AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 17, 2016, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	**Mayor**
Kimberly Glas-Castro	—	**Vice-Mayor**
Erin T. Flaherty	—	**Commissioner**
Michael O'Rourke	—	**Commissioner**
Kathleen Rapoza	—	**Commissioner**
John O. D'Agostino	—	**Town Manager**
Thomas J. Baird, Esq.	—	**Town Attorney**
Vivian Mendez, CMC	—	**Town Clerk**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. ***Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.***

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATIONS/REPORTS

1. Proclamation Recognizing Palm Beach County Sheriff's Office Deputy Sherry Baker **Tab 1**

2. Proclamation Recognizing Palm Beach County Sheriff's Office Deputy Tom McElroy **Tab 2**

3. Proclamation Recognizing Palm Beach County Sheriff's Office Volunteer Seth Poignant **Tab 3**

4. Update Presentation by the Palm Beach County Sheriff's Office Citizens on Patrol (C.O.P) **Tab 4**

D. PUBLIC COMMENT:

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

E. CONSENT AGENDA: All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

5. Joint Workshop between Library Board and Town Commission Minutes of February 3, 2016 Tab 5

6. Regular Commission Meeting Minutes of February 3, 2016 Tab 6

7. Proclamation Recognizing Eating Disorders Awareness Week from February 22 - 28, 2016 Tab 7

8. Resolution No 07 -02-16 Supporting municipalities to cooperate with other Local Governments to Develop a Boat lift at the C51 Canal also known as the Blue Wave Initiative. Tab 8

F. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

None

G. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:

9. Ordinance No. 02-2016 Creating Chapter 71 Entitled Murals, Providing for the Authorization of Building Owners within the Town's Park Avenue Downtown District to display Murals on their Buildings. Tab 9

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA CREATING CHAPTER 71 OF THE TOWN CODE ENTITLED "MURALS"; PROVIDING FOR THE AUTHORIZATION OF BUILDING OWNERS WITHIN THE TOWN OF LAKE PARK'S PARK AVENUE DOWNTOWN DISTRICT TO DISPLAY MURALS ON THEIR BUILDINGS; PROVIDING FOR THE CRITERIA TO BE APPLIED FOR THE DISPLAY OF MURALS ON BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

10. Ordinance No. 03-2016 Creating Article IV of Chapter 22 Entitled Panhandling Tab 10

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING ARTICLE IV OF CHAPTER 22 ENTITLED "PANHANDLING"; PROVIDING FOR AN INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE REGULATION OF CERTAIN CONDUCT; PROVIDING FOR CODIFICATION; PROVIDING FOR

SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

H. QUASI-JUDICIAL HEARING(S) – RESOLUTION:

********** OPEN PUBLIC HEARING **********

11. Resolution No. 06-02-16 A Site Plan and the Special Exception Use of a Laundromat for the property located in the C-2 Zoning District at 1440 10th Street. Tab 11

- **A. Staff Report**
- **B. Public Comments**
- **C. Commission Deliberation**

********** CLOSE PUBLIC HEARING **********

I. OLD BUSINESS:

12. Agreement for Town Attorney Services for the Town of Lake Park Tab 12

J. NEW BUSINESS:

13. Request for Approval of the Renewal of the License Agreement between the Town of Lake Park and the Burt Reynolds Institute of Film and Theatre (BRIFT) Tab 13

K. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

L. ADJOURNMENT:

Next Scheduled Regular Commission Meeting will be held on Wednesday, March 2, 2016

Special Presentations /Reports

Proclamations

TAB 1

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 17, 2016 **Agenda Item No.** Tab 1

Agenda Title: Presentation of Proclamations to: Deputy Sherry Baker, Deputy Tom McElroy and Resident Seth Poignant

[X] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 1-29-16

John O. D'Agostino, Town Manager
Name/Title

Originating Department: **Town Manager**	Costs: $ 0 Funding Source: Acct. # [ ] Finance _____	**Attachments:** • **Baker Proclamation** • **McElroy Proclamation** • **Poignant Proclamation**
Advertised: Date: _____ Paper: _____ [X] 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__JOD____ or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background: PBSO requested recognition for Deputy Sherry Baker, Tom McElroy and Seth Poignant. A review of the PBSO request was made by staff. The Town Manager believes the three proclamations are warranted based on the existing duties and responsibilities of the each position and the fact that these employees performed their duties above and beyond their respective roles. The intent is to recognize employees who perform beyond their official duties and responsibilities. Seth Poignant is a volunteer resident who gives freely of his time to the Town of Lake Park.

Recommended Motion: No motion is necessary

PROCLAMATION
IN HONOR OF DEPUTY SHERRY BAKER

WHEREAS; Deputy Sherry Baker is a law enforcement officer with the Palm Beach County Sheriff's Office, District 10; and

WHEREAS; Deputy Sherry Baker regularly attends the Lake Park Community Crime Watch Meetings; and

WHEREAS; Deputy Sherry Baker Volunteers on a regular basis at the Lake Park Community Outreach Center; and

WHEREAS; Deputy Sherry Baker assisted Bridges of Lake Park and the Town of Lake Park with the Back to School Explosion in which over 400 students received haircuts, medical exams, backpacks, hot dogs and hamburgers. During the event Deputy Baker participated with the K-9 and Marine Unit; and

WHEREAS; Deputy Sherry Baker regularly attends meetings with the Palm Beach County School District Principals regarding safety issues for Lake Park Students; and

WHEREAS; Deputy Sherry Baker assisted the Town of Lake Park in organizing the Fall Festival by getting Target and Wal-Mart to donate candy for the children in attendance; and

WHEREAS; Deputy Sherry Baker participated in the Palm Beach Sheriff's Annual "Shop with a Cop" at the National Guard Armory. The kids had a pizza party, photos with Santa and Mrs. Clause. The event culminated in a shopping spree at Wal-Mart at 9990 Belvedere Road; and

WHEREAS; the Commission of the Town of Lake Park wishes to publicly recognize Deputy Sherry Baker for her service to the community of Lake Park and honor her for her achievements.

NOW, THEREFORE, on behalf of the Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend Deputy Sherry Baker and express our gratitude and appreciation for her services to this community.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this the 17th of February, 2016.

By: _____
Mayor James DuBois

ATTEST:
_____
Vivian Mendez, Town Clerk

SEAL
FLORIDA

TAB 2

PROCLAMATION
IN HONOR OF DEPUTY THOMAS McELROY

WHEREAS; Deputy Thomas McElroy is a law enforcement officer with the Palm Beach County Sheriff's Office, District 10 Unit; and

WHEREAS; Deputy Thomas McElroy started with the Palm Beach County Sheriff's Office in Law Enforcement in 1986; and

WHEREAS; Deputy Thomas McElroy worked as a road patrol Deputy in North County for Four years; and

WHEREAS; Deputy Thomas McElroy in 1990 transferred to the Marine Enforcement Unit working as a K-9 Deputy for Fourteen Years and was later promoted to Field Training Officer and worked for another Ten Years; and

WHEREAS; in 2015, Thomas McElroy was transferred to Road Patrol for District 10 in Lake Park receiving Deputy of the quarter for Lake Park in September of 2015; and

WHEREAS; Deputy McElroy in December of 2015 responded to a call for service on Cypress Drive in Lake Park and after an initial investigation found that the family did not observe the Christmas holiday. The house was without decorations or a tree; he then decided to help the mother of four children; and

WHEREAS; Deputy McElroy wanted the children to have a nice and memorable holiday with the help of Target and Wal-Mart and some of his friends Deputy McElroy either received donated items or purchased items for the holiday for each member of the family. It was the first holiday for the children in which they had a tree complete with decorations and gifts to open on Christmas; and

WHEREAS; the Commission of the Town of Lake Park wishes to publicly recognize Deputy Thomas McElroy for his service to this community and honor him for his dedicated service to the Lake Park community; and

NOW, THEREFORE, on behalf of the Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend Deputy Thomas McElroy and express our gratitude for the services which he has rendered to the community and the family on Cypress Drive in Lake Park.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this the 17th day of February, 2016.

By: _____
Mayor James DuBois

ATTEST:
_____
Vivian Mendez, Town Clerk

SEAL
FLORIDA

TAB 3

PROCLAMATION
IN HONOR OF SETH POIGNANT

WHEREAS; Seth Poignant is a Volunteer Resident of Lake Park who provided DJ services for Lake Park Functions such as; Fourth of July Celebrations, the Irish Festivals, Park Avenue Flea Market, MLK Day at Kelsey Park, the Seafood Festival as well as for the Volunteer Appreciation Dinners in the Town of Lake Park; and

WHEREAS; Seth Poignant purchased a Fire Truck four years ago, retrofitting the Fire Truck with DJ equipment, a big screen TV and video games for kids complete with a cotton candy machine and other accessories and thereafter naming the Fire Truck "The Hulk"; and

WHEREAS; Seth Poignant's partner Rich Bonanno, who plays Santa, has distributed presents to children from the Fire Truck as well as visiting the local nursing home on 8th Street and Bayberry Drive to hand out stuff animals to the elderly, putting a smile on the faces of children and seniors alike; and

WHEREAS; Seth Poignant used "The Hulk" Fire Truck along with his partner Rich Bonanno to help PBSO deliver Christmas presents to the Children of Lake Park by traveling up and down the streets of Lake Park; and

WHEREAS; the Commission of the Town of Lake Park wishes to publicly recognize Seth Poignant for his service to our community and honor his countless years of volunteer service to the Residents of Lake Park.

NOW, THEREFORE, on behalf of the Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend Seth Poignant and express the Town's gratitude for the services which he has rendered to our community.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 17th day of February, 2016.

By: _____
Mayor James DuBois

ATTEST:
_____
Vivian Mendez, Town Clerk

SEAL
FLORIDA

TAB 4

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **February 17, 2016** **Agenda Item No.** Tab 4

Agenda Title: Updated Presentation by PBSO on Citizens on Patrol

[X] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 2-3-16

John O. D'Agostino, Town Manager
Name/Title

Originating Department: **Town Manager**	Costs: $ 0 Funding Source: Acct. # [ ] Finance _____	**Attachments:**
Advertised: Date: _____ Paper: _____ [X] 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_JOD_____ or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background: At the last scheduled Commission meeting (February 3, 2016), Commission members requested the Palm Beach Sheriff's Community Service Division attend the February 17th, 2016 Commission Meeting. The purpose is to provide answers as for the lack of COP coverage in Lake Park. The Commission Members have questions regarding the validity of statistical information provided at the last meeting. Commission members desire a greater presence of COP volunteers in Lake Park and desire answers as to why 84 hours a month are dedicated to Lake Park.

Recommended Motion: No Motion is necessary.

Consent Agenda

TAB 5

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **February 17, 2016** **Agenda Item No.** Tab 5

Agenda Title: Joint Workshop between the Library Board and the Town Commission minutes of February 3, 2016

[ ] SPECIAL PRESENTATION/REPORTS **[X] CONSENT AGENDA**
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 2-8-16

Vivian Mendez – Town Clerk
Name/Title

Originating Department: **Town Clerk**	Costs: **$ 0.00** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Agenda** **meeting minutes** **Exhibits "A"**
Advertised: Date: _____ Paper: _____ **[X] 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 *VM* **Please initial one.**

Summary Explanation/Background:

Recommended Motion:

To approve the Joint workshop between the Library Board and Town Commission minutes of February 3, 2016.

AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Joint Workshop
between the Library Board
and Town Commission
Wednesday, February 3, 2016, 6:30 p.m.,
Lake Park Town Hall
535 Park Avenue

James DuBois	—	**Mayor**
Kimberly Glas-Castro	—	**Vice-Mayor**
Erin T. Flaherty	—	**Commissioner**
Michael O'Rourke	—	**Commissioner**
Kathleen Rapoza	—	**Commissioner**
Diane Bernhard	—	**Library Board Chair**
Robert Shelton	—	**Library Board Vice-Chair**
Guadalupe Lawrence	—	**Library Board Member**
Ruth Rodney	—	**Library Board Member**
John O. D'Agostino	—	**Town Manager**
Thomas J. Baird, Esq.	—	**Town Attorney**
Vivian Mendez, CMC	—	**Town Clerk**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. ***Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.***

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATIONS/REPORTS

1. Joint Workshop between the Town Commission and the Library Board to discuss the Future needs of the Library. **Tab 1**

D. PUBLIC COMMENT:

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

E. LIBRARY BOARD MEMBER COMMENTS, COMMISSIONER COMMENTS:

F. ADJOURNMENT:

Minutes
Town of Lake Park, Florida
Joint Workshop between the Library Board and the Town Commission
Wednesday, February 3, 2016, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a joint workshop with the Library Board on Wednesday, February 3, 2016 at 6:30 p.m. Present were Library Board Chair Diane Bernhard (arrived at 7:00 p.m.), Vice-Chair Robert Shelton, Board members Guadalupe Lawrence, Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager John O. D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Board Member Ruth Rodney was absent.

Mayor DuBois performed the roll and led the pledge of allegiance.

SPECIAL PRESENTATIONS/REPORTS

1. Joint workshop between the Town Commission and the Library Board to discuss the future needs of the Library.

Town Manager D'Agostino explained the purpose of the meeting. Library Director Karen Mahnk played a video depicting the past, present, and future of the Library. Mayor DuBois invited the Library Board members to share their ideas for the Library. Board Member Robert Shelton expressed concern about the low dollar amount grants received by the Library. He stated that the Town received a large grant to purchase a piece of property near the Marina and the Library has not received large grants. Mayor DuBois explained that the Town did not receive a large grant to purchase the property near the Marina. He explained that Palm Beach County purchased the property and the Town purchased shrubs used as a barrier for the property.

Mayor DuBois asked if one of the slides played during the video could be placed on the screen for discussion. Library Director Mahnk explained that it was a video and not a Power Point presentation. Mayor DuBois asked if the "Five Year Capital Improvement Schedule" found in the agenda packet (see Exhibit "A") included the possibility of building a loft as the second story onto the Library. Library Director Mahnk stated that the "Five Year Capital Improvement Schedule" included unfunded initiatives.

Board Member Guadalupe Lawrence had no comments at the moment.

Commission Rapoza stated that the Town has a quality Library.

Commissioner Flaherty asked if staff writes grants for their own departments. Town Manager D'Agostino stated that for the most part that statement was true. He explained that unless the Town has the ability to fund the match for a grant there would be no way to be awarded the large dollar amount grant. Library Director Mahnk explained that other

issues with applying for grants was being able to sustain the program the grant funds. The Library does not have the staff required to sustain many of the programs that are grants eligible for the Library to apply and receive. Town Manager D'Agostino explained the importance of the mixed-use project on US Highway 1 to sustain the services needed in the Town.

Commissioner O'Rourke thanked the Library staff, the Library Board, and the Friends of the Library. Library Director Mahnk explained that for the past two (2) years they have been the only Library in the State of Florida to receive the "Star Library" Award. Commissioner O'Rourke stated that the Library has done a lot on a low budget and would increase the budget if it were possible. Library Director Mahnk expressed her appreciation for the Friends of the Library and all the services and shortfalls they fill for the Library. She stated that the Kiwanis of Lake Park and Bridges at Lake Park are also great partners. Commissioner O'Rourke stated that a grant-writing consultant could be hired to write grants for the Library. Town Manager D'Agostino agreed that it would be a great idea. He explained some budget ideas for receiving additional funding. The members of the Friends of the Library were asked to stand and be recognized. Commissioner Rapoza suggested that staff reach out to the Northern Palm Beach Chamber of Commerce and find out if a program like "Score" would provide services to the Library. Town Manager D'Agostino explained that the Library has a volunteer that works on Saturday and assist patrons with any computer technical issues. Commissioner O'Rourke thanked staff, Board members, and Friends of the Library.

Vice-Mayor Glas-Castro asked the Board members what they felt were the most important needs of the Library. Board Member Shelton expressed the need to offer youth programs. He stated that books, kindles, and the ability to get on the internet were important. Board Chair Bernhard expressed how proud she was of the Library. She stated that expanding computer time and other programs besides art exhibits and authors were important. Board Member Lawrence expressed that advisory board program for teens were important. She suggested activities, career development, and getting teens involved in arts. She suggested a "Black-Tie" event and other avenues to be held to raise funds for the Library. She stated that grants would be great, but other "outside the box" ideas would generate buzz.

Commissioner Rapoza suggested having business card size advertisements in the Library's monthly newsletter would allow business owners to advertise their business for a small fee. Mayor DuBois suggested working with other businesses in the Town to generate buzz and funds for the Library. He suggested working with the Brew House Gallery, who has a great proceeds program that might also work for the Library. He stated that Club 100 Charities has also held receptions at Brew House Gallery. Mayor DuBois asked if the Board would volunteer to work with the Brew House Gallery. Library Director Mahnk stated that the Friends of the Library have worked with the Brew House Gallery. Board Member Lawrence stated that other organizations in neighboring municipalities could be pursued for the "Black-Tie" event. She suggested charging a fee for the dinner, and possibly hosting a fashion show. She stated that she would be willing to volunteer to help with the event.

Vice-Mayor Glas-Castro asked what was the Library's greatest need right now. Board Member Shelton stated that bookshelves. Library Director Mahnk stated that bookshelves could cost approximately $1,000 per stack. She stated that to place all the stacks could run approximately $20,000. Commissioner Rapoza stated that Staples might have bookshelves that they could donate to the Library.

Vice-Mayor Glas-Castro asked if more volunteers were needed. Library Director Mahnk stated "yes" and she would also like to expand the number of staff members at the Library. Commissioner Rapoza asked for a priorities list of the most important needs. Mayor DuBois suggested a list of volunteer duties so volunteers know what they would be doing. Library Director Mahnk stated that math tutors are in high demand. Vice-Mayor Glas-Castro thanked staff and stated that she wants to give the Library the support they need.

Mayor DuBois recapped the list of needs for the Library. He stated that grants, fund raising, volunteers, budget for additional staff, and outreach with other organizations. Library Director Mahnk explained that there was a lack of outreach to the seniors. Mayor DuBois suggested having a book delivery program twice a week where books could be delivered to seniors. Board member Bernhard volunteered to deliver books to seniors. She suggested that volunteers could take grant-writing courses.

Vice-Mayor Glas-Castro asked if there was anything else the Commission should be made aware of. There were no additional items discussed.

PUBLIC COMMENT:

Anne Lynch, Vice-President of the Friends of the Library explained the programs they are currently working on and that they look forward to partnering with Brew House Gallery. She explained that fundraising and more participation from the community were needed. Mayor DuBois suggested obtaining the contact information of all the groups that use the Library and use those contacts to invite those to the Black Tie event. Commissioner O'Rourke made a reference to the insurance needs by the Town for fundraising events.

