



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 21, 2018, 6:30 PM
Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, February 21, 2018 at 6:30 p.m. Present were Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Anne Lynch, and Roger Michaud, Town Manager John O. D’Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Mayor Michael O’Rourke was absent.

Town Clerk Mendez performed the roll call and Vice-Mayor Glas-Castro led the pledge of allegiance.

SPECIAL PRESENTATIONS/REPORTS

None

PUBLIC COMMENT:

CONSENT AGENDA:

- 1. Regular Commission Meeting Minutes of February 7, 2018.**
- 2. Clarifying Amendment to the Town Grant Making Policy.**
- 3. Memorandum of Understanding for Fannie Mae Innovation Grant Application.**

Motion: Commissioner Flaherty moved to approve the consent agenda; Commissioner Michaud seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:

None

Public Comment Opened:

None

Public Comment Closed:

PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:

None

Public Comment Opened:

None

Public Comment Closed:

NEW BUSINESS:

4. Resolution No. 09-02-18 Supporting the Qualified Targeted Industry Tax Credit for 754 Park Avenue.

Town Manager D’Agostino explained the State of Florida requirements of Qualified Targeted Industry Tax Refund Program. He explained that the Town of Lake Park and Palm Beach County would commit a combined total of twenty-percent of the total incentive amount in support of Dedicated IT.

Motion: Commissioner Flaherty moved to approve Resolution No. 09-02-18; Commissioner Michaud seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

5. Resolution No. 10-02-18 Fiscal Year 2016/2017 Pre-Audit Budget Adjustment.

Town Manager D’Agostino requested to remove and continue the agenda item at the March 7, 2018 Regular Commission Meeting. Consensus.

6. Resolution No. 11-02-18 Authorizing the Mayor to Execute Change Order No. 4 to the Contract with One Call Property Services, Inc. for Construction and Renovation of the Kelsey Park and Lake Shore Park Restrooms.

Town Manager D’Agostino explained that Resolution No. 11-02-18 would be the final change order for the project. He explained that funds would be withheld until the project was completed to the specifications of the agreement. Discussion ensued with reference to the issuance of a check from Palm Beach County prior to project completion. Project Manager Richard Pittman explained that Palm Beach County had approved Change Order No. 4 and desired to issue a check prior to the end of February 2018. He explained that Palm Beach County was aware of the existing issues. Commissioner Flaherty asked for clarification regarding the warranty guarantee of the work completed by One Call Property Services. Town Manager D’Agostino explained that the Town has warranties for the materials used for construction (e.g., Manufacturer’s Warranty for the Roof). Commissioner Michaud asked for a project completion date, Town Manager D’Agostino explained that he was unable to provide a definite date of completion.

Motion: Commissioner Flaherty moved to approve Resolution No. 11-02-18; Commissioner Michaud seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

7. Resolution No. 12-02-18 Designation of Signatories for Town Bank Accounts.

Town Manager D'Agostino explained the item, discussion ensued with reference to Commissioner Flaherty remaining as the third signatory for the Town Bank Accounts.

Motion: Commissioner Lynch moved to approve Resolution No. 12-02-18 designating Commissioner Flaherty as the third signatory for Town Bank Accounts; Commissioner Michaud seconded the motion.

Vote on Motion:

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

Motion passed 5-0.

8. Selecting a Date, Time, Location, and Invitees for the Volunteer Recognition Reception.

Town Manager D'Agostino explained the item, discussion ensued with reference to a Time, date, and location for the event. Town Manager D'Agostino suggested hosting the event at a local business. Town Manager D'Agostino and Town Clerk Mendez explained that the Town would contact the Brew House Gallery and Brick & Barrel to determine the availability for April 9th, 16th, and 30th. Commissioner Michaud suggested modifying the volunteer list to include Parent-to Parent Group. Consensus.

9. Selection of a Date for the Redevelopment Management Association (RMA) Marketing Event.

Town Manager D'Agostino explained the item; discussion ensued about proposed dates and locations.

Ms. Diane Bernhard, Town of Lake Resident, asked for clarification of the marketing event. She asked if the event would be held at an onsite location, what developers would

be present, and if model displays or blueprints would be available. Town Manager D'Agostino explained that the meeting could be held at an onsite location, and that he expected developers to be present. He explained that he was uncertain if renderings would be available. Ms. Bernhard asked Town Manager D'Agostino if he was excited about the event and if members of the public could attend. Town Manager D'Agostino explained that he was excited about the event and the future of the Town of Lake Park. He explained that members of the public were welcome to attend the marketing event. Per the consensus of the Commission, the RMA Marketing Event would be scheduled for Wednesday May 9, 2018 (5:00 p.m.-9:00 p.m.) or Tuesday, June 5, 2018 (5:00 p.m.-9:00 p.m.).

