



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, March 16, 2016, 6:30 PM,  
Lake Park Town Hall  
535 Park Avenue

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

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

None

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.

1. Regular Commission Meeting Minutes of March 2, 2016 Tab 1
  2. Town Commission Acceptance of the Community Redevelopment Agency (CRA) Annual Report Tab 2
- F. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:  
None
- G. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:  
None
- H. BOARD MEMBERSHIP NOMINATION:  
3. Library Board Membership Re-Appointments Tab 3
- I. NEW BUSINESS:  
4. A Request from the Event Organizers of the Chili Cook-Off for the Town to be an In-Kind Sponsor and in such a Capacity Waive Certain Fees and Provide Certain Event Services Tab 4  
5. Resolution No. 12-03-16 Adopting of the Lake Park Harbor Marina Market Study and Business Plan Tab 5  
6. Non-Ad Valorem Assessment Charge to the Town by Palm Beach County Information Systems Services (ISS) Tab 6  
7. Palm Beach County Sales Tax to Finance Infrastructure Projects in the Town of Lake Park Tab 7
- J. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:
- K. ADJOURNMENT:

Next Scheduled Regular Commission Meeting will be held on Wednesday, April 6, 2016

# **Consent Agenda**

# TAB 1



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:**      **March 16, 2016**

**Agenda Item No.** *Tab 1*

**Agenda Title: Regular Commission Meeting Minutes of March 2, 2016**

- SPECIAL PRESENTATION/REPORTS  **CONSENT AGENDA**
- BOARD APPOINTMENT                       OLD BUSINESS
- PUBLIC HEARING ORDINANCE ON \_\_\_\_ READING
- NEW BUSINESS
- OTHER: \_\_\_\_\_

**Approved by Town Manager** *J. R. Costa*      **Date:** *3-8-16*

*Vivian Mendez - Town Clerk*

Name/Title

<b>Originating Department:</b>  <p style="text-align: center;"><b>Town Clerk</b></p>	<b>Costs: \$ 0.00</b> <b>Funding Source:</b> <b>Acct. #</b> <input type="checkbox"/> Finance _____	<b>Attachments:</b> <b>Agenda meeting minutes</b> <b>Exhibits "A - B"</b>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> <b>Not Required</b>	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <i>V.M</i> <b>Please initial one.</b>

**Summary Explanation/Background:**

**Recommended Motion:**

To approve the Regular Commission Meeting Minutes of March 2, 2016.



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, March 2, 2016,  
Immediately Following the  
CRA Board Meeting,  
Lake Park Town Hall  
535 Park Avenue

<b>James DuBois</b>	—	<b>Mayor</b>
<b>Kimberly Glas-Castro</b>	—	<b>Vice-Mayor</b>
<b>Erin T. Flaherty</b>	—	<b>Commissioner</b>
<b>Michael O'Rourke</b>	—	<b>Commissioner</b>
<b>Kathleen Rapoza</b>	—	<b>Commissioner</b>
.....		
<b>John O. D'Agostino</b>	—	<b>Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
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A. **CALL TO ORDER/ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

C. **SPECIAL PRESENTATIONS/REPORTS**

None

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.

1. Regular Commission Meeting Minutes of February 17, 2016 Tab 1
  
  2. Resolution No. 08-03-16 Authorizing the Mayor to Execute an Interlocal Agreement (ILA) between the Town and the School Board of Palm Beach County for Coordinated School Planning Tab 2
  
  3. Resolution No. 09-03-16 Authorizing the Mayor to Execute the First Amendment to the Interlocal Agreement R-2006-0512 between Palm Beach County and the City of Palm Beach Gardens, the Town of Jupiter, the Town of Mangonia Park, the Town of Lake Park, and the City of Riviera Beach creating the Bioscience Land Protection Advisory Board, Extending the Term of the Board through March 14, 2026. Tab 3
- F. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:  
None
- G. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:  
None
- H. NEW BUSINESS:
4. Resolution No. 10-03-16 Authorizing the Execution of Amendment to CPZ Architects, Inc. Contract for Architectural and Engineering Services Associated with the Kelsey Park and Lake Shore Park CDBG Funded Projects. Tab 4
  
  5. Resolution No. 11-03-16 Authorizing the Execution of an Agreement between the Town of Lake Park and Palm Beach County for the use of \$437,555.00 in Fiscal Year 2014, 2015, 2016 CDBG Funds for Kelsey Park and Lake Shore Park Improvements Tab 5
- I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:
- J. ADJOURNMENT:

Next Scheduled Regular Commission Meeting will be held on Wednesday, March 16, 2016



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, March 2, 2016, 7:02 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, March 2, 2016 at 7:02 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.

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

**SPECIAL PRESENTATIONS/REPORTS**

**None**

**PUBLIC COMMENT:**

1) **Gina Buntz**, 301 Lake Shore Drive – read studies conducted in other countries regarding the dangers of cell phone towers.

Town Attorney Baird addressed the Commission regarding the Quasi-Judicial item scheduled for the March 16, 2016 meeting. He stated that it would be inappropriate for the Commission to respond to any of the public comments regarding the cell tower. He explained that the risk the Commission would run in doing so would be that the applicant could allege that the Commission had made up their minds in advance of hearing the item. Again, he cautioned the Commission in regards to responding to any of the comments regarding the RG Towers agenda item.

2) **Joanne Robin**, 301 Lake Shore Drive – explained that she supports the mixed-use district along the US 1 corridor, but felt the redevelopment would not succeed if the cell tower were to be located at the Lake Park Marina. She gave three reasons as to why the real estate space could stay vacant. 1) Perception of a health hazard; 2) increase of increase lightning strikes; 3) the devalued view by the tower and cement platform of the electrical boxes and danger signs. She respectfully requested that the Commission work with RG Towers to agree on an alternate location.

