

Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 21, 2015, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, October 21, 2015 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioner Erin Flaherty, Human Resources Director/Acting Town Manager Bambi Turner, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Commissioner Kathleen Rapoza and Town Manager John D'Agostino were absent and Commissioner Michael O'Rourke arrived at 7:04 p.m.

Town Clerk Mendez performed the roll call and Mayor DuBois led the pledge of allegiance.

SPECIAL PRESENTATIONS/REPORTS

1. Palm Beach County Sheriff's Office (PBSO) Citizens on Patrol Update Report

PBSO Deputy Abe Axel announced that Captain Jeff Lindskoog would be retiring and Captain Kushner would be taking over the division. He explained that there were 61 patrol hours during the past month. He suggested a few methods that could increase volunteer participation, such as placing a link on the Town's website to the PBSO Volunteer Opportunity page; including the PBSO Volunteer Opportunity's on a newsletter or email blast to residents; and participation with the Community Watch Program so that Deputy's' could share information. Commander Taber shared a recruitment effort that was recently approved by the City of Lake Worth, which was to have a poster with their slogan "A working partnership, a partnership that works" that includes contact information for those interested. He stated that after the posters are created they would come back to the Commission for approval. Mayor DuBois asked that the link be placed on the Town's website. He stated that PBSO does attend the Lake Park Community Watch meeting, which are held bi-monthly. Commander Taber stated that the Community Watch meetings would be a good "stop-gap" measure to recruit volunteers. Commissioner Flaherty asked how many vehicles could Lake Park have on the street. Deputy Axel explained that there was one vehicle assigned to patrol in Lake Park. He stated that if membership increased they could have up to three vehicles in Town, with the potential to have up to five vehicles available. Human Resources Director/Acting Town Manager Turner announced that the next Lake Park Community Watch meeting would be held on December 9, 2015 at 6:30 p.m. at the Lake Park Library.

PUBLIC COMMENT:

None

CONSENT AGENDA:

- 2. Regular Commission meeting minutes of October 7, 2015.**
- 3. Visioning Workshop meeting minutes of October 7, 2015.**

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

Vote on Motion:

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

Motion passed 3-0.

PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:

None

PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:

None

NEW BUSINESS:

4. Resolution No. 42-10-15 Authorizing Execution of an Agreement between the Town of Lake Park and CPZ Architects, Inc. for Architectural & Engineering Services in Response to RFP No. 104-2015.

Project Manager Richard Pittman explained the item (see Exhibit "A").

Motion: Commissioner Flaherty moved to approve Resolution 42-10-15; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

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

Motion passed 3-0

5. Setting a joint Town Commission/Planning & Zoning Board workshop date for the Mixed-Use Overlay Zoning District initiative.

Human Resources Director/Acting Town Manager Turner explained that staff has proposed several dates in December to hold the next Mixed-Use Overlay Zoning District workshop. The Commission discussed the dates and their availabilities.

Motion: Commissioner Flaherty moved to tentatively schedule the next Mixed-Use Overlay Zoning District joint workshop with the Planning & Zoning Board for Wednesday, December 9, 2015 at 6:00 p.m.; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

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

Motion passed 3-0.

6. Resolution No. 43-10-15 Authorizing and Directing the Mayor to Execute a Contract with Bell David Planning Group, Inc. for Planning Consultant Services

Community Development Director Nadia DiTommaso explained the item (see Exhibit "B"). Vice-Mayor Glas-Castro clarified that the Water Plan was a separate project than the Mixed-Use project and therefore the \$6,000 could be removed from the overall scope of work, which would then be within the Town Manager's spending authority. She appreciated that staff has taking the conservative route so that the Palm Beach County Inspector General does not question the spending.

Motion: Commissioner Flaherty moved to approved Resolution 43-10-15; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

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

Motion passed 3-0.