Public Comment:

Mr. John Linden, Town of Lake Park Resident, asked, "How are the current long-standing businesses being addressed for the U.S.1 corridor project." Vice-Mayor Glas-Castro asked for clarification, Mr. Linden referred to tenants and property owners. Town Manager D'Agostino explained that properties would need to be acquired, and that negotiations would need to ensue between the property owner and the developer. Mr. Linden asked, "Have business owners and business property owners had any specific input on the U.S.1 Corridor; have they been called on individually or asked for their input since they are directly affected as business owners and not home or property owners." Town Manager D'Agostino explained that business owners had received the same notification provided to residents.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird announced that meetings such as Community Forums should be treated as Sunshine Law Meetings. He explained that he had provided a memo to the Town Clerk for distribution to the Commission (see Exhibit "A").

Town Manager D'Agostino requested permission to issue a proclamation declaring the month of April as Water Conservation Month. He announced the 50 plus Silver Sneaker Program to begin on March 6, 2018 and continue every Tuesday & Thursday, 2:00 p.m.-3:00 p.m. He announced that Gailey Warren would be the Instructor for the program, (free with insurance or \$3.00 participation fee). He announced that Cardio-Kickboxing classes were held every Monday & Wednesday from 10:00 a.m.-11:00 a.m. at the Lake Park Harbor Marina. He announced that all classes would be held at 105 Lake Shore Drive, Lake Park, FL 33403 (Marina Meeting Room). He announced that Neverglades would perform at the Sunset Celebration (Lake Park Harbor Marina) on Friday, February 23, 2018. He announced that February 28, 2018 was Pink Shirt Day in support of anti-bullying awareness. He requested permission to write a letter of support for the creation of a Community Redevelopment Agency in the Village of Palm Springs. He announced the CRA & Town Commission Sober Home Workshop, Town Hall Commission Chamber, 535 Park Avenue, Lake Park, FL 33403. He announced that Town Staff and Florida Power & Light had been working on a conversion plan for the Town of Lake Park. He distributed copies of a proposed LED Lighting Plan for the Town of Lake Park (see Exhibit "B"). Discussion ensued regarding the projected savings due to the LED

conversion for the Town. He announced the Commission Workshop on Northern Drive, March 10, 2018, 10:00 a.m. – 12:00 p.m.

Commissioner Lynch announced that the Citizens on Patrol planned to implement policy to observe and report traffic conditions in support of traffic calming efforts. She announced the Friends of the Lake Park Library would have a book sale on March 3, 2018, 9:30 a.m. – 2:00 p.m. She announced that tax-filing services were available every Saturday at the Lake Park Library. She announced a plea for help for Mail Carrier Devlin Ramos, and that she would collect all donations.

Commissioner Michaud announced that the Lake Park Kiwanis Club would attend the Sunset Celebration on Friday, February 23, 2018. He announced that the Lake Park Kiwanis Club meetings were held on the second Tuesday of every month at 12:00 p.m., Hog Snappers, 713 US-1, North Palm Beach, FL 33408. He announced that the Lake Park Kiwanis Club also met on the fourth Tuesday of every month at La Bamba Mexican & Spanish Restaurant 5:30 p.m.- 6:30 p.m., 730 US-1, North Palm Beach, FL 33408. He announced the Lake Park Kiwanis Club as kiwanislakeparkfl.org. He announced that the Lake Park Easter Egg Hunt on March 31, 2018, Kelsey Park, 9:00 a.m. - 11:00 a.m. He announced the Lake Park Community Watch meeting on Thursday, February 22, 2018 at 6:00 p.m., Lake Park Public Library.

Commissioner Flaherty thanked Town Manager D'Agostino and Staff for their community street lighting efforts. He expressed condolences for those affected by the mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida.

Vice-Mayor Glas-Castro announced the Palm Beach County League of Cities General Membership Meeting on Wednesday, February 28, 2018, 12:00 p.m., 15845 Southern Blvd., Loxahatchee, FL 33470. She expressed thoughts and prayers to the City of Parkland.

Mayor O'Rourke was absent.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Michaud and seconded by Commissioner Lynch, and by unanimous vote, the meeting adjourned at 8:09 p.m.



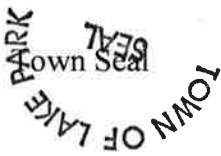
Mayor Michael O'Rourke



Town Clerk, Vivian Mendez, CMC



Deputy Town Clerk, Shaquita Edwards



Approved on this 7 of March, 2018

Exhibit "A"

JONESFOSTER
JOHNSTON & STUBBS, P.A.

Memo

To: Vivian Mendez, Town Clerk
From: Thomas J. Baird, Town Attorney
Date: February 20, 2018
Subject: Community Forums and other meetings
cc: John D'Agostino, Town Manager

In furtherance of our discussion and in response to your email of February 16, 2018, I offer the following advice.

Community Forums

The Community Forums which have been open to the public and conducted in the Commission Chambers are subject to the Sunshine Law whenever they are attended by two or more Commissioners. I understand that this has been the case, and that you have quite correctly, and prudently "noticed" and recorded these meetings. As we discussed, you also should prepare minutes of these meetings.

