PUBLIC NOTICE/AGENDA
TOWN COMMISSION MEETING/WORKSHOP
Tuesday November 12, 2019 at 10:00 a.m.
Workshop following Town Commission Meeting

Town Commission
Keith Waters, Mayor
Simone Bonutti, Vice Mayor
Jack Doyle, Mayor Pro Tern
Clark Appleby, Commissioner
Hank Siemon, Commissioner
Stewart Satter, Commissioner
Richard Granara, Commissioner

Town Staff
Linda Stumpf, Town Manager
Carmen Mattox, Chief of Police
Lisa S. Petersen, Town Clerk
Tina Stinson, Deputy Clerk
Keith W. Davis, Town Attorney

CALL TO ORDER & PLEDGE OF ALLEGIANCE
AGENDA ADDITIONS, DELETIONS OR SUBSTITUTIONS
MAYOR’S COMMENTS

CONSENT AGENDA:
1. Minutes October 22, 2019 Town Commission Meeting
2. Police Department Report and Fire/Rescue Response Time Report for October
3. RES-08-19 Approval of FDOT placing an Electronic Feedback Speed Sign at Chillingworth Curve

REGULAR AGENDA:*Quasi-Judicial Hearing

REGULAR AGENDA:*Quasi-Judicial Hearing
1. POSTPONED TO DECEMBER 10, 2019 VAR-19-1 (Restatement of Previously Granted Development Approvals) Ocean Boulevard Properties, LLC, a Florida Limited Liability Company, 2000 South Ocean Boulevard, is seeking approval of a proposed “Third Amendment to Restatement of Previously Granted Development Approvals and Ratification of Previously Recorded Agreement Relating to 2000 South Ocean Boulevard” in order to allow the subdivision of the property into three lots in the R1-B zoning district all of which meet lot size requirements; and to allow the demolition of certain non-conforming structures and the voluntary voiding of certain previously approved variances associated therewith; and to allow the retention of certain other existing structures, including the main residence and two directly associated accessory structures, and the wall and associated vegetation along the South Ocean Boulevard right-of-way, and to allow the retention of certain other previously approved variances associated therewith; and further seeking approval of a proposed Subdivision Plan. Pursuant to Sections 151.671 and 151.672 of the Manalapan Zoning Code, Town Commission approval of revisions to previously imposed conditions of approval for previously approved variances is required.
2. *TARC-19-1 The J. McLaughlin retail store, located in Suite 232 of Plaza Del Mar, requests approval to 1. The J. McLaughlin retail store, located in Suite 232 of Plaza Del Mar, requests approval to make modifications to its storefront. Existing metal entry doors will be changed to more residential styled glass doors framed in wood painted in the signature blue color with ArboMet wood and metal door pulls. The existing aluminum storefront will be painted with an electromagnetic spray in Swedish Gray (PPG-1015 “Quest”). Decorative elements proposed include the addition of black metal and glass light sconce fixtures located on each side of the entrance and the addition of fixed planter boxes. The planter boxes will also be painted in the signature electromagnetic blue color (Interpon, Ral #5003) and will receive faux boxwood green wall elements behind and above each box and attached to exterior grade plywood (Thermaleaf Boxwood mat by Commercial Silk Ink, N.T.S.). Pursuant to Sections 152.21(E).
3. Town Manager Stumpf’s Report

PUBLIC COMMENTS
OTHER BUSINESS
PUBLIC HEARING:
1. **Consideration of Ordinance #368-Amending municipal election dates, runoff dates and qualifying dates in order to coincide with the Presidential Preference Election (First Reading)**

**ADJOURNMENT**

TOWN COMMISSION WORKSHOP
Tuesday November 12, 2019
Workshop following Town Commission Meeting

1. Discussion with Mock, Roos on a Town Wide Utilities Program

**ADJOURNMENT**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Town Commission, Special Magistrate or any other Boards or Commissions of the Town with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings, and for such purpose may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing will be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting. IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. Please contact the Town Clerk at (561) 585-9477 - 600 South Ocean Blvd., Manalapan, FL 33462 - townhall@manalapan.org
TOWN OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date: November 12, 2019
Agenda Item No.: CA.1
Agenda Item Name: October 22, 2019 Town Commission Minutes

ACTION REQUESTED: Discussion ☐ Approval ☑

ATTACHMENT:

- October 22, 2019 Town Commission Meeting Minute
Town Commission Meeting
Tuesday October 22, 2019 at 10:00 a.m.