7. Addendum to the U.S. Security Associates Inc. Contract

Human Resources Director/Acting Town Manager Turner explained the item (see Exhibit "C"). Commissioner Flaherty asked if there were podiums that would take pictures of what was in front of them. Human Resources Director/Acting Town Manager Turner explained that the hand-held monitoring system had the ability to take pictures. Vice-Mayor Glas-Castro asked at what time the restrooms would be locked because it seemed, as the restrooms would be locked after the park had closed. Human Resources Director/Acting Town Manager Turner believed that it was to accommodate the tennis players. Mayor DuBois asked if the contract could be terminated after one year if the system does not work. Human Resources Director/Acting Town Manager Turner thought that the contract would expire in one year. Commissioner Flaherty asked if the system were being funded by the Marina budget. Human Resources Director/Acting Town Manager Turner stated "yes". Mayor DuBois asked that a review of the effectiveness be generated after a year to find out if the system were working. Attorney Baird asked where the addendum was in the agenda packet because the document included in the packet was

not in a legally sufficient format. He stated that the addendum does not reference locking the restrooms; it only references the smart tablet. Mayor DuBois asked if the item could be approved pending legal review. Attorney Baird stated that he would create the addendum and have it executed by all parties.

Motion: Commissioner Flaherty moved to approve subject to legal review and modification; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

8. Discussion regarding the Rescission of Resolution 65-15-08 Requiring that any Written Communications whereby the Mayor, Vice-Mayor or a Commissioner uses Official Town Stationery must first be Approved by a Majority of the Full Commission at a Public Meeting.

Human Resources Director/Acting Town Manager Turner explained the item (see Exhibit "D"). Mayor DuBois asked if a motion was required. Human Resources Director/Acting Town Manager Turner stated that this was a discussion item only. If the Commission wished to rescind the Resolution, a Resolution would be brought back before the Commission at a future meeting for consideration.

Motion: Commissioner O'Rourke moved to discuss rescinding the prior Resolutions adopted by the Commission.

Mayor DuBois asked for clarification. Attorney Baird clarified that staff would need to bring back a Resolution for Commission consideration to rescind. Vice-Mayor Glas-Castro stated that she was unclear of the motion.

The motion failed for lack of a second.

Commissioner O'Rourke understood the apprehension about changing the policy. He suggested that a disclaimer be placed at the bottom of each letter expressing that the letter was the perspective or opinion of the one single Commission member and does not represent the position of the Town or Town Commission. Mayor DuBois asked if the disclaimer would be placed at the bottom of each page of the letter. Commissioner O'Rourke confirmed. Mayor DuBois stated that he does not recall a Commissioner bringing forward a letter to be approved by the Commission since he was elected. Commissioner O'Rourke stated that early in their term Commissioner Rapoza brought forward a "Thank you" letter that she wanted approved by the Commission before mailing it. The Commission discussed the timing of this action since an election would be taking place in March 2016. Vice-Mayor Glas-Castro asked the other Commissioners

if they planned on running for re-election. Commissioner Flaherty stated “yeah” and Commissioner O’Rourke stated “yeah”. Mayor DuBois stated that this Resolution was meant as a policy. Commissioner Flaherty stated that it was not a good move to change the Resolution at this time. Vice-Mayor Glas-Castro agreed. Mayor DuBois suggested that the item be revisited in the future.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird disturbed the quarterly litigation report (see Exhibit “E”).

