



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 6, 2013, 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, February 6, 2013 at 7:00 p.m. Present were Mayor James DuBois, Vice-Mayor Kendall Rumsey, Commissioners Jeanine Longtin, Steve Hockman, and Tim Stevens, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Vice-Mayor Rumsey led the invocation and Mayor DuBois led the pledge of allegiance. Town Clerk Vivian Mendez performed the Roll Call

ADDITIONS/DELETIONS/APPROVAL OF AGENDA:

Mayor DuBois stated that Hal Valeche, Palm Beach County Commissioner, is present and would like to make a presentation to the Commission and requested that Commissioner Valeche be added to the agenda before item F Presentations.

Town Manager Sugerman requested that item K. 10 Authorization for the Mayor to Execute an Engagement Letter with Bryant Miller Olive, P.A. as Bond Counsel for the Refunding of two Outstanding Debts of the Town of Lake Park be deleted from the agenda.

Commissioner Longtin requested to add items regarding discussion of voting rights and a discussion of the Town Attorney contract.

Commissioner Hockman requested to add a discussion item regarding the Pirate Fest and have the item up earlier in the meeting.

Mayor DuBois stated that there are several item under Discussion and Possible Action and felt uncomfortable with moving the entire section to earlier in the meeting.

Commissioner Longtin suggested hearing the discussion regarding the Pirate Fest as the first item under Discussion and Possible Action.

Mayor DuBois concurred.

Motion: A motion was made by Commissioner Longtin to approve the Agenda as amended; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner			

Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

Presentation by Palm Beach County Commissioner Hal Valeche

Commissioner Hal Valeche introduced himself and stated that he is excited about what is going on in Lake Park and in the Northern part of the County. He stated that his office is open to Lake Park.

Commissioner Stevens asked if any Lake Park residents wanted to contact Commissioner Valeche’s office what is the phone number.

Commissioner Valeche stated (561) 355-2201.

Mayor DuBois offered to take Commissioner Valeche on a tour of the Town.

PRESENTATION:

1. Presentation by Bridges of Lake Park Regarding the Healthy Beginnings System

A presentation was made regarding the Bridges of Lake Park first community dialogue “Strong Starts for Children” on infant mortality (see Exhibit “A”).

Commissioner Longtin asked what was being done to address absentee fathers.

Michelle Aleman, Bridges of Lake Park, stated that Bridges is family friendly including all male groups and letting fathers know how important it is for fathers to be part of a child’s development. Education is the main goal.

Commissioner Stevens stated that he is happy to see that Lake Park’s infant mortality is half of the rate for the State of Florida but one (1) out of one thousand (1,000) is still too many. He asked how members of the community could find the schedule for the “Healthy Babies” or other classes and if Bridges of Lake Park does outreach at Churches in the community. He asked if the classes currently being advertised on channel 18.

Ms. Aleman provided the contact information for Bridges of Lake Park at (561) 881-5060, monthly calendar via the website at www.cscpb.org and on Facebook. She stated that they offer referrals for different services as needed. She stated that she is the outreach

person and that she goes anywhere that parents might congregate. She stated that the classes are advertised via channel 18, Town website an e-mail blast.

Mayor DuBois asked if woman and families for pre-natal and post-natal care and can go to the Bridges of Lake Park office.

Ms. Aleman stated "yes" and that the office is located at 311 10th Street on the southeast corner of Northlake Boulevard and 10th Street and the hours of operation are Monday – Thursday 8:30 a.m. to 7:00 p.m., Friday 8:30 a.m. to 5:00 p.m. and Saturday 10:00 a.m. to 2:00p.m.

Mayor DuBois stated that Bridges of Lake Park has resources to assist families in other needs not just pre- and post-natal care and urged people to visit the office and participate in the programs offered. He stated that Bridges of Lake Park and Kiwanis have worked together on events for the benefit of children. He stated that the TABS production at Mos`Art Theatre was good and asked to be advised of upcoming events.

PUBLIC and OTHER COMMENT:

Patricia O'Rourke, 501 Lake Shore Drive #501, requested that the Commission approve the Lake Park Tennis Courts to receive a minimum of \$10,000 from the Community Development Block Grant (CDBG) funds to resurfacing the courts five (5) and six (6) and fixing a drainage issue between courts three (3) and four (4).

Michael O'Rourke, 501 Lake Shore Drive #701, stated that when there is an event at the Tennis Courts people come to the Town. This is a great Town and the tennis courts are in need of resurfacing and repair. He stated that the courts are badly worn and could become a liability for the Town if not repaired.

Marie Rosner, 115 Lighthouse Drive Jupiter, stated that she is a former Commissioner in Jupiter Inlet Colony. She stated that she could play at other courts in the area but that she comes to Lake Park because she enjoys the people and the area. She stated that the courts are in poor condition and encouraged the Commission to repair the tennis courts.

Curtis Alva, 253 E Kalmia Drive, stated that he plays at the tennis courts regularly and encouraged that the Town repair the tennis courts.

Cecilia Hamann, stated that she visits Lake Park regularly and enjoys playing at the Lake Park tennis courts and encouraged the Commission to repair the courts.

Mayor DuBois thanked everyone for coming to the meeting to speak on the item and it will be given its due consideration.

Rosalyn Saunders, 211 E Ilex Drive, stated that she is trying to save the land behind Highpoint Drive which used to be farmland. She suggested that it be made into a park instead of a roadway and that the Town annex the property. She stated that she wants to have a "Rainbow Parade of Children" on Saturday, February 16, 2013.

GENERAL BUSINESS:

2. Regular Commission Meeting Minutes of January 16, 2013

Motion: A motion was made by Commissioner Hockman to approve the Regular Commission Meeting Minutes of January 16, 2013; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

PUBLIC HEARING:

ORDINANCE ON SECOND READING:

Mayor DuBois opened the Public Hearing.

- 3. Ordinance No. 01-2013 - Text amendment to Section 9-42 of the Town of Lake Park Code of Ordinances to reflect the recent changes in §162.12, Florida Statute which (1) Eliminated the requirement that certified mail notices for code enforcement violations and hearings be sent with return receipt; (2) Clarified that for property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation; and (3) Provided for an alternative whereby all certified mail notices may also be sent to another address provided by the property owner in writing instead of to the address listed by the tax collector**

Town Manager Sugerman presented the item (see Agenda Request Form attached as Exhibit "B").

Commissioner Hockman asked what happens if the Town does not send the return receipt request and the Town goes through the process a lien placed on the property. He stated that in the past administrative fees of several hundred dollars would have to be paid. He stated that not having proof of delivery of the mail does not mean anything and that mail

has been delivered to the wrong address and asked if the notice is just sending a letter in the mail.

Town Manager Sugerman stated that lien cannot be removed unless the property owner pays to have the lien removed. He explained that the Ordinance puts the Town in alignment with State Statutes by removing the requirement that the notice be presented with a return receipt request. The Ordinance does not pertain to the notification process. The notification process is still in place and that notice can be provided by hand delivery of the notice, posting at the property or via mail.

Commissioner Stevens stated that current practice of providing notice to residents of Code violations is hand delivery of the notice when possible and when not possible to post the notice on the property.

Public Comment:

None

Public comments closed.

Commissioner Longtin stated that she likes the return receipt because it is proof that the property owner received the notice and that she will be voting no on the item.

Commissioner Stevens stated that the problem is absentee landlords who let the properties go and create a hazard to the neighbors and that he thinks that this gives Code Enforcement another notice option and he is in favor of the item.

Commissioner Hockman stated that if the landlord does not live in the areas it is hard for them to come and check the property but if the property owner is given the proper notification and verify that the property owner received the notification through a return receipt. He stated that if it is a wrong address it can be notated in the file for that property.

Commissioner Stevens stated that part of the problem is that if the address is wrong then the Town will not receive the return receipt and it is the obligation of the property owner to ensure that the Property Appraiser has the correct address.

Commissioner Hockman stated that if it is the wrong address the mail will come back to the Town as undeliverable. He stated that in the past it was stated that notices were sent when they were not and a lien was placed on the property and the property owner had no knowledge and now they have to pay to have the lien removed.

Commissioner Stevens asked how much it cost to post notice on a property and if posting the property satisfies the notice requirements.

Nadia DiTommaso, Director Community Development, stated that it cost the time for staff to print the notice and post it on the property and that posting the property satisfies the notice requirements as long as it is post at least ten (10) days prior to the hearing.

Mayor DuBois requested that the Commission consider a motion that the return receipt request be used as a practice because that would demonstrate that the Town's practice exceeds the State Statues.

Commissioner Stevens stated that he thinks it is cleaner and simple to not approve the Ordinance and just leave the requirement as is because basically that would require staff to send by certified mail with return receipt.

Attorney Baird stated that there are other provisions in the Ordinance that the Commission might find worthy to adopt. He recommended that the language that allows the property owner in writing to provide an alternate address and that in cases of commercially owned property that notice can be sent to the registered agent of the property be adopted and that the language associated to requiring the return receipt be added.

Commissioner Stevens concurred.

Motion: A motion was made by Commissioner Stevens to approve the Ordinance 01-2013 on Second Reading as amended; Commissioner Longtin made the second.

Commissioner Longtin stated that she has concerns with allowing the property owner to provide an alternate address and that information could get lost.

Commissioner Stevens suggested that a form and a receipt that the form has been received be provided as proof for both the Town and property owner.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

ORDINANCE ON FIRST READING:

4. Ordinance No. 02-2013 Amending the Future Land Use Map Designation for Parcels within the Palm Beach County Scrub Area

Town Manager Sugerman explained the item (see Agenda Request Form attached as Exhibit "C").

Commissioner Longtin asked if the amended property was in the original documents if it was Lake Park's original intent to give Palm Beach County the property.

Town Manager Sugerman explained that the property was in the Palm Beach County's original documents and that it is not a matter of giving the County the property it is identifying the property on a map. He explained that the County owns the parcels and that this Ordinance is correcting the boundaries on the Future Land Use Map (FLUM).

Nadia DiTommaso, Community Development Director, stated that by amending the boundaries and changing the future land use designation that one parcel, owned by the Town, would be changed to Public Buildings and Grounds and three (3) parcels, owned by the County, would be included in the Palm Beach Scrub Area.

Commissioner Stevens asked if the three (3) parcels owned by the County are changing from Commercial Light to Conservation land use designation.

Community Development Director DiTommaso stated "yes".

Commissioner Longtin asked if this was just an error and the intent of the prior Commission was clear, why would this item come back before the Commission.

Town Manager Sugerman explained that the Town is responsible for the FLUM and any changes to the FLUM have to be approved by the governing body.

Attorney Baird stated that the prior Commission did not map it correctly and this is the action to correct the map.

Commissioner Longtin asked on Figure B (see Exhibit "C") what the dotted yellow arrow means.

Community Development Director DiTommaso stated that property control number 36-43-42-20-7440 is a parcel with one property control number but the property was divided into two sections. The northern section was not included in the conservation boundaries in 2008 and that is one of the areas that is being recommended for amendment.

Commissioner Longtin asked if this Ordinance is a correction of previous errors in the boundaries for the Lake Park Scub on the FLUM.

Attorney Baird stated "yes".