IN ATTENDANCE

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<td>Carmen Mattox, Chief of Police</td>
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<td>Jack Doyle, Mayor Pro Tem</td>
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<td>Stewart Satter, Commissioner</td>
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PUBLIC:
Mary Kate Leming, Dan Moffett, Todd Peter, Mark Bannon and Mark Higgs

TOWN COMMISSION MEETING

CALL TO ORDER & PLEDGE OF ALLEGIANCE
Mayor Waters called the Town Commission meeting to order at 10:00 a.m.
Mark Bannon of the Palm Beach County Ethics Commission addressed the Commission.
He introduced his new investigator Mark Higgs.

AGENDA ADDITIONS, DELETIONS OR SUBSTITUTIONS
There were none.

CONSENT AGENDA:
1. Minutes: September 24, 2019 Town Commission Meeting and Final Budget Hearing
3. RES. 7-19 Adopting the 2020 Revised Palm Beach County Local Mitigation Strategy (LMS)

Vice Mayor Bonutti made a motion to approve the Consent Agenda. Commissioner Satter seconded the motion which prevailed by the following vote:
YES: Vice Mayor Bonutti, Mayor Pro Tem Doyle, Commissioner Siemon, Commissioner Granara and Commissioner Satter
CONTRACT WITH TOWN MANAGER STUMPF:
The last three (3) year employment agreement between the Town of Manalapan and Town Manager Linda Stumpf expired on September 30, 2018. The Mayor has been negotiating a new agreement with Town Manager Stumpf. The proposed new five (5) year agreement is attached for Commissions review and discussion. Mayor Waters discussed the new contract that he had worked with Town Manager Stumpf on.

Commissioner Satter made a motion to approve the new contract with Town Manager Stumpf. Commissioner Siemon seconded the motion which prevailed by the following vote:

YES: Vice Mayor Bonutti, Mayor Pro Tem Doyle, Commissioner Siemon, Commissioner Granara and Commissioner Satter

DATES FOR THE NOVEMBER AND DECEMBER TOWN MEETINGS:
At the October 22, 2019 Town Commission Town Manager Stumpf discussed the possibility of changing the dates for the November and December Town Commission meetings due to the holidays. Thanksgiving is on Thursday, November 28th and Christmas is on Wednesday, December 25th. The normally scheduled meetings for these months are Tuesday, November 26th and Tuesday, December 23rd. Historically, the meetings dates are changed to not conflict with the holidays. If there is to be a change in the meeting dates, it should be done at this Town Commission meeting. Staff is proposing holding the November meeting on Tuesday the 12th and the December meeting on the 10th.

Mayor Pro Tem Doyle made a motion to approve new dates for the November and December Town meetings-November 12th and December 10th. Commissioner Siemon seconded the motion which prevailed by the following vote:

YES: Vice Mayor Bonutti, Mayor Pro Tem Doyle, Commissioner Siemon, Commissioner Granara and Commissioner Satter

TOWN MANAGER'S STUMPF REPORT:
-Town Manager Stumpf introduced new Deputy Clerk Tina Stinson.

-Code Enforcement: Staff is waiting on vibration reports from 1940 S. Ocean, 90 Curlew has come into compliance. 1300 S. Ocean has some damage to their seawall and is waiting on an engineer’s report. Code Officer Palacios is monitoring the job sites in Town for compliance.