Acting Town Manager Turner announced that the November 4, 2015 Visioning Workshop has been postponed to a later date because comments regarding visioning have only been received from two Commissioners. The Visioning Workshop was rescheduled to November 18, 2015 at 6:30 p.m. before the Regular Commission meeting. She announced that the qualifying period for the 2016 Municipal Election would begin on Tuesday, November 24 at noon until Tuesday, December 8 ending at noon. A Town of Lake Park resident would need to be a registered voter and pay the qualifying fee during the qualifying period to become a candidate. She asked that those interested in running for office make an appointment with the Town Clerk. She announced that the Artist of Palm Beach County would be hosting a special event from November 2, 2015 through November 14, 2015 of the Jupiter High School students’ artwork. The works represent students from the 9th and 12th grades. The class of instructors were Elizabeth "Bruno" Christian, Stephen Germana, Sarah Knudtson, Brian Kovachik and Marie Lanza. An open reception would be held on November 6, 2015 from 5:00 – 8:00 p.m. everyone was invited to attend. She announced Fall Fest at Sunset at Lake Shore Park on Friday, October 30, 2015 from 6:00 p.m. until 9:00 p.m. She encouraged everyone to dress in costume and trick-or-treats would be provided from 6:00 – 7:00 p.m. DuFunk and the Flo would perform the music.

Commissioner O’Rourke announced that tonight was his wedding anniversary. He stated that he was blessed and graced to be married to a wonderful woman.

Commissioner Rapoza was absent.

Commissioner Flaherty had no comments.

Vice-Mayor Glas-Castro announced that this was “Read for the Record” week. She stated that Commissioner O’Rourke joined her to read to the children at the Library last night. Mayor DuBois stated that he would be reading tomorrow at 1:00 p.m. at the Library. She announced that on Saturday, October 24, 2015 there would be an honor flight arriving from Washington D.C. with Veterans that were on a tour of the monuments. All are encouraged to be at Palm Beach International Airport for the arrival of the flight at 8:20 p.m. wearing red, white, and blue or waving American flags to welcome them home.

Mayor DuBois announced that the Veteran’s Day event coordinated with the VFW has been scheduled for 9:30 a.m. on Wednesday, November 11, 2015 at Kelsey Park. He stated that during the last Lake Park Community Watch meeting they suggested that the

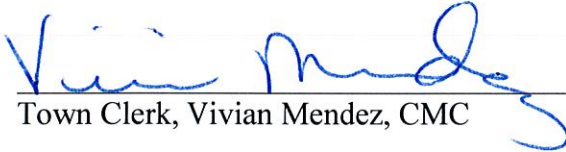
Town's overall speed limit be reduced to 25 miles per hour. He asked for the Commission's feedback on the topic. Commissioner Flaherty stated that he would support lowering the speed in Town. He asked if that would assist PBSO with slowing speeders down. Mayor DuBois asked PBSO to provide an opinion and depending on the opinion the Commission could move forward with changing the speed limit in Town. Mayor DuBois pointed out that there would be expense to changing the speed limit signs and commit staff time to installing the new signs that were not budgeted. Mayor DuBois asked that staff contact PBSO for the opinion. He stated that each Town block has the opportunity to increase the street lighting on their block by contacting Florida Power & Light (FPL) themselves and paying for the additional lighting. He stated that it would cost a few dollars a month for the residents that request the additional street lighting. He stated that several years ago the Town looked into having a street light program in Town and found that it would cost millions. He commented that the benches on Park Avenue were discussed at a recent meeting in which a recommendation was made to remove the benches. He stated that PBSO has moved along the people that were spending hours at the green space on Park Avenue. He stated that it appears as if those people are now spending time on the benches on Park Avenue. He encouraged increased patrolling to the area instead of removing the benches from Park Avenue. He asked when the panhandling Ordinance would be reviewed by the Commission. Town Clerk Mendez explained that the panhandling Ordinance was tentatively scheduled for the November 18, 2015 Commission meeting on first reading. He stated that complaints have been received that fishing at the seawall at the Marina was getting out of hand. He asked that PBSO increase patrolling around the Marina seawall. He stated that residents on Bayberry Drive and Silver Beach Road have requested additional patrolling because they have experienced and increase in crime. He stated that there has also been an increase in crime around San Marco Villas.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Flaherty and seconded by Vice-Mayor Glas-Castro, and by unanimous vote, the meeting adjourned at 7:34 p.m.



