

VILLAGE OF LAZY LAKE
MEETING AGENDA
2201 WILTON DRIVE, WILTON MANORS, FLORIDA
TUESDAY, MAY 21, 2019
6:30 P.M.

Village Council

Mayor Evan Anthony
Council Member John Boisseau
Council Member Sally Boisseau
Council Member Ray Nyhuis
Council Member Carlton Kirby
Council Member Patrick Kaufman

1. Roll Call
2. Approval of Meeting Minutes
 - April 16, 2019 Regular Meeting
 - April 23, 2019 Workshop
- 3.1. Consent Agenda – ratification of payments made for the following invoices:
 - Brinkley Morgan invoice #206143 dated 4/30/19 in the amount of \$6,368.57
 - Prototype invoice #19-0218 dated 05/15/19 in the amount of \$699.00

4. New Business

4.1 A RESOLUTION OF THE VILLAGE COUNCIL OF LAZY LAKE, FLORIDA PERTAINING TO THE SUBJECT OF GOVERNANCE; PROVIDING FINDINGS; AUTHORIZING A REQUEST TO THE FLORIDA ATTORNEY GENERAL FOR AN OPINION CONCERNING WHETHER THE PERSONS PRESENTLY SERVING AS ELECTED OFFICIALS MAY CONTINUE TO SERVE THE VILLAGE IN SUCH CAPACITY UNTIL THE CURRENT TERM FOR SUCH OFFICES EXPIRE; AUTHORIZING THE MAYOR TO PROVIDE TO THE OFFICE OF THE FLORIDA ATTORNEY GENERAL SUCH ADDITIONAL INFORMATION AS SUCH OFFICE MAY REQUEST IN ORDER TO OBTAIN SUCH OPINION; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

5. Old Business

- 5.1 Payment of Broward County Environmental Protection and Growth Management (Inspections and Permitting) Invoice #EL10000564 in the amount of \$1,846.52 (deferred from 4/16/19 meeting)
- 5.2 Guardrail for Lazy Lane
- 5.3 Website Status

6. Village Council Comments

7. Council Member Comments

8. Public Comments (Public comments will be limited to 3 minutes per speaker)

9. Adjournment

Additional Attachment(s) *For informational purposes only:*

Log of electronic payments made: 4/15 – 5/15/19

Suntrust Bank Statement: April 2019

NOTE: This Council Meeting will be held in the Conference Room of the South Florida Symphony signed space of the “Zig Zag” Building located at the above address. The South Florida Symphony space is at the southern end of the Zig Zag Building, is painted in grey and white stripes, and has a wall/roof sign on its southeast corner which states “South Florida Symphony.”

Access to the Conference Room meeting location is through the door on the west side (rear) of the building where the parking area is located.

AGENDA AND SUPPORTING DOCUMENTATION POSTED AT:

<http://www.broward.org/OpenGovernment/Pages/MunicipalityDisclosureDocs.aspx>

Pursuant to Florida Statute § 286.0105, if a person decides to appeal any decision made by this board, agency, committee, or council with respect to any matter considered at such meeting or hearing, said person will need a record of the proceedings. For such purpose a verbatim record of the proceeding will have to be 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 should contact the Village Clerk at 954-249-2177 at least five (5) business days prior to the meeting to request such accommodations. If hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8700 (voice) or 1-800-955-8771 (TDD).

**VILLAGE OF LAZY LAKE
WORKSHOP MEETING MINUTES
HAGEN PARK COMMUNITY CENTER,
2020 WILTON DRIVE, WILTON MANORS, FLORIDA
TUESDAY, APRIL 23, 2019
6:30 P.M.**

Village Council

Present

Mayor Evan Anthony
Council Member John Boisseau
Council Member Sally Boisseau
Council Member Ray Nyhuis
Council Member Carlton Kirby

Absent

Council Member Patrick Kaufman

Also in Attendance

Donald Lunny, Esquire
Lisa Tayar/Prototype
Jim Ratcliff (via telephone)
Caroline White
Susana Roncatti
Richard Willard
Dave Moskowitz

- 1. The Meeting was called to Order by the Mayor and attendance was taken by roll call.
Council Member Kaufmann was absent.**

- 2. Discussion regarding potential Community interest in pursuing annexation of the
Village of Lazy Lake into Wilton Manors.**

A. The Mayor advised that purpose of this workshop meeting is to gauge Village resident interest concerning whether or not to pursue discussions with the City of Wilton Manors to ascertain whether the two cities can agree on proposed terms and conditions sufficient to induce both parties to support the Village being merged into or annexed by the City of Wilton Manors, and to begin the process of information gathering and sharing. The Mayor also advised Village Council will not make any decisions at the Workshop; the purpose of the Workshop Meeting. The Workshop was requested by a resident who was not in attendance, but the Meeting will go forward.

