

AGENDA
MANGONIA PARK TOWN COUNCIL
JULY 15, 2014
6:00 P.M.

WILLIAM H. ALBURY, III
MAYOR _____

SARITA C. JOHNSON
VICE MAYOR _____

KELISHA BUCHANAN-WEBB
COUNCILWOMAN _____

EDWARD E. SMITH
COUNCILMAN _____

MARK K. TRUEBLOOD
COUNCILMAN _____

PUBLIC IN ATTENDANCE

1. ROLL CALL, INVOCATION, PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

*A. Minutes of Regular Council Meeting June 17, 2014

3. AGENDA APPROVAL

- A. Additions, deletions, and/or substitutions _____
- B. Agenda Approval
- C. Consent Agenda **All items marked with an asterisk (*)** are considered routine and will be adopted by one motion unless removed by a member of the Town Council

4. PROCLAMATIONS AND PRESENTATIONS

5. PALM BEACH COUNTY LEAGUE OF CITIES

6. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2014-07 – Evidencing its Intent to Vacate and Abandon its Interest in a Certain Easement for Utilities.
- B. Resolution No. 2014-08 – Authorizing the Mayor to Execute an Amended and Restated Interlocal Agreement with the Town of Lantana Relating to the Florida Green Finance Authority.

7. MISCELLANEOUS BUSINESS

- A. Consideration on the Adoption of the Office of Inspector General's Updated Policies into the Town's Policy via the Employee Handbook.

8. PUBLIC COMMENTS

9. REPORTS

- | | | |
|----|-----------------|--|
| A. | Administration | Town Manager Lee Leffingwell |
| B. | Law Enforcement | PBSO, Lt Rodney Thomas |
| C. | Engineering | Southern Design Group, Inc.
(Laurent Van Cott, P.E.)
Calvin-Giordano & Associates, Inc.
(Patrick Figurella, P.E.) |
| D. | Legal | Corbett, White & Davis, P.A.
(Keith W. Davis/Jennifer Ashton, Esq.) |

10. COUNCIL COMMENTS

1. Kelisha Buchanan-Webb, Council Member
2. Edward E. Smith, Council Member
3. Mark K. Trueblood, Council Member
4. Sarita C. Johnson, Vice Mayor
5. William H. Albury, III, Mayor

11. ADJOURNMENT

NOTE: Any person who decides to appeal any decision of the Town Council with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and upon which the appeal is to be based. The Town of Mangonia Park does not provide this service.

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS DISABILITIES ACT (ADA), THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATIVE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ADVANCE NOTICE. **FOR HEARING ASSISTANCE:** IF ANY PERSON WISHES TO USE A HEARING DEVICE, PLEASE CONTACT THE TOWN CLERK PRIOR TO ANY MEETING IN THE TOWN HALL.

Pledge of Civility

We will be respectful of one another even when we disagree.

We will direct all comments to the issues.

We will avoid personal attacks.

"Politeness costs so little." - Abraham Lincoln

draft

TOWN OF MANGONIA PARK
REGULAR COUNCIL MEETING
JUNE 17, 2014

The Town of Mangonia Park Town Council Meeting was held at 1755 East Tiffany Drive, Mangonia Park, Florida 33407. Mayor Albury called the meeting to order at 6:00 p.m. Present were Vice Mayor Johnson, Council Members Buchanan-Webb and Smith; Attorney Davis; Lt. Thomas and Interim Town Manager Leffingwell. Councilman Smith offered the invocation followed by the Pledge of Allegiance. Councilman Trueblood was late.

AGENDA APPROVAL

MOTION made by Vice Mayor Johnson, seconded by Councilman Smith, approving the Agenda. **Vote was unanimous.**

MOTION made by Vice Mayor Johnson, seconded by Councilwoman Buchanan-Webb approving the Consent Agenda:

- *2A. *Minutes of Local Planning Agency Hearing* *May 20, 2014*
- *2B. *Minutes of Regular Council Meeting* *May 20, 2014*
- *7A. *Bills and vouchers in the Amount of \$170,523.92 - General Fund.*
- *7B. *Bills and vouchers in the Amount of \$ 41,321.51 - Utility Fund.*

Vote was unanimous.

PALM BEACH COUNTY LEAGUE OF CITIES

Attorney Davis gave a brief report.

7C. Discussion of the Consideration of Approval of an Interlocal Cooperation Agreement Between the Town of Mangonia Park and Palm Beach County.

MOTION made by Vice Mayor Johnson, seconded by Councilman Smith approving the Interlocal Cooperation Agreement. **Vote was unanimous.**

PUBLIC COMMENTS

Diahann Frederick, resident, 5702 Briarwood Street, requested a monetary verbal commitment for a Community Brunch.

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Comments were made by the Town Council asking for clarity on an organized plan prior to a monetary commitment.

Mayor Albury informed Ms. Frederick that the Town Council was in full support of a community event; however, it must be presented with all of the facts.

Councilman Trueblood provided an example of a sales' pitch for Ms. Frederick to use for the recruitment of volunteers and others interested in the event.

REPORTS

9A.1 Administration: *Town Manager Leffingwell* gave a brief report.