LIBRARY BOARD MEMBER COMMENT, COMMISSIONER COMMENTS:

Chair Bernhard suggested that a coffee corner at the Library be established. Town Manager D'Agostino explained the insurance needs for such a coffee bar would be necessary. He has spoken with the Library Director about a coffee corner.

ADJOURNMENT

There being no further business to come before the Library Board and Town Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner O'Rourke, and by unanimous vote, the meeting adjourned at 7:45 p.m.

_____
Mayor James DuBois

_____
Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2016

Library Addendum
to Five Year Capital Improvement Schedule Exhibit "A"
FY 2015/16 - 2019/20

Project Category	Project Name	~~14/15~~	15/16	16/17	17/18	18/19	19/20	Funding Source
1,2,4	Upgrade of Public Access Computers	~~$15,000~~	$5000	$0	$0	$0	$0	General Fund, Donations
1,2,4	Upgrade of staff computers; addition of tablets & laptops	$0	$8200	$5000	$0	$0	$0	General Fund, Donations
1,2,4	RFID Security system	$0	$0	$40,000	$0	$0	$0	State Technical Grant/LSTA General Fund(matching)
1,2,4	Addition of two Enhanced Self-checkout units	$0	$0	$20,000	$0	$0	$0	State Technical Grant/LSTA General Fund(matching)
1,2,4	Replacement of shelving	$0	$0	$0	$25,000	$0	$0	General Fund
1,2,4	Interior renovation; Carpet replacement, lighting and other.	$0	$0	$20,000	$20,000	$20,000	$520,000	General Fund, Grant, donations
2,3,4	Addition of ADA compliant second level/loft above east wing	$0	$0	$0	$0	$0	$520,000	General Fund, State Construction Grant
1,2,4	Exterior renovation; North entrance, patio access and south entrance marquee	$0	$0	$0	$0	$10,000	$70,000	Grant, General Fund

TAB 6

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **February 17, 2016** **Agenda Item No.** Tab 6

Agenda Title: Regular Commission Meeting Minutes of February 3, 2016

[ ] SPECIAL PRESENTATION/REPORTS **[X] CONSENT AGENDA**
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 2-8-16

Vivian Mendez – Town Clerk
Name/Title

Originating Department: **Town Clerk**	Costs: **$ 0.00** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Agenda** **meeting minutes** **Exhibits "A - B"**
Advertised: Date: _____ Paper: _____ **[X] 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 *VM* **Please initial one.**

Summary Explanation/Background:

Recommended Motion:

To approve the Regular Commission Meeting Minutes of February 3, 2016.

AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 3, 2016,
Immediately Following the
Joint Library Board Workshop,
Lake Park Town Hall
535 Park Avenue

James DuBois	—	**Mayor**
Kimberly Glas-Castro	—	**Vice-Mayor**
Erin T. Flaherty	—	**Commissioner**
Michael O'Rourke	—	**Commissioner**
Kathleen Rapoza	—	**Commissioner**
John O. D'Agostino	—	**Town Manager**
Thomas J. Baird, Esq.	—	**Town Attorney**
Vivian Mendez, CMC	—	**Town Clerk**

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A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATIONS/REPORTS

1. Proclamation Honoring Doris Bainter **Tab 1**

2. Proclamation and Presentation Honoring Blake K. Rane **Tab 2**

D. PUBLIC COMMENT:
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3. Regular Commission Meeting Minutes of January 20, 2016 Tab 3
4. Resolution No. 04-02-16 Amending the Town of Lake Park Position Titles, Job Codes and Pay Plan Tab 4
5. Correct Total Amount of New Server Request Approved on December 2, 2015 from $15,476.51 to $18,526.43. Tab 5
6. Resolution No. 05-02-16 Authorizing the Mayor to Execute a Revised Government Obligation Contract to Finance Two Sanitation Vehicles. Tab 6

F. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

7. Ordinance No. 02-2016 Creating Chapter 71 Entitled Murals, Providing for the Authorization of Building Owners within the Town's Community Redevelopment Area to display Murals on their Buildings Tab 7

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA CREATING CHAPTER 71 OF THE TOWN CODE ENTITLED "MURALS"; PROVIDING FOR THE AUTHORIZATION OF BUILDING OWNERS WITHIN THE TOWN OF LAKE PARK'S COMMUNITY REDEVELOPMENT AREA TO DISPLAY MURALS ON THEIR BUILDINGS; PROVIDING FOR THE CRITERIA TO BE APPLIED FOR THE DISPLAY OF MURALS ON BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

8. Ordinance No. 03-2016 Creating Article IV of Chapter 22 Entitled Panhandling Tab 8

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING ARTICLE IV OF CHAPTER 22 ENTITLED "PANHANDLING"; PROVIDING FOR AN INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE REGULATION OF CERTAIN CONDUCT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

G. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:

None

H. BOARD MEMBER NOMINATION:

9. Anthony "Tony" Bontrager – Nomination for appointment to the Library Board as a Regular Member Tab 9

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT:

Next Scheduled Regular Commission Meeting will be held on Wednesday, February 17, 2016

Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 3, 2016, 7:53 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, February 3, 2016 at 7:53 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager John O. D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call and Mayor DuBois led the pledge of allegiance.

SPECIAL PRESENTATIONS/REPORTS

1. Proclamation Honoring Doris Bainter.

Mayor DuBois presented the proclamation to Doris Bainter. Ms. Bainter thanked the Commission and staff for the nine years she worked for the Town.

2. Proclamation and Presentation Honoring Blake K. Rane

Shana Ramsey Jenson, a Board of Directors from the State of Florida Government Finance Officers Association (FGOA) and State Representative for the National FGOA presented the Town of Lake Park the Certificate of Achievement for Excellence in Financial Reporting. The entire Finance Department were invited to receive the proclamation and award. Finance Director Blake Rane thanked his staff and the Commission.

PUBLIC COMMENT:

None

CONSENT AGENDA:

3. Regular Commission Meeting Minutes of January 20, 2016
4. Resolution No. 04-02-16 Amending the Town of Lake Park Position Titles, Job Codes and Pay Plan
5. Correct Total Amount of New Server Request Approved on December 2, 2015 from $15,476.51 to $18,526.43.
6. Resolution No. 05-02-16 Authorizing the Mayor to Execute a Revised Government Obligation Contract to Finance Two Sanitation Vehicles.

Vice-Mayor Glas-Castro pulled item number 5 "Correct Total Amount of New Server Request Approved on December 2, 2015 from $15,476.51 to $18,526.43".

Motion: Commissioner Flaherty moved to approve items 3, 4, and 6 on the consent agenda; Commissioner Rapoza seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Vice-Mayor Glas-Castro asked for clarification on item number 5 on the consent agenda. She asked if additional labor charges were being included. Town Manager D'Agostino explained that the labor charges were covered under the general contract with KDT Solutions.

Motion: Commissioner O'Rourke moved to approve items 5 on the consent agenda; Commissioner Rapoza seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:

7. Ordinance No. 02-2016 Creating Chapter 71 Entitled Murals, Providing for the Authorization of Building Owners within the Town's Community Redevelopment Area to display Murals on their Buildings

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA CREATING CHAPTER 71 OF THE TOWN CODE ENTITLED "MURALS"; PROVIDING FOR THE AUTHORIZATION OF BUILDING OWNERS WITHIN THE TOWN OF LAKE PARK'S COMMUNITY REDEVELOPMENT AREA TO DISPLAY MURALS ON THEIR BUILDINGS; PROVIDING FOR THE CRITERIA TO BE APPLIED FOR THE DISPLAY OF MURALS ON BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager D'Agostino explained the item (see Exhibit "A"). Vice-Mayor Glas-Castro suggested that more than one-year be allowed for a mural to stay up as part of the Ordinance. Mayor DuBois suggested that the applicant could come before the Commission requesting an extension beyond one-year. Commissioner Rapoza suggested

that a fee be paid to keep the mural up. Commissioner O'Rourke pointed out that the Ordinance has several requirement that he did not understand. Community Development Director DiTommaso explained that the requirements were pulled from other municipalities. Commissioner O'Rourke asked if the insurance requirement included placing the mural on the wall. Community Development Director DiTommaso stated "yes". Commissioner O'Rourke asked what the purpose of the letter of credit was. Community Development Director DiTommaso stated that the language was pulled from what other municipalities require as part of the enforcement or abandonment process. Commissioner O'Rourke asked for clarification regarding the mural being 100 feet from a residential property. He asked that the language include that the face of the mural should be 100 feet from the residential property. Community Development Director suggested it be changed to 50 feet for the buildings on Park Avenue. Commissioner O'Rourke asked if a mural district could be established. Mayor DuBois suggested that the mural district be limited to the Park Avenue Downtown District. Commissioner O'Rourke suggested restriction buffer between the distances of the murals and residential property. Commissioner Rapoza asked if the application would cost $250 for one design or multiple murals. She asked if the application would come before the Commission for approval. Community Development Director DiTommaso stated "yes" the applications would come before the Commission. She stated that the $250 application fee was per mural. Commissioner Rapoza suggested that a fee for each year after the first year the mural was placed be included in the Ordinance. Commission O'Rourke explained that 12-month was too restrictive. Town Attorney Tom Baird suggested that staff review Town Code section 71-4 "Duration" and language be provided for Commission review for the second reading of the Ordinance. Mayor DuBois suggested that the Ordinance explain that the mural would be up for one to two-years and found that there was value in changing the murals after a certain amount of time. Attorney Baird suggested that language be included for the Commission to review for second reading. Commissioner O'Rourke suggested a two (2)-stage process. First, the applicant would come before the Commission showing the area that the mural would be placed. Second, that applicant would submit a drawing of the mural before it was being placed.

Public Comment Opened:
None
Public Comment Closed:

Motion: Commissioner O'Rourke moved to approve Ordinance No. 02-2016 as amended; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance by title only.

8. Ordinance No. 03-2016 Creating Article IV of Chapter 22 Entitled Panhandling

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING ARTICLE IV OF CHAPTER 22 ENTITLED "PANHANDLING"; PROVIDING FOR AN INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE REGULATION OF CERTAIN CONDUCT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Opened:
None
Public Comment Closed:

Town Manager D'Agostino explained the item (see Exhibit "B"). Mayor DuBois suggested that gas stations be included in the Ordinance. Town Manager D'Agostino stated that a gas station was a business and businesses were included in the Ordinance. Commissioner O'Rourke agreed to include gas stations. He asked what the consequences were for violating the Ordinance. Attorney Baird read the violation section of the Ordinance. Vice-Mayor Glas-Castro asked what the difference between panhandling and someone holding human directional signage. Attorney Baird explained that if the human directional sign holder were impeding the flow of traffic or acting in an aggressive manner, then they could be in violation of the Ordinance. He clarified that human directional sign holders are not panhandlers because they are not soliciting from people they are advertising a business. Lt. Vassalotti explained that the Ordinance does not apply if the person were on a public right-of-way or sidewalk. He stated that he reviewed the Ordinance and it was written extremely well. He stated that the word "businesses" includes gas stations. Vice-Mayor Glas-Castro asked if the Ordinance provides what was needed for enforcement. Lt. Vassalotti stated "absolutely". He explained the process that the Palm Beach County Sheriff's Office (PBSO) has for panhandlers.

Motion: Commissioner O'Rourke moved to approve Ordinance No. 03-2016; Vice-Mayor Glas-Castro seconded the motion.

Mayor DuBois agreed that gas stations do not need to be specified in the Ordinance.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance by title only.

PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:
None

BOARD MEMBER NOMINATION:
9. Anthony "Tony" Bontrager – Nomination for appointment to the Library Board as a Regular Member

Motion: Commissioner Rapoza moved to nominate Anthony "Tony" Bontrager to the Library Board as a regular member; Commissioner Flaherty seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager D'Agostino announced that a tentative meeting has been scheduled with Palm Beach County Board of County Commissioner Hal Valeche. He was waiting for a confirmation regarding a meeting with County Commissioner Priscilla Taylor. These meeting are regarding the Lake Park Scrub. The meeting with County Commissioner Valeche was scheduled for February 18, 2016 at the County Office.

He announced that Governor Scott's Deputy Chief of Staff in Tallahassee has scheduled a meeting (2/10/16 at 8:30 a.m.) for possible funding the Lake Shore Drive drainage issues and economic development. He thanked House of Representatives Bobby Powell for helping to schedule the meeting. Commissioner O'Rourke volunteered to attend the meeting with the Town Manager and staff. He asked that the Mixed-Use Federal Highway vision should be included in the packet presented in Tallahassee. Town Manager explained that the Mixed-Use vision could be included as well as what one of the buildings would mean economically. He announced that the Friends of the Library are having an exhibit on Thursday, February 4th at the Library. He announced that the position of the Recreation Director was being redefined because bundling the Park & Recreation with an Events Planner does not work. He stated that only two (2) municipalities have the same staff member conduct both roles in our area. He explained many unique activities that would benefit the Town.

He announced that the Florida Department of Law Enforcement Justice Assistance Grant for cameras in Town Hall needed to have the Mayor's signature in order to proceed with the grant application. Mayor DuBois suggested that the cameras be placed at Kelsey and Lake Shore Park's. Town Manager D'Agostino explained that the Town Hall cameras

were installed 8-years ago, but they are not high definition nor were they infrared. Commissioner Flaherty asked if the cameras would cover the Library. Town Manager D'Agostino stated that they could cover the Library. Mayor DuBois stated that during the next opportunity the cameras could be installed at the parks.

He announced that the Marina Director has developed a business plan/marketing study.

Commissioner Rapoza asked if the Town of Lake Park could host a Palm Beach County League of Cities meeting. Town Manager D'Agostino explained that several venues outside of Lake Park have been explored to accommodate the meeting. He stated that the venue was in North Palm Beach on the corner of Northlake Blvd and US 1. He stated that he would reach out to the Village of North Palm Beach manager to collaborate to host the meeting. Commission came to consensus to pursue that venue.

Commissioner Flaherty thanked the Library staff and the Friends of the Library for the presentation. He expressed concern with the picketing that took place at the Sunset Celebration and how aggressive they were to those attending. Town Manager D'Agostino explained that he met with the organizers of the group against the cell tower and explained where they could set-up. He stated that he shared the same information with the Commissioners. Commissioner Flaherty stressed that they were aggressive. Mayor DuBois stated that the group exploited the Sunset Celebration and it was a poor decision on the group's part to exploit the Town facility in that manner.

Commissioner O'Rourke asked when would the cell Tower item be heard by the Commission. Town Manager D'Agostino stated that it was scheduled for the March 16, 2016 Commission meeting agenda. He announced that the Lake Park Tennis Pro Darryl Fornatora has gone missing while on vacation in the Dominican Republic. He urged anyone with information to contact the authorities. He asked if the Town was ready to hire a Recreation Director since the Town does not have the proper grass at the parks. He asked Lt. Vassalotti for an update on the spree of car break-ins on Lake Shore Drive. Lt. Vassalotti stated that there was no update at the time. He stated that many municipalities are dealing with the same issue. He explained that DNA was pulled from the cars on Lake Shore Drive and further investigations are being conducted. He stated that PBSO was trying to budget to place cameras around the Town.

Vice-Mayor Glas-Castro announced that the founder of the Lake Park Historical Society Dorothy Gooding had passed away. She announced that former Commissioner John Butterly had passed away. She stated that at the Palm Beach County League of Cities meeting Lake Clarke Shore made a presentation requesting appropriation funding for the "Blue Way Trail" project. She asked that the Town join in with a Resolution of support. Town Manager D'Agostino suggested that it be included in the next agenda. Vice-Mayor Glas-Castro asked what the Northlake Blvd signage compliance date was. Community Development Director DiTommaso explained that it was July 5, 2016. Vice-Mayor Glas-Castro asked Attorney Baird a question regarding the cell tower. She asked since we were in the lease option phase of the agreement could the lease be terminated because they failed to get a favorable recommendation from the Planning & Zoning Board. Attorney Baird stated "no". She clarified an email exchange that took place between the Town Manager regarding proclamations and how her tone was

misinterpreted. She described the different types of proclamation that are presented. She stated that the proclamation that recognize individuals or businesses for extraordinary achievements were typically requested by the Town Commission. She stated that in her opinion a proclamation honoring an individual should come from the Commission and not from staff or the Town Manager. She suggested that the Town Manager should recommend such proclamation before placing them on an agenda. Town Manager D'Agostino explained the email string and the understanding of those emails. Vice-Mayor Glas-Castro suggested that a proclamation policy be created which would include the criteria. The policy should be brought back to the Commission for recommendation and adoption.

Mayor DuBois announced that he attended the North County Intergovernmental Coordination meeting where quiet zones were discussed. He stated that Kim Delaney from the Treasurer Coast Regional Planning Council made a presentation regarding Tri-Rail and All Aboard Florida's bright line and quiet zones projects. He stated that there are tiger grants that are associated with either of the projects for funding of quiet zones from the Metropolitan Planning Organization (MPO). He stated that the Town was part of their phase II part of the project and the Town may be waiting further time than originally anticipated. He suggested that the Town pursue getting these funds. He stated that he has read the City of Delray Beach Resolution regarding Impact fees and would be interested in reading the West Palm Beach Resolution. Vice-Mayor Glas-Castro stated that the Village of Palm Springs was creating a similar Resolution. He recommended that Commissioner Rapoza receive a proclamation of appreciation for her time as Commissioner. Town Manager D'Agostino stated that a proclamation has been scheduled for April 6, 2016.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 9:50 p.m.

_____
Mayor James DuBois

_____
Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this _____ of _____, 2016

Exhibit "A"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 3, 2016 **Agenda Item No.** Tab 7

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA CREATING CHAPTER 71 OF THE TOWN CODE ENTITLED "MURALS"; PROVIDING FOR THE AUTHORIZATION OF BUILDING OWNERS WITHIN THE TOWN OF LAKE PARK'S COMMUNITY REDEVELOPMENT AREA TO DISPLAY MURALS ON THEIR BUILDINGS; PROVIDING FOR THE CRITERIA TO BE APPLIED FOR THE DISPLAY OF MURALS ON BUILDINGS.