-Pension Board has met twice since September. They interviewed two investment consultants Dahab & Associates and Sage View. The Board approved to enter into a contract with Dahab & Associates. Their fee is a flat $20,000 annually. The Board then met again with Dahab & Associates Tom Donegan to discuss investment oversight, investment policy, custodian options and selection of asset classes. Their next meeting is scheduled for November 8th. A summary plan document was provided by Attorney
Jensen for the Board to review and vote on at the November meeting. The document will then be sent to all employees.

-Town Manager Stumpf attended the **Ocean Ridge Septic-Sewer Advisory Meeting**. This committee has been researching whether the conversion is both practical and cost effective. They were not able to arrive at a consensus and plan to meet again next month. There was a brief discussion of their water contract with Boynton Beach. Boynton Beach wants to have their distribution lines included in the agreement. Ocean Ridge owns their lines but not the meters. We are still waiting on their consumption numbers to see if we would be able to provide water to them. The Town Managers of Ocean Ridge and Gulfstream have met with Town Manager Stumpf and discussed joining together if we all agree to move forward with the same projects. We would be able to negotiate a better price as a group. The Town Commission would like to move forward with a workshop in November to discuss possible projects. Mayor Pro Tem Doyle offered to sit in on the bond discussions.

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**-Draft Feasibility Study** was provided by Mock, Roos. The study provides estimates of costs. The only project that has options is the conversion from septic to sewers. There are three options to consider, gravity, vacuum and low pressure. Low pressure allows the property owner to be responsible for hooking up. This would eliminate the need for easements. Mock, Roos would like to make a presentation to the Commission. Town Manager Stumpf received the name of a grant writer that the Village of Golf used, she will contact her for help. There may be some state funding available, although our Representatives say there currently no money has been allocated. In order to apply for any funding, we need to have a complete set of plans drawn up.

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**-Read for the Record** will be held November 7th at 3:30 p.m. in the Library. This is a nationwide reading initiative and we are looking at Commissioners who are available to read to the children.

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**-Our annual Season Opening Party** will be held at the library December 5th at 6:00 p.m. We will also have a tree lighting ceremony at the party.

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-Town Manager Stumpf received notification that **FEMA** had increased their reimbursement threshold for Hurricane Irma from 87.5% to 95%. She continues to work with FEMA on the reimbursement.

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-Commissioner Granara has graciously worked on the rut issue at the gatehouse. He has developed a plan that should make everyone happy. It is called **Geoblock Porous Pavement System**. These blocks are designed to handle up to vehicle loads of 80,000 lbs. and 110 PSI tire pressure. The Town Commission agreed to seek bids for pricing.

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-Chief Mattox has heard from **FDOT**, they have agreed to place signage at the curve on SR A1A. The signs should be placed by the end of November. The Town would be responsible for the maintenance cost of the sign. Chief Mattox has worked on this project for over a year.
PUBLIC COMMENTS
There was none.

OTHER BUSINESS
There was no other business.

Meeting adjourned at 10:48 a.m.

These minutes were presented to the Town Commission
on Tuesday November 12, 2019 for approval.

__________________________________________  ____________________________
Keith Waters, Mayor                      Date Signed

__________________________________________  ____________________________
Lisa S. Petersen, Town Clerk                Date Signed
TOWN OF MANALAPAN

AGENDA ITEM SUMMARY

Meeting Date: November 12, 2019
Agenda Item No.: CA.2
Agenda Item Name: Police Department Chief's Report and Palm Beach County Fire Rescue Response Times for October

ACTION REQUESTED: Discussion □ Action □

ATTACHMENT:
- The Police Department Chief's Report for October including Monthly Stats
- Palm Beach County Fire/Rescue response times for October
TO: Mayor and Town Commissioners  
Linda Stumpf, Town Manager

FROM: Chief Mattox

SUBJECT: Monthly Report for September

DATE: 11/05/2019

Staffing
Currently there is one vacant full-time position. We are advertising to fill the position. Officer Jacknowitz is still recovering from his injury.