Mayor DuBois asked if this change to the map and boundaries of these properties going to interfere with the possible Park Avenue extension. He stated that over the past few

years there has been discussion regarding including nature trails and other amenities to the Scub Area and it would be wonderful to add these amenities to increase the exposure of the managed park and to make it an amenity for the Town.

Community Development Director DiTommaso stated that the possible extension of Park Avenue is still in the County's Management Plan. She stated that this is a step in the right direction to at least correct the boundaries, which would facilitate any improvements to the property.

Motion: A motion was made by Vice-Mayor Rumsey to approve Ordinance 02-2013 on First Reading; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

5. Ordinance 03-2013 Zoning Code Text Amendment Creating the Conservation District Zoning District (C-District)

Town Manager Sugerman explained the item (see Agenda Request Form attached as Exhibit "D").

Vice-Mayor Rumsey asked if the County has adopted the Ordinance designating this property as a conservation area.

Town Manager Sugerman explained that this Ordinance would create a new zoning district named Conservation District. He explained the Town creates and applies the zoning and proposed Ordinance 04-2013 would grant the Conservation zoning.

Motion: A motion was made by Commissioner Stevens to approve Ordinance 03-2013 on First Reading; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

6. Ordinance 04-2013 Request to Rezone Palm Beach County's Scrub Area from the "Campus Light Industrial Commercial" Zoning District to the "Conservation" Zoning District

Town Manager Sugerman explained the item (see Agenda Request Form attached as Exhibit "E").

Vice-Mayor Rumsey asked if the County has had this property designated as Commercial Light and now the Town is designating the property as Conservation.

Attorney Baird explained that it is the Town's zoning map and the Town has had these properties designated as Commercial Light but the County purchased the property for conservation purposes. Through an interlocal agreement with the County, the Town agreed to take the appropriate steps to create the appropriate Conservation Land Use and then rezone these parcels to that land use.

Vice-Mayor Rumsey stated that he is in favor of the item that he wanted to make sure that the County was in concurrence with the action being taken by the Town.

Town Manager Sugerman stated that there are representatives from the County at the meeting.

Commissioner Longtin asked what the County's intent is to do with the property and how much is the plan going to cost.

Rob Robins, Director of Palm Beach County Environmental Resources, introduced himself.

Vice-Mayor Rumsey asked if the County has requested that the Town designated this property as Conservation.

Mr. Robins stated “yes” and that the County still intends to implement the original proposal that includes public use facilities, parking lot, hiking trails, bicycle rack, kiosks and other amenities to create to low intensity public use facility. However, the County does not have the funds to implement the plan at this time, he does not have the cost with him, but he would provide it.

Commissioner Longtin suggested that the Town not approve this Ordinance until the County comes up with a plan and associated costs.

Vice-Mayor Rumsey asked if the Army Reserves has been approached regarding funding.

Mr. Robins stated “no” and it is something that the County has not thought about.

Commissioner Stevens suggested a trails grant.

Mr. Robins stated that matching funds would be needed for grants that are currently available.

Vice-Mayor Rumsey stated that he supports approving the project but that he wants a commitment from the County to fund the plan and develop the park.

Commissioner Stevens asked if there is a date in the five (5) year plan for this park to be developed.

Mr. Robins stated “no”.

Vice-Mayor Rumsey asked if there is a date in the five (5) year plan for the new Scrub Park in Juno Beach.

Mr. Robins stated “no” but that the property is owned by the County Parks Department and they have been moving forward with the development of that property. The Environmental Protection Department owns the property in Lake Park and has not been moving forward as aggressively with public use facilities and no funds have been expended from the Environmental Protection Department’s budget for the park in Juno Beach.

Mayor DuBois stated that if this Ordinance is adopted the pieces should be in place to facility improvement on the property.

Mr. Robins explained that the requested that the County has made to designate the property as Conservative is to assist in maintaining the property as Conservation into perpetuity. The lack of a designation of Conservation is not the reason why the public use facilities have not occurred.

Mayor DuBois asked if the Conservation District permits public use facilities as discussed.

Community Development Director DiTommaso stated “yes” it is included in the permitted uses for the Conservation District.

Vice-Mayor Rumsey requested that Mr. Robins come back for second reading of this Ordinance with the plan, cost of the project and ideas where funding can be obtained.

Commissioner Hockman suggested that the Boy Scouts be another resource for developing the park and as they are always looking for Eagle Scout projects.

Motion: A motion was made by Vice-Mayor Rumsey to approve Ordinance 04-2013 on First Reading; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin		X	
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-1.

Attorney Baird read the Ordinance into the record by title only.

Mayor DuBois closed the Public Hearing.

DISCUSSION AND POSSIBLE ACTION:

7a. Discussion regarding Pirate Fest

Commissioner Hockman stated that he attended the Pirate Fest, which occurred on Saturday, February 2, 2013 and thought it was great. He heard several negative things regarding the process that the Town requires the organizers to go through to do the event. He stated that he wants events like this to occur in Lake Park and hopes that there will be another Pirate Fest in the future. He stated that Eddy McConville from Kiwanis assisted in putting the event together. He stated that the Town provided ten (10) passes for the parking meters. He stated that the Town is losing money on the parking meters and that it is turning people away from coming to Lake Park. He received an e-mail from building 801 and forwarded the e-mail to the Town Manager to provide to the rest of the Commission.

Commissioner Stevens stated that the Town should encourage more of these types of events. He asked Commissioner Hockman if what he wanted is to streamline the special event permit process, no parking meter enforcement during special events, and for the Town to advertise the events.

Commissioner Hockman concurred.

Vice-Mayor Rumsey stated that he heard the event was great and received two (2) complaints because of the noise, but it is only once a year. He stated the only issue he heard was only ten (10) parking meter passes were given for the event and a request could have been made to waive the parking. He stated that he is in favor of waiving of the parking for these types of events. He hopes that the Pirate Fest will continue. He stated that this was the first year for the event and that there were kinks that can be worked out for future years. He stated that Pirate Fest was brought before the Commission at the November 7, 2012 Commission meeting and the application for the special event permit was received by the Town on Monday, January 28, 2013. He stated that with better notice the Town could have assisted more, but thinks that staff did a great job preparing for the event.

Commissioner Longtin concurred with Vice-Mayor Rumsey and thanked Commissioner Hockman for bringing the concerns forward. She thanked Eddy McConville and Kiwanis for working to make sure the event happened.

Mayor DuBois stated that he received some complaints but mostly it was a successful event. He suggested that these types of events happen at Kelsey Park in the future. He stated that there are opportunities for the Commission to waive application standards for permit but there cannot be an expectation that standards will be waived if there is no Commission meeting between the date the application is submitted and the date of the event.

7b. Creation of a Priority List for the Use of CDBG Funds

Town Manager Sugerman explained the item (see Agenda Request Form attached as Exhibit "E").

Commissioner Longtin asked who designed and installed the Bostrom pump control.

Dave Hunt, Public Works Director, stated that it was a pump replacement project to mirror the previous pump. He explained the type of pump that was installed. He stated that the consultant that recommended the new pump did not have the opportunity to monitor the original pump because it had failed. Once the new pump was installed the way the original system work could be observed and the system is now operating as it was originally with more modern controls. He stated that the system needs to be brought to modern standards. He stated he would provide the name of the companies that designed and installed the new pump.

Commissioner Stevens stated that the cost estimate from staff is \$26,000 for the repair of the tennis courts and the residents who spoke in favor of fixing the tennis courts provided

an estimate of \$10,000 and asked why the difference in the cost estimate and how where the cost estimates created. He asked what would happen if the tennis courts were not repaired at this time.

Kathleen Carroll, Parks and Recreation Director, stated that she spoke with Tennis Pro Itamar Macedo and the \$10,000 would provide basic repairs but to refurbish the tennis courts it would cost approximately \$26,000. She stated that the tennis courts do need to be repaired and eventually the courts will need to be replaced.

Vice-Mayor Rumsey asked how much people are charged to play at the tennis courts.

Parks and Recreation Director Carroll stated that she will be creating programs that are charged through the Town and that currently Tennis Pro Macedo charges for people for participating in the events he puts on.

Town Manager Sugerman stated that there is no fee to use the public tennis courts in Lake Park however, if a person where to take lessons or participate in a league that is coordinated by Tennis Pro Macedo then Tennis Pro Macedo is paid by the participants. Tennis Pro Macedo pays the Town \$1,000 a month for use of the tennis courts.

Vice-Mayor Rumsey stated that there is an opportunity to create a revenue source to help pay for the maintenance of the tennis courts. He stated that for him the repair of the tennis courts is lower because it affects a smaller portion of the residents than the other items on the list.

Commissioner Longtin stated that the electronic marquee in front of Town Hall would benefit residents and help staff. She is concerned about the item to assist Park Avenue businesses and wants it to be extended to all businesses. She stated that the item regarding sidewalks and street signs throughout the Town should be on Public Works maintenance program and not a special projects. She recommended that on the next list include curbing. She asked what is the status of the irrigation on Date Palm Drive.

Public Works Director Hunt advised that the irrigation system on Date Palm Drive is fully functional and that the item is for benches and pathways for people to enjoy the passive park.

Commissioner Hockman asked if this is the same grant as used for the irrigation on Flagler Boulevard. He stated that the grant was originally to be used to repair the tennis courts but Palm Beach County said that the grant could not be used for repair.

Town Manager Sugerman stated "yes" these funds were used for the Flagler Boulevard irrigation.

The Commission provided their ballots to staff for tabulation (see Exhibit "G").

Town Manager Sugerman explained that staff has compiled the votes. The repairs to the tennis courts received four (4) votes, afterschool programs at the Library received three (3) votes, electronic marquee received three (3) votes, dog park received two (2) votes,

demolishing the wall at the Marina parking lot and adding lighting received two (2) votes. The following received one (1) votes: Marina parking lot, Bostrom Park pump control, street signs, and pressure cleaning and painting residential structures and a few more.

Vice Mayor Rumsey recommended that the top five (5) be presented to the County for consideration.

Town Manager Sugerman stated that there is funds in the budget to demolish the Marina wall and that Public Works is prepared to tear down the wall. However, the additional lighting is not part of the budget.

Mayor DuBois recommended that the top two (2) be presented to the County for consideration.

Commissioner Longtin concurred with Vice-Mayor Rumsey.

Town Manager Sugerman explained that the list will be provided to the County and the County will advise which projects are fundable through the grant.

Mayor DuBois stated that he is looking for consensus and that there are three (3) items that have consensus from the Commission.

Motion: A motion was made by Commissioner Stevens to send the top four (4) items to the County to determine if the projects are eligible for funding through the Community Development Block Grant (CDBG); Vice-Mayor Rumsey made the second.

Vice-Mayor Rumsey asked which are the four (4) items because the dog park and demolishing the wall and adding lights at the Marina are tied.

Commissioner Stevens stated that he is removing his vote for demolishing the wall at the Marina because the funding already exists.

Vice-Mayor Rumsey stated that funding exists to demolish the wall but not to add the lighting.

Vice-Mayor Rumsey withdrew his second to the motion.

Commissioner Stevens amended his motion to the top five (5).