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[X] ORDINANCE ON 1st READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 1-20-16

Nadia Di Tommaso / Community Development Director ND
Name/Title

Originating Department: **Community Development**	Costs: **$ 0** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Ordinance 02-2016**
Advertised: Date: _____ Paper: _____ **[X] 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 ND or Not applicable in this case **Please initial one.**

Summary Explanation/Background:

Throughout 2015, murals were discussed by the Town Commission. They were discussed in an attempt to introduce the concept of wall art on structures within the Town's Community Redevelopment Area (CRA). The intent of this Ordinance is codify certain provisions that would enable business owners to apply for murals that are strictly art-related without any business signage. Some key elements of the proposed Ordinance include:

- ➔ Emphasis on content neutral messages.

- ➔ Distance separation of 100 feet to residential structures.

- ➔ Application and fee ($250) requirements involving Community Development Department initial review and final approval by the Town Commission – includes proof of public liability insurance for applicants who are corporations, limited liability companies or partnerships in the amount of $1,000,000 and a letter of credit in the amount of $1,500 to ensure the Town is able to collect in the event the mural is found to be in non-compliance with any mural provisions.

- ➔ Maximum size not to exceed 80% of a wall, and in no event more than 10,000 square feet with predominantly pictorial images without text.

- ➔ Maximum duration of 12 months for a mural, with a one-time 12 month extension if desired (extension may be approved administratively).

- ➔ Maintenance and enforcement provisions whereby the mural is required to be maintained in good repair, or is subject to the Town's code enforcement proceedings.

Please refer to the complete proposed Ordinance found herein.

Recommended Motion: **I move to APPROVE Ordinance 02-2016 on first reading.**

Exhibit "B"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 3, 2016 **Agenda Item No.** Tab 8

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING ARTICLE IV OF CHAPTER 22 ENTITLED "PANHANDLING".

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[X] ORDINANCE ON 1st READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 1-20-16

Nadia Di Tammaso / Community Development Director ND
Name/Title

Originating Department: **Community Development**	Costs: **$ 0** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Ordinance 03-2016**
Advertised: Date: _____ Paper: _____ **[X] 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 ND or Not applicable in this case **Please initial one.**

Summary Explanation/Background:

Staff was approached by the Palm Beach County's Sheriff's Office regarding the implementation of a panhandling Ordinance similar to the Ordinances adopted by Palm Beach County and the Village of North Palm Beach. Since the Town has certain *hot-spots* for panhandlers and some of these *hot-spots* present life-safety and public welfare concerns, specifically when panhandlers are soliciting in roadway medians or at Automatic Teller Machines, the Town Attorney reviewed those Ordinances that have already been enacted and has recommended that the Town adopt a similar Ordinance. This Ordinance, in part, prohibits panhandling (solicitation) pursuant to the following:

1. No person shall panhandle in an aggressive manner within the Corporate Limits of the Town.

2. No person shall panhandle within twenty (20) feet of any automated teller machine, an entrance or exit to a banking facility, or an entrance or exit to a business establishment open to the public or a governmental building.

3. No personal shall panhandle when either the person soliciting or the person being solicited is at a bus stop or within a public transportation vehicle.

4. No person shall panhandle in any parking lot or parking garage.

5. No person alongside or within the median of any roadway shall panhandle from any occupant of a motor vehicle that is on a roadway nor shall any person stand alongside a roadway or within the median for the purpose of panhandling.

6. No person shall panhandle on private property without the permission of the owner.

Please refer to the complete proposed Ordinance found herein.

Recommended Motion: I move to APPROVE Ordinance *03*-2016 on first reading.

TAB 7

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **February 17, 2016** **Agenda Item No.** Tab 7

Agenda Title: Proclamation Recognizing Eating Disorders Awareness Week February 22 – 28, 2016

[ ] SPECIAL PRESENTATION/REPORTS **[X] CONSENT AGENDA**
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 1-20-16

Vivian Mendez – Town Clerk
Name/Title

Originating Department: **Town Clerk**	Costs: $ 0.00 Funding Source: Acct. # [ ] Finance _____	**Attachments:** **. Email request from The Alliance For Eating Disorders Awareness.** **. Proclamation.**
Advertised: Date: _____ Paper: _____ **[X] 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 VM or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background:
The Alliance for Eating Disorders Awareness has reached out to several municipalities in Palm Beach County requesting their support in recognizing February 22-28, 2016 as Eating Disorders Awareness Week.

The Alliance is a non-profit organization established in 2000 in Palm Beach County that provides programs and activities aimed at outreach and education related to health promotion, including all eating disorders, obesity, positive body image, and self-esteem. The Alliance offers education presentations, referrals for treatment, training, and cutting-edge information aimed to share the message that recovery for eating disorders is possible. Eating disorders currently affect over 30 million Americans, and over 600,000 in Florida alone.

Recommended Motion: I move to approve the Eating Disorders Awareness Week proclamation on the Consent Agenda.

Vivian Mendez

From: Matthew Murray <mmurray@allianceforeatingdisorders.com>
Sent: Thursday, January 14, 2016 10:29 AM
To: Town Clerk
Subject: Proclamation Request
Attachments: Proclamation for PBC EDAW 2016.doc

Dear Ms. Mendez,

Good morning; my name is Matthew Murray and I am the Program Coordinator for The Alliance for Eating Disorders Awareness (The Alliance).

The Alliance is a non-profit organization established in 2000 in Palm Beach County that provides programs and activities aimed at outreach and education related to health promotion, including all eating disorders, obesity, positive body image, and self-esteem. The Alliance offers educational presentations, cutting-edge information, referrals for treatment, training, advocacy, support and mentoring services. Our aim is to share the message that recovery from eating disorders is possible and that individuals should not have to suffer or recover alone. Since its inception, The Alliance has offered presentations on eating disorders, positive body image, and self-esteem to over 235,000 individuals.

I am writing to you in reference to Eating Disorders Awareness Week. Eating Disorders Awareness Week will be taking place both nationally and internationally February 22 - 28, 2016. As such, our aim is to bring awareness, education, and intervention to this rapidly growing epidemic. Eating disorders currently affect upwards of 30 million Americans, over 600,000 in Florida alone, and proper awareness is not only necessary, but truly imperative. We will be hosting events throughout Palm Beach County during the entire month of February 2016.

We are humbly asking for your support in recognizing Eating Disorders by proclaiming the week of February 22 - 28, 2016 as Eating Disorders Awareness Week. As you have done in the past, your participation this year would be greatly appreciated.

If you have any questions, please feel free to contact me at The Alliance office at 561.841.0900. For more information on The Alliance, please visit our website at www.allianceforeatingdisorders.com

Attached you will find a sample proclamation that we have prepared for your use.

Thank you so very much, Ms. Mendez, for your consideration and for everything you do for the town of Lake Park!

Regards,

Matthew F. Murray, Program Coordinator
The Alliance for Eating Disorders Awareness
mmurray@allianceforeatingdisorders.com
www.allianceforeatingdisorders.com
1649 Forum Place, Ste. 2
West Palm Beach, FL 33401
561.841.0900 | 866.662.1235 | (F)561.653.0043

help. support. recovery.

Eating Disorders Awareness Week
Proclamation

WHEREAS, in the United States as many as 30 million Americans are currently battling eating disorders, and more than 600,000 individuals in the State of Florida suffer daily with their eating disorder; and

WHEREAS, eating disorders are not choices, but serious biologically influenced illnesses; and

WHEREAS, eating disorders are associated with serious physical health consequences, including irregular heartbeats, heart disease and heart failure, kidney failure, osteoporosis, gastric rupture, tooth decay, obesity, gall bladder disease, diabetes, and death; and

WHEREAS, at least once every 62 minutes, someone dies due to their struggle with an eating disorder, and anorexia nervosa has the highest mortality rate of any mental illness; and

WHEREAS, eating disorders know no boundaries with respect to genders, ages, races, ethnicities, body shapes and weights, sexual orientations, and socioeconomic statuses; and

WHEREAS, with early detection and intervention, full recovery from an eating disorder is possible; and

WHEREAS, The Alliance for Eating Disorders Awareness, a 501(c)(3) non-profit organization, is the premier eating disorders organization in Palm Beach County dedicated to providing programs and activities aimed at outreach, education, and early intervention for all eating disorders

NOW, THEREFORE, BE IT RESOLVED *that the week of* February 22, 2016 – February 28, 2016 *is hereby designated as* **EATING DISORDERS AWARENESS WEEK.**

IN WITNESS THEREOF, *I,* ***James DuBois, Mayor*** *of the Town of Lake Park, have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 17th day of February, 2016.*

BY: ATTEST:

Mayor James DuBois *Town Clerk Vivian Mendez*

SEAL FLORIDA

TAB 8

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **February 17, 2016** **Agenda Item No.** Tab 8

Agenda Title: Resolution that allows supporting Municipalities to cooperate with other Local Governments to develop a boat lift at the C51 Canal also known as the Blue Wave Initiative.

[ ] SPECIAL PRESENTATION/REPORTS [X] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 2-9-16

John O. D'Agostino, Town Manager
Name/Title

Originating Department: **Town Manager**	Costs: Funding Source: General Fund Acct. # [ ] Finance _____	**Attachments:** • **Resolution** 07-02-16
Advertised: Date: _____ Paper: _____ [X] 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 _JOD___ **Please initial one.**

Summary Explanation/Background: The Town Commission requested the attached Resolution in support of the Blue Wave Initiative. The C51 Canal and the S155 Control Structure will connect a 26 mile chain of fresh water lakes (Pine Lake, Lake Clarke, Lake Osborne, Lake Eden and Lake Ida) that will develop navigable canals within the region. The current President of the Palm Beach County League of Cities created an initiative called Ocean to Lake Trails with a focus on the enhancement of the land and water trail system from the Ocean to the Lake Okeechobee Trail System.

The attached resolution supports the initiatives of the President of the Palm Beach County League of Cities and requires the communities to work together under the Florida Interlocal Cooperation Act of 1969 to ensure successful development of the Ocean to Lake Trails concept established by the Palm Beach County League of Cities' President.

The initiative will create recreational opportunities, economic development and environmental enhancements that will benefit the region and ultimately the Town of Lake Park.

Recommended Motion: I move to support Resolution 07-02-16 in support of the Ocean to Lake Trails initiative and development of a Boat Lift at the C51 canal and an S155 Control Structure.

RESOLUTION NO. 07-02-16

A RESOLUTION OF THE LAKE PARK TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA SUPPORTING AND ENCOURAGING EFFORTS BY THE TOWN OF LAKE CLARKE SHORES AND NEIGHBORING MUNICIPALITIES TO PROCEED WITH IMPROVEMENTS TO THE CHAIN OF LAKES, THE OCEAN TO TRAILS INITIATIVE AND DEVELOPMENT OF A BOAT LIFT AT THE C51 CANAL S155 CONTROL STRUCTURE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969," authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, the desire of our sister cities to develop recreational opportunities, encourage economic development, and create new jobs within their regional area while enhancing the environmental attributes of their communities should be commended; and

WHEREAS, the Treasure Coast Regional Planning Council (TCRPC) created ***The Intracoastal Waterway Plan for Palm Beach County: Charting a Course for the Future*** ('09 Charrette) for the Palm Beach County Metropolitan Planning Organization (MPO) published in January 2009; and

WHEREAS, the '09 Charrette participants identified six core public themes including increasing public access to the Intracoastal Waterway (ICW), protecting natural resources, expanding all forms of water based transportation, and promoting sustainable economics; and

WHEREAS, the MPO requested the '09 Charrette be updated by TCRPC and their report was published in January 2015 which documented that a connection to the

ICW at the S155 Control Structure on the C51 Canal would have significant economic and recreational benefit; and

WHEREAS, the C51 Canal is connected to a 26 mile chain of freshwater lakes (Pine Lake, Lake Clarke, Lake Osborne, Lake Eden and Lake Ida) and navigable canals within our regional area; and

WHEREAS, the Town of Lake Park supports improvements to the C51 Canal that would enhance the recreational uses of the ICW, C51 Canal, and the Chain of Lakes and provide for new economic opportunities and job creation; and

WHEREAS, a connection between the ICW and the C51 Canal at the S155 Control Structure would provide for economic development, job creation and recreational enhancement. The connection has been referred to as the "Boat Lift" and is estimated to provide significant economic benefit to the regional area; and

WHEREAS, the Town of Lake Park recognizes a significant environmental resource in the canals and lakes that must be protected and improved; and

WHEREAS, the Boat Lift provides for environmental enhancement to the waterways, safe and effective portage opportunities for non-motorized recreational watercraft, and small motorized boats to access the ICW; and

WHEREAS, the current President of the Palm Beach County (PBC) League of Cities has created an initiative called Ocean to Lake Trails focused on enhancement of the land and water trail system from the Ocean to the Lake Okeechobee Trail System; and

WHEREAS, the Ocean to Lake Trails Committee of the PBC League of Cities has identified the Boat Lift and the associated improvements to the ICW and the C-51 as vital to that Ocean to Lake Trails initiative; and

WHEREAS, Palm Beach County Commissioner, Shelley Vana, hosted a regional visioning session, where redevelopment was the number one priority for this area of Palm

Beach County; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAKE PARK TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

SECTION 1: The Town of Lake Park Commission fully acknowledges and supports the following:

A. Recreational opportunities, economic development and environmental enhancement which occur within the partner municipalities are beneficial to the regional area and ultimately to the Town of Lake Park; and

B. The efforts of the partner municipalities to proceed with improvements to the chain of lakes, the Ocean to Lake Trails initiative and development of a boat lift at the C51 canal and the S155 control structure.

SECTION 3: This Resolution shall take effect immediately upon passage.

Ordinance on Second Reading

TAB 9

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 17, 2016 **Agenda Item No.** Tab 9

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA CREATING CHAPTER 71 OF THE TOWN CODE ENTITLED "MURALS"; PROVIDING FOR THE AUTHORIZATION OF BUILDING OWNERS WITHIN THE TOWN OF LAKE PARK'S PARK AVENUE DOWNTOWN DISTRICT TO DISPLAY MURALS ON THEIR BUILDINGS.

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[X] ORDINANCE ON 2nd READING – PUBLIC HEARING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager Vii Mule Town Clerk **Date:** 2/9/16

Nadia Di Tommaso / Community Development Director ND
Name/Title

Originating Department: **Community Development**	Costs: **$ Legal Ad** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Ordinance 02-2016** **Legal Ad**
Advertised: Date: **February 7, 2016** Paper: **Palm Beach Post** [ ] 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 *ND* or Not applicable in this case **Please initial one.**

Summary Explanation/Background:

TOWN COMMISSION 1st READING: February 3, 2016 – Approved (5-0) with recommended changes which have been incorporated and highlighted in yellow in the enclosed Ordinance. The changes include:

- Limiting the mural area to the Park Avenue Downtown District (PADD).
- Providing a 50-foot setback to residential structures, measured from the exterior edge of the nonresidential building wall upon which the mural is proposed, to the exterior edge of the closest residential building wall.

- ➔ Allow the Applicant to indicate their desired duration for the mural on the mural permit application. Final determination on duration shall be made by the Town Commission.

- ➔ Allow for a cash security deposit in the amount of $1,500 instead of a letter of credit in the amount of $1,500 per the Town Manager's request and in an effort to ensure the best possible security.

- ➔ Allow for a two-step permit approval process whereby the first step allows the Town Commission to review the proposed location of the mural and if approved, the second step would allow the Town Commission to review the mural itself. A certified mail notice to all property owners within 300 feet of the proposed mural location remains in the Ordinance as a requirement at the beginning of the process. It should include both meeting dates.

PROPOSAL

Throughout 2015, murals were discussed by the Town Commission. They were discussed in an attempt to introduce the concept of wall art on structures within the Town's Community Redevelopment Area (CRA). The intent of this Ordinance is codify certain provisions that would enable business owners to apply for murals that are strictly art-related without any business signage. Some key elements of the proposed Ordinance include:

- ➔ Emphasis on content neutral messages.

- ➔ Distance separation of 50 feet to residential structures.

- ➔ Initial application and fee ($250) requirements involving Community Development Department initial review and final approval by the Town Commission – includes proof of public liability insurance for applicants who are corporations, limited liability companies or partnerships in the amount of $1,000,000 and a letter of credit in the amount of $1,500 to ensure the Town is able to collect in the event the mural is found to be in non-compliance with any mural provisions.

- ➔ Maximum size not to exceed 80% of a wall, and in no event more than 10,000 square feet with predominantly pictorial images without text.

- ➔ Maximum duration must be requested by the Applicant on the application form and final determination is at the discretion of the Town Commission (additional fees may apply depending on the maximum duration granted per the Ordinance).

- ➔ Maintenance and enforcement provisions whereby the mural is required to be maintained in good repair, or is subject to the Town's code enforcement proceedings.

Please refer to the complete proposed Ordinance found herein.

Recommended Motion: I move to ADOPT Ordinance 02-2016 on second reading.

ORDINANCE 02- 2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA CREATING CHAPTER 71 OF THE TOWN CODE ENTITLED "MURALS"; PROVIDING FOR THE AUTHORIZATION OF BUILDING OWNERS WITHIN THE TOWN OF LAKE PARK'S PARK AVENUE DOWNTOWN DISTRICT TO DISPLAY MURALS ON THEIR BUILDINGS; PROVIDING FOR THE CRITERIA TO BE APPLIED FOR THE DISPLAY OF MURALS ON BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida (Town) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission and the Board of Commissioners of the Town's Community Redevelopment Agency (CRA) have previously determined that the encouragement of the arts in the community redevelopment area of the Town and particularly within the Park Avenue Downtown District (PADD) would further redevelopment; and

WHEREAS, murals have been recognized as a form of artistic expression; and

WHEREAS, the Commission finds that the display of murals on buildings within the Town's PADD area would be consistent with the Commission and the CRA's vision to encourage the arts in the community redevelopment area's downtown core of the Town; and

WHEREAS, the Commission finds that authorizing property owners within the Town's PADD to allow artists to display murals on their buildings would provide the owners of those buildings with a unique form of artistic expression within the community redevelopment area of the Town; and

WHEREAS, the Commission finds that the display of murals on buildings within the PADD is likely to encourage the owners of buildings to redevelop their properties, and thereafter to maintain them because of the improved aesthetic appearance of their buildings and the redevelopment area in general.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. Chapter 71 of the Town Code is hereby created to read as follows:

MURALS

ARTICLE. I. INTENT.

Section 71-1. It is the intent of these regulations to:

(1) Create a process permitting the owners of buildings within the Town's Park Avenue Downtown District (PADD) to engage artists to display their mural art containing content neutral messages on their buildings.

(2) Promote the arts by providing artists with a forum to display their work.