Mayor James DuBois



Town Clerk, Vivian Mendez, CMC



Approved on this 5 of November, 2015



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "A"

Meeting Date: October 21, 2015

Agenda Item No. *Tab 4*

Agenda Title: Resolution No. *42-10-2015* Authorizing Execution of an Agreement between the Town of Lake Park and CPZ Architects, Inc. for Architectural & Engineering Services in Response to RFP No. 104-2015

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON _____ READING
- NEW BUSINESS**
- OTHER: _____

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *J. D. Gentry* Date: *10/6/15*

Richard Pittman/ Project Manager *Richard Pittman*
Name/Title

Originating Department: Public Works	Costs: Not to exceed \$59,000 Funding Source: FY 16 CDBG Acct. # 301-63818 <input checked="" type="checkbox"/> Finance <i>BKR</i>	Attachments: Resolution No. <i>42-10-15</i> Contract with Exhibits Advertisement
Advertised: Date: 05/31/2015 Paper: Palm Beach Post <input 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 the agenda.	Yes I have notified everyone <i>RP</i> or Not applicable in this case _____ Please initial one.

Summary Explanation/Background: On September 16th CPZ Architects, Inc. workshopped with the Commission the design concepts and estimated costs associated with the Kelsey and Lake Shore Park restrooms and tennis court lighting improvements. Estimated costs and Commission direction concluded that a new restroom building in Lake Shore Park and tennis court lighting improvements would most likely not be fully funded by the Fiscal Year 2016 Community Development Block Grant. The result of the workshop identified the scope of the project going forward based on budget estimates. The direction to CPZ Architects was to design the Kelsey Park restroom improvements and design a renovation of the existing

restroom in Lake Shore Park in lieu of a new restroom. Funding options for tennis court lighting will need to be identified.

Town staff has negotiated an agreement with CPZ Architects, Inc. for the design and specifications of a new ADA compliant restroom building in Kelsey Park including demolition of two buildings, design and specification of renovation of the existing restroom in Lake Shore Park to be ADA compliant, design and specification of tennis court lighting. The agreement also includes a fee for bidding phase services and an allowance for survey and geotechnical engineering known to be needed during design. Construction phase services are allotted up to \$10,000. The total fee is anticipated not to exceed \$59,000.

As previously stated, design and specifications for the tennis court lighting improvements is included in the contract in the amount of \$2,000. It is recommended that this service be included in the contract even though construction of tennis court lighting may not be constructed until full funding is identified.

The agreement was submitted to the Palm Beach County Department of Economic Sustainability on September 30th for their review and approval.

The agreement includes a time of completion for design and specifications by January 1, 2016 which corresponds to the grant time schedule.

Resolution No. 42-10-2015 authorizes execution of an agreement with CPZ Architects, Inc. for architectural and engineering services associated with RFP No. 104-2015, Kelsey and Lake Shore Park Restrooms and Tennis Court Lighting.

Recommended Motion: Approval of Resolution No. 42-10-2015 is recommended.



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "B"

Meeting Date: October 21, 2015

Agenda Item No. *Tab 6*

Agenda Title: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH BELL DAVID PLANNING GROUP, INC. FOR PLANNING CONSULTANT SERVICES.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON __ READING
- NEW BUSINESS**
- OTHER
- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager

[Signature]

Date:

10/15/15

Nadia Di Tommaso / Community Development Director
Name/Title

[Signature]

Originating Department: Community Development	Costs: \$13,200 Funding Source: 500-34000 Community Development Acct: # <input checked="" type="checkbox"/> Finance <i>BKZ</i>	Attachments: <i>43-10</i> → Resolution __-2015 → Contract for Services → Written Summary of Quotes and Bell David Planning Group Information
Advertised: Date: N/A Paper: <input 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 <i>ND</i> OR Not applicable in this case __ Please initial one.