Motion: A motion was made by Commissioner Stevens to send the top five (5) items to the County to determine if the projects are eligible for funding through the Community Development Block Grant (CDBG); Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

8. Retroactively Approving an Expenditure from the Contingency Line Item of the General Fund for the Purchase of a C500W Encoder

Motion: A motion was made by Commissioner Stevens to approve the January 10, 2013 expenditure of \$1,778.98 from the General Fund Contingency line item (Account #900-99901) for the partial purchase of a C500W Encoder used to cablecast CRA and Town Commission meetings on Lake Park TV Channel 18.; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

9. Annual Renewal of Parking Meter Maintenance Contract

Town Manager Sugerman explained the item (see Agenda Request Form attached as Exhibit "H").

Vice-Mayor Rumsey asked when the contract will expire and asked if this item can be pushed off until after the election.

Town Manager Sugerman stated that the contract is an annual contract for maintenance and expired on December 31, 2012.

Mayor DuBois stated his objection to pushing off action on the item.

Commissioner Stevens asked if the Town is past the expiration of the current contract and when the Commission will get the Master Parking Meter Analysis Report.

Town Manager Sugerman stated "yes" and that his goal is to have the report within the next five (5) months.

Vice-Mayor Rumsey stated that the report would be completed in time for the Commission to approve next year's contract as this year's contract has already been funded in the budget.

Commissioner Longtin stated that if the Commission does not approve this contract those funds could be spent on something else; such as the tennis courts. She stated that voting in favor of this item could be construed as support for the parking meter system and that she is not in favor of the parking meter system.

Commissioner Stevens stated that the parking meters were approved by a prior Commission and that the Town owes on the parking meters until 2014 and thinks that is the time that the Commission should move forward on continuing the parking meters.

Commissioner Hockman stated that the Town is losing approximately \$40,000 per year per the budget. He stated that when the debt for the parking meters are paid off it will take a few more years before the Town would recoup the money paid for the meters.

Motion: A motion was made by Commissioner Stevens to approve executing the Annual Maintenance Contract with Duncan Parking Technologies, Inc.; Vice-Mayor Rumsey made the second.

Commissioner Hockman stated that if the parking meters were removed now the Town has the opportunity to sell the parking meters and recoup some of the cost but if the Town waits two (2) years the meters would be outdated and the Town would not be able to sell them.

Commissioner Stevens asked what the cost would be to remove the meters.

Commissioner Hockman stated that there would be no cost but manpower.

Commissioner Stevens stated that he is willing to consider removing the meters but he is not willing to do it without having all the financial ramifications.

Mayor DuBois stated that it is clear that each Commissioner wants to do something different than the current parking meter system. However, the Town has an obligation for the next few years to maintain the current parking meters. He stated that the annual

parking meters maintenance contract is necessary until the Commission can reach an informed decision.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman		X	
Commissioner Longtin		X	
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 3-2.

- 10. Authorize the Mayor to Execute an Engagement Letter with Bryant Miller Olive, P.A. as Bond Counsel for the Refunding of two Outstanding Debts of the Town of Lake Park**

This item was deleted from the agenda.

- 11. Requesting the Town Commission's Support of a Draft Resolution Opposing Unfunded State Mandates on Cities as Requested by the Florida League of Cities**

Town Manager Sugerman explained the item (see Agenda Request Form attached as Exhibit "I").

Motion: A motion was made by Vice-Mayor Rumsey to approve the Draft Resolution Opposing Unfunded State Mandates on Cities as Requested by the Florida League of Cities; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		

Mayor DuBois	X		
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Motion passed 5-0.

12. Discussion regarding voting rights/procedure

Commissioner Longtin asked what would needs to happen so that the Federal Government would allow the Town to return to the voting procedure prior to the Federal Government action.

Attorney Baird stated that the current system was approved by a Federal Court Order and the Town can change that system by changing the charter through a referendum vote. The Federal Government would then make a determination if the changed voting procedure still infringes on voting rights.

Commissioner Hockman thinks that the only change would be to have staggered terms.

Commissioner Longtin stated that she agrees with the staggered terms but also wants that if there are four (4) seats open for each elector to have four (4) votes. She wants the Commission to take action so that after the election the new Commission can just move forward with it.

Commissioner Stevens thinks that the Commission had consensus to wait until after the next election to see what type of diversity participates in the election and then make the determination to move forward with a referendum.

Commissioner Longtin asked what Commissioner Stevens means by diversity.

Commissioner Stevens stated that the Federal Court Order is clear on what has to be done by the Town in order to not be in violation of the Voter Rights Act.

Attorney Baird explained that the Federal Court Order requires that the Town create a system that gives blacks a reasonable opportunity to elect the candidate of their choice. The basis of the lawsuit by the Federal Government was that the study of Lake Park voting determined that there was a “chilling effect” on blacks running for office.

Vice-Mayor Rumsey explained what happened when he met with the Federal Government during the lawsuit and that it was a small number of people that brought this issue to the Federal Government. He stated that he has never heard anyone agree with the Federal Government regarding the voting procedures in Lake Park. He thinks that the consensus of the Commission was to see what happens with the upcoming election and then make a determination to move forward at that time.

Motion: A motion was made by Commissioner Longtin directing staff to take the appropriate action to bring an item to the Commission by April 2013 for the Commission to consider action to change the voting procedure; Commissioner Hockman made the second.

Commissioner Stevens stated that after the upcoming election that the Town will have more statistical data to support changing the current voting system.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

13. Discussion regarding Attorney Contract

Commissioner Longtin stated that she would like the Commission to go out and solicit for legal services from other legal firms and wants the item before the Commission at the April Commission meeting.

Mayor DuBois asked if her proposal includes seeking outside counsel in addition to the current counsel.

Commissioner Longtin stated that an attorney is not an expert in all fields and that any attorney would be seeking outside assistance. She stated that she would like at least a discussion item on an April 2013 Commission Agenda regarding the Attorney contract. She stated that the contract requires a sixty (60) day notice of termination.

Vice-Mayor Rumsey asked when the current contract expires.

Attorney Baird stated that the contract renewed on January 31, 2013 for a one-year term. He asked if Commissioner Longtin is making a motion to termination the contract.

Commissioner Longtin stated that she would like to have a new legal team look at the legal related issues of the Town and that she wants an agenda item in April that the Town would go out to bid for proposals for another legal team.

Attorney Baird stated that he has an existing contact and that the suggestion that Commission Longtin has made to seek proposal from other law firms would be a breach of contact.

Commissioner Longtin stated that there is a sixty (60) day clause in the contract.

Attorney Baird stated that if Commissioner Longtin wanted to exercise the sixty (60) day clause a motion to give notice to terminate the contract would be necessary.

Motion: A motion was made by Commissioner Longtin to give the Attorney a sixty (60) day notice to terminate and to go out for proposals for legal services. Motion failed due to a lack of a second.

Vice-Mayor Rumsey asked Attorney Baird how long he has worked for the Town.

Attorney Baird stated that in June 2013 it will be eleven (11) years.

Vice-Mayor Rumsey asked what was the last time Attorney Baird received a raise and if there have been any decreases in the contract.

Attorney Baird stated that he has not received a raise since 2007 and that there have been decreases in the legal budget every year since 2002.

Vice-Mayor Rumsey stated that Attorney Baird has more institutional knowledge about the Town than anyone else and thinks that the Town should have a long term contract instead.

Motion: A motion was made by Vice-Mayor Rumsey to approve a three (3) year contract with Jones, Foster, Johnston and Stubbs P.A. to provide legal services to the Town; Commissioner Stevens made the second.

Commissioner Stevens asked what the terms of the contract would be and the advantage to the Town executing a multi-year agreement other than retention of institutional knowledge, the service of Attorney Baird has been exemplary and receiving a competitive rate. He stated that he supports a multi-year contract especially with the upcoming election and the new Commissioners would not have the institutional knowledge or the experience to make a determination on who would provide the legal services for the Town.

Commissioner Longtin stated that one attorney will pick up after the other and that she does not support giving Attorney Baird a multi-year agreement. She is in favor of getting a new law firm to provide legal services to the Town.

Mayor DuBois stated that multi-year contract provides security and that there is usually a give back from the person receiving the multi-year contract.

Attorney Baird stated that the \$195.00 per hour rate that the Town is charged is the lowest rate that he charges any municipality but he values the Town as a client and offered to reduce the hourly rate to \$190.00. The only other term that would change in the contract would be the term of the contract.

Vice-Mayor Rumsey amended his motion to reflect the change in hourly rate and that the terms of contract other than the term would remain the same.

Motion: A motion was made by Vice-Mayor Rumsey to approve a three (3) year contract with Jones, Foster, Johnston and Stubbs P.A. to provide legal services to the Town under the terms of the existing contact with a reduction in the hourly rate from \$195.00 to \$190.00; Commissioner Stevens made the second.

Mayor DuBois asked if Attorney Baird has any other multi-year contracts.

Attorney Baird stated "yes" that he has three (3) year contract in Jupiter and a multi-year contract with the Westgate CRA.

Commissioner Stevens asked what rate other municipalities pay for legal services.

Attorney Baird stated that his firm charges other municipalities \$235.00 per hour and that for other small municipalities the hourly rate is between \$175.00 and \$190.00. He stated that in his experience the key is not the hourly rate but the ability of the attorney to operate within the budget.

Commissioner Hockman stated that this item should be brought back after the election.

Commissioner Stevens thinks that the current Commission has more institutional knowledge than the new Commission will have and that the current Commission is in a better position to make a determination of what is in the best interest of the Town.

Commissioner Longtin disagreed with Commissioner Stevens.

Mayor DuBois stated that by a multi-year contact would provide a good foundation for the future Commission.

Commissioner Longtin stated that the contact would have to come back before the Commission for approval.

Attorney Baird stated that only two terms in the contract are changing the term and the rate and recommended that the motion authorize the Mayor to execute the contract after Commissioner Stevens, an attorney, has reviewed and found that the contract is consistent with the discussion of the Commission.

Commissioner Longtin disagreed and wants to see the contact.

Mayor DuBois stated that was the intent of the motion and that he is in support of the item.

Commissioner Stevens stated that only two (2) terms are changing and that the contract has been reviewed by the Commission.

Vote on Motion:

Commission Member	Aye	Nay	Other
-------------------	-----	-----	-------

Commissioner Hockman		X	
Commissioner Longtin		X	
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 3-2.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Attorney Baird provided an update on the Inspector General lawsuit. The municipalities' Motion for a Partial Summary Judgment was denied which means there will now be a trial. He stated that the General Counsel for the Inspector General's Office filed a Motion to Intervene to the Litigation and the motion was denied. The Inspector General's Office has filed an Appeal with the 4th District Court of Appeals. He stated that the County opposed that Appeal and he opined that this situation demonstrates that there is more at work in terms of authority that this particular Inspector General is seeking because she wants to be independent from the County and believes she has her own standing to be separate from the County. The Inspector General has filed a Mandamus Action in 4th District County of Appeal which says that she has a clear legal right for relief. The argument in this case is that the municipalities are compelled to pay the County the fees that were charged to the municipalities that the Palm Beach County Clerk and Comptroller is still holding and the Inspector General is asking the 4th District Court of Appeals to enter an order compelling the municipalities to pay the County. He stated that the County opposed the Mandamus Action filed by the Inspector General's office because the County's position is that the Inspector General's office is a department of the County and is represented by the County Attorney Office and the Inspector General does not have the authority to seek the Mandamus Action. He stated that the reason for the lawsuit is that in the opinion of the municipal attorneys the County does not have the authority to assess municipalities a fee to pay for a County-wide program. That if the County creates a County-wide program that it is the County obligation to determine at what level the County will fund the program. He stated that the County Attorney stated at the Hearing for the Partial Summary Judgment that the County has the authority to assess the municipalities for County-wide programs and even though they have not in the past they have the authority to do so in the future.

