, here's where it ended on Monday:

WHAT'S IN

- Portability. Homesteaders could take up to \$500,000 of Save Our Homes protections to a new home purchase. Those who downsize would take a pro-rated portion of their tax protections. Applies to all property taxes. Senate staff estimates this would cut taxes, statewide, \$302 million in 2008-09.
- Double homestead exemption. Homesteaders get a second \$25,000 exemption on the assessed value on the value of their homes over \$50,000. Since it does not apply to school taxes, it effectively amounts to an additional \$15,000. Senate staff estimates this would cut taxes, statewide, \$892 million in 2008-09.
- Tangible personal property tax exemption. Businesses get a break on the taxes they pay on equipment. Applies to all property taxes. Senate staff estimates this would cut taxes, statewide, \$179 million in 2008-09.
- Assessment cap for non-homestead property. Property assessments could increase no more than 10% each year on non-homestead property. Senate staff estimates this would cut taxes, statewide, \$51 million in 2009-10.

WHAT'S OUT

- New-home buyers would have gotten a 25% break on assessments. The House estimated this would have cut taxes \$65 million in 2008-09.
- Those 65 or older, with household income under \$23,604, would have been exempted from all homestead property taxes. The House estimated this would have cut taxes \$629 million in 2008-09.
- Tax breaks for affordable housing would have limited assessments to reflect rents paid. The House estimated it would have cut taxes \$45 million in 2008-09.
- Caps on millage rates local governments could set would have preserved reductions

passed by the Legislature and approved by voters.

- The Miami-Dade property appraiser would have become an elected position, although this could still be on the ballot as a result of anticipated action by the County Commission.
- Non-homestead property owners would have had an easier way to challenge their tax assessments. House staff estimated taxes would have been cut \$100 million in 2008-09.
- A minimum homestead exemption equal to 40% of the median homestead price in a county.
- Working waterfront property - like commercial fishing operations - would have gotten limits on assessments.

We trust that you will not hesitate to contact us if you have any questions or require additional information. My staff and I are available to you either individually or for purposes of a presentation in front of the Commission.