B. The Mayor opened the meeting to public comment.

(1) Mr. Willard expressed concerns with the Village being able to effectively conduct its governance requirements and services in a cost-effective manner. If the Village were to dissolve, it would become un-incorporated, which Mr. Willard expressed concerns about. He believed annexation by Wilton Manors should be pursued, along

with forming an effective homeowners association to try to provide some of the maintenance type services which the residents have come to expect that might not be conducted by the County.

(2) Caroline White also supported the idea of a Homeowners' Association as an adjunct to an annexation.

(3) Mr. Ratliff expressed a desire to learn more particulars about the terms and conditions Wilton Manors might desire as part of an annexation.

There being no other public comment, public comment was closed.

3. Council Member & Mayor Comments:

Among items discussed included estimating how long the Village could continue to shoulder the increased costs of complying with modern governance requirements and the services the residents have become accustomed to expect, and additional opportunities to weigh in on the subject of annexation as the matter progresses.

Mr. Lunny outlined some different procedural options and steps that might be feasible (i.e., a special act of the Legislature abolishing the Village and the creation of a County Municipal Service Taxing Unit, or an annexation/merger with Wilton Manors). He noted that for a Homeowners' Association to be most effective, all property owners in the Village would need to consent to the document and all mortgagees of record would also need to consent, so that the Declaration of Covenants and Restrictions forming the basis of the Homeowners' Association's powers and assessments would be best ensured over time. He recommended that if this was an option that the Village wished to pursue, that the Village focus only on the most important items of concern that should be addressed in the document to increase the probability of obtaining owner and lender consent.

The Mayor then advised that further specific issues and questions could be addressed in the future as issues came up and more information was gathered, as this meeting was designed to see if the Village residents desired to get the ball rolling.

4. The public having expressed its initial input, the Mayor then concluded the Workshop at 7:15 PM.

***Please note that the Village has a transcript of this Workshop Meeting which was prepared from the recording.**

Village Administrative Assistant

Evan Anthony, Mayor

RESOLUTION NO. _____

A RESOLUTION OF THE VILLAGE COUNCIL OF LAZY LAKE, FLORIDA PERTAINING TO THE SUBJECT OF GOVERNANCE; PROVIDING FINDINGS; AUTHORIZING A REQUEST TO THE FLORIDA ATTORNEY GENERAL FOR AN OPINION CONCERNING WHETHER THE PERSONS PRESENTLY SERVING AS ELECTED OFFICIALS MAY CONTINUE TO SERVE THE VILLAGE IN SUCH CAPACITY UNTIL THE CURRENT TERM FOR SUCH OFFICES EXPIRE; AUTHORIZING THE MAYOR TO PROVIDE TO THE OFFICE OF THE FLORIDA ATTORNEY GENERAL SUCH ADDITIONAL INFORMATION AS SUCH OFFICE MAY REQUEST IN ORDER TO OBTAIN SUCH OPINION; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

WHEREAS, as a result of a continuing effort of the Village of Lazy Lake Florida to respond fully to concerns raised by the Broward County Office of Inspector General, the Village authorized the current law firm representing the City to review whether the persons currently serving the Village as elected officials may continue to do so for the remainder of the current term of their office; and,

WHEREAS, this review has resulted in correspondence from the law firm, a copy of which is attached hereto as Exhibit "A", which summarizes the Village's background information, the relevant history of the Village Charter and other law relating to the Village's elections cycle, evidence concerning how each of the present persons serving as elected officials of the Village came to serve in such capacity, and legal precedent which could support the continued service of such persons in their present capacities as *de facto* officers until their current term of office expires after the next Village general election in March of 2020; and,