Mayor DuBois asked if the Town received a bill for the Inspector General for this year.

Town Manager Sugerman stated "no".

Attorney Baird explained that the Clerk and Comptroller issues the bills and that office has intervened in the case.

Mayor DuBois stated that he is concerned that when the case is settled that the billing would be retroactive and the Town may have to come up with the funds.

Vice-Mayor Rumsey asked if funds are being allocated.

Town Manger Sugerman stated "no".

Attorney Baird stated that he suggested to the prior Town Manager and Finance Director set aside the funds in contingency and to do so moving forward so that the Town would not be in the position to come up with the funds at a later date.

Town Manager Sugerman announced that the Town will be honoring former Marina Director Michael Pisano on Monday, February 18, 2013 at 11:00 am at the Marina at the Halyard Flagpole with a marker being dedicated in his memory. He announced that the Sunset Celebration will be held on Friday, February 22, 2013 from 4:00 pm to 7:00 pm at the Marina and that Grumpy Grouper has agreed to be the food vendor for the event.

Commissioner Hockman had no comments.

Commissioner Longtin asked for an update on the Charter update regarding the appointment or election of the Mayor if the Mayor were to die while in office.

Attorney Baird stated that he drafted the Ordinance and shared it with the Town Manager and they worked on it together and it is ready to move forward and it will be on an upcoming agenda.

Commissioner Stevens thanked those that came out in support of the tennis courts. He stated the he hopes that the next Commission will continue to move forward with regards to having another Pirate Fest, Sober House Legislation, fireworks, weekly Sunset Celebrations, and a Charter School. He stated that the filing deadline for the election is noon on February 12, 2013. He asked for an update on the Sober House Legislation.

Town Manager Sugerman stated that the legislation is still in bill drafting and a bill number has not been designated. Through the Palm Beach County League of Cities Sober House Committee sponsors have been secured for State-wide Sober House Legislation and the sponsors are from the majority party in both the House and Senate. It is believed that State-wide Legislation regulating and licensing Sober Houses will at least be presented to the legislature.

Attorney Baird stated that this Legislation goes well beyond previous Legislation and the good news is that the Legislation is much further along than ever before.

Vice-Mayor Rumsey stated that Wednesday, February 27, 2013 the Chamber of Commerce will be hosting a Candidate Forum in the Commission Chambers at Town Hall at 6:30 pm and will air on Channel 18 and will be re-broadcast.

Mayor DuBois thanked the Bridges of Lake Park for putting on the play Tabs, regarding bullying, at Mos' Art Theatre. He thanked Kiwanis of Lake Park and the Pirates Well for

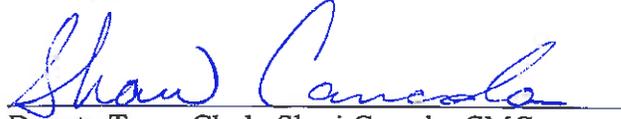
the Pirates Fest, thanked staff for working through the permitting for the event and thanked the residents on Lake Shore Drive for their patients and thoughtful calls and e-mails about the event. He stated that he attended a round table lunch with Chief Financial Officer (CFO) Jeff Atwater, Florida Department of Financial Services, and CFO Atwater offered a positive outlook for the Florida economy. He requested the talking notes from the meeting and requested that they be provided to the Commission (see Exhibit "J"). He congratulated the Artists of Palm Beach County on their Grand Opening. He thanked the South Florida Fair for the invitation to the Second Annual Mayor's Parade. He attended a Literacy Coalition meeting on Thursday, January 31, 2013 in which there was discussion regarding improving the reading scores and skills of children prior to the 3rd grade. He stated that the Easter Egg Hunt is in the planning stages and sponsors and donors are needed for funding of the event and any contribution is welcome. He stated that the Volunteer Dinner will be on Friday February 15, 2013 and encouraged those that received an invitation to RSVP and to attend the event. He congratulated everyone who has qualified for the March Municipal Election.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Stevens and seconded by Commissioner Hockman , and by unanimous vote, the meeting adjourned at 10:20 p.m.



Mayor James DuBois



Deputy Town Clerk, Shari Canada, CMC



Town Clerk, Vivian Mendez, CMC



FLORIDA
Approved on this 30 of February, 2013

Exhibit "A"
2/6/13



Healthy Mothers, Healthy Babies Community Dialog Panel

Presenting to Lake Park Commission
February 6th, 2013

Michelle Aleman, Bridges of Lake Park
Charles Smith, Sickle Cell Foundation





**Michelle Alleman,
Outreach Worker,
Bridges at Lake Park**



Panel Members

Co-facilitators

Michelle Aleman

Meg Scholp

Charles Smith

Josie Erllion

Catrina Bush

Kimani Simms

Karen Mahnk

Jamilya Morrell-Simms

Alisha Ramnouth

Mary Ann Dupont

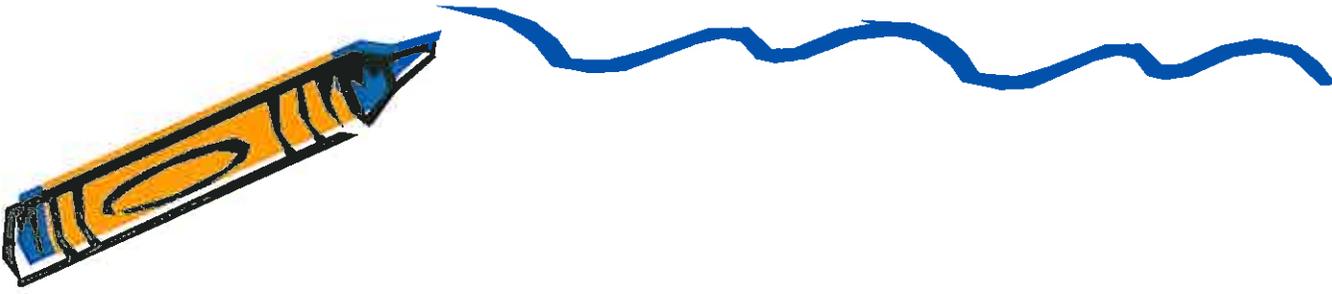
Capurnia Larkins

Victoria Johnson

Marita Alvarez

Somonique Coleman





A direct impact of infant mortality on families

a short film presented by
Charles Smith,
Sickle Cell Foundation Community Voice Program

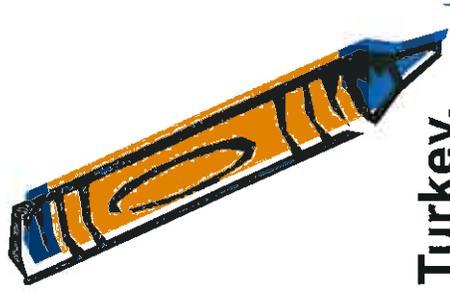


DID YOU KNOW?

United States ranks 31st in the world in infant mortality; ranking only higher than Chile, Mexico and Turkey.
(*Organization for Economic Cooperation and Development*)

Florida ranked 34th in infant mortality & is one of 27 states above the national average (6.6 deaths per 1000)

The infant mortality rate in Lake Park is roughly two times higher than Palm Beach County .
3 in every 1000 infants die in Lake Park compare to 1.6 in every 1000 infants in Palm Beach County.



DID YOU KNOW?



Infants with absent fathers were more likely to be born with low birth weight, be born premature and be small throughout gestational age.



Premature babies born before 37 weeks tend to be more fragile and have underdeveloped lungs (U.S. Centers for Disease Control and Prevention.)



Babies who are nursed with breast milk instead of formula receive all of their mothers' antibodies during the first few months of life.



The death rate of father-absent infants is nearly four times higher than babies with fathers involved.



Babies of black women are seven times more likely to die in infancy than babies born to Hispanic and white women in the same situation.



DID YOU KNOW?

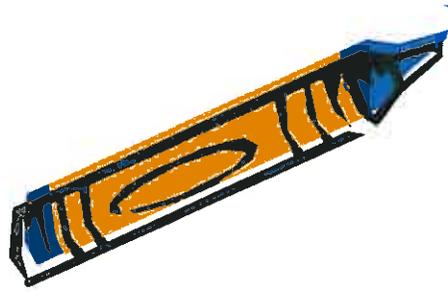
STRESS

experienced by a woman while pregnant makes it more likely her child will be born premature.

stress over a lifetime can make it more likely that a woman will lose her baby through prenatal and/or postnatal complications.

Chronic stress can cause the release of hormones that make premature labor more likely, and can also cause inflammation in the placenta, leading to less blood flow and less oxygen to the baby during pregnancy.

Chronic stress is one explanation of how factors such as poverty and racism contribute to infant mortality.



DID YOU KNOW?



Gestational diabetes creates extra insulin in the mother which also crosses the placenta to create more fat cells in the fetus and more insulin resistance (a condition in which a normal amount of insulin secreted by the pancreas is not able to maintain a normal blood glucose level), and leptin (which signals the brain when you are full and to quit eating) resistance.

Both processes program the infant for increased chances of obesity, diabetes, hypertension, and related diseases.

Studies point to early programming from multiple maternal stress factors that contribute heavily to the infant mortality disparity. It has been shown that low birth weight is connected to adult coronary heart disease, hypertension, and insulin resistance syndrome.

(JCCI Infant Mortality Study 2006)



DID YOU KNOW?

Poverty = Stress

Low-income families experience stress every day.

Because there is constant worry about not having enough money for all monthly expenses such as getting food for the family, paying rent, electric bill, transportation and deciding which bills to pay that month.

Stress destabilizes families.

Routine tasks are more time-consuming because families must spend huge amounts of time obtaining basic needs from limited resources so everyday tasks take much longer and frequently cost more in the long run. (JCCP 2006)



DID YOU KNOW?

Race & racism

are added stress

The stress of racism, perceived and real, puts black women at higher risk for infant mortality as well as other stress-related diseases.

Repeated chronic stress also depresses the immune system, making a woman more susceptible to infections and can ultimately trigger premature labor.



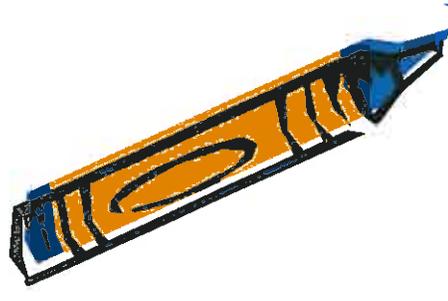
How do we prevent

early childhood death?

- Infant mortality has no single solution.
- Social, economic and racial/ethnic issues are factors

We DO know

- That good health even before pregnancy has been identified as a key factor in improving mother and baby health outcomes.
- Taking proactive measures on health that also reduce risks before, during, and after pregnancy can lead to more positive birth outcomes.



Dads are important!



- Studies already show that fathers who are active in their children's care make a positive impact on children's growth, academic progress and overall well being.
- Recent research also reflects that a father's involvement even before his child is born plays a vital role in preventing death before the first birthday
 - especially for black babies.

When fathers are involved, both babies and pregnant mothers thrive.