I do have some concern about the Community Forum meeting conducted on January 24, 2018, in the Commission Chambers within the context of the Sunshine Law. I understand that this meeting was attended by three Commissioners, two of whom sat at their seats on the dais, and that the third Commissioner was seated in the audience. I also understand the Town Manager sat on the dais and that you were present in the seat customarily occupied by the Clerk at meetings held in the chambers. Based on the foregoing facts, this meeting has all the characteristics of a formal meeting of the Commission. The Town Manager and Town Clerk were there, a quorum was present and members of the public addressed the Town Manager and two of the three Commissioners who were present and seated on the dais from the podium. This would seem to be the type of meeting that meets the requirements of a formal meeting subject to the Sunshine Law.

Going forward, I recommend that if Community Forums, or any similar meetings such as this one are to be held in the Commission Chambers or elsewhere that they only be hosted (and attended) by one Commissioner. If a quorum of Commissioners will be attending, I recommend that the meeting be conducted and noticed as a formal workshop meeting of the Commission. It should be noted that if only two Commissioners attend a formal workshop meeting, the meeting must be continued to a time when a quorum is expected to be present.

Neighborhood Workshop

We also discussed the Sunshine Law in the context of the Commission's meeting on Northern Drive. I understand that it is anticipated that the Town Manager, members of his staff, and Commissioners will be present. This is clearly a **formal public meeting** and should follow all of the requirements of the Sunshine Law, i.e. a published notice of the meeting, and an Agenda for same; roll call, recordation of the discussion and minutes.

RMA Meetings

These meetings, which I understand may be attended by Commissioners, the Town Manager and the Community Development Director would also appear to be the nature of formal workshop meetings and should be conducted as formal meetings such that they follow the Sunshine Law. (See above). If Commissioners are not present, then these meetings can be conducted as public informational meetings with the RMA planners "conducting" or leading the discussion at the meetings.



LED Lighting Plan

Lake Park

Exhibit "B"

Going Green

This plan reduces power consumption by:
and that eliminates:
or removing:

164,256 kWh / year
115 metric tons of CO₂ every year¹
25 cars from the road²

¹ eGRID, U.S. annual non-fossil-fuel CO₂ output emissions rate, year 2012 data
² US Environmental Protection Agency

TOTAL	340		\$ 4,392.93	\$ 3,364.87	\$ 3,934.42	\$ 4,313.01
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Installation Details		Existing	Option 1	Option 2	Option 3
1	select fixture	SL1 - HPS0070	RSW 28 Watt 3000K	RSW 45 Watt 3000K	RSW 41 Watt 4000K
	select pole				
	Fixture*	\$ 19.63	\$ 27.40	\$ 27.40	\$ 27.40
Quantity:	5				
	Pole				
Conversion:	Yes	\$ 9.34	\$ 8.70	\$ 8.70	\$ 8.70
	Maintenance				
Full/Hybrid:	Full	\$ 11.72	\$ 3.34	\$ 5.90	\$ 5.64
	Energy**				
	Total	\$ 40.69	\$ 39.44	\$ 42.00	\$ 41.74

Installation Details		Existing	Option 1	Option 2	Option 3
2	select fixture	SL1 - HPS0100	RSW 45 Watt 3000K	ATBS 76 Watt	ATBS 76 Watt
	select pole				
	Fixture*	\$ 411.70	\$ 564.44	\$ 564.44	\$ 564.44
Quantity:	103				
	Pole				
Conversion:	Yes	\$ 193.38	\$ 179.22	\$ 179.22	\$ 179.22
	Maintenance				
Full/Hybrid:	Full	\$ 341.95	\$ 121.46	\$ 221.52	\$ 221.52
	Energy**				
	Total	\$ 947.03	\$ 865.12	\$ 965.18	\$ 965.18

Installation Details		Existing	Option 1	Option 2	Option 3
3	select fixture	SL1 - HPS0150	ATBS 76 Watt	ATBM 115 Watt	XSP2 102 Watt
	select pole				
	Fixture*	\$ 350.05	\$ 465.80	\$ 465.80	\$ 720.80
Quantity:	85				
	Pole				
Conversion:	Yes	\$ 162.16	\$ 147.90	\$ 147.90	\$ 147.90
	Maintenance				
Full/Hybrid:	Full	\$ 412.85	\$ 182.81	\$ 278.63	\$ 243.97
	Energy**				
	Total	\$ 925.05	\$ 796.51	\$ 892.33	\$ 1,112.67

Installation Details		Existing	Option 1	Option 2	Option 3
4	select fixture	SL1 - HPS0200	ATBM 115 Watt	XSP2 102 Watt	ATB2 138 Watt, Black
	select pole				
	Fixture*	\$ 704.88	\$ 619.24	\$ 958.24	\$ 958.24
Quantity:	113				
	Pole				
Conversion:	Yes	\$ 274.88	\$ 196.62	\$ 196.62	\$ 196.62
	Maintenance				
Full/Hybrid:	Full	\$ 805.87	\$ 370.41	\$ 324.33	\$ 439.98
	Energy**				
	Total	\$ 1,785.64	\$ 1,186.27	\$ 1,479.19	\$ 1,594.84

Installation Details	Existing	Option 1	Option 2	Option 3
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* Includes fixture fee and \$ 98 monthly conversion fee

** Includes Non-fuel Energy Charge, Fuel, Conservation, Capacity, Environmental, and Storm charges
Sales tax and franchise fees not included