WHEREAS, the Village desires an Opinion of the Attorney General of Florida concerning this matter because: (i) the Attorney General of Florida is the Executive Branch of State Government's Chief legal Officer and Opinions of the Attorney General of Florida constitute persuasive legal authority, (ii) the Exhibit "A" correspondence indicates there may be some degree of uncertainty concerning whether the *de facto officer* legal precedent would be applicable under the circumstances and the extent to which it may be applicable, and the Village must continue to function; and (iii) any opinion rendered by such law firm which concludes that the current officials may continue to serve may be perceived as "self serving" to the firm or the persons serving as the Village's elected officials as opposed to an Opinion from the Attorney General of Florida which is disinterested in this matter; and,

WHEREAS, seeking and Opinion from the Office of the Attorney General of Florida serves a necessary and important public purpose;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA THAT:

SECTION 1: The Village authorizes a request to the Office of the Attorney General of the State of Florida for an Opinion concerning whether the persons presently serving as elected officials of the Village of Lazy Lake, Florida may continue to serve the Village in such capacity until the current term for such offices expires after the next Village general municipal election in March of 2020.

SECTION 2: The Village authorizes the Mayor to provide to the Office of the Florida Attorney General such additional information as such Office may request in Order to obtain such Opinion. This authorization shall include the Mayor directing the law firm presently serving the Village and the Village's consulting administrative services company to supply any necessary additional information, and includes such revisions as to the precise form of the Opinion requested as may be necessary.

SECTION 3: Should any section, paragraph, sentence, clause, phrase or other part of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Resolution as a whole or any portion or part thereof, other than the part so declared to be invalid.

SECTION 4: This Resolution shall become effective ten (10) days after passage by the Village Council and by signature by the Mayor.

PASSED AND ADOPTED by the Village Council this _____ day of _____, 2019.

<u>Council Member</u>	<u>Voice Vote</u>		<u>Absent</u>
John Boisseau	Yea _____	Nay _____	_____
Sally Boisseau	Yea _____	Nay _____	_____
Patrick Kaufman	Yea _____	Nay _____	_____
Carlton Kirby	Yea _____	Nay _____	_____
Ray Nyhuis	Yea _____	Nay _____	_____

SIGNED by the Mayor this _____ day of _____, 2019.

MAYOR EVAN ANTHONY

ATTEST:

VILLAGE ADMINISTRATIVE ASSISTANT

	APPROVED	DATE
REQUESTED BY:	_____	_____
DEPT. OK:	_____	_____
ADMIN. OK:	_____	_____
ATTY. OK:	_____	_____

AS TO FORM ONLY

RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Resolution was received by the Village Administrative Assistant and entered into the Public Record this _____ day of _____, 2019.

Village Administrative Assistant, Lisa Tayar

018862-18001(3417688)

EXHIBIT "A"

(Not Ready for Distribution)



Prototype, Inc.
Tax ID 02-0644688
6339 Bay Club Drive, #4
Ft. Lauderdale, FL 33308
(954) 249-2177

Invoice

Date: ⁰⁵04/15/2019
Invoice No.: **19-0218**
Due Date: 05/15/2019

Bill To:
Lazy Lake

Billable Units	Description	Rate	
1	Village Administrative Assistant Duties - May 2019	\$400.00	\$400.00
2	Telephone calls and emails to County re: upload of documents on website; prepare questionnaire form; preparation and emailing of Workshop agenda; responses and forwarding of emails to Village; response to ETRIM email request; travel to office to obtain record	\$45.00	\$90.00
1	Attendance amd recording 4/23/19 Workshop	\$113.00	\$113.00
24	Preparation of verbatim transcript - 4/23/19 Workshop	\$4.00	\$96.00
		Total Amt Due	\$699.00
		Balance Due	\$699.00

Thank you!