Fleet
All vehicles are up to date on service. The ATVs are all up and running.

Zone Coverage
Due to the current staffing situation we are in the process of utilizing overtime to maintain the best staffing levels.

Training
All officers have completed the monthly computer training and briefing training.

Miscellaneous
FDOT has agreed to install Electronic Feedback Speed signs on the curve. I am working with the Town Attorney and Town Manager to obtain a Town resolution. The signs are scheduled to be installed in January 2020.

The State is changing the annual incident reporting from Uniform Crime Reporting System (UCR) to National Incident-Based Reporting System (NIBRS). This is an incident-based reporting system for collecting and reporting data on crimes. Agencies are expected to be compliant by 2021. We are in the process of preparing to meet this requirement.

All of the components for the new radio system are on order. We are gathering the radio frequency information required to comply with the new Florida Statute that requires PSAPS to have the ability to talk directly to other PSAPS.

The new 911 system was installed in October and we received fifty-eight 911 phone calls. The majority of the October 911 calls were test calls to ensure the system was working correctly.
## Manalapan Police Department
### Monthly Stats
#### October 2019

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<td>Vessel Stop</td>
<td>1</td>
<td>1</td>
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<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Water Restriction Viol.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
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<tr>
<td>Warrant Arrest</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
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</table>
### INCIDENT REPORTS

<table>
<thead>
<tr>
<th>Case #</th>
<th>Incident Type</th>
<th>Zone</th>
<th>Note</th>
<th>Case #</th>
<th>Incident Type</th>
<th>Zone</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>19M0104</td>
<td>CRASH</td>
<td>2</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>19M0105</td>
<td>LOST PROPERTY</td>
<td>2</td>
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<tr>
<td>19M0106</td>
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<tr>
<td>19M0107</td>
<td>CRASH</td>
<td>2</td>
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<td>19M0108</td>
<td>THEFT</td>
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<tr>
<td>19M0109</td>
<td>THEFT</td>
<td>8</td>
<td></td>
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<tr>
<td>19M0110</td>
<td>VOIDED CASE#</td>
<td>2</td>
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<tr>
<td>19M0111</td>
<td>FRAUD</td>
<td>2</td>
<td></td>
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<td>19M0112</td>
<td>MEDICAL</td>
<td>2</td>
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</table>

### MONTHLY TRAINING

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Violence; Repeat Violence &amp; Dating Violence</td>
<td>911 61</td>
</tr>
<tr>
<td>Power DMS familiarization</td>
<td>Non-Emergency N/A</td>
</tr>
</tbody>
</table>

### MONTHLY DISPATCH CALLS

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>61</td>
</tr>
</tbody>
</table>
# Palm Beach County Fire Rescue

## Manalapan - # of Calls by Type

### 20191001 to 20191031

<table>
<thead>
<tr>
<th>Type - Situation Dispatched</th>
<th># of Incidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Calls:</td>
<td>2</td>
</tr>
<tr>
<td>Vehicle Accidents:</td>
<td>2</td>
</tr>
<tr>
<td>Total number of Events:</td>
<td>4</td>
</tr>
</tbody>
</table>

#### Calls by Situation Dispatched

- **Medical Calls:** 2
- **Vehicle Accidents:** 2

---

Created by Jill Gregory on 06/21/2013

H:\Alyssa\Monthly Response Time Reports\Municipal Call Type Report-pie chart.rpt
### Manalapan Response Time Report