Immunization is equally important



When almost all community members are immunized against common diseases those diseases spread less.

Immunizing against vaccine preventable illnesses can protect babies.

Vaccines now can prevent: DIPHTHERIA, ACUTE HEPATITIS B, MEASLES, MUMPS, PERTUSSIS, RUBELLA, TETANUS, AND POLIO.

The immunization rate in Palm Beach was 90.8%; lower than the percentage for all of Florida (91.3%) (2010).



We now know

- That Positive Parenting tips help parents, caregivers and other family members get ready for the arrival of the new baby.
- That training and assistance with nutrition, exercise, obesity, diabetes, financial management and other life related issues helps greatly.



The Good News



BY BUILDING & EXPANDING THESE EXISTING PROGRAMS:

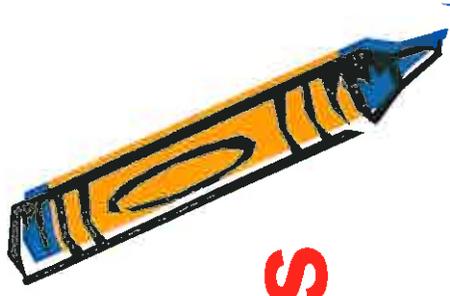
the infant mortality rate in Florida has fallen to a historic low of 6.4 deaths per 1,000 live births, a 33 percent decline since 1990, although disparity between black and white babies persisting.

We can do better!

**Parenting isn't easy but there are resources in
our community to help make it easier!**



Bridges & Community Partners



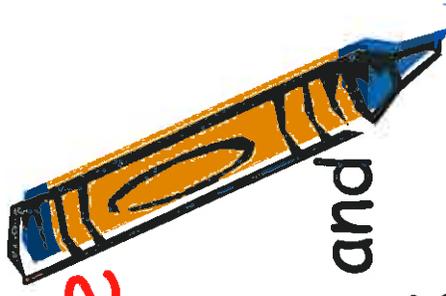
Local initiatives such as Bridges and other community partners that provide services, share information as a local network and assist families in the community with providing the essential tools families need for healthy babies outcome and strengthen families overall which ultimately strengthens our community at-large.



Creating healthy places where children thrive

✓ Community places such as schools, libraries and urban green places such as the Lake Park Community Garden are working together

✓ Healthy Mothers Healthy Babies Coalition of Palm Beach County, Inc. offers services needed for the best possible pregnancy and birth outcomes for Palm Beach County's mothers and babies and direct access to the Healthy Beginnings Program of the Children's Services Council.



What can you do as
a Commission?



Create a Task Force to
focus on
reducing infant mortality
in Lake Park!





Questions & Answers



Resources

JCCP Report, Infant Mortality Study 2006
Unnatural Causes" unnaturalcauses.org

Florida Department of Health

Office of Minority Health

U.S. Centers for Disease Control and Prevention

Organization for Economic Cooperation and Development

www.naccho.org/topics/infrastructure/CHAIP/upload/PBC-CHA-Final-with-Community-Perspective.pdf

www.naccho.org/topics/infrastructure/CHAIP/upload/PBC-CHA-Final-with-Community-Perspective.pdf

Children's Home Society of Florida, Florida Division

www.chsfl.org

Children's Services Council





Town of Lake Park Town Commission

Exhibit "B"
2/6/13

Agenda Request Form

Meeting Date: February 6, 2013

Agenda Item No. Tab 3

AGENDA TITLE: Text amendment to Section 9-42 of the Town of Lake Park Code of Ordinances to reflect the recent changes in §162.12, Florida Statute which (1) Eliminated the requirement that certified mail notices for code enforcement violations and hearings be sent with return receipt; (2) Clarified that for property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation; and (3) Provided for an alternative whereby all certified mail notices may also be sent to another address provided by the property owner in writing instead of to the address listed by the tax collector.

- | | |
|--|--|
| <input type="checkbox"/> CONSENT AGENDA | <input type="checkbox"/> DISCUSSION/POSSIBLE ACTION |
| <input type="checkbox"/> PRESENTATION/PROCLAMATION | <input type="checkbox"/> RESOLUTION |
| <input checked="" type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> ORDINANCE ON 2 nd READING |
| <input type="checkbox"/> BID/RFP AWARD | <input type="checkbox"/> OTHER: |

Approved by Town Manager [Signature] Date: 1/25/13

Nadia Di Tommaso / Community Development Director
Name/Title [Signature]

Originating Department: <p style="text-align: center;">Community Development</p>	Costs: \$ 172.00 Funding Source: Town Clerk Acct. # 106-48100 <input checked="" type="checkbox"/> Finance <u>[Signature]</u>	Attachments: → Ordinance 01-2013 → Copy of Florida State Statute 162.12 → Copy of League of Cities Director email → Legal Ad
Advertised: Date: 01-27-2013 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 agenda.	Yes I have notified everyone <u>ND</u> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:
 The Town Attorney informed Staff that during the 2012 Legislative Session, the Florida Legislature amended §162.12, Florida Statute. These amendments include: (1) all certified mail must be sent to the address listed in the tax collector's office for tax notices, OR to another address provided by the property owner in writing; (2) for property owned by a corporation, notices may be provided by certified mail to the registered agent of the Corporation; and (3) eliminating the requirement for notices to be sent with a return receipt request. The first change outlined above will allow the Town to use an alternate address for mailing purposes as long as it is submitted by the property owner, in writing, to the Town. The second change simply clarifies our current procedure by confirming that the agent of a corporation is the appropriate individual to notice. The third change deviates the most from our current procedure and it eliminates the return receipt requirement. Consequently, a certified notice will be considered to have been received by the recipient if it is not returned to the Town within 30 days. Finally, Staff also replaced the "code compliance board" terminology with the "Special Magistrate" to reflect our current operations.
Recommended Motion: ADOPTION.



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "C"
2/6/2013

Meeting Date: February 6, 2013

Agenda Item No. Tab 4

AGENDA TITLE: Amending the Future Land Use Map Designation for parcels within the Palm Beach County Scrub Area.

- CONSENT AGENDA
- PRESENTATION/PROCLAMATION
- PUBLIC HEARING
- BID/RFP AWARD
- DISCUSSION/POSSIBLE ACTION RESOLUTION
- ORDINANCE ON 1st READING
- OTHER:

Approved by Town Manager [Signature] Date: 1/25/13

Nadia Di Tommaso / Community Development Director
Name/Title

Originating Department: <p style="text-align: center;">Community Development</p>	Costs: \$ 0 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: → Staff Report → Ordinance 02-2013
Advertised: Date: <i>N/A for 1st Reading</i> 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 <u>ND</u> OR Not applicable in this case _____ Please Initial one.

Summary Explanation/Background:

See Staff Report.

Recommended Motion: Approval of Ordinance 02-2013 on first reading.

Town of Lake Park
Community Development Department



Meeting Date: **February 6, 2013**

To: TOWN COMMISSION

**Re: Small-Scale Land Use Map
Amendments for Palm Beach
County Scrub Area**

Applicant: Town of Lake Park

Legal Description:

Property Control Numbers (PCNs): 36434220000007440
36434220000007460
36434220000005130
36434220000005150

**Re: Small-Scale Land Use Map Amendments for Palm Beach County
Scrub Area**

Figure A: Palm Beach County's Scrub Area Boundaries Map



Palm Beach County (PBC) has requested that the boundaries for the PBC Scrub Area in the Town of Lake Park be redefined on the Town's Future Land Use Map (FLUM) to match the County's Scrub Area Boundary Map (Figure A above). Based on Palm Beach County's review of the Town's 2008 amendments to the Town's Comprehensive Plan, PBC staff identified some inaccuracies pertaining to the identified boundaries of the PBC Scrub Area properties purchased

for preservation. Upon further investigation, Town Staff determined that although the Town's intent in 2008 was to properly identify those properties set aside for preservation in the FLUM, the current FLUM presents some inaccuracies. Currently, the Town's FLUM shows 5 parcels within the Scrub Area as shown in *Figure B* below. One (1) parcel is incorrectly identified and needs to be removed (PCN: 36-43-42-20-00-000-7470). Two (2) parcels need to be added (PCN: 36-43-42-20-00-000-7460 and 36-43-42-20-00-000-5150). A third parcel which is correctly identified by number (PCN: 36-43-42-20-00-000-7440) does not include its noncontiguous counterpart. These changes are illustrated in *Figure C* on the following page. The Town is requesting that two parcels be added, one deleted, and one altered to include its noncontiguous counterpart.

Figure B: Palm Beach County's Scrub Area Boundaries in Lake Park's existing FLUM



(The map shown above represents the County's Scrub Area as it is shown on the Town's approved Future Land Use Map.)

Figure C: Proposed PBC Scrub Area Boundaries



(The map shown above represents the proposed Scrub Area Boundary Map with indications of which parcels need to be added and removed. Areas to be removed are circled in orange; areas to be added are circled in blue.)

The parcel identified by PBC for removal, has PCN # 36-43-42-20-00-000-7470 (as seen in Figure C), and has an existing future land use designation of “Conservation”. This property abuts other Town-owned parcels and is owned by the Town of Lake Park. The proposed future land use designation for this parcel is “Public Buildings and Grounds”.

The three additional areas illustrated in blue in Exhibit C above have an existing future land use designation of *Commercial and Light Industrial*. Staff is proposing that these be amended to reflect the *Conservation* land use designation. These parcels include PCN #'s 36-43-42-20-00-000-7460 and 36-43-42-20-00-000-5150 in their entirety, and the northern region of Parcel Number 36-43-42-20-00-000-7440. These changes will render the parcels consistent with the Scrub Area boundaries as reviewed by PBC. The total proposed square footage of all parcels within the Conservation land use designation will be 54.93 acres.

According to the Future Land Use Element in the Town's Comprehensive Plan, areas designated as "Conservation" are:

"Areas of passive outdoor recreational uses such as wildlife sanctuaries and feeding stations, nature centers and trails, outdoor research stations, walkways, and greenways," (Lake Park Comprehensive Plan, Sec. 3.4.3, p. 3.59)

These parcels are being used to conserve natural areas and therefore should be classified as "Conservation" land rather than "Commercial and Light Industrial". Conversely, parcel control number 36-43-42-20-00-000-7440 is owned by the Town of Lake Park and should reflect a Public Buildings and Grounds land use designation which the Town's Comprehensive Plan defines as:

"Lands and structures that are owned, leased, or operated by a government entity such as libraries, police stations, fire stations, post offices, government administration buildings, and areas used for associated storage of vehicles and equipment, with a maximum F.A.R. of 3.0. Also, lands and structures owned or operated by a private entity and used for a public purpose such as a privately held by publicly regulated utility..."
(Lake Park Comprehensive Plan, Sec. 3.4.3, p. 3.59)

LOCAL PLANNING AGENCY RECOMMENDATION

Monday, January 7, 2013: Approval 5-0.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the following small-scale land use map amendments:

- Removing the Town owned parcel, PCN # 36-43-42-20-00-000-7470, from the Scrub Area boundaries and assigning a future land use designation of "Public Buildings and Grounds" to this parcel.
- Adding the following parcels to the Palm Beach County's Scrub Area and assigning a future land use designation of "Conservation" to these parcels:
 - PCN #: 36-43-42-20-00-000-7460 (entire)
 - 36-43-42-20-00-000-5150 (entire)
 - 36-43-42-20-00-000-7440 (northern region)



Town of Lake Park Town Commission

Exhibit "D"
2/6/2013

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Agenda Request Form

Meeting Date: February 6, 2013

Agenda Item No. *Tab 5*

AGENDA TITLE: Zoning Code Text Amendment Creating the Conservation Zoning District (C-District).