One Financial Plaza
100 SE 3rd Avenue, 23rd Floor
Fort Lauderdale, Florida 33394
(954) 522-2200
(954) 522-9123 Facsimile

May 09, 2019

VILLAGE OF LAZY LAKE
2250 LAZY LANE
LAZY LAKE, FL 33305

Bill Number 206143
Billed through 04/30/2019

VILLAGE OF LAZY LAKE / LEGAL SERVICES
018862 018001 DJL

Balance forward as of bill dated	04/22/2019	\$1,646.46
Payments and Trust amounts applied		\$1,646.46
Net balance forward		\$0.00

FOR PROFESSIONAL SERVICES RENDERED

04/01/19	DJL	Status conference with OIG Counsel Attorney Breece regarding Lazy Lake.	0.20 hrs
04/02/19	DJL	Receipt and review e-correspondence from OIG General Counsel.	0.10 hrs
04/04/19	DJL	Review statutory procedures for annexation and contraction.	0.50 hrs
04/05/19	DJL	Teleconference with Administrative Assistant and Mayor regarding need to cancel meeting for Workshop since no authorizing Resolution had been adopted.	0.10 hrs
04/09/19	DJL	Address issues with cancellation of Workshop.	0.10 hrs
04/09/19	DJL	Continue investigation of evidence concerning issues to address OIG.	3.00 hrs
04/09/19	DJL	Conduct legal research on County election special laws and other matters incident to investigation of evidence for OIG response.	2.00 hrs
04/10/19	DJL	Review evidence of ordinance enactments and legislative material at Lazy Lake Office; phone conference with Mr. Way of Supervisor of Elections; prepare e-mail to Mr. Way; prepare e-mail to Ms. Tayar; confirm with Mayor Anthony.	2.50 hrs
04/11/19	DJL	Initial preparation of memorandum to file regarding investigation status regarding issues to report back to OIG.	2.50 hrs
04/11/19	DJL	Phone conference with Mayor Anthony.	0.10 hrs
04/11/19	DJL	Receipt and review Ms. Tayar's response to resident public records request.	0.10 hrs
04/12/19	DJL	Complete research whether municipal Charter had been amended since 1953; review minutes of appointments; teleconference with Mr. Doody; prepare e-mail to Mr. Doody.	3.50 hrs
04/12/19	DJL	Prepare e-mail regarding charter requirement for notice on website as approved by voter referendum in November 2018 election.	0.25 hrs
04/12/19	DJL	Teleconference with John Boisseau.	0.20 hrs
04/15/19	DJL	Receipt and review e-mail from Mayor Anthony.	0.10 hrs
04/16/19	DJL	Teleconference call with Mayor Anthony regarding Village matters.	0.25 hrs
04/16/19	DJL	Finalize draft Resolution for Regular Meetings.	0.50 hrs
04/16/19	DJL	Prepare draft Resolution for Special Meeting.	0.20 hrs

04/16/19	DJL	Attend Village Council Meeting.	2.25 hrs
04/17/19	DJL	Finalize Resolutions (drafts adopted last night) for special meeting and for Notice procedures.	0.25 hrs
04/17/19	DJL	Add provisions in file memorandum setting forth chronology of minutes for 2018 regarding persons serving as public officials.	1.20 hrs
04/17/19	DJL	Interim status conference with OIG General Counsel regarding outstanding issues raised by that Office; prepare notes for file.	0.80 hrs
04/23/19	DJL	Prepare status e-mail to OIG General Counsel regarding efforts to post on County web-site for Workshop meeting.	0.20 hrs
04/23/19	DJL	Receipt and review response from OIG General Counsel regarding staggered terms; request records mentioned; receipt and review e-mail regarding public records request.	0.20 hrs
04/23/19	DJL	Attend 4-23-19 Workshop meeting at Hagen Community Center.	0.75 hrs
04/24/19	DJL	Teleconference with Mr. Doody regarding Lazy Lake history.	0.20 hrs
04/25/19	DJL	Complete fact investigation of Lazy Lake election history.	2.00 hrs
04/30/19	KMM	Perform legal research re: de facto public officials.	2.50 hrs

Total fees for this matter	\$6,119.00
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DISBURSEMENTS

04/30/19	WESTLAW RESEARCH	\$66.00
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Total disbursements for this matter	\$66.00
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BILLING SUMMARY

LUNNY, DONALD	24.05 hrs	230.00 /hr	\$5,531.50
MORGAN, KYLE M.	2.50 hrs	235.00 /hr	\$587.50

TOTAL FEES	26.55 hrs	\$6,119.00
TOTAL DISBURSEMENTS		\$66.00
TOTAL ADMIN COSTS		\$183.57
TOTAL CHARGES FOR THIS BILL		\$6,368.57
NET BALANCE FORWARD		\$0.00
TOTAL BALANCE NOW DUE		\$6,368.57