**20191001 to 20191031**

<table>
<thead>
<tr>
<th>Event #</th>
<th>Station</th>
<th>Location of Event</th>
<th>Date</th>
<th>Received</th>
<th>Entered</th>
<th>Dispatch</th>
<th>Enroute</th>
<th>Onscene</th>
<th>Close</th>
<th>Disp Hand</th>
<th>Turnout</th>
<th>Travel</th>
<th>Resp Time*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Others:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Calls:</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F19165609</td>
<td>38</td>
<td>S OCEAN BLVD MN</td>
<td>10/01/2019</td>
<td>17:59:58</td>
<td>18:00:22</td>
<td>18:01:14</td>
<td>18:10:36</td>
<td>18:38:57</td>
<td>0:00:49</td>
<td>0:00:52</td>
<td>0:09:22</td>
<td>0:11:03</td>
<td></td>
</tr>
<tr>
<td>F19183844</td>
<td>38</td>
<td>S OCEAN BLVD MN</td>
<td>10/31/2019</td>
<td>18:44:04</td>
<td>18:44:37</td>
<td>18:44:45</td>
<td>18:44:55</td>
<td>18:46:44</td>
<td>19:21:55</td>
<td>0:00:41</td>
<td>0:00:10</td>
<td>0:01:49</td>
<td>0:02:40</td>
</tr>
</tbody>
</table>

**Corrupt Data:**


**Average Response Times:**

<table>
<thead>
<tr>
<th>Disp Hand</th>
<th>Turnout</th>
<th>Travel</th>
<th>Resp Time*</th>
</tr>
</thead>
<tbody>
<tr>
<td>0:00:45</td>
<td>0:00:33</td>
<td>0:03:12</td>
<td>0:04:30</td>
</tr>
</tbody>
</table>

**Total number of Events:** 4

*Represents call received to arrival. If there is no received time, the County annual average call received to call entered time is used.*
TOWN OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date: November 12, 2019
Agenda Item No.: CA.3
Agenda Item Name: RES-8-2019 Agreement with FDOT to place an electronic feedback speed sign at Chillingworth Curve

ACTION REQUESTED: Discussion ☐ Approval ☒

BACKGROUND:
Resolution 8-2019 approves an agreement with the Florida department of Transportation (FDOT) to place an electronic feedback speed sign at Chillingworth Curve. Staff feels that this aid in slowing down drivers as they enter the curve.

ATTACHMENT:

- RES 8-2019 FDOT Agreement
RESOLUTION NO. 8-2019

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, SUPPORTING THE INSTALLATION OF ELECTRONIC FEEDBACK SIGNS AND ALL NECESSARY IMPROVEMENTS AT THE CURVE LOCATED IN THE 1500 AND 1600 BLOCK OF A1A; AUTHORIZING THE TRANSMITTAL OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, traffic enforcement is essential at the 1500 and 1600 block of A1A in the Town of Manalapan (the Chillingworth Curve); and

WHEREAS, the Town Commission concluded after a recent speed study and Curve Safety Analysis regarding the Chillingworth Curve that the use of an electronic feedback speed sign will be an effective method of informing drivers of the dangers of the Chillingworth Curve and the need to reduce speed when traveling through the Chillingworth Curve; and

WHEREAS, the installation of electronic feedback speed signs will assist Manalapan police with speed enforcement, and will generally serve the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, that:

Section 1: The Town Commission of the Town of Manalapan does hereby express its support for the installation of electronic feedback speed signs at the 1500 and 1600 block of A1A in the Town of Manalapan (the Chillingworth Curve).

Section 2: The Town Clerk is hereby directed to transmit a copy of this resolution of support to the Florida Department of Transportation.

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

PASSED AND ADOPTED this 12th day of November, 2019.

TOWN OF MANALAPAN

KEITH WATERS, MAYOR

ATTEST:

LISA S. PETERSEN, TOWN CLERK

(Seal)
TOWN OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date: November 12, 2019
Agenda Item No.: RA 1
Agenda Item Name: VAR 19-1 Variance for 2000 S. Ocean Blvd.