A lengthy discussion ensued regarding the hiring of a town manager.

Mayor Albury expressed his concern regarding the Screening Committee and his concern with them not following the rating sheets the Town Council provided. Mayor Albury reiterated the minimum qualifications.

The Town Council's recommendation was to retrieve the resumes/applications and rank them individually and return them to the dais to rank them collectively.

It was the agreement of the Town Council to meet on July 1, 2014 immediately after the regular council meeting to collectively screen the applicants.

Addie L. Greene, resident, asked if the Public would be allowed to make comments on the hiring of a town manager. She referenced the proper procedure of hiring a candidate and the confidentiality that goes with it. She referenced Councilman's Trueblood's statements regarding the screening selection committee; who should be on it and what they should do. She said there was a breakdown and she does not know where it broke down, but it did.

Vice Mayor Johnson said the breakdown occurred with the Screening Committee; however, the Town was moving forward in the process.

Town Manager Leffingwell continued with her report about Pittsburgh Tank vacuuming out the two (2) ground storage tanks in July 2014; She said she would be

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asking Current Connections, the donor of the decorative lights, to install them at costs; the Hill Avenue Drainage Project would be completed by September, 2014.

- B. PBSO, Lt. Thomas stated as submitted.
- D. Legal, Attorney Keith Davis *gave a brief report.*

COUNCIL COMMENTS

10.1. Councilwoman Buchanan-Webb thanked everyone in Administration for booking the IEMO Conference held at the Marriot in Delray Beach, Florida. She said it was extremely helpful and informative.

2. Councilman Smith also thanked everyone and said he was very impressed with the conference and *he* met a lot of interesting people.

4. Vice Mayor Johnson reiterated resident Diahann Frederik’s concerns about hurricane preparedness and expressed an interest in hosting *a* forum for the community within the next 30 days; she said she was invited for business *by* Councilwoman Buchanan-Webb’s church to share her own professional skills.

Councilman Smith said he was proposing community involvement like Ms. Frazier recommended – in the form of a butterfly garden in the community. He said he is focusing on a parcel of land in the Bryn-Mawr Subdivision and was volunteering this summer to do this project. He stated he would be working with a colleague to get this project going.

5. Mayor Albury reported the results of the sister city meeting with Vice Mayor Johnson. He said it was very productive and they were given vital information from a local group regarding the 45th Street Flea Market.

MOTION made by Councilman Trueblood, seconded by Vice Mayor Johnson adjourning the meeting @ 8:07 p.m. **Vote was unanimous.**

TOWN OF MANGONIA PARK

WILLIAM H. ALBURY, III, MAYOR
(SEAL)

ATTEST:

Sherry Albury, Town Clerk
Minutes approved: **July 15, 2014**

RECORD & RETURN TO:
Sherry Albury, Town Clerk
Town of Mangonia Park
1755 East Tiffany Drive
Mangonia Park, Florida 33407

RESOLUTION NO. 2014-07

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, EVIDENCING ITS INTENT TO VACATE AND ABANDON ITS INTERESTS IN A CERTAIN EASEMENT FOR UTILITIES LYING WITHIN THE FORMER TIFFANY LAKE SUBDIVISION ACCORDING TO THE PLAT OF TIFFANY LAKE, AS RECORDED IN PLAT BOOK 30, PAGE 8 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR THE RECORDING OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, a request has been made to abandon a certain utility easement (the "Easement Area"), located on former Lot 16 of the former Tiffany Lake Subdivision as shown on the Plat of Tiffany Lake, recorded in Plat Book 30, Page 8 of the Public Records of Palm Beach County, Florida, as more particularly described in the attached Exhibit "A"; and

WHEREAS, the Town Council of the Town of Mangonia Park, Florida, as the governing body, is responsible for considering all such requests to abandon utility easements within the Town; and

WHEREAS, the portion of the Tiffany Lake Subdivision that contained Lot 16 was re-platted and subsequently developed as the Plat of Central Park, without the inclusion of the Easement Area in said re-plat; and

WHEREAS, the Easement Area was not formally abandoned in conjunction with said re-plat; and

WHEREAS, the Easement Area is no longer utilized by the Town as verified by the Town's Engineer who has no technical objections to its abandonment, and has been built over by the owner of the parcel containing the Easement Area; and

WHEREAS, the Town Council finds that the abandonment of the Easement Area is consistent with the Comprehensive Plan and all municipal regulations of the Town, and is in the best interest of the health, safety and welfare of the Town and its citizens.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA AS FOLLOWS:

Section 1: The Town Council of the Town of Mangonia Park, Florida, hereby approves the abandonment of the Easement Area as more particularly described on Exhibit "A" to this Resolution and declares said Easement Area to be abandoned.

Section 2: The Town Council of the Town of Mangonia Park, Florida, hereby authorizes and directs the Town Clerk to do all things necessary to have this Resolution and all its Attachments and/or Exhibits be recorded in the Public Records of Palm Beach County, Florida.

Section 3: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 15th day of July, 2014.