(3) Encourage property owners to improve the appearance of their buildings, and thereafter to maintain the enhanced appearance of their buildings.

(4) Protect and enhance property values through the creation of a more attractive economic and business area.

(5) Protect and enhance the physical appearance of the community redevelopment area by improving its visual appearance.

ARTICLE II. DEFINITIONS.

Sec. 71-2. For the purpose of this chapter, the following definitions apply:

(1) **Affiliate** means any person, other than the person that controls, is controlled by or is under common control with the first person including, but not limited to, any owner, shareholder, member, partner, officer, director or employee of the first person.

(2) **Control** means the possession, directly or indirectly, of the power to direct or cause the direction of management, policies or activities of any person, whether through ownership of voting securities, by contract or otherwise.

(3) **Applicant** is any person or entity who, is seeking to be qualified to apply for a mural permit pursuant to this chapter.

(4) **Copy change** means a type of application by the holder of a mural permit to change a mural painted on a building.

(5) **Gateway sign** means a sign marking the entrance to a neighborhood, park, or other designated historic, public or geographical areas.

(6) **Location change** means a type of application by the holder of a mural permit to change the location of a previously approved mural permit.

(7) **Mural** means a painting or artistic work (including collage effects) composed of pictures or arrangements of color, or similar works of art which may have a commercial sponsorship message not related to any businesses located onsite, and which is made directly onto, projected onto, attached to a building or a wall, or placed as a standalone feature.

(8) **Mural face** means the entire face of the mural including all noncommercial text, artwork, and commercial sponsorship messages incorporated into a mural.

(9) **Mural permit** means the permit allowed by this chapter once all criteria described herein has been met.

(10) **New location** means an available location for a mural placement where there is not currently an active mural permit and otherwise complies with the criteria of this chapter.

(11) **Permittee** means a person or entity who is the holder of an approved mural permit.

(12) **Permit fee** means the permit application fee paid for a mural permit.

(13) **Qualified applicant** means any person or entity as defined herein.

(14) **Wall** means the exterior surface of a building capable of being occupied, including surfaces free of windows or devoid of occupants behind the area where the mural is to be placed. Surfaces constructed on roof tops (other than a roof parapet) shall not be considered walls for purposes of this article.

(15) **Wrap or wrapped mural** means a mural which is continuous on two sides of the building and connects or touches on one side and has the same sponsor. A wrap shall have related paintings, artistic works, or messages on both sides of the mural.

ARTICLE III. MINIMUM CRITERIA FOR MURALS.

Sec. 71-3. Placement of murals on buildings.

(1) Murals may be placed on the exterior walls of a nonresidential building.

(2) Minimum setback requirement: Murals shall not be placed on buildings that are within 50 feet of a residential structure, measured from the exterior edge of the nonresidential building wall upon which the mural is proposed, to the exterior edge of the closest residential building wall;

(3) A mural shall not be placed on buildings such that it prevents a window from being opened;

(4) A mural not prevent ingress and egress or interfere with site circulation by incorporating images that are misleading to site operators.

Sec. 71-4. Duration.

An applicant shall indicate the duration the mural is proposed for display on the mural permit application. The determination of the duration of the permit shall be made by the Town Commission. Applicants shall pay a $250 fee for every 1-12-month period the mural is displayed beyond the first 12 months. At the conclusion of the approved period of the display of the mural it shall be removed, or replaced with a new mural. The new mural shall meet the provisions of this chapter.

ARTICLE IV. PARTICIPATING ARTISTS.

Sec. 71-5. Qualification as a participating artist.

An individual who proposes to be a participating artist shall submit the following information.

(1) A mural permit application from the building owner; and

(2) The name, address, phone number and other pertinent information of the applicant, and if the applicant is an entity, such as a corporation, limited liability company, or partnership, the names and business addresses of the principal officers, and other persons who own more than five percent of the entity; and

(3) Proof, reasonably satisfactory to the Town risk management administrator, that any applicant who is a corporation, limited liability company, or partnership has (and can maintain at all times) public liability insurance in the amount of $1,000,000; and

(4) Proof that the applicant is in good standing with the Town and the county for any pending code enforcement matters. No individual, business, building or property owner, or affiliate of an individual, business or building or property owner may apply for a mural permit if that person or entity has displayed an illegal mural, banner, sign or any type of outdoor advertising in the Town by receiving a notice of violation, any summons to appear, or a ticket for any illegal mural, banner, sign, or any type of outdoor advertising in violation of the Town Code; and

(5) A cash security deposit in the amount of $1,500.00 payable to the Town of Lake Park. The Town shall be authorized to utilize the cash security deposit in the event the applicant is determined by the Town's Special Magistrate to be in violation of any provision of this chapter and any fines assessed by the Special Magistrate are not paid within 30 days of the order; and

(6) The applicant shall not be indebted to the Town for any fees, fines, liens business tax receipt fees, zoning certificate fees, code enforcement fines or liens, palm beach county fire rescue liens, unsafe structure fines or liens, or any other fee, fine, penalty, or lien due and owing to the Town.

ARTICLE VI. MURAL APPLICATIONS AND PERMITS.

Sec. 71-6. Mural Applications.

Applicants shall submit applications to display murals on buildings to the Community Development Department. The application shall include a depiction of the mural proposed for a building and identify the building upon which it will be displayed.

Upon the submission of an application, the Department shall determine whether the Applicant has complied with the criteria set forth herein. Upon the determination by the Department that the proposed mural meets the minimum distance separation and size requirements set forth herein and application shall be submitted to the Town Commission for its initial review as to its proposed location.

A qualified applicant's permit application shall *initially* contain the following:

(1) The address of the subject building and dimensioned (in feet) elevation drawing and photo of the wall where the mural is to be located along with identification of the desired mural wall area in feet.

(2) A survey identifying the property boundaries.

(3) An aerial image of the site identifying the surrounding properties, their existing use and distance (measured in feet) from the applicant's site.

(4) Proof that the building where the mural is to be placed is in compliance with applicable laws, as defined herein, and does not have any outstanding code violations pending, or liens recorded or past code violations.

(5) The applicant shall provide a list of all property owners within 300 feet of the building proposed for a mural together with address labels and funds to cover the cost of certified mail to property owners.

Following the Commission's approval of the mural's location, the applicant shall submit the following additional documentation to the Community Development Department:

(6) A colored drawing or colored computer simulation depicting the mural face.

(7) Two photographs or two computer simulations depicting the wall and the mural superimposed on the wall.

(8) Payment of an initial non-refundable administrative permit fee in the amount of $250.00. A wrap-around wall mural shall be considered under a single mural permit however, if murals are proposed on more than one building wall and are not a continuation of one another, separate mural permits and fees are required.

(9) Completion by the applicant of the Town indemnity and hold harmless agreement, in a form approved to by the Town attorney.

Sec. 71-7. Approval process for permit issuance.

Once all the mural permit requirements have been received by the Community Development Department, the Department Director shall direct the final application package to the Town Commission for approval, approval with modifications, or denial. Notification in the form of a certified mail notice with a description of the proposal shall be mailed to all properties within 300 feet of the subject property at least 7 days before the

Town Commission meeting. The applicant shall bear the costs of this notification. The proposal shall be approved by Resolution of the Town Commission.

Sec. 71-8. Minimum Mural permit criteria.

(1) Mural size. Murals may be painted on up to 80 percent of a wall. In any event, a mural may not be greater than 10,000 square feet.

(2) Mural size. The mural face shall be predominantly pictorial with no text.

(3) Illumination. The illumination of a mural shall only be by indirect lighting, and shall only be permitted from 6:00 p.m. to midnight Standard Time and 7:00 p.m. to midnight Day Light Savings Time. If illumination is proposed, a signed and sealed photometric plan shall accompany the application for those murals adjacent to residential property.

(4) Location. Murals shall be placed only on walls.

(5) Public safety. Mural faces shall not have any moving or animated parts, or any other electronic movements, and shall not be illuminated in such a manner so as to cause glare or to impair the vision of motorists or otherwise distract motorists and interfere with their ability to safely operate their vehicles.

(6) Unoccupied buildings. A mural shall be permitted on an unoccupied building only if the building possesses a valid Town permanent certificate of occupancy.

Sec. 71-9. Review by the Community Development Department

(1) The Town Community Development Department or designee shall be responsible for the review of mural permits with the criteria established herein prior to forwarding the application to the Town Commission.

(2) The Town Community Development Department or designee shall keep an updated map and permit records/photos depicting the locations of all approved mural permits.

(3) A permittee shall have 60 days from the issuance a mural permit to install a mural at the approved site. Should the permittee fail to install the permitted mural within the 60-day period, the Town Community Development Department or designee shall rescind the mural permit.

Sec. 71-10. Changes in art work, copy, or applications.

(1) An Applicant may change the copy on the mural face by filing a revision permit application and the payment of a $100 revision fee. Such application shall be submitted to the Town Community Development Department and adhere to the

Application Requirements and Approval Process for Permit Issuance listed herein, which includes Town Commission approval.

(2) Location change application. Mural permits are not transferable. All location changes shall be subject to the review procedure set forth herein.

Sec. 71-11. Enforcement.

(1) Enforcement of any provisions of this chapter shall be through the Town Code Enforcement procedures outlined in Chapter 9 of the Town Code.

(2) The Town shall be authorized to collect against the letter of credit all fees, fines and penalties, as well as all expenses incurred by the enforcement of this Ordinance.

(3) In the event an Applicant is found to be in non-compliance by the Town's Special Magistrate, any and all mural permits issued pursuant to this Ordinance shall be revoked and the Applicant shall forfeit the right to apply for any subsequent mural permits for a five year period following revocation. A notice of rescission shall be provided to the Applicant, and require the Applicant to remove all murals permitted pursuant to this Ordinance within five days of receipt of such notice. If the Applicant fails to remove the mural(s) after receipt of such notice, enforcement proceedings may be immediately initiated.

(4) A mural that has been erected without a valid mural permit shall be removed within 24 hours of the building owner's receipt of notification from the Town that the mural is in violation of the Town Code. If the mural erected without a valid mural permit poses a threat to the public welfare (through the use of obscene symbols or other similar prohibitions), the Town, by and through its designee, shall be permitted to enter the building premises in violation and remove the mural and code enforcement shall adhere to the code enforcement procedures to abate a nuisance outlines in Chapter 54 of the Town Code.

(5) The building owner shall strictly comply with the provisions of this chapter throughout the term of a permit. Failure to do so may result in the Town's revocation of the permit and the forfeiture of the building owner's opportunity to apply for subsequent mural permits for a five-year period.

Sec. 71-12. Maintenance.

(1) In the event a Town code compliance officer finds that any mural permitted pursuant to this article is not being maintained in good repair or appears faced,

torn, or in similar condition of deterioration, the code enforcement officer shall send written notice to the property owner and order the owner to repair the mural. In the event the owner fails to repair the mural the Town may initiate proceedings to rescind the mural permit through the code enforcement proceedings outlined herein and require the removal of the mural and would be subject to Section 71-11 of this chapter.

(2) The building owner shall assure that each building/structure for which a mural permit has been issued shall be throughout the term of the permit in full compliance with all applicable federal, state, county and Town laws and regulations including, without limitation, building, life/safety, electrical, and similar technical codes, minimum housing, land use and zoning, sanitary, solid waste, storm water, water and sewer, and such other applicable laws as further the public health, safety and general welfare.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall take effect immediately upon adoption.

Publication: Palm Beach Post; Date: Feb 7, 2016; Section: Business; Page: D4

LEGAL NOTICE OF PROPOSED ORDINANCE TOWN OF LAKE PARK

Please take notice that on Wednesday, February 17, 2016, 2016 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE 02-2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA CREATING CHAPTER 71 OF THE TOWN CODE ENTITLED "MURALS"; PROVIDING FOR THE AUTHORIZATION OF BUILDING OWNERS WITHIN THE TOWN OF LAKE PARK'S PARK AVENUE DOWNTOWN DISTRICT TO DISPLAY MURALS ON THEIR BUILDINGS; PROVIDING FOR THE CRITERIA TO BE APPLIED FOR THE DISPLAY OF MURALS ON BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 03-2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING ARTICLE IV OF CHAPTER 22 ENTITLED "PANHANDLING"; PROVIDING FOR AN INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE REGULATION OF CERTAIN CONDUCT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida
PUB: The Palm Beach Post
2-7/2016 #554827

TAB 10

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 17, 2016 **Agenda Item No.** Tab 10

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING ARTICLE IV OF CHAPTER 22 ENTITLED "PANHANDLING".

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[X] ORDINANCE ON 2nd READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 2-8-16

Nadia Di Tommaso / Community Development Director ND
Name/Title

Originating Department: **Community Development**	Costs: **$ Legal Ad** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Ordinance 03-2016** **Legal Ad**
Advertised: Date: **February 7, 2016** Paper: **Palm Beach Post** **[X] 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 *ND* or Not applicable in this case **Please initial one.**

Summary Explanation/Background:

TOWN COMMISSION 1st READING: February 3, 2016 (APPROVED 5-0)

Staff was approached by the Palm Beach County's Sheriff's Office regarding the implementation of a panhandling Ordinance similar to the Ordinances adopted by Palm Beach County and the Village of North Palm Beach. Since the Town has certain *hot-spots* for panhandlers and some of these *hot-spots* present life-safety and public welfare concerns, specifically when panhandlers are soliciting in roadway medians or at Automatic Teller Machines, the Town Attorney reviewed those Ordinances that have already been

enacted and has recommended that the Town adopt a similar Ordinance. This Ordinance, in part, prohibits panhandling (solicitation) pursuant to the following:

1. No person shall panhandle in an aggressive manner within the Corporate Limits of the Town.

2. No person shall panhandle within twenty (20) feet of any automated teller machine, an entrance or exit to a banking facility, or an entrance or exit to a business establishment open to the public or a governmental building.

3. No person shall panhandle when either the person soliciting or the person being solicited is at a bus stop or within a public transportation vehicle.

4. No person shall panhandle in any parking lot or parking garage.

5. No person alongside or within the median of any roadway shall panhandle from any occupant of a motor vehicle that is on a roadway nor shall any person stand alongside a roadway or within the median for the purpose of panhandling.

6. No person shall panhandle on private property without the permission of the owner.

Please refer to the complete proposed Ordinance found herein.

Recommended Motion: I move to ADOPT Ordinance 03-2016 on second reading.

ORDINANCE NO. 03-2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING ARTICLE IV OF CHAPTER 22 ENTITLED "PANHANDLING"; PROVIDING FOR AN INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE REGULATION OF CERTAIN CONDUCT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Commission finds that there has been an increase in panhandling, begging and the solicitation of residents and visitors in the Town of Lake Park (Town) by individuals in the public rights-of-way, at the intersections of public right-of-ways, and in other public parks or places of the Town; and

WHEREAS, the Commission finds that the panhandling, begging and solicitation of residents and visitors traversing the public right-of-ways is distracting to, and is of concern to motorists because of the potential for motorists and/or the pedestrians who are involved in the panhandling, begging, and solicitation to become involved in accidents; and

WHEREAS, the Commission finds that panhandling, begging, and solicitation from motorists in public rights-of-way and at the intersections of public right-of-ways in the Town is disturbing, distracting and disruptive and results in residents and visitors feeling unsafe; and

WHEREAS, the Commission finds that panhandling, begging, and solicitation in the Town's public parks and other public areas of the Town is disturbing, distracting, and disruptive and results in residents, visitors and business owners and employees in the Town feeling unsafe; and

WHEREAS, the Commission finds panhandling, begging, and the solicitation of residents and visitors in the Town contributes to a loss of access to, and the avoidance of certain public right-of-ways, parks and places in the Town; and

WHEREAS, the Commission finds that panhandling, begging, and solicitation disrupts the access of residents and visitors to public right-of-ways, parks and places, and to the businesses in the Town and is sometimes intimidating, creates concerns regarding an individual's safety and undermines the Commission's efforts to promote and attract residents, visitors and businesses to the Town;

WHEREAS, it is the intent of the Commission to regulate panhandling, begging, and solicitation in the Town is necessary to preserve the quality of life within the Town; and

WHEREAS, the Town Commission intends to regulate panhandling, begging and solicitation in the Town without being more intrusive to the exercise of Constitutionally protected activities, such as the freedom of speech and expression than is necessary to protect its residents, visitors and businesses; and

WHEREAS, the Town Commission finds that adoption of this Ordinance is the least restrictive means to provide a content neutral restriction on panhandling, begging, and solicitation, serves a significant government interest, and leaves open ample alternative channels of communication in the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:

Section 1. The foregoing recitals are the legislative findings of the Commission and are incorporated herein.

Section 2. The Town Commission hereby creates Article IV of Chapter 22 to read as follows:

Article IV. Panhandling.

Sec. 22-114. Intent.

The intent of this Section is to protect persons from threatening, intimidating or harassing behavior, to keep public places safe and attractive for use of all members of the community, to provide for the free flow of traffic and the safety of motorists and pedestrians and to preserve public places where persons can interact in a peaceful manner. This is not intended to prohibit constitutionally protected speech or conduct.

Sec. 2-114. Definitions

Whenever the following words and phrases are used in this Section, they shall have the following meanings:

Aggressive manner shall mean:

1. Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation; or

2. Following the person being solicited, if that conduct is:

   a. Intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
   b. Intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation; or

3. Continuing to solicit within five (5) feet of the person being solicited after the person has made a negative response, if continuing the solicitation is:

a. Intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
b. Intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation; or

4. Intentionally or recklessly blocking the safe or free passage of the person being solicited or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitations, or

5. Intentionally or recklessly using words:

a. Intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
b. Intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation; or

Automated teller machine means a device, linked to a financial institution's account records, which is able to carry out transactions, including but not limited to, account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments.

Banking facility means all banks, trust companies, private bankers, savings banks, safe deposit companies, savings and loan associations, credit unions and investment companies.

Panhandle means to beg or solicit through the spoken, written or printed word or through others acts or body gestures for the purpose of requesting money or any other thing of value where the person solicited receives little or no monetary value in exchange and where a reasonable person would understand that the transaction is essentially a donation. Panhandling shall not include: (a) the solicitation of contributions on behalf of a charitable entity or other organization exempt from taxation pursuant to Section 501(c)(3) of the United States Internal Revenue Code; or (b) passively performing music with a sign indicating that a donation is sought.

Sec. 2-116. Prohibited conduct.