- | | |
|--|--|
| <input type="checkbox"/> CONSENT AGENDA | <input type="checkbox"/> DISCUSSION/POSSIBLE ACTION |
| <input type="checkbox"/> PRESENTATION/PROCLAMATION | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> ORDINANCE ON 1 st READING |
| <input type="checkbox"/> BID/RFP AWARD | <input type="checkbox"/> OTHER: |

Approved by Town Manager *[Signature]* Date: 1/25/13

Nadia Di Tommaso / Community Development Director *[Signature]*
Name/Title

Originating Department: Community Development	Costs: \$ 0 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: → Staff Report → Ordinance 03-2013 → Interlocal Agreement R2003-1551
Advertised: Date: <i>N/A for 1st Reading</i> 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 <u>ND</u> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

See Staff Report.

Recommended Motion: Approval of Ordinance 03-2013 on first reading.



Meeting Date: February 6, 2013

To: TOWN COMMISSION

Re: Zoning Code Text Amendment
Creating the Conservation
District (C-District)

Applicant: Town of Lake Park

Re: Zoning Code Text Amendment Creating the Conservation Zoning
District (C-District)

The Town Staff recommends the creation of a new zoning district to be entitled the Conservation Zoning District (C-District). The purpose of this zoning district is to create a zoning district of "Conservation" to ensure that properties in the Town which are environmentally significant or sensitive can be preserved and protected. The creation of the C-District would also fulfill an Interlocal Agreement the Town entered into with Palm Beach County in 2003 which required the Town to create a zoning district to be assigned to the County's (then) newly acquired Scrub Area so as to preserve the property purchased as part of its environmentally sensitive land bond program.

The following language has been reviewed with Palm Beach County and is being proposed for codification within the Town's Code of Ordinances:

Sec. 78-76.1 - Conservation District (C-District).

(a)

General Description. The conservation district is assigned to properties which have environmentally sensitive habitats or systems which require protection or preservation so as to prevent development and/or minimize any disturbance to native plants and animals. Development is prohibited and limited for certain passive recreational uses as described below.

(b)

Permitted uses.

Natural area, passive public park or recreation center which may include wildlife sanctuaries and feeding stations, nature centers, nature trails, hiking trails, wildlife observation platforms, environmental restoration/environmental education, environmental research stations, and greenways.

(c)

Property development regulations.

Minimum Site Area: 20 acres

Minimum Lot Width (Feet): 300 feet

Maximum Density: 1 unit / 20 acres

Maximum Lot Coverage: 1%

Maximum Building Height: 2 stories/36 feet

Minimum Building Setbacks (Feet):

Front - 100

Side - 50

Side (Facing Street) - 90

Rear - 100

Parking Requirements: See Table 78-142-1.

PLANNING and ZONING BOARD RECOMMENDATION

Monday, January 7, 2013: Approval 5-0.

RECOMMENDATION:

Staff recommends that the Town Commission make a motion to APPROVE Ordinance 03-2013 which creates Section 78-76.1 in the Town Code of Ordinances for a Conservation Zoning District (C-District).



Town of Lake Park Town Commission

Exhibit "E"
2/6/2013

Agenda Request Form

Meeting Date: February 6, 2013

Agenda Item No. *Tab 6*

AGENDA TITLE: Request to rezone Palm Beach County's Scrub Area from the "Campus Light Industrial/Commercial" zoning district to the "Conservation" zoning district.

- | | |
|--|--|
| <input type="checkbox"/> CONSENT AGENDA | <input type="checkbox"/> DISCUSSION/POSSIBLE ACTION |
| <input type="checkbox"/> PRESENTATION/PROCLAMATION | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> ORDINANCE ON 1 st READING |
| <input type="checkbox"/> BID/RFP AWARD | <input type="checkbox"/> OTHER: |

Approved by Town Manager *[Signature]* Date: 1/25/13

Nadia Di Tommaso / Community Development Director *ND*
Name/Title

Originating Department: <p style="text-align: center;">Community Development</p>	Costs: \$ 0 Funding Source: Acct. # <input type="checkbox"/> Finance _____	Attachments: → Staff Report → Ordinance 04-2013
Advertised: Date: <i>N/A for 1st Reading</i> 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 <u>ND</u> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:

See Staff Report.

Recommended Motion: Approval of Ordinance 04-2013 on first reading.



**TOWN LAKE OF PARK
TOWN COMMISSION
Meeting Date: February 6, 2013**

DESCRIPTION: Request to rezone Palm Beach County's Scrub Area from the "Campus Light Industrial/Commercial" zoning district" to the "Conservation" zoning district.

APPLICANTS REQUEST: This is a staff initiated application proposing the rezoning of six parcels of land (the Property) owned by Palm Beach County. See Zoning Map (Exhibit "A") and proposed Scrub Area Boundaries Map (Exhibit "B"). The parcels respective acreages are 45.4 acres, 2.79 acres, 4.52 acres, 1.87 acres, 0.18 acres, 0.17 acres, totaling 54.93 acres. The Property is located within Palm Beach County's Scrub Area. The Scrub Area was purchased by Palm Beach County as part of a bond issue which raised money to protect and preserve environmentally sensitive lands. The Property is located west of Old Dixie Highway, between Silver Beach Road and 12th Street and is currently zoned Campus Light Industrial/Commercial (CLIC). Staff recommends that the Property be rezoned to the Conservation Zoning District (C-District) to be consistent with the future land use designation of "Conservation" as provided for in the Town's Comprehensive Plan.

PLANNING AND ZONING BOARD RECOMMENDATION:
Monday, January 7, 2013: **APPROVAL**

STAFF RECOMMENDATION: APPROVAL

BACKGROUND INFORMATION:

Applicant(s): Town of Lake Park
Owner: Palm Beach County
Address : N/A
Lot Sizes: 45.4acres; 4.52 acres; 2.79 acres; 1.87 acres; 0.18 acres; 0.17 acres

Parcel Control Numbers: 36434220000007450; 36434220000005130; 36434220000007440; 36434220000005020; 36434220000007460; 36434220000005150

Existing Zoning : Campus Light Industrial/Commercial (CLIC)

Adjacent Zoning

North: Public District (P-District)
South: City of Riviera Beach (Residential)
East: Campus Light Industrial/Commercial (CLIC)
West: Campus Light Industrial/Commercial (CLIC)

Adjacent Land Uses

North: Public Buildings and Grounds
South: City of Riviera Beach (Single-Family Residential)
East: Commercial and Light Industrial
West: Commercial and Light Industrial

CONSISTENCY WITH THE COMPREHENSIVE PLAN

A Small-scale future land use map amendment is being concurrently processed. The proposed small-scale land use map amendment will identify all parcels within the Palm Beach County (PBC) Scrub area with a future land use designation of "Conservation".

The assignment of the Conservation Zoning District (C-District) to the Property would fulfill the requirements of Article IV, Paragraph 26 of the 2003 Interlocal Agreement between the Town and Palm Beach County which reads,

"The Town hereto agrees to review its Zoning Ordinances and Comprehensive Plan and to take such actions as may be necessary to designate the Natural Area with a conservation land use and complimentary zoning designation consistent with its intended use as a nature preserve. Amendment to the Town's Comprehensive Land Use Plan and Zoning Ordinance shall be proposed at the next available comprehensive plan or zoning amendment cycle, respectively."

Furthermore, the proposed rezoning makes the Property's zoning consistent with its future land use designation of "Conservation". The rezoning would be consistent with Policy 1.1 of the Future Land Use Element of the Town's Comprehensive Plan which reads:

Policy 1.1: Land Development Regulations shall be amended as necessary to contain specific and detailed provisions required to implement the adopted Comprehensive Plan and which as a minimum:

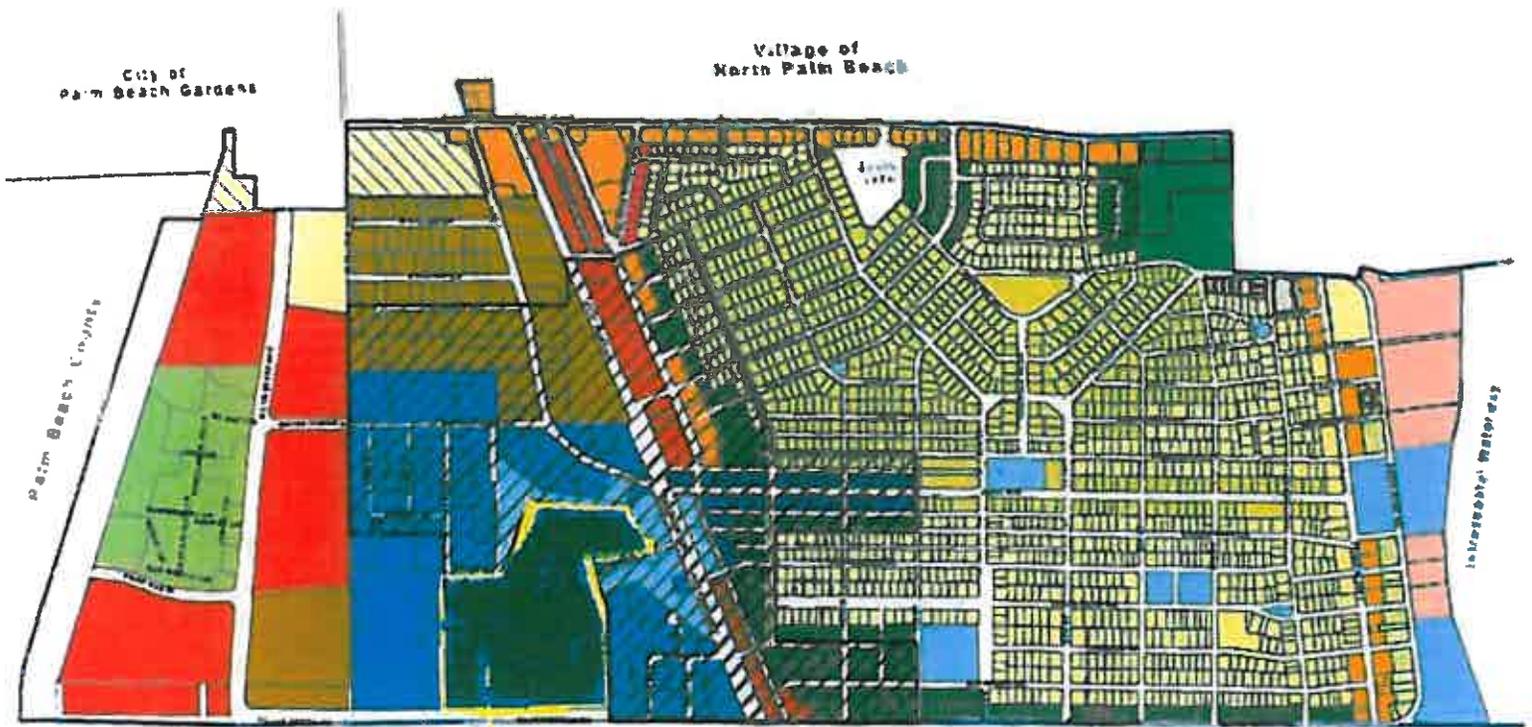
- b. Regulate the use and intensity of land development consistent with this element to ensure the compatibility of adjacent land uses.
- k. Eliminate and/or reduce use of land inconsistent with the Future Land Use Map and the community's character.