TRUST BALANCE	\$0.00
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MAY 21	Brinkley Morgan *Lake	\$6,368.57
MAY 21	Prototype Inc. *Lake	\$699.00
MAY 30	Grand Properties *Lake	\$450.00
MAY 31	Waste Management *2004	\$373.62
Total		\$7,891.19

Recent Payments

MAY 6	Brinkley Morgan *Lake	\$1,646.46
MAY 2	Waste Management *2004	\$373.62
APR 30	Grand Properties *Lake	\$450.00
APR 17	Prototype Inc. *Lake	\$501.25
APR 2	Waste Management *2004	\$373.62
Total		\$3,344.95

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PO BOX 305183
NASHVILLE TN 37230-5183

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1000203814602
04/30/2019



Account Statement

THE VILLAGE OF LAZY LAKE FL
EVAN ANTHONY
2150 LAZY LN
LAZY LAKE FL 33305-1032

Questions? Please call
1-800-786-8787

Account Summary	Account Type	Account Number	Statement Period
	PUBLIC FUNDS PRIMARY CHECKING	1000203814602	04/01/2019 - 04/30/2019

Description	Amount	Description	Amount
Beginning Balance	\$85,241.25	Average Balance	\$84,352.43
Deposits/Credits	\$512.79	Average Collected Balance	\$84,352.43
Checks	\$951.25	Number of Days in Statement Period	30
Withdrawals/Debits	\$598.73		
Ending Balance	\$84,204.06		

Overdraft Protection	Account Number	Protected By
	1000203814602	Not enrolled
For more information about SunTrust's Overdraft Services, visit www.suntrust.com/overdraft .		

Deposits/ Credits	Date	Amount	Serial #	Description
	04/15	.67		ELECTRONIC/ACH CREDIT BROWARD CO BOCC ADVAL BENEFICIARY ID
	04/18	38.14		ELECTRONIC/ACH CREDIT STATE OF FLORIDA PAYMENTS 058232680565283
	04/22	291.43		ELECTRONIC/ACH CREDIT STATE OF FLORIDA PAYMENTS 058232680571331
	04/25	2.31		ELECTRONIC/ACH CREDIT BROWARD CO BOCC ADVAL BENEFICIARY ID
	04/25	142.42		ELECTRONIC/ACH CREDIT STATE OF FLORIDA PAYMENTS 058232680579163
	04/26	15.93		ELECTRONIC/ACH CREDIT STATE OF FLORIDA PAYMENTS 058232680582428
	04/26	21.89		ELECTRONIC/ACH CREDIT STATE OF FLORIDA PAYMENTS 058232680582790
Deposits/Credits: 7				Total Items Deposited: 0

Checks	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid
	5091	450.00	04/02	*5099	501.25	04/18

Checks: 2
* Indicates break in check number sequence. Check may have been processed electronically and listed as an Electronic/ACH transaction.

Withdrawals/ Debits	Date Paid	Amount	Serial #	Description
	04/02	373.62		ELECTRONIC/ACH DEBIT WASTE MANAGEMENT ONLINE PMTCKF700952609POS
	04/29	16.46		ELECTRONIC/ACH DEBIT FPL DIRECT DEBIT ELEC PYMT 4341649277 PPDA
	04/29	208.65		ELECTRONIC/ACH DEBIT FPL DIRECT DEBIT ELEC PYMT 4381642216 PPDA
Withdrawals/Debits: 3				

Balance Activity History	Date	Balance	Collected Balance	Date	Balance	Collected Balance
	04/01	85,241.25	85,241.25	04/18	83,955.19	83,955.19
	04/02	84,417.63	84,417.63	04/22	84,246.62	84,246.62
	04/15	84,418.30	84,418.30	04/25	84,391.35	84,391.35

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Member FDIC

Continued on next page

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NASHVILLE TN 37230-5183

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1000203814602
04/30/2019



Account Statement

Balance Activity History	Date	Balance	Collected Balance	Date	Balance	Collected Balance
	04/26	84,429.17	84,429.17	04/29	84,204.06	84,204.06

The Ending Daily Balances provided do not reflect pending transactions or holds that may have been outstanding when your transactions posted that day. If your available balance wasn't sufficient when transactions posted, fees may have been assessed.