ACTION REQUESTED: Discussion □ Action □

BACKGROUND:

PER THE REQUEST OF THE APPLICANT, VAR 19-1 WILL BE POSTPONED TO THE DECEMBER 10, 2019 TOWN COMMISSION MEETING

VAR-19-1 (Restatement of Previously Granted Development Approvals) Ocean Boulevard Properties, LLC, a Florida Limited Liability Company, 2000 South Ocean Boulevard, is seeking approval of a proposed “Third Amendment to Restatement of Previously Granted Development Approvals and Ratification of Previously Recorded Agreement Relating to 2000 South Ocean Boulevard” in order to allow the subdivision of the property into three lots in the R1-B zoning district all of which meet lot size requirements; and to allow the demolition of certain non-conforming structures and the voluntary voiding of certain previously approved variances associated therewith; and to allow the retention of certain other existing structures, including the main residence and two directly associated accessory structures, and the wall and associated vegetation along the South Ocean Boulevard right-of-way, and to allow the retention of certain other previously approved variances associated therewith; and further seeking approval of a proposed Subdivision Plan. Pursuant to Sections 151.671 and 151.672 of the Manalapan Zoning Code, Town Commission approval of revisions to previously imposed conditions of approval for previously approved variances is required.

ATTACHMENT:

- VAR 19-1 Application
TOWN OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date: November 12, 2019
Agenda Item No.: RA 2
Agenda Item Name: TARC 19-1 J. McLaughlin Retail Store in Plaza Del Mar

ACTION REQUESTED: Discussion [ ] Action [ ]

BACKGROUND:

- **TARC-19-1** The J. McLaughlin retail store, located in Suite 232 of Plaza Del Mar, requests approval to make modifications to its storefront. Existing metal entry doors will be changed to more residential styled glass doors framed in wood painted in the signature blue color with Arbormet wood and metal door pulls. The existing aluminum storefront will be painted with an electromagnetic spray in Swedish Gray (PPG-1015 “Quest”). Decorative elements proposed include the addition of black metal and glass light sconce fixtures located on each side of the entrance and the addition of fixed planter boxes. The planter boxes will also be painted in the signature electromagnetic blue color (Interpon, Ral #5003) and will receive faux boxwood greenwall elements behind and above each box and attached to exterior grade plywood (Thermaleaf Boxwood mat by Commercial Silk Ink, N.T.S.). Pursuant to Sections 152.21(E).

ATTACHMENT:

- TARC 19-1 Application
TOWN OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date: November 12, 2019
Agenda Item No.: RA 3
Agenda Item Name: Town Manager Stumpf’s Report

ACTION REQUESTED: Discussion  Action

BACKGROUND:

- Code Enforcement
- Update from Pension Board
- Update on Library Read for the Record November 7th at 3:30
- Library Season Opening party December 5th at 6:00
- Election for March 2020-Qualification
BACKGROUND:
The Florida Legislature has changed the date of the Presidential Preference Primary to March 17, 2020. The voting equipment currently utilized by the Palm Beach County Supervisor of Elections office only allows input of one election cycle at a time: from beginning of preparation of the ballot, through the final election results. Therefore, the voting system will not be available to conduct Municipal Elections on the usual second Tuesday in March. As a result of the current state and federal laws that require overseas and military absentee ballots to be mailed 45 days prior to state or federal elections, the SOE will need to prepare ballots and have the first large mailing of ballots preprinted as soon as the law requires the state to provide the names of the Presidential Preference Primary candidates. Staff has reviewed the options for qualifying periods and has chosen November 26 through December 10, 2019. This change in qualifying period will only occur during the Presidential Primary every four years. Staff will notify the residents of the change in qualifying period in November.