1. No person shall panhandle in an aggressive manner within the Corporate Limits of the Town.
2. No person shall panhandle within twenty (20) feet of any automated teller machine, an entrance or exit to a banking facility, or an entrance or exit to a business establishment open to the public or a governmental building.

3. No personal shall panhandle when either the person soliciting or the person being solicited is at a bus stop or within a public transportation vehicle.
4. No person shall panhandle in any parking lot or parking garage.
5. No person alongside or within the median of any roadway shall panhandle from any occupant of a motor vehicle that is on a roadway nor shall any person stand alongside a roadway or within the median for the purpose of panhandling.
6. No person shall panhandle on private property without the permission of the owner.

Sec. 2-117. Penalties

Anyone found by a court to have violated this Ordinance is guilty of a misdemeanor of the 2nd degree and shall be punished by a fine of $250, or imprisonment for 6 months.

Section 3. The Provisions of this Ordinance shall become and be made a part of the Code of the Town of Lake Park.

Section 4. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 5. All Ordinances or parts of Ordinances and Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall take effect immediately upon adoption.

Publication: Palm Beach Post; Date: Feb 7, 2016; Section: Business; Page: D4

LEGAL NOTICE OF PROPOSED ORDINANCE TOWN OF LAKE PARK

Please take notice that on Wednesday, February 17, 2016, 2016 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida in a regular session to be held in the Commission Chambers, Town Hall, 535 Park Avenue, Lake Park, Florida will consider the following Ordinances on second reading and proposed adoption thereof:

ORDINANCE 02-2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA CREATING CHAPTER 71 OF THE TOWN CODE ENTITLED "MURALS"; PROVIDING FOR THE AUTHORIZATION OF BUILDING OWNERS WITHIN THE TOWN OF LAKE PARK'S PARK AVENUE DOWNTOWN DISTRICT TO DISPLAY MURALS ON THEIR BUILDINGS; PROVIDING FOR THE CRITERIA TO BE APPLIED FOR THE DISPLAY OF MURALS ON BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 03-2016

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING ARTICLE IV OF CHAPTER 22 ENTITLED "PANHANDLING"; PROVIDING FOR AN INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE REGULATION OF CERTAIN CONDUCT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida
PUB: The Palm Beach Post
2-7/2016 #554827

Public Hearing Quasi-Judicial

TAB 11

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 17, 2016 **Agenda Item No.** Tab 11

Agenda Title: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AND THE SPECIAL EXCEPTION USE OF A LAUNDROMAT FOR THE PROPERTY LOCATED IN THE C-2 ZONING DISTRICT AT 1440 10TH STREET.

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON __ READING
[X] NEW BUSINESS – RESOLUTION – PUBLIC HEARING/QUASI-JUDICIAL
[ ] OTHER

Approved by Town Manager _____ **Date:** 2-9-16

Nadia Di Tommaso / Community Development Director ND
Name/Title

Originating Department: **Community Development**	Costs: **$ Application ($750 plus escrow); Legal Ad ($144.48); and Certified Mail (134.80)** Funding Source: **Applicant Escrow Account** Acct. **# 4939** [ ] Finance _____	**Attachments:** ➔ **Staff Report** ➔ **Resolution 06-02-16** ➔ **Copy of Applicant's Application, including proposed Site Plan (SP-1)** ➔ **Legal Ad and Certified Mail Notice**
Advertised: Date: **January 22, 2016** Paper: **Palm Beach Post** [ ] 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__*ND* or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background: **PLEASE SEE STAFF REPORT.**

Recommended Motion: I MOVE TO APPROVE THE PROPOSED SITE PLAN AND SPECIAL EXCEPTION USE OF A LAUNDROMAT TO BE LOCATED AT 1440 10th STREET WITH THE CONDITION OF APPROVAL PROPOSED BY STAFF.

Town of Lake Park
Town Commission
Meeting Date: February 17, 2016

Staff Report

SPECIAL EXCEPTION APPLICATION FILED BY HAROON SULAIMAN FOR THE SPECIAL EXCEPTION USE OF A LAUNDROMAT TO BE LOCATED IN THE C-2 BUSINESS DISTRICT

BACKGROUND INFORMATION:

Applicant:	Haroon Sulaiman [Applicant]
Site:	1440 10th Street [Site]
Owner of Site:	WOJO Corp.
Net Acreage:	.2756
Legal Description:	LAKE PARK ADD NO 2 LT 5 BLK 132
Current Zoning:	C-2 Business District
FLUM land use category:	Commercial

Adjacent Zoning	
North:	C-2 Business District
South:	C-2 Business District
East:	C-1 Business District
West:	C-4 Business District

Adjacent Existing Land Use	
North:	Commercial
South:	Commercial
East:	Commercial
West:	Commercial Light Industrial

PLANNING & ZONING BOARD MEETING:

Monday, February 1, 2016 - APPROVED 3-0 with staff condition of approval including a recommendation to add a bench, bike rack and trash receptacle, or any combination thereof at the front of the building if it does not impede with the proposed landscaping improvements. The Applicant agreed to this inclusion and has placed a notation on the Site Plan SP-1.

FIGURE 1: Aerial View of Site

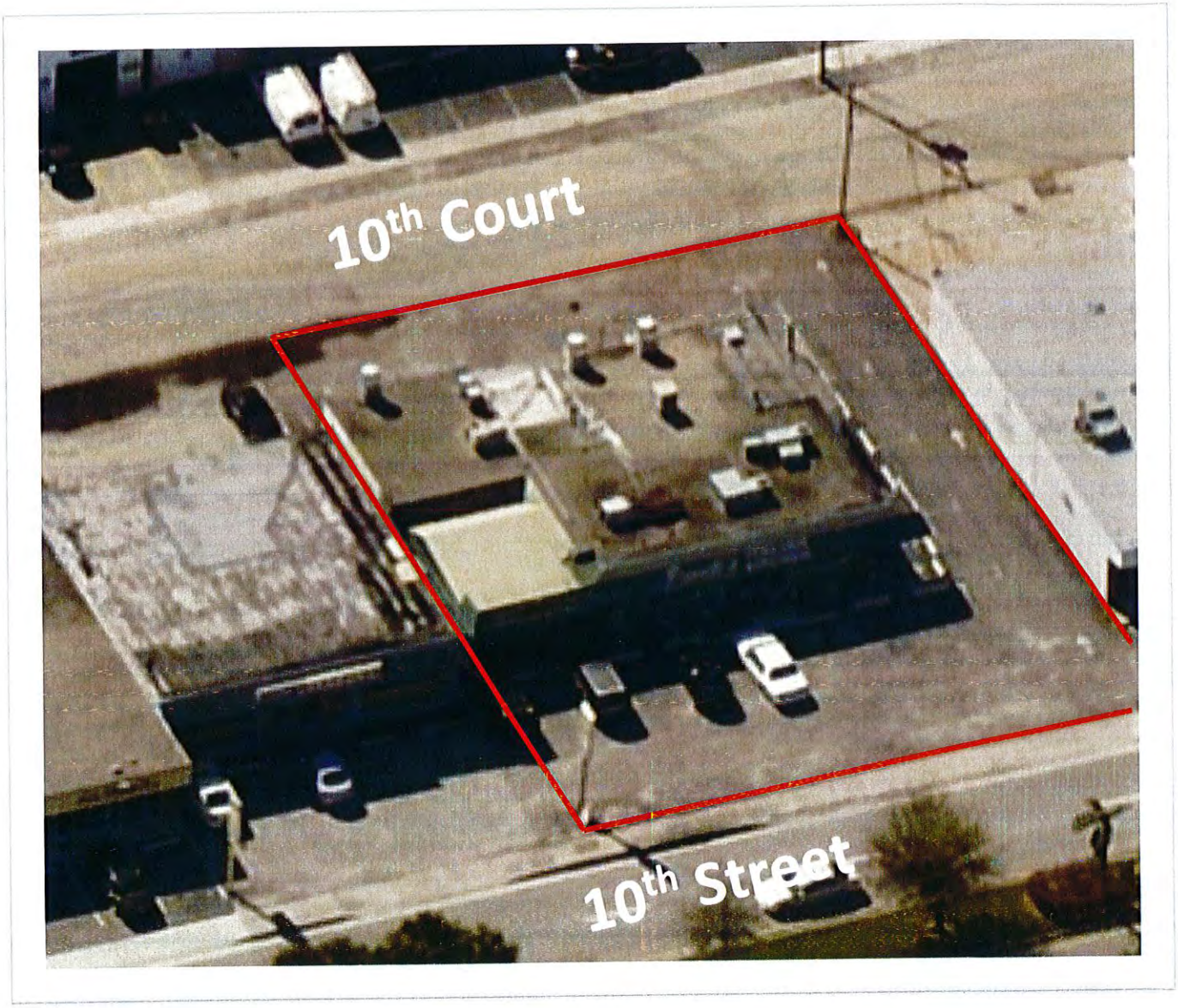


FIGURE 2: Aerial View of Site within Town

FIGURE 3: Town Zoning Map

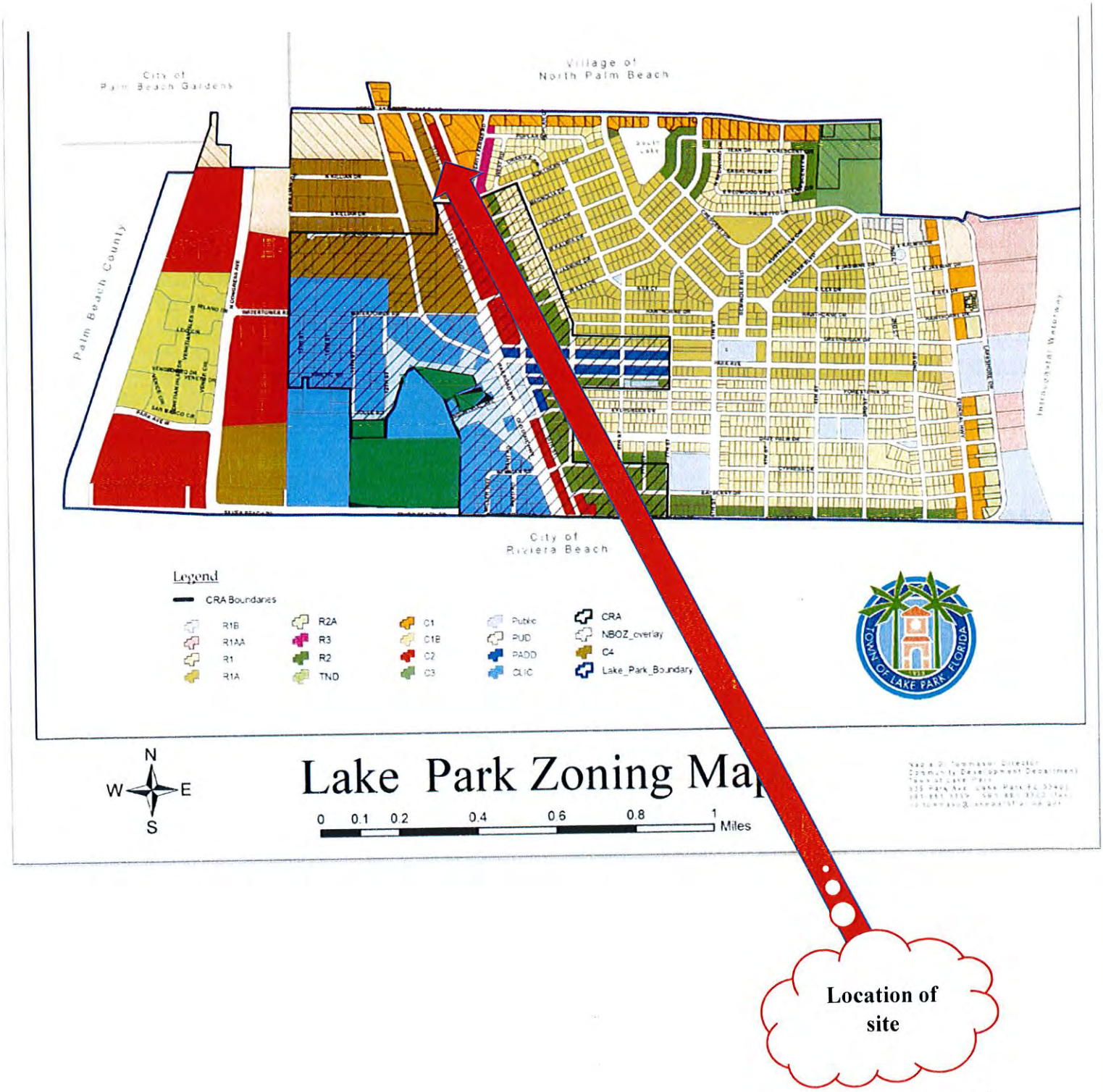


FIGURE 4: Town Future Land Use Map (FLUM)

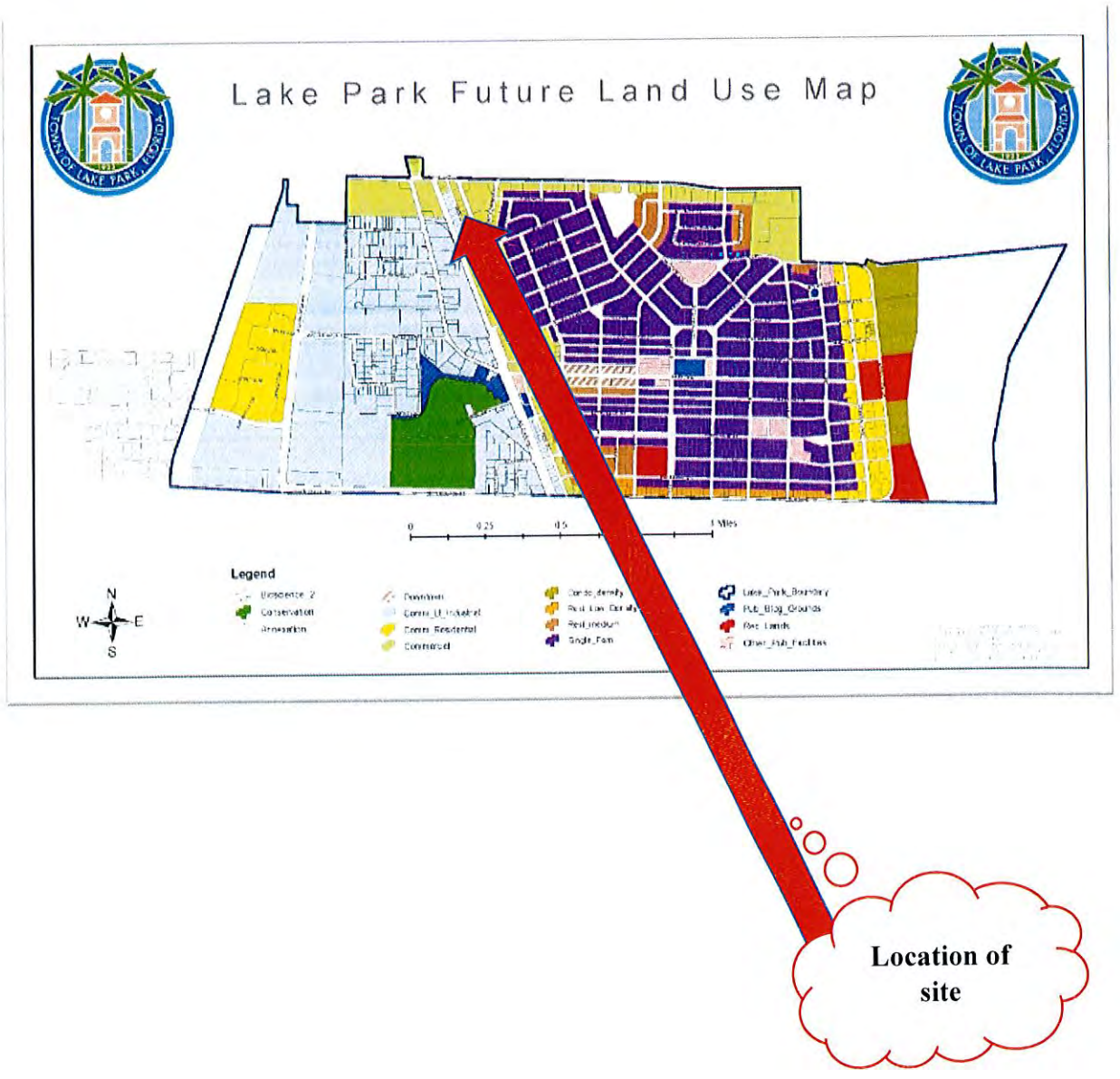
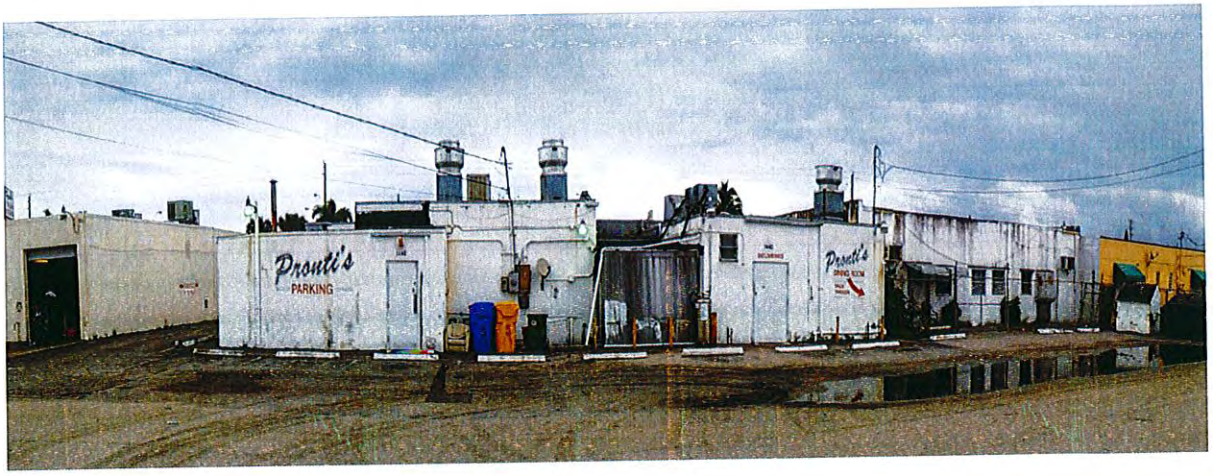


Figure 5: Panoramic view of site from 10th Street:

Figure 6: Panoramic view of site (rear façade) from 10th Court:



Town of Lake Park
Town Commission
Meeting Date: February 17, 2016

SUMMARY OF REQUEST:

The Applicant proposes to open a self-serve laundromat with additional drop off service located at 1440 10th Street. The hours of operation are tentatively scheduled for Monday through Friday from 7:30am to 10:00pm and 6:00am to 10:00pm on weekends, and adjusted depending on customer needs. The laundromat will initially be staffed with 2 to 4 employees and as the business grows more will be added. The applicant proposes to fully renovate the interior space, remove the walk-in refrigerator and enclose the patio openings facing 10th Street. Exterior improvements will consist of painting, pressure cleaning, landscaping, and screening rooftop mechanical equipment. Please refer to figure 6 below to proposed interior layout.