Summary Explanation/Background:

In 2014, the Community Development Department, under the direction of the (then) Town Manager, entered into an agreement with the Bell David Planning Group for assistance with the Comprehensive Plan Amendments and related Capacity Analysis of the Town's Comprehensive Plan, as it relates to the intended increased densities and intensities for the Mixed-Use corridor (*these limited tasks were tied to the Water Supply Facilities Work Plan and related Comprehensive Plan amendments that the Bell David Planning Group worked on for the Town*). The Bell David Planning Group was brought onboard for the Mixed-Use initiative, on a very limited scope. A preliminary

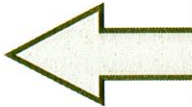
review of the proposed comprehensive plan amendments and a capacity analysis was prepared. The Town was invoiced \$2,660 for these services in September 2014. The project was put on hold due to several factors from October 2014 through May 2015. In May 2015, discussions started-up again with Mr. D’Agostino, Town Manager. Since then, while the Town has been in conversations with the Bell David Planning Group (free of charge), additional assistance is required.

The Town initially received three written quotes for the original requested services (without these new amendments). One additional planning firms were contacted however, they respectfully declined the offer to submit a quote. Other than the Bell David Planning Group, the two other firms responded with quotes significantly higher. Staff determined that since the Bell David Planning Group has previously worked with the Town on the 2009 Comprehensive Plan amendments related to the mixed-use commercial/residential land use designation, they are likely better postured to assist with the Mixed-Use land development regulations and associated comprehensive plan amendments, both from a dollar amount (which came in quite competitively) and from an historical knowledge perspective. Our procurement policies do not require a formal advertised bid process.


Additionally, working with the Bell David Planning Group will allow staff to continue our working relationship with them on this project. They have already assisted with the Comprehensive Plan capacity analysis and workshop held on Monday, September 21.

The total contract amount is \$13,200 (some of which was already paid pursuant to the original agreement), as follows:

<u>Tasks</u>	<u>Amount</u>
Water Supply Facilities Work Plan and related Comprehensive Plan Amendments – LIMIT: \$6000	\$6,000 (ALREADY PAID) – NOT PART OF THIS CONTRACT FOR MIXED-USE
Limited Scope for Mixed-Use (<i>Capacity Analysis and review of Comprehensive Plan for possible amendments to goals, objectives, policies</i>) – LIMIT \$3,800	\$2,660 (ALREADY PAID) \$1,140 (WILL BE BILLED FOR 09/21 WORKSHOP)



Part of original Scope.
NOT PART OF THE REVISED CONTRACT.
Already done and paid.



Mixed-Use-related tasks already performed pursuant to the original Scope.
INCLUDED IN THE REVISED CONTRACT.

ADDED SCOPE OF SERVICES	<p>\$9,400 (PLUS AMOUNTS ALREADY EXPENSED - \$2,660 plus \$1,140) =</p> <p><u>LUMP SUM</u> <u>TOTAL:</u> <u>\$13,200</u></p>
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Mixed-Use-related tasks that have been **ADDED AND INCLUDED IN THE REVISED CONTRACT.**

(COMBINED) FOR THE MIXED-USE INITIATIVE CONTRACT.

Recommended Motion: I move to APPROVE Resolution ⁴³⁻¹⁰ ___-2015 to authorize the Mayor to sign the contract with the Bell David Planning Group, Inc. for planning consulting Services, as detailed in the enclosed Contract.



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "C"