ATTACHMENT:
- Ordinance #369
ORDINANCE NO. 369

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF MANALAPAN AT CHAPTER 34, ELECTIONS, SECTION 34-08, TO PROVIDE A MUNICIPAL ELECTION DATE, ELECTION QUALIFYING PERIOD, AND RUN-OFF ELECTION DATE FOR THE 2020 TOWN MUNICIPAL ELECTION CONCURRENTLY WITH THE 2020 PRESIDENTIAL PREFERENCE PRIMARY ELECTION; DIRECTING THE TOWN CLERK TO TRANSMIT A CERTIFIED COPY OF THIS ORDINANCE TO THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 34, ELECTIONS, SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 34, Section 5 of the Code of Ordinances of the Town of Manalapan sets the date for town elections as the second Tuesday in March of each year; and

WHEREAS, Chapter 34, Section 5 of the Code of Ordinances of the Town of Manalapan sets the qualifying period for town elections as noon on the first Tuesday in December until noon on the third Tuesday in December; and

WHEREAS, in 2020, as previously occurred in 2016, the presidential preference primary election will fall on the third Tuesday in March; and

WHEREAS, the Town Commission previously adopted Ordinance 343 to move the Town’s 2016 municipal election date to a date concurrent with that year’s presidential preference primary election; and

WHEREAS, holding the town’s election on a date concurrent with the presidential preference primary election requires the town to adopt an ordinance that establishes the municipal election date, election qualifying period, and run-off election date for the year when the town holds its municipal elections concurrent with the presidential preference primary election, and

WHEREAS, sections 100.3605, 101.75, and 166.021, Florida Statutes, permit the town to amend its code of ordinances to change the date of its town election and qualifying period by ordinance and without referendum, and

WHEREAS, the Town Commission believes these amendments to the code of ordinances are in the best interests of the citizens of the Town of Manalapan.
NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MANALAPAN, FLORIDA, THAT:

Section 1. The facts and recitations contained in the preamble of this ordinance are adopted and incorporated by reference as if set forth in this section.

Section 2. The Code of Ordinances of the Town of Manalapan, Florida, is hereby amended at Chapter 34. Elections, Section 34-08 to provide municipal election dates and qualifying periods for the 2020 city election that will coincide with the 2020 presidential preference primary election; providing that Section 34-08 shall hereafter read as follows:

Sec. 5-2. Town election dates, qualifying periods, and run-off election dates in years of statewide or countywide presidential preference primary elections

Section 101.75, Florida Statutes, delegates authority to the town to move the date and qualifying period of any municipal election to a date concurrent with other state and countywide elections. Notwithstanding the sections of the Town Charter and Code of Ordinances regarding the date of general municipal elections, election qualifying periods, and date of run-off elections, the town shall hold its municipal elections concurrently with statewide presidential preference primary elections when those occur, and adhere to the following municipal election date, qualifying period, and run-off election date in such instances:

(a) Beginning in 2016, the Town shall hold its municipal election concurrently with presidential preference primary elections.

(1) For town elections that occur in 2020, the municipal qualifying period shall begin at noon, November 26, 2019 and end at noon, December 10, 2019.

(2) The 2020 municipal election shall occur on March 17, 2020 and no candidate may take office until the election has concluded.

(3) If candidates for any office in 2020 receive the highest and equal numbers of votes cast, the names of the tied candidates shall be placed on a ballot and voted on at a run-off election on March 31, 2020.

(b) When a presidential preference primary election occurs in future years, the town shall set a concurrent election date, qualifying period, and date of run-off election by separate ordinance.

Section 3. The town clerk is directed to transmit a certified copy of this ordinance to the Office of the Palm Beach County Supervisor of Elections.
Section 4. Each and every other section and subsection of Chapter 34. Elections, shall remain in full force and effect as previously adopted.

Section 5. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 6. If any section or provision of this ordinance, any paragraph, sentence or word is declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remainder of this ordinance.

Section 7. Specific authority is hereby given to codify this ordinance into the Code of Ordinances of the Town of Manalapan.

Section 8. This ordinance will take effect immediately upon adoption.

FIRST READING this 12th day of November 2019.
SECOND AND FINAL READING this 10th day of December 2019.

TOWN OF MANALAPAN

__________________________
Mayor Keith Waters

ATTEST: (SEAL)

__________________________
Lisa Petersen, Town Clerk