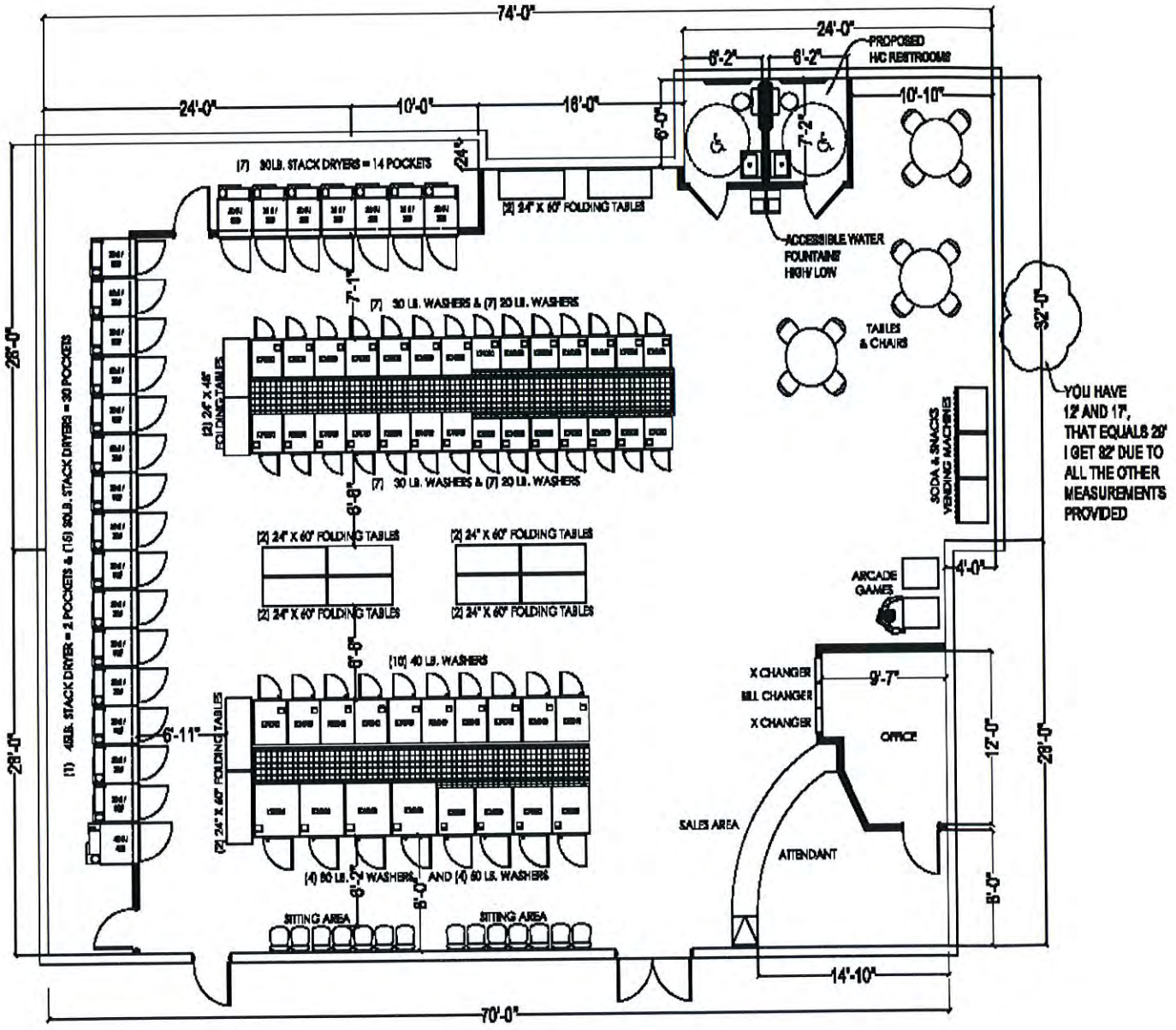
The building at the Site is 4,054 square feet and will be comprised of as follows:

Room	**Size**
Customer area for wash, dry, fold and waiting	3,734 Square Feet
Employee's only area	282 Square Feet
Public restrooms	38 Square Feet

Existing Conditions

The site for the special exception use is located in the Commercial-2 (C-2) Business District along the west side of 10th Street between Northlake Boulevard and Northern Drive. The site is adjacent to the C-4 Business District to the west, the C-1 Business district to the east, and the C-2 Business to the north and south. The site is dimensioned at approximately 120' by 100' and has one primary structure that was constructed in 1966 that is currently utilized as a dine-in restaurant.

Figure 7: PROPOSED Interior Layout



FRONT (facing 10th Street)

Town of Lake Park
Town Commission
Meeting Date: February 17, 2016

ANALYSIS OF SPECIAL EXCEPTION CRITERIA

The six criteria required for the granting of a Special Exception and staff comments to each are as follows:

Criteria 1

The proposed special exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

Applicable Goals and Objectives:

Chapter 3 Future Land Use, Objective 1, Policy 1.1:	j. Encourage redevelopment, renewal or renovation, that maintains or improves existing neighborhoods and commercial areas; l. Facilitates the achievement of economic development, historic preservation, resource preservation, and other key goals.
Chapter 3 Future Land Use, Objective 5:	As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.

STAFF COMMENTS:

The proposed special exception use is consistent with the Comprehensive Plan since it will facilitate economic development and will provide renovations and associated site improvements to an existing developed site.

FINDING: CRITERIA MET

Criteria 2:

The proposed special exception is consistent with the land development and zoning regulations and all other portions of this code.

Parking 78-145(g)

Schedule 78-142-1 requires 'five spaces for each 1,000 square feet of enclosed gross floor area' for this land use, which calculates to 19 required parking spaces inclusive of 1 ADA space as follows:

Requirement	Justification/calculation	Required parking spaces
Five spaces for each 1,000 square feet of enclosed gross floor area.	3,734 Sq. Ft. Customer Area 320 Sq. Ft. Employee/Restroom Area	19 0

Since the Site is under 1 acre, the applicant requested staff to apply flexible development standards, per Section 78-325(b). This allows a 20% reduction in required parking calculated at 15 parking spaces inclusive of 1 ADA space as follows:

Requirement	Justification/calculation	Required parking spaces
Section 78-325(b) – 20% reduction applied.	3,734 Sq. Ft. Customer Area 320 Sq. Ft. Employee/Restroom Area	15 0
ADMINISTRATIVE REDUCTION GRANTED -	**TOTAL**	**15 PARKING SPACES**

Circulation 78-142(c)(10)

The site is accessed from 10th Street on the east having a curb cut running the length of the parcel along this right of way. From 10th Street there is a one way drive aisle dimensioned at 15 feet that connects to 10th Court in the rear. The frontage along 10th Court is also configured with a curb cut running the distance on the parcel along the right of way.

Paving 78-142(c)(10)(f) & Striping 78-142(c)(10)(a)(i):

The site meets minimum paving standards and does not require repairs; however, the site must be restriped in accordance with current dimensional standards of the Land Development Code (LDC) to be compliant.

- The applicant will restripe the front and rear parking lots and drive aisle pursuant to Site Plan (SP-1).

Parking screening 78-253(1):

The site is an existing non-conforming site and there is no opportunity to screen the off street parking due to its configuration between two rights of way (10th Street and 10th Court). Additionally, a one way drive aisle runs along the northern side of the parcel from 10th Street to 10th Court. Parking and circulation take priority in the LDC since these elements are required for day-to-day operations.

Landscaping 78-253(a):

The site for the proposed special exception use has relatively no opportunity to add landscaping or perimeter landscape buffers due to building placement and the site circulation needs.

	The site can, however, accommodate a foundation planting buffer at 4' wide along the sidewalk that abuts the front façade with two crosswalks at a maximum width of 4' using brick pavers or other similar paved material. Applicant is proposing these improvements per Site Plan SP-1.
Signage 70-103(5):	The site has a non-conforming pole sign located along 10th Street and a non-conforming roof sign at the neighboring parcel located at 1442 10th Street. ➢ The Applicant will be removing the non-conforming signs pursuant to the notation on plan sheet SP-1.
Building Height, Building Site Area, Minimum Floor Area & Setbacks 78-71(2),(3), (4), & (5):	The site for the proposed special exception use meets the requirements of the C-2 Zoning District as it relates to building height, building site area, minimum floor area, and setbacks.
Mechanical Equipment Screening 78-335(4)	All rooftop mechanical equipment shall be located at a distance from the edge of a building and properly screened so as not to be visible from any street or adjoining property. Materials used for screening shall be compatible with the architectural style, color, and materials of the principal building.

STAFF COMMENTS:
Staff finds that this application for a special exception use is consistent with land development and zoning regulations of Criteria 2 with the implementation of the following requirements:

1. The Applicant will restripe the front and rear parking lots and drive aisles pursuant to sheet SP-1.
2. The Applicant will remove the non-conforming pole and roof signs pursuant to sheet SP-1.
3. The Applicant will add foundation plantings pursuant to sheet SP-1.
4. The Applicant will screen any rooftop mechanical equipment visible from any street or adjoining property pursuant to sheet SP-1.

FINDING: CRITERIA MET

Criteria 3

The proposed special exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property.

Zoning & Future Land Use:	The proposed special exception use is compatible with the character and use of the C-2 Business District since this Zoning District promotes general commercial services similar to that of a laundromat. The proposed use is also compatible with the site's future land use designation of Commercial.
Hours of Operation:	Operating hours of the proposed special exception use is consistent with surrounding properties. Monday through Friday from 7:30am to 10:00pm and 6:00am to 10:00pm on weekends, and adjusted depending on customer needs
Traffic:	While a traffic study has not been submitted, PBC Engineering Division states that this type of use generally produces minimal changes to traffic. Therefore, the proposed special exception use is not anticipated to generate an increase in the intensity of traffic at and around the Site.
Location\Mass\ Setbacks:	The proposed special exception use meets setbacks and dimensional requirements of its mass and height.

STAFF COMMENTS:
Staff finds that the proposed special exception use is compatible with the character and use of the surrounding properties.

FINDING: CRITERIA MET

Criteria 4

The establishment of the proposed special exception use in the identified location does not create a concentration or proliferation of the same or similar type of special exception use, which may be deemed detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.

STAFF COMMENTS:
The proposed special exception use will not create a concentration or proliferation of the same or similar type of special exception use that is detrimental to the development or redevelopment of the area where it is being proposed. There is one existing laundromat located along 10th Street, approximately 713 feet south of the proposed laundromat.

FINDING: CRITERIA MET

Criteria 5

The proposed special exception use does not have a detrimental impact on surrounding properties based on: (a) The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and, (c) The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.

(a) The proposed special exception use **will not** have a detrimental impact on surrounding properties based on the number of persons working at the site since only 2 to 4 individuals are employed by the applicant or based on the number of individuals using the site.

(b) Noise:
The proposed special exception use **will not** have a detrimental impact on surrounding properties based on noise generated activities at the Site.

Odor:
The proposed special exception use **will not** have a detrimental impact on surrounding properties based on odor that is generated by the activities on site. While exhaust from dryers will produce the smell of fabric softener or clothing detergent, staff does not perceive this byproduct of laundering clothes detrimental to the surrounding properties.

Visual:
The proposed special exception use **will not** have a detrimental impact on surrounding properties based on visual nuisance.

- The Applicant will screen rooftop mechanical equipment and exhaust vents from public view pursuant to sheet SP-1.

(c) The proposed special exception use **will not** have a detrimental impact on surrounding properties based on the amount and flow of traffic in the vicinity. While a traffic study has not been performed, PBC Engineering Division states that this type of use generally produces minimal changes to traffic.

STAFF COMMENTS:
Staff finds that the proposed special exception use will not have a detrimental impact on surrounding properties based on the number of persons using, residing or working on the property; the degree of noise, odor or visual nuisance; or, the effect on the amount and flow of traffic generated by the use.

- The Applicant will screen all rooftop mechanical equipment visible from the street or adjoining property pursuant to a notation on plan sheet SP-1.

FINDING: CRITERIA MET

Criteria 6

That the proposed special exception use: (a) Does not significantly reduce light and air to adjacent properties, (b) Does not adversely affect property values in adjacent areas, (c) Would not be a deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations, (d) Does not negatively impact adjacent natural systems or public facilities, including parks and open spaces, (e) Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

(a) The proposed special exception use **will not** reduce light or air to adjacent properties since the application does not propose any additions or exterior renovations that will alter building height and mass.
(b) The proposed special exception **will not** affect property values in the surrounding area.
(c) The proposed special exception use **will not** be a deterrent to the improvement, development or redevelopment of surrounding properties.
(d) The proposed special exception use **will not** have an impact on natural systems or public facilities since the proposed special exception use is required to meet all wastewater and runoff requirements during the permitting phase as imposed by the Town of Lake Park Public Works Department and Seacoast Utility Authority.
(e) n/a

FINDING: CRITERIA MET

FINDINGS OF FACT – STAFF RECOMMENDATION

Staff finds that this application for a special exception use meets each of the six criteria required for the granting of a special exception use. Staff recommends **approval** with the following condition:

1. The Owner shall develop the Subject Property in accordance with Site Plan SP-1, received by Mr. Haroon Sulaiman and dated 02-03-16 by the Community Development Department.

RESOLUTION NO. 06-02-16

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AND THE SPECIAL EXCEPTION USE OF A LAUNDROMAT FOR THE PROPERTY LOCATED IN THE C-2 ZONING DISTRICT AT 1440 10TH STREET; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE USE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Haroon Sulaiman is acting as the Agent and Applicant for (Agent or Applicant) for WOJO CORP, the owner (Owner) of the property legally described in Exhibit "A" and having an address of 1440 10th Street (Subject Property) in the Town of Lake Park, Florida (Town); and

WHEREAS, the Applicant has submitted an application seeking the approval of a site plan and the special exception use of Laundromat upon the Subject Property (the Application); and

WHEREAS, the Subject Property is within the C-2 Business District; and

WHEREAS, the Subject Property is 0.2756 acres and has been granted a 20% administrative parking reduction pursuant to the Town Code flexible development standards in Code Section 78-325(b); and

WHEREAS, a Laundromat establishment is a special exception use within the C-2 Business District; and

WHEREAS, the Town's Planning and Zoning Board has reviewed the Application and has made its recommendation to the Town Commission; and

WHEREAS, the Town Commission has conducted a quasi-judicial public hearing to consider the Application; and

WHEREAS, at this hearing, the Town Commission considered the evidence presented by the Town staff, the Owner and Applicant, and members of the public, regarding the Application's consistency with the Town's Comprehensive Plan; and

WHEREAS, at this hearing, the Town Commission considered the evidence presented by the Town staff, the Owner and Applicant and members of the public regarding whether the Application meets the special exception criteria as set forth in Section 78-184, and the Town's Land Development Regulations; and

WHEREAS, the Town Commission has determined that certain conditions are necessary in order for the Application to be consistent with the Town's Comprehensive Plan, and to

meet the special exception criteria of Section 78-184 and the Town's Land Development Regulations; and

WHEREAS, the Owner, and its successors and assigns shall be subject to the conditions contained in Section 3 of this Resolution.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:

Section 1. The whereas clauses are incorporated herein as the findings of fact and conclusions of law of the Town Commission.

Section 2. The Town Commission hereby approves a Site Plan and authorizes the operation of the special exception use of Laundromat on the Subject Property.

Section 3. As a condition of this approval: The Owner shall develop the Subject Property in accordance with Site Plan SP-1, received by Mr. Haroon Sulaiman and dated 02-03-16 by the Community Development Department.

Section 4: This Resolution shall become effective immediately upon adoption.

EXHIBIT "A"

LEGAL DESCRIPTION

LAKE PARK ADDITION NO 2 LOT 5 BLOCK 132, LAKE PARK, FLORIDA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 25, Page 214.

Community

DEC 23 2015

Development

TOWN OF LAKE PARK
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION FOR SPECIAL EXCEPTION REVIEW

Applicant/Agent: HAROON SULAIMAN

Address: 430 S. Dixie Highway Lake Worth, FL 33460

Telephone: office 561 304 8692 Fax: 561 594 2987

E-mail : Dixie Properties @ Gmail . com .

cell # 906-3026

☐ Owner

☒ Agent (Attach Agent Authorization Form)

Owner's Name (if not Applicant): Douglas Wojciechowski

Address: 6384 Satow Blvd WPB FLA 33417-6204

Telephone: 561-685-9858 Fax: 561-842-3[illegible]

E-Mail : [illegible]@icloud.com

Property Location: 1440 10TH ST. LAKE PARK FLA 33403

Legal Description: LOT 5, BLOCK 132, LAKE PARK Add. No. 7

Property Control Number: 36-43-42-20-04-132-0050

Future Land Use: _____ Zoning: C2 COMMERCIAL

Acreage: .2756 Acres Square Footage of Use: 12004

Proposed Use: LAUNDROMAT

PLEASE DO NOT DETACH FROM APPLICATION.

SIGNATURE REQUIRED BELOW.

Please be advised that Section 51-6 of the *Town of Lake Park Code of Ordinances* provides for the Town to be reimbursed, in addition to any application or administrative fees, for any supplementary fees and costs the Town incurs in processing development review requests.

These costs may include, but are not limited to, advertising and public notice costs, legal fees, consultant fees, additional Staff time, cost of reports and studies, NPDES stormwater review and inspection costs, and any additional costs associated with the building permit and the development review process.

For further information and questions, please contact the Community Development Department at 561-881-3318.

I, Douglas Wojciechowski, have read and understand the regulations above regarding cost recovery.

Property Owner Signature

12/10/2015
Date

Zoning/Existing Use of Adjacent Properties:

North: _____ South: _____

East: _____ West: _____

APPLICATION REQUIREMENTS:

1. Please discuss how the Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

Proposed Laundromat will Provide with a new, Improved, enhanced Property alongwith increase tax base, and additional Job opportunity for the Resident, because we will be hiring personal for Laundry Attendant, and for Cleaning Services the goal is to build and establish a business that is inviting and welcoming to all of the Lake Park Community.