The Property is owned by Palm Beach County and was purchased to be maintained for preservation and open space. Accordingly, it is appropriate to assign the Conservation Zoning District to the Property.

STAFF RECOMMENDATION:

Staff recommends that the Town Commission make a motion to **APPROVE** Ordinance 04-2013 on first reading to rezone the PBC Scrub Area property from "Campus Light Industrial/Commercial" to "Conservation".

EXHIBIT "A" – Town of Lake Park Zoning Map



Legend

— CRA Boundaries

- R1B
- R1AA
- R3
- R1A
- R2A
- R2
- TND

REZONING AREA

- C1
- C1B
- C2

- PUD
- PUD
- CUC

- CRA
- NBOZ_overlay
- C1
- Lake Park boundary





Exhibit "F"
2/6/2013

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 6, 2013

Agenda Item No. *Tab 7*

Agenda Title: Creation of a Priority List for the Use of CDBG Funds

- | | | | |
|--------------------------|---------------------------|-------------------------------------|----------------------------|
| <input type="checkbox"/> | CONSENT AGENDA | <input checked="" type="checkbox"/> | DISCUSSION/POSSIBLE ACTION |
| <input type="checkbox"/> | PRESENTATION/PROCLAMATION | <input type="checkbox"/> | RESOLUTION |
| <input type="checkbox"/> | PUBLIC HEARING | <input type="checkbox"/> | ORDINANCE ON ____ READING |
| <input type="checkbox"/> | BID/RFP AWARD | <input type="checkbox"/> | OTHER: |

Approved by Town Manager *DSS* Date: *1/17/13*

DALE S. SUBERMAN / TOWN MANAGER
Name/Title

Originating Department: Town Manager	Costs: N/A Funding Source: N/A Acct. N/A <input type="checkbox"/> Finance _____	Attachments: List of potential CDBG projects.
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 <i>DSS</i> Please initial one.

Summary Explanation/Background:

At the January 16, 2013 Town Commission meeting, it was determined that members of the Town Commission should select no more than 5 potential projects for use of the available 2013 CDBG funds such that a priority ranking can be developed. That priority list will then be discussed with Palm Beach County to determine, which, if any, of the projects will best qualify for the available funds.

Recommended Motion: No motion is necessary. A submittal of the individual rankings to the Town Clerk for consolidation would be appropriate.

IDEAS FOR USE OF 2013 CDBG FUNDS

[Please Select No More Than 5]

- ◆ Bostrom pump control design and installation. \$ 7,600.00
- ◆ Repairs to tennis courts. 26,000.00
- ◆ Refurbishment of Bert Bostrom playground.
- ◆ Assistance with signage. There are numerous pole signs that will become non-conforming in 2014 and a window signage project underway whereby some assistance can be provided to property owners to bring the existing non-conforming signage in Town into compliance.
- ◆ Street signs. Our street signs, especially those on white concrete posts, are in need of serious repair/rebuild.
- ◆ Sidewalks throughout the Town (*minus individual cases that are a result of the property owner's actions*) could benefit from pressure cleaning and repair as well.
- ◆ Demolition and possible reconstruction of the old storage building in Kelsey Park.
- ◆ Assistance to Park Avenue building owners for the roof cleaning/painting and possible improvements to their rooflines by adding architectural elements.
- ◆ Street lighting improvements throughout the Town (based upon the previous town-wide lighting study completed).
- ◆ Afterschool program for the Library.
- ◆ Roadway lighting for Silver Beach *West*. This was discussed at a meeting with the County back in August whereby the County stated they would improve the road but will not provide lighting.
- ◆ Pressure cleaning and painting of residential structures and an overall maintenance and beautification initiative of the Town.
- ◆ Use a portion of the funds towards an attractive monument sign located at the road or close, such as the small area in front of the library where three small palms are located. Such signage with backlit lighting would be sign some way down the road and would from US 1 give location/point to Town Hall, the Library & "Downtown Park Ave". \$10,000 - \$20,000
- ◆ Electronic marquee in front of Town Hall with constant upcoming events.
- ◆ Assistance to property owners to bring their swale plantings into compliance. This can be *safety* and *maintenance* initiated. "Safety" in order to provide better visibility, and "maintenance" in order to maintain the Town's swale areas in a neat and orderly fashion. Over the years, several individuals have placed unpermitted plantings in their swales that do not meet our current code standards.

- ◆ Irrigation project similar to Flagler Blvd. on the Median area of Date Palm. The Town received a grant from the Division of Forestry in 2011 to install a canopy of trees in the amount of 17,975.00. The area is beautiful and with a possible upgrade to the irrigation system, trash containers, picnic benches and walkways it could be a nice area for the local residents to enjoy.
- ◆ Installation of bike racks and water fountains at all Town buildings and primary bus stop locations.
- ◆ Bike lanes for primary streets.
- ◆ Installation of blinking lights in the concrete part of the pedestrian walkways in school zones and busy intersections to provide better visibility for drivers and child safety.
- ◆ Handicapped access on walkway by water at Lake Shore Park. Currently the full walkway cannot be enjoyed by individuals with a walker, on a scooter or wheelchair.
- ◆ Consolidation point for various Palm Tran bus routes.
- ◆ Establishment of a transit node in proximity to a potential train station.

Name

EXHIBIT 5
2/6/2013

Mayor & Ed
2/6/13

IDEAS FOR USE OF 2013 CDBG FUNDS

[Please Select No More Than 5]

- ◆ Work on the Marina parking lot.
- ◆ Creating a parking lot on the west end of the Community Garden.
- ◆ Creating a train station vehicle parking lot.
- ◆ Adding sod to the property near the proposed railroad station.
- ◆ Creating a dog park (possibly in conjunction with the Community Garden.
- ◆ Demolishing the wall at the Marina parking lot and adding lighting.
- ◆ Bostrom pump control design and installation.
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2
1

\$ 7,600.00
26,000.00

1 & 2

3

with backlit lighting would be sign some way down the road and would from US 1 give location/point to Town Hall, the Library & "Downtown Park Ave". \$10,000 - \$20,000

◆ Electronic marquee in front of Town Hall with constant upcoming events.

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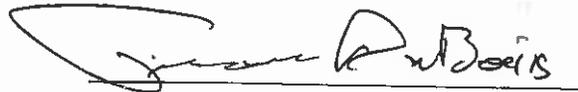
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5 ◆ Consolidation point for various Palm Tran bus routes.

◆ Establishment of a transit node in proximity to a potential train station.



Name

IDEAS FOR USE OF 2013 CDBG FUNDS

[Please Select No More Than 5]

Work on the Marina parking lot.

Creating a parking lot on the west end of the Community Garden.

Creating a train station vehicle parking lot.

Adding sod to the property near the proposed railroad station.

Creating a dog park (possibly in conjunction with the Community Garden.

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Refurbishment of Bert Bostrom playground.

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S. Hockman

Name

IDEAS FOR USE OF 2013 CDBG FUNDS

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Name

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Tim Stevens

Name

IDEAS FOR USE OF 2013 CDBG FUNDS

[Handwritten signature]

[Please Select No More Than 5]

~~◆ Work on the Marina parking lot.~~

"Tear down this wall"

- ◆ Creating a parking lot on the west end of the Community Garden.
- ◆ Creating a train station vehicle parking lot.
- ◆ Adding sod to the property near the proposed railroad station.

◆ Creating a dog park (possibly in conjunction with the Community Garden).

◆ Demolishing the wall at the Marina parking lot and adding lighting.

◆ Bostrom pump control design and installation.

◆ Repairs to tennis courts

OK to court 526 conditional on lake park generating funds

resurfacing estimates? / match?

\$ 7,600.00

26,000.00

◆ Refurbishment of Bert Bostrom playground.

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◆ Pressure cleaning and painting of residential structures and an overall maintenance and beautification initiative of the Town.

and tree planting especially along park ave

◆ Use a portion of the funds towards an attractive monument sign located at the road or close, such as the small area in front of the library where three small palms are located. Such signage

IDEAS FOR USE OF 2013 CDBG FUNDS

[Please Select No More Than 5]

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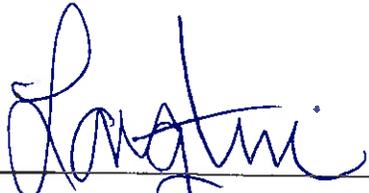
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#2

- ◆ Electronic marquee in front of Town Hall with constant upcoming events.
- ◆ Assistance to property owners to bring their swale plantings into compliance. This can be *safety* and *maintenance* initiated. "Safety" in order to provide better visibility, and "maintenance" in order to maintain the Town's swale areas in a neat and orderly fashion. Over the years, several individuals have placed unpermitted plantings in their swales that do not meet our current code standards.
- ◆ Irrigation project similar to Flagler Blvd. on the Median area of Date Palm. The Town received a grant from the Division of Forestry in 2011 to install a canopy of trees in the amount of 17,975.00. The area is beautiful and with a possible upgrade to the irrigation system, trash containers, picnic benches and walkways it could be a nice area for the local residents to enjoy.
- ◆ Installation of bike racks and water fountains at all Town buildings and primary bus stop locations.
- ◆ Bike lanes for primary streets.
- ◆ Installation of blinking lights in the concrete part of the pedestrian walkways in school zones and busy intersections to provide better visibility for drivers and child safety.

#3

- ◆ Handicapped access on walkway by water at Lake Shore Park. Currently the full walkway cannot be enjoyed by individuals with a walker, on a scooter or wheelchair.
- ◆ Consolidation point for various Palm Tran bus routes.
- ◆ Establishment of a transit node in proximity to a potential train station.


Name

#4 Curbing



Exhibit "H"
2/6/2013

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 6, 2013

Agenda Item No. Tab 9

Agenda Title: Annual Renewal of Parking Meter Maintenance Contract

- | | | | |
|--------------------------|---------------------------|-------------------------------------|----------------------------|
| <input type="checkbox"/> | CONSENT AGENDA | <input checked="" type="checkbox"/> | DISCUSSION/POSSIBLE ACTION |
| <input type="checkbox"/> | PRESENTATION/PROCLAMATION | <input type="checkbox"/> | RESOLUTION |
| <input type="checkbox"/> | PUBLIC HEARING | <input type="checkbox"/> | ORDINANCE ON ___ READING |
| <input type="checkbox"/> | BID/RFP AWARD | <input type="checkbox"/> | OTHER: |

Approved by Town Manager [Signature] Date: 1/25/13

[Signature]
David Hunt, Public Works Director

Originating Department: Public Works	Costs: \$ 10,894.00 Funding Source: FY '13 Parking Meter Budget Acct. # 450-34000 # 450-49300 <input checked="" type="checkbox"/> Finance <u>[Signature]</u>	Attachments: Annual Maintenance Quote Contract w/ Standard Terms and Conditions
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 <u>[Signature]</u> Please Initial one.