Meeting Date: October 21, 2015

Agenda Item No. Tab 7

Agenda Title: U.S. Security Associates, Inc. Addendum

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

Approved by Town Manager *[Signature]* **Date:** 10/7/15

John O. D'Agostino, Town Manager

Name/Title

<p>Originating Department:</p> <p>Town Manager</p>	<p>Costs: \$ 150.00/month or \$1,800 for the contract year.</p> <p>Funding Source: <u>Budget</u></p> <p>Acct. # <u>800-2-34006</u></p> <p><input checked="" type="checkbox"/> Finance <u>BKR</u></p>	<p>Attachments:</p> <ul style="list-style-type: none"> ✓ Tour Positive Features and Benefits. ✓ E-Mails. ✓ Actual Vote by Commission. ✓ U.S. Security Assoc. Inc. Addendum. ✓ Page 23 of existing U.S. Security Assoc. Inc. Contract
<p>Advertised:</p> <p>Date: _____</p> <p>Paper: _____</p> <p><input type="checkbox"/> Not Required</p>	<p>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.</p>	<p>Yes I have notified everyone _____</p> <p>OR</p> <p>Not applicable in this case _____</p> <p>Please initial one.</p>

Summary Explanation/Background:

The Town has an existing contract with U.S. Security Associates, Inc. to provide security monitoring for the Lake Park Harbor Marina. The Town is interested in expanding Marina security services to include two items, the physical lock-up of restroom facilities at Lake Shore Park and a better

monitoring system at the Marina. U.S. Security Associates, Inc. will lock-up the restrooms at Lake Shore Park around 8:30 p.m. every night from November through March and around 10:30 p.m. from April through October. According to the attached e-mail dated September 30, 2015, the Security Agency will Post Orders to include the inspection and lock up of the restrooms at the park without the need for an Addendum. The Administration is also interested in implementing a better monitoring system at the Marina. The existing monitoring system at the Marina is not compatible with the U.S. Security Associates, Inc. existing software system. The Marina software will need to be upgraded to work with U.S. Security Associates, Inc. existing software system. Further, the software upgrade will only tell us that the guard passed a certain check point location. The Tour Positive Handheld system will not only tell us that the guard passed a check point but if there is a reportable condition, the system will facilitate the completion of a report with pictures and will e-mail that report in real time to contact people authorized by the Town to receive such reports. The cost per month is \$150.00 for the hand held device or \$1,800 for the contract year. As you can see from the attached Key Features and Benefits sheet, Tour Positive provides a host of information and monitoring features for the Marina and the Town that do not exist with the current software system at the Marina. If a bathroom facility or boat is vandalized, the Tour Positive system will notify key personnel prior to the next day's activities. I recommend that PBSO Lieutenant Nick Vassalotti, David Hunt, Richard Scherle, Verdree Patterson, the Marina Director and Dock Attendants receive such e-mail notifications.

The benefit of receiving this information as early as possible will permit personnel to prioritize their response. The integration of such technology will permit staff to anticipate work load conditions in advance. It may also enhance the Palm Beach Sheriff's Office investigation because Lt. Vassalotti will have a written report and corresponding photos in the event of a criminal situation.

The initial contract with U.S. Security Associates, Inc was approved by the Town Commission without a Resolution. Therefore, a Resolution is not necessary to amend the contract.

Recommended Motion: Motion to approve U.S. Security Associates, Inc. Addendum effective October 15, 2015, by and between the Town of Lake Park and U.S. Security Associates, Inc. and to add one (1) USA Smart Tablet with Tour Positive at a rate of \$150.00 per month to the existing contract dated May 30, 2015.



Town of Lake Park Town Commission

Exhibit "D"

Agenda Request Form

Meeting Date: October 21, 2015

Agenda Item No. *Tab 8*

Agenda Title: Discussion Regarding the Rescission of Resolution 65-12-08 Requiring That Any Written Communications whereby the Mayor, Vice-Mayor or a Commissioner Uses Their Title or Uses the Official Town Stationery Must First Be Approved by a Majority of the Full Commission at a Public Meeting

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

Approved by Town Manager *J. D'Agostino* Date: *10/15/15*

John O. D'Agostino, Town Manager

Name/Title

Originating Department: Commissioner Michael O'Rourke	Costs: \$ Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: <ul style="list-style-type: none"> • Copy of Resolution 47,2001 • Copy of Resolution 65-12-08 • Copy of January 20, 2015 Palm Beach Post Internet Article Regarding Use of City of West Palm Beach Letterhead by City Officials .
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 JOD. Please initial one.