2. Please discuss how the proposed Special Exception is consistent with the land development and zoning regulations and all other portions of the Town of Lake Park Code of Ordinances.

Proposed business will be utilizing the current & existing Parking facilty and using current Signage alongwith future Pupose Monument Sign & Some window Signage which is Permissible & comparable by the building Department

3. Please explain how the proposed Special Exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location; mass; height and setback; and other relevant factors peculiar to the proposed Special Exception use and the surrounding property.

My Intent is to build a beautiful, Clean, Self Service Laundromat which will be fully Attended at all the time, it will Provide Professional friendly customer service with State of the Art new equipment, Well lite, with Security Cameras System for safety environment In addition to being Self Service it will offer wash | Fold | Drop Service to our clients. It will open MON - Fri from 07:30 Am - SAT | SUN 06:00 AM to 10:00 Pm.

4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.

Propose Laundromat will be the only kind of business operating as modern, state of the Art facility and will be one of its kind and will not create concentration or proliferation of the same since nothing like this newer facility exists.

5. Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.

Proposed business will be build according to current Florida Building Code and SeaCoast Utility requirement and the Fire code. It will not create any additional nussiance or sound or smell, if any it will be an improvent from the current use of oil + Greasy smell to appealing Fabric Softner smell.

6. Please explain how the proposed Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

Since we are not Proposing to change structure of the existing building structure it will have any Impact on Air, light or the environment. if any it will upgrade all of these things since all equipment are brand new and build upon energy efficient modern machines.

TOWN OF LAKE PARK
12/23/15 11:26 AM merryann

MR CLEAN LAUNDRY

RECEIPT NO:A131972	AMOUNT
FMSD MR CLEAN LAUNDRY	750.00
PLNRV	
FMSD MR CLEAN LAUNDRY	800.00
PLNES	
PAYMENT ~~RECEIVED~~ reserved for receipt	AMOUNT
~~CK 2216~~ Do not mark here	~~1,550.00~~
TOTAL	1,550.00

DEPARTMENT OF COMMUNITY DEVELOPMENT
RECEIPTS TRANSMITTAL FORM

DATE: 12/23/2015

RECEIVED FROM: MR. CLEAN LAUNDRY LLC

PERMIT NUMBER 15-000

ACCT #

	CODES				
1. PERMITS					
(a) Building Permit Application for Zoning and/or PW review ONLY (no surcharge)	BLDPW	001-322.115			
(b) BUILDING PERMIT OR REVISION W/MINIMUM SURCHARGE	BLDPR	SPLIT			
(c) BUILDING PERMIT OR REVISION - OTHER	BLDPZ	SPLIT			
Permit (a) and (b) penalty Mark an "X"	BLDPN	001-329.152	$ -	$ -	$ -
(d) SURCHARGES (3% OF PERMIT FEE, MINIMUM OF $4.00) Over-ride >>	BLDSR	001-208.300	$ -	$ -	$ -
Surcharges (c) penalty	SURPN	001-329.153	$ -	$ -	$ -
(e) ADMINISTRATIVE FEE FOR BUILDING PERMITS	ADMBP	SPLIT			
(f) AFTER HOURS INSPECTION/REQUEST FOR B.O. SERVICES	BOINS	001-329.105			
(g) RE-INSPECTION OR RE-INSTATEMENT FEES	INSPT	SPLIT			
(h) SIGNAGE PERMIT	SNPMT	001-329.200			
2. CONTRACTOR'S REGISTRATION	CONFE	001-316.110			

3. COPIES	No of Pages	#1	#2	#3				
Maps					COPYS			
Single sided ($0.15 per page)					COPYS			
Double sided ($0.20 per pege)								
Plans ($0.96 per page) *					COPBP			
Plans (color per page) *						001-341.900	$ -	$ -	$ -

* Minimum $10.00

4. ADMINISTRATIVE COSTS FOR PUBLIC RECORDS REQUEST	PRADM	001-341.905			
5. GARAGE SALE PERMIT	GRGSL	001-369.100			
6. SPECIAL EVENT PERMIT	SEPMT	001-322.500			
7. CODE COMPLIANCE					
(a) ADMINISTRATIVE COSTS (including application fees)	FNADM	001-354-110			
(b) FINES	FINCV	001-354.100			
(c) PARKING VIOLATIONS	PRKFN	001-354.130			
(d) INTEREST	INTRT	001-361.130			
(e) BANK REGISTRATION FEE	BNKRE	001-342.520			

8. REVIEW FEE SCHEDULE		#1	#2	#3				
(a) Reso. 42-11-11	Fee Sch.				PLNRV	001-342.510	$ 750.00		
(b) DEPOSIT - PLAN REVIEW ESCROW					PLNES	001-220.100	$ 800.00		
(c) PROJECT NAME:									

9. BUSINESS TAX RECEIPTS					
(a) ZONING CONFIRMATION & DETERMINATION / APPL. FEE	OCAFE	001-316.120			
(b) BUSINESS TAX RECEIPT FEES	OCCLI	001-316.100			
(c) TRANSFER FEE	OCCTF	001-316.100			
(d) OUTSIDE CONTRACTOR & EXTRA DECAL	EXTDC	001-316.130			
(e) BTR INSPECTION	BTRIN	SPLIT			
10. ALL OTHER INSPECTIONS	OTINS	001-329.214			
		TOTAL	$ 1,550.00	$ -	$ -

COMMENTS:
1140 10TH STREET- SPECIAL EXCEPTION APPLICATION FOR PROPOSED LAUNDROMAT

Grand Total $ 1,550.00

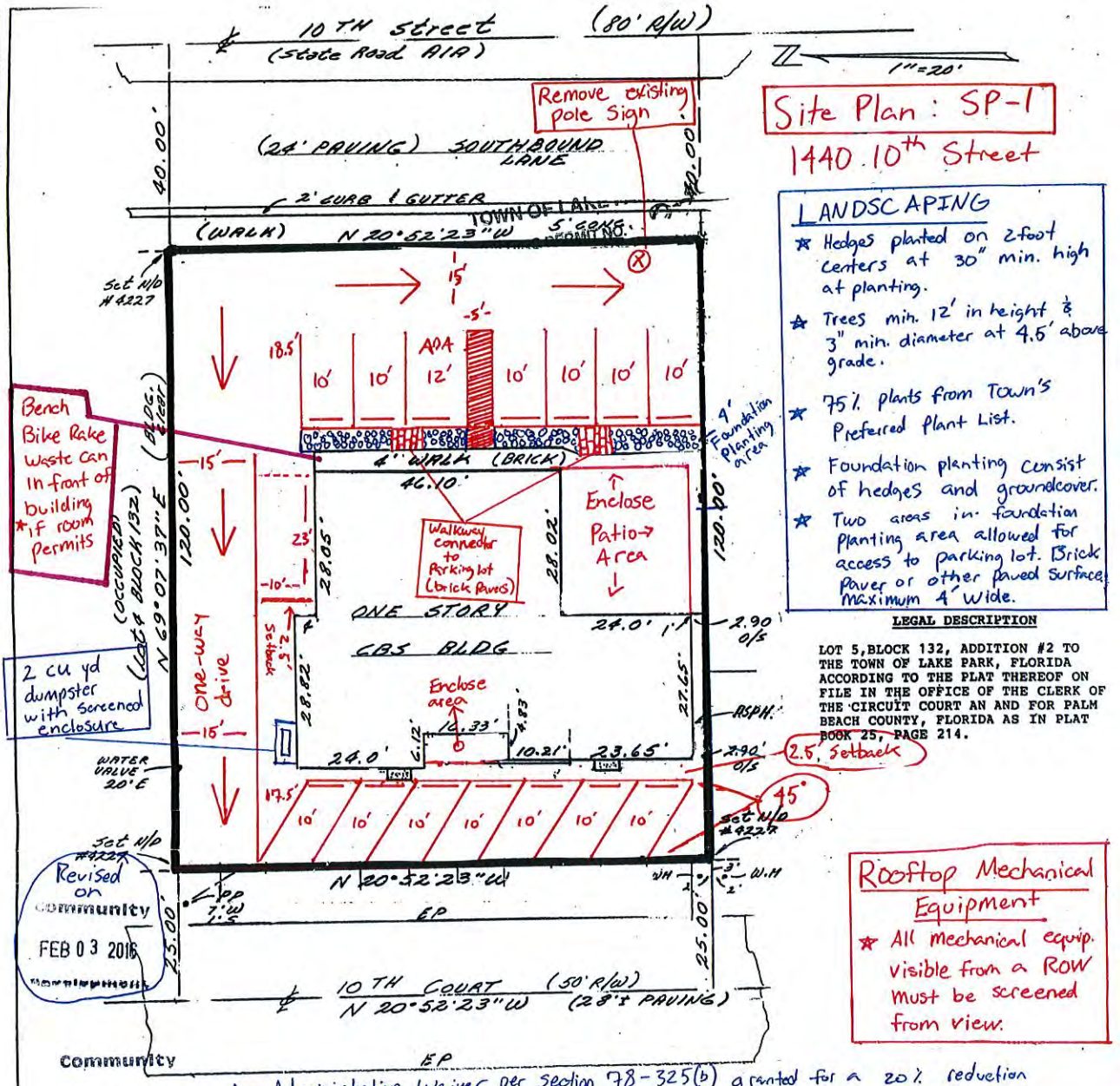
from 07:30 am to 10:00 pm Saturday and Sunday from 06:00 am to 10; 00 pm. The precise hours will be fine-tuned based on the needs of our customers.

This business will provide the city with a new and improved enhanced plaza, along with an opportunity of new employment by hiring local to work as Laundry attendant and for cleaning services and it also helps city to create additional tax revenue.

The goal is to build and establish a very vibrant, modern well-lit sand safe business that is inviting and welcoming to all of the Lake Park Community.

* I Request that an administrative waiver Per (78-325 (E be Applied to reduce the minimum Required Parki Space Since the Site is under One Acre, Also I Request an administrative waiver Section 78-325 (C) be Applied to reduce the landscap buffer in front of the Building.

1/24/2016



Site Plan : SP-1

1440 10th Street

LANDSCAPING

- Hedges planted on 2-foot centers at 30" min. high at planting.
- Trees min. 12' in height & 3" min. diameter at 4.5' above grade.
- 75% plants from Town's Preferred Plant List.
- Foundation planting consist of hedges and groundcover.
- Two areas in foundation planting area allowed for access to parking lot. Brick Paver or other paved surface maximum 4' wide.

Rooftop Mechanical Equipment

- All mechanical equip. visible from a ROW must be screened from view.

LEGAL DESCRIPTION

LOT 5, BLOCK 132, ADDITION #2 TO THE TOWN OF LAKE PARK, FLORIDA ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT AN AND FOR PALM BEACH COUNTY, FLORIDA AS IN PLAT BOOK 25, PAGE 214.

★ Administrative Waiver, per section 78-325(b) granted for a 20% reduction in parking.

LEGEND

ASPH	ASPHALT	FC	FENCE	MH	MANHOLE	RAD	RADIUS
BLDG	BUILDING	FD	FOUND	O/L	ON-LINE	RES	RESIDENCE
BM	BENCHMARK	FF	FINISH FLOOR	O/S	OFFSET	R	RANGE
C	CALCULATE	IP	IRON PIPE	OR	OFFICIAL RECORDS	S	SECTION
CBS	CONC BLOCK	IR	IRON ROD	OVD	OVERHEAD POWER	T	TOWNSHIP
CH	CHORD	IR/C	IR & CAP	P	PLAT	TYP	TYPICAL
CLR	CLEAR	L	LENGTH	PB	PLAT BOOK	UE	UTILITY ESMT
CM	CONC MONUMENT	LS	LAND SURVEYOR	PG	PAGE	WE	WATERS EDGE
CONC	CONCRETE	M	MEASURED	PCP	PERMANENT CONTROL POINT	WM	WATER METER
COR	CORNER	N/D	NAIL & DISK	PP	POWER POLE	WF	WOOD FENCE
CLF	CHAIN LINK FENCE	N/TT	NAIL & TIN TAB	PL	PROPERTY LINE	±	PLUS OR MINUS
CL	CENTERLINE	N/W	NAIL & WASHER	PK	MASONRY NAIL	#4	1/2" IR
DE	DRAINAGE EASEMENT	NTS	NOT TO SCALE	PRM	PERMANENT REFERENCE MONUMENT	#5	5/8" IR
ELEV	ELEVATION	NGVD	NATIONAL GEODETIC VERTICAL DATUM	R/W	RIGHT OF WAY	Δ	DELTA ANGLE
EP	EDGE OF PAVING	N	NAIL	RR/S	RAILROAD SPIKE	○	SET #5 IR/C LS #4227
ESMT	EASEMENT						

DESCRIPTION FURNISHED BY : Client

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY OF THE PROPERTY DESCRIBED IN THE CAPTION THEREOF, MADE UNDER MY DIRECTION, AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THERE ARE NO APPARENT ENCROACHMENTS, UNLESS NOTED. AND FURTHER THAT THE SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND RULE 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE.

DAN CHRISTIAN
PROFESSIONAL LAND SURVEYOR & MAPPER
5311-B Lake Worth Road
Lake Worth, Fla. 33463
Ph (561) 357-2988
Bp (561) 552-4414

DANIEL J. CHRISTIAN
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. LS 4227

SURVEYOR'S NOTES :
NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE FOR ANY ERRORS OR OMISSIONS IN THE DESCRIPTION AS FURNISHED. THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOB NO.	DATE OF SURVEY :	SCALE :	DRAWN BY :	FIELD BOOK :	PAGE :	DRAWING NO.
98-134A	4/29/98	1"=20'	DJC	98	134	-

LEGAL NOTICE OF PUBLIC HEARINGS
TOWN OF LAKE PARK, FLORIDA

Please take notice and be advised that the Planning and Zoning Board will hold a public hearing on **Monday, February 1, 2016, at 7:00 p.m., or as soon thereafter as can be heard**, and the Town Commission will hold a public hearing on **Wednesday, February 17, 2016 at 6:30 p.m., or as soon thereafter as can be heard**, in the Town Hall Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida, to consider an application for a Special Exception Use to approve a "Self-Serve Laundromat" use for the property located at 1440 10th Street. This application is being brought forward by Mr. Haroon Sulaiman (Agent), who is acting on behalf of Douglas Wojciechowski (Owner). Records related to this item may be inspected at the Community Development Department located at Town Hall.

If a person decides to appeal any decision made by the Planning and Zoning Board, or the Town Commission, with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Town Clerk: Vivian Mendez
PUB: The Palm Beach Post – Friday, January 22, 2016

Town of Lake Park
Community Development Department

Certified Mail – ***You are receiving this notice because you are the legal owner of record for property that is located within 300 feet of the subject property.***

January 21, 2016

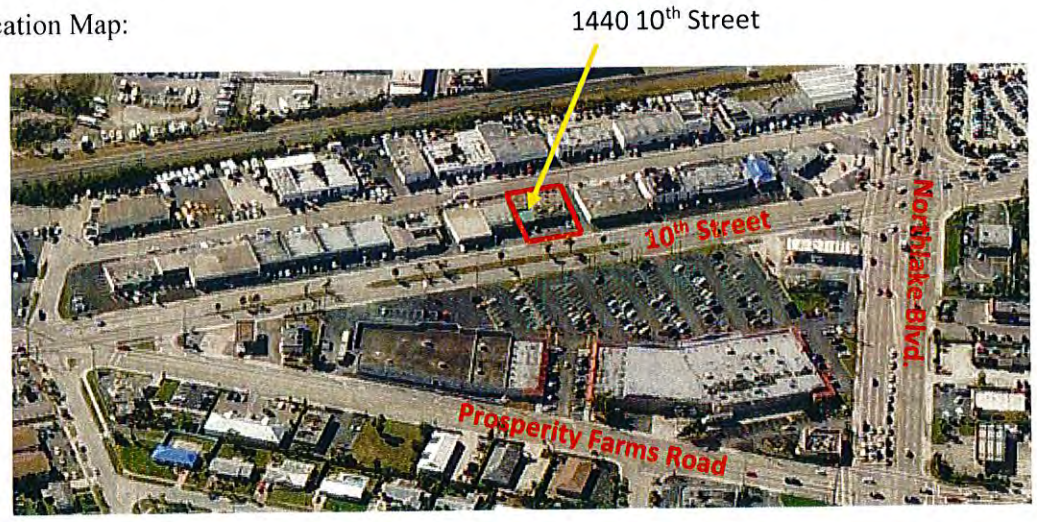
Re: 1440 10th Street - Special Exception Use

Dear Property Owner:

Please be advised that the property owner of 1440 10th Street has filed an application for a Special Exception use for a "Laundromat" use at the above address. The **Planning and Zoning Board** will conduct a public hearing to consider this application on **Monday, February 1, 2016 at 7:00 p.m.** and the Town Commission will hold a public hearing at the **Town Commission Meeting** on **Wednesday, February 17, 2016 at 6:30 p.m., or as soon thereafter as can be heard**, in the Town Hall Commission Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida.

If you have any questions, please do not hesitate to call the Community Development Department at (561) 881-3318.

Location Map:



Sincerely,

Scott Schultz

Scott Schultz, Planner

535 Park Avenue, Lake Park, Florida 33403 – Phone: 561-881-3320 Fax: 561-881-3323
Web Site: www.lakeparkflorida.gov Email: dabraham@lakeparkflorida.gob

Old Business

TAB 12

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: February 17, 2016 **Agenda Item No.** Tab 12

Agenda Title: Agreement for Town Attorney Services for the Town of Lake Park

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT [X] OLD BUSINESS
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[ ] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** _____

John O. D'Agostino, Town Manager
Name/Title

Originating Department: **Town Manager**	Costs: $250/hr. Contract Services from $190.00 per hour Funding Source: General Fund Acct. # 500-311-000 [X] Finance BKR	**Attachments:** • **Amended Agreement for Legal Services with three year automatic renewal periods**
Advertised: Date: _____ Paper: _____ [X] 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 _JOD___ **Please initial one.**

Summary Explanation/Background: Town Attorney Services Contract establishes a new hourly rate of $250.00 per hour. The last hourly rate increase was several years ago. The Contract also has an automatic renewal for three years each. A four fifths vote of the Commission is required to terminate service with a 120 day notification period.

Recommended Motion: Move to accept the Town Attorney Services Contract.