Summary Explanation/Background:

The renewal of the parking meter maintenance contract with Duncan Parking Technologies, Inc. is required to keep the entire system operating on a day-to-day basis and its approval is considered a "housekeeping" matter. Staff is aware of the Commission's desire to evaluate the viability of the parking meter system based upon the pending Master Parking Meter Analysis Report. The approval of the current contract should not necessarily be construed as supportive of the parking meter system but merely as an obligation to keep the system operational until a decision, based upon the report, has been made.

The annual contract that is being proposed is for Duncan Parking Technologies, Inc. to provide maintenance support, via telephone and internet, for all of the hardware and software associated with operating the Town's parking meter system. In addition to maintenance, the contract will cover the monthly charges for wireless telecommunication services, licensing for use of Duncan's proprietary software, remote access via the Internet, and system hosting.

The maintenance period covered by this contract shall run from January 1, 2013 to December 31, 2013. The contract has \$3,550.00 worth of annual maintenance services and \$7,344.00 worth of monthly fees. The contract terms for Cancellation or Termination state, "No order once accepted by Seller (Duncan Parking Technologies, Inc.) can be cancelled by Buyer without Seller's written consent and only upon payment to Seller of all losses and expenses." When the contract expires on December 31, 2013, it will be three months into Fiscal Year 2014.

Duncan Parking Technologies, Inc. is the sole source for providing the software and communications to their parking meter equipment.

The funds for this recurring expense were approved with the Fiscal Year 2013 Budget.

Recommended Motion: Approve executing the Annual Maintenance Contract with Duncan Parking Technologies, Inc.



Exhibit "I"
2/6/2013

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 6, 2013

Agenda Item No. Tab 11

Agenda Title: Requesting the Town Commission's Support of a Draft Resolution Opposing Unfunded State Mandates on Cities as Requested by the Florida League of Cities.

- | | | | |
|--------------------------|---------------------------|-------------------------------------|----------------------------|
| <input type="checkbox"/> | CONSENT AGENDA | <input checked="" type="checkbox"/> | DISCUSSION/POSSIBLE ACTION |
| <input type="checkbox"/> | PRESENTATION/PROCLAMATION | <input type="checkbox"/> | RESOLUTION |
| <input type="checkbox"/> | PUBLIC HEARING | <input type="checkbox"/> | ORDINANCE ON _____ READING |
| <input type="checkbox"/> | BID/RFP AWARD | <input type="checkbox"/> | OTHER: |

Approved by Town Manager  Date: 1/15/13
DALE S. SUGERMAN / TOWN MANAGER
 Name/Title

Originating Department: Commissioner Longtin	Costs: N/A Funding Source: N/A Acct. # <input type="checkbox"/> Finance _____	Attachments: Draft Resolution from the Florida League of Cities
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 <u></u> Please Initial one.

Summary Explanation/Background:

Commissioner Longtin has requested that this draft resolution opposing unfunded state mandates on cities, as forwarded to the Town by the Florida League of Cities, be considered by the Town Commission for adoption.

Recommended Motion: TBD

MEMORANDUM

What: Finances & Economy Luncheon
Date: January 25, 2013
Time: 12:00 p.m.
Location: The Borland Center
4885 PGA Blvd
Palm Beach Gardens, FL 33418
Topic: Florida's economic status, budgets, keys to success

TALK POINTS

- Good afternoon! I am so glad to be here today, back at home with so many public and business leaders of our county.
- Although I will spend most of this afternoon speaking about the positive economic signs we are seeing in Florida, I will first share a few words about who I am and what I do for this great state.
- Before running for office, I spent 25 years in the banking industry right here in Palm Beach County.
- As my title suggests, my primary responsibility is to handle many of Florida's fiscal and financial duties. My experience in the private sector, and banking in particular, prepared me well for this responsibility.
- But my job requires me to wear many other hats as well. I also oversee insurance licensing, the fire marshal's office, the bureau of unclaimed property, and several other institutions.

Florida Economic Outlook

- Our national economic situation over the past few years has raised questions about the strength and durability of actual recovery. There has been much debate about whether or not the worst is behind us and questions about the foundational factors holding back economic growth on a national level.

- The American economy has shown nominal improvement and lackluster growth, deepening concerns about the economic character of America.
- Growth is far too little given the gap between actual output and what the economy should be capable of producing.
- Florida continues to prove that an unwavering commitment to making tough decisions in tight financial times equates to a more prosperous Florida. These decisions have preserved our AAA credit rating, reduced our debt and continued to cultivate an attractive, stable business environment.
- The magnitude of Florida's economy is astounding. Undoubtedly, Florida is a global economic force to be reckoned with. Our economy is one of the largest in the world. Out of the fifty states, Florida has the fourth-largest GDP, which was valued at more than \$750 billion in 2011.
- If Florida were a country, it would have the 20th largest GDP in the world.
- In 2010, the most recent data available, real GDP for the Palm Beach metro area totaled \$233.4 billion. *(county specific data is unfortunately unavailable)*
- After falling by more than four percent in 2009 (-4.38%), Palm Beach's economy is recovering with real GDP growing by 1.15 percent in 2010.
- A rising Gross State Product means more opportunities for wealth creation. Despite these seemingly impressive figures, Florida's economy has grown slowly over the last two years.
- During the economic boom that accompanied the housing bubble, Florida experienced impressive rates of growth that far exceeded the nation. With the collapse of the housing market, Florida's economy fell just as fast as it had risen. After two painful years of contraction in 2008 and 2009, Florida's Gross State Product began growing again.
- Notwithstanding the hard work to maintain economic stability, the impact of national economic woes on Florida is tremendous. For the second consecutive quarter, economic uncertainty and access to capital continue to rank as major obstacles preventing small business growth.
- More small business owners were unable to obtain the access to capital they needed during the fourth quarter and are also less optimistic. Fewer owners believe their businesses are better off today than six months ago with only 28 percent believing they are better off today – a nine percent decrease from last quarter. It is widely believed and accepted as fact that

business' pessimistic outlook is not because of the state's economic outlook, but rather, instability at a federal level.

- In spite of these challenges, Florida, one of the largest economies in the world, still was able to reduce our debt, reduce the financial burden on taxpayers and add private sector jobs.
- It is important for those of us elected to public office to do everything necessary to prepare for the worst. To take appropriate measures with our debt and preserving our credit rating so that when tough times are upon us the impact is not as great, services are still provided and our economy is not in shambles.
- The industries that drive our economy have traditionally been agriculture, construction, and the service sector, all of which are cyclical and rely primarily on tourism and population growth to survive.
- Compared with the three largest states in the nation, Florida is more heavily reliant on tourism, hospitality, and construction. These industries have served us well over the years, but it is difficult to stand on these three industries alone.
- When the economy is booming, these industries fuel our economy and our business community prospers. But during troubling economic times, the inevitable occurs: people take less vacation and building comes to a screeching halt.
- In recent years, Florida has strived to do better and branch out to different industries. Over the past five years we have worked to attract intellectual capital to our state through high-wage jobs in the life sciences - Scripps, Torrey Pines, Draper Laboratory, Max Plank, SRI International and Sanford-Burnham, to name a few. But our work in this arena is nowhere near complete.
- We have a growing technology sector. Our High Tech Corridor, which makes up Central Florida, was recently ranked the fourth-largest technology hot spot in the nation. Our Tech Corridor is made up of a mix of aerospace, digital media and energy companies, posting 7,752 tech jobs last quarter.
- Florida is doing fair and has some stability. But "fair" isn't enough.
- It is important that elected leaders lay the groundwork so that higher education and the business community can work together, connecting graduates with jobs and create a business-friendly environment to attract new and innovative industries. With Florida being the number two most

business-friendly state, there is no reason why we can't bring new industries here while cultivating our established businesses.

- Population growth rate and number of residents in Florida traditionally show the pace with which we are growing and helps define our economic growth story. Florida will soon be larger than New York and take the title of third largest state in the nation.
- Most of Florida's population growth is from net migration. Statewide, net migration accounted for 89% of population growth between 2000 and 2006. It is forecast that 86% of future population growth will be attributable to net migration into the state.
- Population growth has historically buoyed Florida's growth, but now that we are experiencing slower growth, we have run into a stop gap. We can no longer rely on a growing population to propel our economy forward.
- Florida's labor force has over nine million people. Despite falling amidst the peak of the recession, our labor force has regained lost ground since then. Florida's employment situation has experienced substantial improvement over the last two years. After peaking at 11.4% in 2010, we now see the unemployment rate of 8.1% and falling.
- Unemployment is one of the most bitter measures of our economic situation across the nation and in Florida. The latest unemployment figures for Florida show real growth. In other words, our decline in unemployment was not because Floridians have given up the search for a job, but rather because real private sector growth and the availability of jobs in the marketplace.
- Per capita personal income has been growing in Florida since 2009 when the "official" recession ended, growing to \$39,636 in 2011.
- It is not enough to have unemployment relief. We need a permanent solution to our workforce problem. That solution lies with finding suitable jobs in industries that are not cyclical in nature and having knowledgeable workers to fill that need.
- This symbiotic relationship is essential to overall economic growth. Private sector hiring has improved payrolls in Florida since the height of the recession. Our businesses, each of you in this room, are giving work to the unemployed, and providing income that is vital for families.

Florida budget outlook going into the 2013 Legislative Session

- Coming into this year's legislative session Florida's state budget is forecast to have a slight surplus (around \$400 million) for the first time

since the 06/07 fiscal year.

- Contrasted with last year, when lawmakers were facing a more than \$1 billion General Revenue shortfall when they entered the 2012 session. The Legislature closed the gap with a mixture of revenue adjustments and spending reductions. These revenue adjustments—mostly trust fund sweeps—were one time boosts, but helped this year's budget outlook.
- Going forward, from the revenue side, things are getting better. It is forecast that General Revenue will return to the peak levels seen in 2005-06 by 2014.
- However, this positive outlook is heavily reliant on a variety of events *not* happening.
- And the difference between having a budget surplus or shortfall is a small one: If there is a negative change of more than \$436 million in revenue, we will face another budget gap in the upcoming fiscal year.
- Unfortunately, this kind of reduction is not unlikely: revenue has fallen by that amount in recent times (Oct. 2011, Dec. 2010, Mar. 2009, and Nov. 2008).
- Florida is currently facing a multitude of issues that could trigger budget shortfalls. These risks include:
 - (a) the unfunded liability of the pension fund has continued to worsen with approximately \$450 million needed to satisfy the total funding needed in FY2013-14.
 - (b) given the federal tax increases resulting from the fiscal cliff resolution, Floridians may spend less in the upcoming year. If so, sluggish consumer spending would translate to lower sales tax collections (ad valorem revenue), a key revenue source for the state budget.
 - (c) Medicaid continues to be the biggest cost driver for the state and it is still unclear how the Affordable Care Act will impact our state's bottom line going forward.
- Other events, although more unlikely, could also trigger a budget shortfall, such as a natural disaster or the collapse of the Eurozone.
- Baring these events occurring, Florida is on track to return to stable budget projections and normal levels of revenue collection over the next five years.

Close

- Thank you for having me today, and I hope I've provided you with some interesting and useful information about our economic outlook.
- It is always an honor to share the room the economic and community leaders of this county; many of whom I am privileged to call friends.
- I'd be happy to take a few questions.