Summary Explanation/Background:

This agenda item is being brought before the Town Commission at the request of Commissioner Michael O'Rourke at the October 7, 2015 Commission meeting

At its August 25, 2001 meeting, the Town Commission adopted Resolution 47,2001 directing that any correspondence written by the Mayor, Vice-Mayor or Commissioners on Lake Park letterhead be approved by the full Commission at a public meeting. On December 3, 2008 pursuant to Resolution 65-12-08, the Commission expanded upon the above language by requiring that the general substance of any written communication wherein the Mayor, Vice-Mayor or a Commissioner proposes to use his or her official title or to be written on the official letterhead of the Town of Lake Park shall be subject to the approval of a majority of the Commission at a public meeting prior to mailing. Written communications from the Mayor, Vice-Mayor or a Commissioner wherein they are representing themselves and which are not on the Town's official letterhead are not subject to the approval of a majority of the Town Commission as required by Resolution 65-12-08. The purpose of this item is to discuss the possible rescission of Resolution 65-12-08.

The Administration is concerned about rescinding the long-standing prohibition evidenced by Resolution 47 -2001 and later by Resolution 65-12-08, and recommends against such action. While current members are respectful and trustworthy of each other, rescission of this requirement will have broad reaching implications in that it will extend to future members of the Town Commission and may in that event expose the Town to potential liability.

Attached is a copy of the January 21, 2015 *Palm Beach Post* Internet news article entitled "West Palm Beach Officials Wrote Letters Requesting Murderer Be Freed from Prison". The article states that some of the letters were written on city letterhead. This is an example of what can happen when an elected body is self-regulated and has full discretion of the use of official letterhead. While this may seem to be an extreme example the unintended consequence is real and can happen to any elected Town body now or in the future.

The Town is in possession of informals (folded note paper) bearing a penciled sketch of Town Hall that do not contain the Town logo or seal. In the past, the Mayor and previous Commission members have utilized these informals to send communications such as thank-you notes, etc. The informals are available for use by any Commission member. According to the Resolution, this type of communication by a member of the Commission including the Mayor or Vice Mayor is permissible without the need to seek approval by a majority of the Town Commission prior to sending out correspondence.

Staff will have samples of these informals on hand at the October 21, 2015 Commission meeting for the Commission's review.

Recommended Motion: No Motion is necessary

Exhibit "E"

Memo

To: Mayor & Commissioners
From: Thomas J. Baird, Town Attorney
Date: October 21, 2015
Subject: Litigation Status Report
Cc: John D'Agostino, Town Manager

TOWN OF LAKE PARK V. PALM BEACH COUNTY / IG FUNDING LAWSUIT

The Town and 13 other municipalities are Plaintiffs in a lawsuit against Palm Beach County challenging the County's authority to assess a fee against the municipalities for the Inspector General's services. The municipalities allege that the fee the County has assessed is illegal and that the County is solely responsible for funding the Office of the Inspector General. Judge Brunson entered a final judgement in favor of the County. The municipalities have filed an appeal with the 4th District Court of Appeal on October 14 with the 4th DCA.

CITIZENS AWARENESS FOUNDATION, INC. v. TOWN OF LAKE PARK

Citizens Awareness Foundation filed a Complaint for Declaratory and Injunctive Relief on July 24, 2014 and an Amended Complaint on August 12, 2014. The suit claims that the Town's Employee Complaint Review Committee violated the State's Sunshine Law when it failed to post public notices when it met to review Ms. Canada's appeal of the Town Manager's termination of her employment. An Answer to the Plaintiffs Amended Complaint was filed by the Town on August 22, 2014. Both parties have served and responded to Interrogatories and Requests to Produce. Although the case remains pending, there has been no activity in this file since approximately October of 2014.

A. FORECLOSURES INITIATED BY LENDERS

BANK OF NEW YORK MELLON V. ROSELYN MICKELYN SAUNDERS, ET AL.