AGREEMENT FOR TOWN ATTORNEY
FOR THE TOWN OF LAKE PARK, FLORIDA

THIS FIRST AGREEMENT, dated this ___ day of _____, 2016, between the TOWN OF LAKE PARK, a municipal corporation of the State of Florida (hereinafter referred to as "the Town"), and JONES, FOSTER, JOHNSTON & STUBBS, P.A. (herein referred to as "the Firm").

1. **TERM OF EMPLOYMENT.** In accordance with Article IX, § 7 of the Town Charter, the Town appoints Thomas J. Baird of the Firm as its Town Attorney (the Town Attorney) for a three-year term. This Agreement shall be automatically renewed without Commission action for succeeding three year terms, provided the Commission does not take action to terminate the Agreement as set forth in paragraph 2, below.

2. **TERMINATION.** The Town Commission, by a four fifth's vote of its membership, may terminate this Agreement for cause so long as it provides the Firm 120 days advance written notice of its intention to do so and the grounds for the termination. The Firm may terminate the Agreement by providing 120 days advance written notice of its intention to do so.

3. **DUTIES OF THE FIRM.** The Firm shall render legal services to the Town as may be required, including, but not limited to:

(a) Attendance at all regular or special meetings of the Town Commission; Town Commission workshop meetings at the request of the Town Manager or Town Commission; scheduled regular meetings, workshop and or meetings of the Planning and Zoning Board as requested by the Town Manger or Board; Code Compliance Special Magistrate hearings; the Community Redevelopment Agency; or any other Town agency or board at the request of the Town Manager or Commission;

(b) The preparation or review of all ordinances, resolutions, contracts and other legal instruments for legal form and sufficiency so as to carry out the Town's administrative and legislative affairs;

(c) The research of legal questions presented for purposes of rendition of written or oral legal opinions. The Firm shall render legal advice and written or oral legal opinions to the Town Commission, its Manager and Town departments at the Commission's or Town Manager's request;

(d) Services as Town Prosecutor;

(e) Such legal assistance as may be required for the proper legal functioning of the various departments of Town government consistent with the Town's Charter;

(f) The representation and/or management of all litigation involving the Town, as directed by the Town, including bond validation proceedings; and

g) The Town Commission or the Town Manager may identify any specific work programs including code re-writes to work on during the term of this Agreement; and

(h) At the Commission's request, the Firm shall attend other meetings the Commission deems necessary to carry out the Town's business and legislative affairs.

3. **COMPENSATION.** For services rendered by the Firm, the Town Attorney shall be compensated based upon hourly fees as established below.

(a) Attorneys of the Firm shall be billed at no more than $250/hour, depending upon their experience and the complexity of the litigation or assignment. Paralegals shall be billed at such hourly fees established by the Firm which shall not exceed the hourly fees of any attorney as referenced hereinabove.

(b) Compensation for the Firm's participation in real estate transactions or bond proceedings shall be as is customary in such proceedings; and

(c) The Firm agrees that the Town Attorney shall not be entitled to compensation for routine telephone conferences with the Mayor or members of the Town Commission.

(d) The Firm may charge an hourly rate, which reflects the Firm attorney's usual and customary hourly fee for such matters as: code compliance lien foreclosures, the enforcement of dockage agreements, and other cases wherein a contract, the town code or statute permits the recovery of the Town's attorney fees. Provided however, in those cases where the Firm is not awarded attorney fees for attorneys at their usual and customary rate, or if a case is settled and does not provide for the recovery of attorney fees, the Firm's attorneys shall only be entitled to compensation from the Town at the hourly fees established herein.

4. **EXPENSES.**

(a) The Firm shall bear its own transportation expenses for travel incurred in carrying out the Town's affairs within Palm Beach County.

(b) The Town shall be responsible for authorized travel expenses outside of Palm Beach County.

(c) The Town shall be responsible for reimbursing the Firm for its expenses for printing or copying, postage, court reporter services, filing fees, the recording of documents on behalf of the Town, and long distance telephone calls. The Town shall be responsible for payment of all other overhead expenses via a bi-monthly administrative charge.

5. **CONFLICTS.**

(a) The Town recognizes and acknowledges that the Firm is engaged in a law firm business with a practice which involves several different legal disciplines and multiple

clients. The Town recognizes and acknowledges that the Firm presently, or may in the future, represent clients including other governmental entities, provided there is no potential conflict of interest as defined by the rules regulating The Florida Bar.

(b) The Town agrees to identify any actual or perceived conflicts of interest it perceives the, Firm to have and to review same with the Firm in advance of the Firm's undertaking or continuing the representation.

(c) The Firm hereby acknowledges and agrees to disclose any and all potential conflicts of interest as defined by the rules regulating The Florida Bar.

6. **AMENDMENT**. This Agreement shall only be amended in writing and upon execution by the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date set forth above.

ATTEST:

By: _____
Vivian Mendez, Town Clerk

TOWN OF LAKE PARK

By: _____
James DuBois, Mayor

JONES, FOSTER, JOHNSTON & STUBBS, P.A.

By: _____
Larry B. Alexander, Esquire, President

New Business

TAB 13

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **February 17, 2016** **Agenda Item No.** Tab 13

Agenda Title: Request for Approval of the Renewal of the License Agreement between the Town of Lake Park and the Burt Reynolds Institute of Film and Theatre (BRIFT)

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA
[ ] BOARD APPOINTMENT
[ ] PUBLIC HEARING ORDINANCE ON ____ READING
[x] NEW BUSINESS
[ ] OTHER: _____

Approved by Town Manager _____ **Date:** 2-8-16

John O. D'Agostino, Town Manager
Name/Title

Originating Department: **Town Manager**	Costs: 0 Funding Source: General Fund Acct. # [ ] Finance _____	**Attachments:** • **License Agreement**
Advertised: Date: _____ Paper: _____ [X] 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 JOD____ **Please initial one.**

Summary Explanation/Background:

Since November of 2012, the Burt Reynolds Institute for Film and Theatre (BRIFT) has been able pursuant to a License Agreement between the Town and BRIFT to use the Mirror Ballroom and the Commission Chambers and a small office off of the Commission Chamber to operate their school and store their equipment. Such agreement was renewed in February of 2014 and has now expired. The purpose of this agenda item is to request approval of the renewal of this License Agreement.

The important components of this License Agreement are as follows;

- Annual lease fee is $1.00;
- The license shall renew on its anniversary date for successive one year terms unless either party provides written notice of termination at least thirty days prior to the expiration date;
- BRIFT must designate a Facilities Manager who must be on site at all times during BRIFT's use of the facilities;
- BRIFT must pay the Town for a Town staff member to be present at all times during its use of the facilities;
- Hours of operation are Monday, Tuesday and Thursdays until 10:00 pm and until 11:30 pm on Fridays; Saturday mornings from 9:00 am until 12:01 pm; and, Sunday afternoons from 1:00 pm until 6:00 pm. Use is prohibited during Commission Meetings, Workshops and during board and committee meetings and during such time that the Town has rented the Mirror Ballroom;
- BRIFT's Facilities Manager will be issued one key fob and two non-duplicative keys for entrances to Town Hall, the Commission Chamber and the Mirror Ballroom. The Facilities Manager for BRIFT shall have sole responsibility for maintaining process of the fobs and the keys;
- BRIFT will promote the Town in all of its advertising materials including, but not limited to, the Newsletter of the Palm Beach County film and Television Commission and must sponsor Town open house events to which all Lake Park residents shall be invited to observe the inner workings of BRIFT. Lake Park residents shall also be given a discount off class fees upon providing BRIFT with proof of residency; and
- BRIFT shall maintain the required insurance coverage during the full period of the License Agreement.

I believe that BRIFT's use of a small office, classroom space and the stage in the Mirror Ballroom within Town Hall would help to further Town residents' and the general public's access to and enjoyment of the arts. BRIFT would like this arrangement to continue until it is able to find a permanent home.

A copy of the License Agreement is attached.

Recommended Motion: I move to authorize the Mayor to sign the License Agreement between the Town of Lake Park and the Burt Reynolds Institute of Film and Theater, Inc.

LICENSE AGREEMENT

THIS LICENSE AGREEMENT (License), executed this _____ day of _____, 2016, is made between the TOWN OF LAKE PARK, a Florida municipal corporation and the BURT REYNOLDS INSTITUTE FOR FILM AND THEATRE, INC., a Florida not-for-profit corporation.

WITNESSETH

WHEREAS, the Town of Lake Park (hereinafter "Town") has been approached by the Burt Reynolds Film Institute for Film and Theatre, Inc., (hereinafter "BRIFT") regarding whether or not the Town will make available to BRIFT a small office, classroom space, and the stage in the Mirror Ballroom at the Town's Town Hall building for BRIFT's acting and film training activities.

WHEREAS, the Town Commission hereby finds that BRIFT'S use of a small office, classroom space, and the stage in the Mirror Ballroom within the Town Hall building would further town residents and the general public's access to and enjoyment of the arts; and

WHEREAS, the Town Commission hereby finds that permitting BRIFT to use its Town Hall property is a public purpose and would be a public benefit to Town residents and the general public; and.

NOW THEREFORE, in consideration of the covenants contained herein, the Town hereby grants a non-exclusive License to BRIFT for the use of a portion of the Town Hall subject to the terms and conditions below.

Section 1. Premises.

The Town agrees to provide BRIFT with one small office and classroom space and the use of the stage in the Mirror Ballroom within the Town Hall. The location of the spaces to be made available shall be at the Town's sole discretion in either the Commission Chambers or the Mirror Ballroom within the Town Hall. BRIFT'S use of the Mirror Ballroom from time to time shall subject to the Town's confirmation of its availability. The area for the uses recited herein are collectively referred to herein as "the Premises."

Section 2. Annual License Fee.

BRIFT agrees to pay an annual license fee of One Dollar ($1.00) to the Town payable on or before the anniversary date of the beginning of each term.

Section 3. Term.

The term of this License shall be for one year commencing upon the date of the last execution of this License by the parties. The annual term notwithstanding this License shall automatically renew on its anniversary date for successive one year terms unless either party provides written notice of termination of this License at least thirty days before the expiration date.

Section 4. Surrender of the Premises / Termination.

Upon termination of this License, BRIFT shall surrender the Premises in the same condition as existed upon the commencement date of the License, ordinary wear and tear excepted, and shall deliver all keys to the Premises to the Town.

Section 5. As Is Condition of the Premises / Improvements.

BRIFT accepts the Premises in its "as-is" condition. BRIFT hereby agrees that any improvements it may wish to make shall be at its sole cost and expense, and any proposed improvements shall be subject to the prior approval of the Town Commission. Furthermore, given that his License is intended to be temporary in nature, BRIFT acknowledges that this License in no way is meant to encourage improvements to the Premises.

Section 6. Maintenance of the Premises.

BRIFT shall use reasonable efforts to avoid unnecessary war and tear on the Premises and to conserve water, electricity and other utilities. BRIFT, at its sole expense, shall maintain its portion of the Premises in a clean, orderly and presentable condition, free of rubbish and trash. Any garbage and trash generated from BRIFT's use of the Premises shall be promptly removed and deposited by BRIFT in the approved trash or recycling containers provided for such purposes. No outside storage of any of BRIFT'S personal property is permitted. BRIFT, including its members, invitees and guests shall not cause any litter or debris to be dumped or deposited upon interior or exterior portions or common areas of the Town Hall property.

Section 7. Facilities Manager.

BRIFT shall designate a Facilities Manager who shall be on the Premises at all times during BRIFT'S use of the Premises. The designated Facilities Manager shall be responsible for monitoring all use of the Premises and shall ensure that the Mirror Ballroom stage (both front stage and back stage) and floor are swept clean, and clear of any items after each use. The Facilities Manager shall also ensure that all restroom toilets are flushed and that all rubbish and trash are properly removed from the Premises at the

end of each day the Premises is used. Additionally, BRIFT shall pay the Town for a Town staff member to be present at all times during its use of the Premises. The staff fee which shall be paid to the Town by BRIFT for having a Town staff member present during its use of the Premises shall be $15.00 per hour.

Section 8. Use of Premises / Hours of Operation.

The Town agrees to make available to BRIFT the use of the Premises during the weekday evenings of Monday, Tuesday and Thursdays until 10:00 p.m. and until 11:30 p.m. on Fridays; Saturday mornings from 9:00 a.m. to 12:01 p.m.; Sunday afternoons from 1:00 p.m. until 6:00 p.m. In all cases, the use of the Premises shall be subject to availability, and shall be confirmed in advance with the Town.

BRIFT's use of the Premises is prohibited during any time that the Town has a scheduled public meeting in the Commission Chambers, or during such time that the Town has rented the Mirror Ballroom. Public meetings include workshops, special or regular meetings of the Town Commission, its appointed boards or committees, including but not limited to the Community Redevelopment Agency, the Planning and Zoning Commission, and Special Magistrate hearings. The Town agrees to provide BRIFT with 16 (sixteen) days advance notice of the use of the Commission Chambers for a public meeting other than the regularly established days and times of the aforementioned meetings. BRIFT shall provide the Town with a schedule of all of its shows.

The Mirror Ballroom shall not be available to BRIFT for its use during any time the Town has rented it. The Town shall provide BRIFT seven (7) days advance notice of its rental of the Mirror Ballroom.

Section 8. Keys.

The Town Manager shall furnish to BRIFT one key fob and two keys for entrances to the Town Hall from the parking lot (North) side entrance. Further, one set of non-duplicated keys for access to the Commission Chambers and the Mirror Ball Room shall be provided to the BRIFT Facilities Manager. The Facilities Manager shall be solely responsible for maintaining possession of the Fob and the keys. No additional keys shall be made by BRIFT without the expressed written permission of the Town Manager, nor shall any locks be added or changed without the Town Manager's written approval.

Section 9. Alcoholic Beverages Prohibited.

No alcoholic beverages of any kind shall be brought into, stored, sold or consumed upon the Premises by BRIFT at any time.

Section 10. Insurance.

BRIFT shall at all times during the term of this License or any renewals thereof, keep and maintain in full force and effect the following specified insurance coverage in the amounts set forth hereafter during the full period of this License which must include the following coverage and minimum limits of liability:

a. WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE for all employees of BRIFT for Statutory Limits in compliance with the applicable state and federal laws. Notwithstanding the number of employees or any other statutory provisions to the contrary, coverage shall extend to all employees of BRIFT and all subcontractors. EMPLOYERS LIABILITY LIMITS shall not be less than One Million ($1,000,000.00) Dollars each accident; One Million ($1,000,000.00) Dollars disease-policy limit; and, One Million ($1,000,000.00) Dollars disease-each employee.

b. COMPREHENSIVE GENERAL LIABILITY with the minimum limits of One Million ($1,000,000.00) Dollars, per occurrence, premises and operations, independent contractors, products and completed operations, personal and advertising injury, XCU coverage, and a contractual liability endorsement of Two Million ($2,000,000.00) Dollars aggregate.

The Town shall be included as an Additional Named Insured under the General Liability and Automobile Liability policies and a waiver of subrogation against the Town shall be included in all Workers' Compensation policies. Current valid insurance policies meeting the requirements herein identified shall be maintained during the duration of this License and any extensions thereof. BRIFT shall provide Town with 30 days advance written notice of any cancellation or modification of any of the above insurance policies. It shall be the responsibility of BRIFT to ensure that all subcontractors are adequately insured or covered under their policies.

BRIFT shall submit all Certificates of Insurance to the Town, and the Town shall the right to review and confirm that the policies meet the requirements established herein prior to the commencement of any work activities. The Town may at its discretion, require BRIFT to provide a complete certified copy of the insurance policy(s). If this License includes the installation of machinery and/or equipment into an existing structure, the Comprehensive General Liability policy must include an endorsement covering same, including installation and transit.

The required insurance coverage shall be issued by an insurance company duly authorized and licensed to do business in the State of Florida with the following minimum qualifications in accordance with the latest edition of A.M. Best's Insurance Guide: Financial Stability: A+ to B+.

All required insurance shall preclude any underwriter's rights of recovery or subrogation against the Town with the express intention of the parties being that the

required coverages protect both parties as the primary insurance for any and all losses covered by the above described insurance.

The clauses "Other Insurance Provisions" and "Insured Duties in the Event of an Occurrence, Claim or Suit" as they appear in any policy of insurance in which the Town is named as an additional named insured shall not apply to Town.

Violation of the terms of this section shall constitute a material breach of the License and the Town, at its sole discretion, may cancel the License and all rights, title and interest of BRIFT to the continued use of the Premises.

Section 11. Parking.

BRIFT agrees that its members and guests shall park their vehicles only in such spaces as the Town may designate for its use.

Section 12. Promotion.

BRIFT agrees to promote the Town in all of its advertising materials, including, but not limited to, the Newsletter of the Palm Beach County Film and Television Commission. In addition, BRIFT shall sponsor town Open House events to which all Lake Park residents shall be invited to observe the inner workings of BRIFT. Lake Park residents shall also be given a discount off class fees upon providing BRIFT with proof of residency.

Section 13. Assignment.

BRIFT shall not assign, delegate, or otherwise transfer any of its rights and obligations as set forth in this License. Any attempt to do so shall immediately terminate this License.

Section 14. Notices.

All notices under this License shall be given in writing. Notices to the Town shall be mailed or delivered to:

Town Manager
Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

Notices to BRIFT shall be mailed or delivered to:

Burt Reynolds Institute of Film and Theatre, Inc.
P.O. Box 264
Jupiter, FL 33458

Section 15. Governing Law / Venue.

This License shall be governed by the laws of Florida and venue shall lie in Palm Beach County, Florida.

Section 16. Attorney Fees.

In the event the terms of this License must be legally enforced by either party, the prevailing party may recover its costs and reasonable attorney fees incurred in enforcement thereof, including appeals.

Section 17. Entire Agreement.

This License sets forth all of the promises, agreements, conditions, and understandings between the Town and BRIFT relative to the Premises. There are no other promises, agreements, conditions, or understandings, either oral or written, between them. No subsequent alteration, amendment, change, or addition to this License will be binding on the parties hereto unless in writing and signed by them.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals the day and year first written above.

Signed and Sealed in the presence of:

TOWN OF LAKE PARK, FLORIDA

By: _____
Printed Name: James Dubois
Title: Mayor

ATTEST:

_____
Vivian Mendez, Town Clerk

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
Thomas J. Baird, Town Attorney

BURT REYNOLDS INSTITUTE OF FILM AND THEATRE, INC.
A Florida non-profit corporation

By: _____
Printed Name: _____
Title: _____

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