TOWN OF MANGONIA PARK

WILLIAM H. ALBURY, III, MAYOR

ATTEST:

(SEAL)

Sherry Albury, Town Clerk

RESOLUTION NO. 2014-08

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, AUTHORIZING THE MAYOR OF MANGONIA PARK TO EXECUTE AN AMENDED AND RESTATED INTERLOCAL AGREEMENT WITH THE TOWN OF LANTANA TO UPDATE THE BOARD OF DIRECTORS STRUCTURE FOR THE FLORIDA GREEN FINANCE AUTHORITY; AUTHORIZING ADDITIONAL AMENDMENTS THAT PROVIDE NOTICE REQUIREMENTS WHEN A PARTY MEMBER ANNEXES LAND INTO ITS BOUNDARIES, THAT CLARIFY THE AUTHORITY'S DEBTS AND OBLIGATIONS ARE NOT THE DEBTS AND OBLIGATIONS OF INDIVIDUAL PARTY MEMBERS, AND THAT PROVIDE AN ADOPTION PROCESS FOR FUTURE AMENDMENTS TO THE INTERLOCAL AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town of Mangonia Park is an originating party along with the Town of Lantana in the creation of the Florida Green Finance Authority, providing PACE funding for energy efficiency, renewable energy and wind resistance upgrades to commercial property in the Town; and

WHEREAS, due to the statewide growth of the Florida Green Finance Authority, the interlocal agreement creating the Authority is in need of revision; and

WHEREAS, specific revisions to board of directors composition and appointment, notice requirements for party member annexation, debt obligation, and future amendments, are necessary for the future operation of the Authority; and

WHEREAS, the Board of Directors of the Florida Green Finance Authority has approved such amendments to the interlocal agreement, as contained in the amended and restated interlocal agreement attached hereto, and has directed that they be brought back to the originating parties for adoption; and

WHEREAS, the Town Council of the Town of Mangonia Park believes the adoption of the amended and restated interlocal agreement will serve the best interest of the Florida Green Finance Authority as well as the residents and businesses located in the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, THAT:

Section 1: The above declarations are true and accurate, and are incorporated herein.

Section 2: The Town of Council of Mangonia Park, a municipal corporation, hereby

authorizes the Mayor of Mangonia Park to execute the amended and restated interlocal agreement on behalf of the Town.

Section 3: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 15th day of July, 2014.

TOWN OF MANGONIA PARK

WILLIAM H. ALBURY, III, MAYOR

ATTEST:

(SEAL)

Sherry Albury
Town Clerk

CONTENTS: This policy consists of the following numbered sections:

- I. Updates
- II. Authority
- III. Policy
- IV. Methods of Reporting

PURPOSE:

The Palm Beach County Office of Inspector General Florida Ordinance includes certain reporting requirements. It requires the Town Manager to report certain specified acts or omissions to the Office of Inspector General (OIG). It also designates the Inspector General as “an appropriate local official” for purposes of whistleblower reporting and protection under Florida law. Furthermore, it makes it a crime for any person to attempt to retaliate, punish, harass, or penalize anyone for communicating with or cooperating with the Office of Inspector General. This policy explains the procedures for Town employees to report appropriate matters to the OIG.

I. UPDATES:

Future updates will be the responsibility of the Town Manager, in coordination with the Inspector General.

II. AUTHORITY

The Palm Beach County Office of the Inspector General Ordinance; and Sections 112.3187 – 112.31895, Florida Statutes.

III. POLICY

- 1) Town employees shall promptly notify their department head, and also may notify the OIG, of possible mismanagement of a contract (misuse or loss exceeding \$5,000 in public funds), fraud, theft or bribery.
- 2) In addition to the above, an employee may directly report to the OIG any other conduct which may fall within the Inspector General’s jurisdiction.
- 3) If the matter being reported appears to involve the employee’s department head, the employee may report directly to the Town Manager. An employee may make his or her report to either the OIG or management orally or in writing. If a department head receives such a report from an employee, or otherwise becomes aware of such a situation, the department head shall promptly report the situation in writing to the Town Manager, and may also notify the OIG.
- 4) Whistle-blower Allegations – In accordance with this Policy and the Florida Whistle-blower Act (Sections 112.3187 – 112.31895, Florida Statutes), if a municipal employee reports any of the following, he or she may be entitled to “whistle-blower” protection.
 - a. Any violation or suspected violation of any federal, state, or local law, rule, or regulation committed by an employee or agent of an agency or independent contractor which creates and presents a substantial and specific danger to the public’s health, safety or welfare.
 - b. Any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by an employee or agent of an agency or independent contractor.

Employees should note that reporting a matter to the Inspector General pursuant to the Whistle-blower Act does not guarantee the employee “whistle-blower” protection under the Act.

IV. METHODS OF REPORTING

The OIG reporting form can be found at: <http://www.pbcgov.com/OIG/rwfa.htm>

An employee can file a report by:

1. Email to the OIG at (inspector@pbcgov.org);
 2. Fax to the OIG at (561) 233-0735;
 3. U.S. mail to the OIG at P.O. Box 16568, West Palm Beach, FL 33416; or
 4. OIG Hotline toll free at (877) 283-7068 or (561) 233-2350
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APPROVAL:

TOWN MANAGER