The Town was named a Defendant in a refiling of a foreclosure action against the Roselyn Saunders as a result of Code Enforcement Liens the Town has against the subject property located at 211 E. Ilex Drive. An Answer to the Plaintiff's Complaint was filed with the Court on March 25, 2015 to secure the Town's Lien rights. This case is pending in the Circuit Court.

October 21, 2015

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DEUTSCHE BANK V. THE UNKNOWN HEIRS, DEVISEES, GRANTEES, ASSIGNEES, LIENORS, CREDITORS, TRUSTEES AGAINST CLAIRE E. ROSS, ET AL.

The Town was named a Defendant in a refiling of a foreclosure action against the Estate of Claire E. Ross as a result of a Code Enforcement Lien the Town has against the subject property located at 539 E. Redwood Drive. An Answer to the Plaintiff's Complaint was filed with the Court on April 16, 2014 to secure the Town's Lien rights. A Final Judgment of Foreclosure in the amount of \$439,282 was entered on April 22, 2015, and a short sale on the property is pending.

NATIONSTAR MORTGAGE LLC V. HUBERT RICHARDSON, ET AL.

The Town was named as a Defendant in a foreclosure action brought against Hubert Richardson to foreclose on a property located at 12975 169th Court in Jupiter, FL. The Town was named as a defendant as a result of a Code Enforcement Lien the Town had against property the Defendant owns at 403 Silver Beach Road. An Answer to the Plaintiff's Complaint was filed on April 8, 2014 to secure the Town's lien rights. The case remains pending. Defendant and current property owner, Hubert Richardson has just "retained" the Legal Aid Society of Palm Beach County to represent him.

U.S. BANK NATIONAL ASSOCIATION V. WENDY AND STEVE HOCKMAN ET. AL

The Town was named as a Defendant in a foreclosure action brought against Wendy Hockman as a result of a Code Enforcement Lien the Town has against the subject property located at 638 Flagler Blvd. An Answer to the Plaintiff's Complaint was filed on June 5, 2015 to secure the Town's lien rights. This case remains pending.

U.S. BANK, N.A. V. ENIQUE BELFORT, ET AL.

The Town was named as a Defendant in a foreclosure action brought against Enique Belfort as a result of Code Enforcement Liens the Town has against the subject property located at 544 Evergreen Drive. An Answer to the Plaintiff's Complaint was filed on July 6, 2015 to secure the Town's lien rights. The case remains pending.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 21, 2015, 6:30 p.m.
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
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John O. D'Agostino	—	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. Palm Beach County Sheriff's Office Citizens on Patrol Update Report

Tab 1

D. PUBLIC COMMENT:

This time is provided for addressing 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 October 7, 2015 Tab 2
- 3. Visioning Workshop Meeting Minutes of October 7, 2015 Tab 3

F. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:
None

G. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:
None

H. NEW BUSINESS:

- 4. Resolution No. 42-10-15 Authorizing Execution of an Agreement between the Town of Lake Park and CPZ Architects, Inc. for Architectural & Engineering Services in Response to RFP No. 104-2015 Tab 4
- 5. Setting a joint Town Commission/Planning & Zoning Board workshop date for the Mixed-Use Overlay Zoning District initiative. Tab 5
- 6. Resolution No. 43-10-15 Authorizing and Directing the Mayor to Execute a Contract with Bell David Planning Group, Inc. for Planning Consultant Services Tab 6
- 7. Addendum to the U.S. Security Associates Inc. Contract Tab 7
- 8. Discussion regarding the Rescission of Resolution 65-15-08 Requiring that any Written Communications whereby the Mayor, Vice-Mayor or a Commissioner uses Official Town Stationery must first be Approved by a Majority of the Full Commission at a Public Meeting Tab 8

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT:

Next Scheduled Regular Commission Meeting will be held on Wednesday, November 4, 2015