3) **Curtis Lyman**, 301 Lake Shore Drive - introduced himself as the President of the Lake Tower South Condominium Owners Association and spoke on their behalf. He explained that they had secured the services of a tower expert that resides in Colorado. He explained that the expert witness was one of the fore most electrical dissipation engineers in the country and he has substantial Curriculum Vitae (CV). He explained that the expert has reviewed the Marina tower proposal and they are requesting that the Commission allow the testimony, at the Commission meeting scheduled for March 16, 2016, as a Party Intervener and an expert witness. He explained that what the expert witness has to say should be of significant interest to the Commission in its deliberation.

He explained that they have requested staff permission to allow the expert to give his testimony by telephone, being duly sworn-in prior to giving the testimony by a duly qualified Colorado Notary Republic with accordance with Florida Statute as it relates to telephonic testimony. He stated that staff has denied the request, which candidly appears to be an attempt to forgo the full exploration of the merits or demerits of the placement of a tower in the Lake Park Marina. He respectfully requested that the Commission allow Mr. Ernest Duckworth, P.E., leave to give testimony at the March 16, 2016 Commission meeting telephonically and in accordance with the State Statute and being duly sworn to provide unbiased expert testimony with respect to this important issue, which presents a potential clear danger to the members of the community on public lands.

Secondly, he urged staff to take the initiative, enter into discussions with the applicant, and discuss potential alternative sites. He explained that the Planning & Zoning Board has already denied the application. He stated that the citizens are almost universally against the proposal. He stated that early discussion might well head off disputes towards significant disputes. He asked that staff take charge of the destiny of the Town and get a little creative.

Lastly, they urged the Commission to realize that the applicant was not thinking of the effects to the Town, and if the Commission does believe that, the applicant does think of the well-being of the Town, then the Commission should think again. He stated that their motive was profit. He urged the Commission to find a solution early. He stated that they believe the Town had made a potentially dreadful mistake. The Town applicant was the intermediary. He stated that the Town of Jupiter owns a tower, away from residents, and they are earning three-times the amount of rent the Town would get paid. He stated that the lease option was poorly drawn, which was unfortunate, with significant gaps because of their analysis of their attorneys. He thanked the Commission for their time.

**4) Susan Ray** 301 Lake Shore Drive - invited the Commission to her home to look out over the Marina and the millions of dollars spent to renovate it. She stated that the cell tower project was all about revenue and felt that the Commission should look beyond revenue. She felt that the nuisance Ordinances or that the majority of the residents oppose the project. She stated that the Marina was not the right location for the tower. She does not believe that the tower was a stealth tower. She stated that she was in favor of the mixed-use development zoning for US1, which would bring revenue to the Town. She explained that she visited the RG Tower site and they have 98% of the area covered. She asked the Commission if it was worth it to destroy the beautiful Marina that the tower would do nothing to enhance its looks.

**5) Claudia Wendel** 301 Lake Shore Drive – stated that the residents did not receive proper notification 1 ½ years ago, and that the first notification was by certified letter, which was received on December 22, 2015. She explained that during the holidays, the condominium association began sending emails and signed an internet email petition and out of 84 residents, within 24 hours, 44 residents signed it. She explained that during the January Sunset Celebration they asked those in attendance who knew and who did not know about the project. She stated that about 98% of those attending did not know that the tower was going in. She stated that they obtained an additional 79 signatures opposing the project during the Sunset Celebration, which was submitted to the Planning

& Zoning Board. She expressed concern regarding the revenue and was in favor of the mixed-use zoning on US1. She expressed concern with the property values and the future interest of developers not being there. She stated that a survey would be submitted before March 16, 2016 regarding how people were negatively impacted by a cell phone tower within close proximity. She said that the potential for lowered property values was included in the study. Lastly, she sent an email to each Commissioner with a case study that she urged them to review.

**6) Diane Bernhard** 301 Lake Shore Drive – suggested that the Commission hold a special call Commission meeting to hear the RG Tower project information because she felt that the Commission did not have all the facts in order to make a truly informed decision. She explained that on February 1, 2016 the Planning & Zoning Board heard the applicant. She has requested the minutes of the Board meeting and told that the Board would approve their minutes at their next meeting. Once approved, the minutes are published. She explained that the next Planning & Zoning Board meeting has been canceled, which means the minutes would not be available for the Commission’s review before the March 16, 2016 meeting. She felt it was imperative that the Commission know why the Planning & Zoning Board denied approval of the application. She quoted from the draft Planning & Zoning Board meeting minutes as follows: “the applicant is required to submit a statement of need identifying why this location is needed to serve under-utilized customers in the area. Chairperson Judith Thomas discussed the location of several towers in the general area already and stated that there is an existing tower in Lake Park that they could have used. Judith literally pointed to the map that was displayed and advised RG Towers that they were displaying the Riviera Beach map and not the Lake Park map. The Riviera Beach map indicated that there was some interruption of services. So, Judith also recommended that since it was Riviera Beach that had a problem that they should put their tower in Riviera Beach and not Lake Park. She did once again suggest that we have an existing tower that could be used, since it has already been used for that purpose. Ms. Thomas also recommended a site for the tower, the one we already have and she suggested that on Silver Beach Road, on top of the building that use to be a Winn-Dixie would be an excellent site.” Ms. Bernhard suggested to the Commission that if RG Tower did not like the tower that they could remove the existing tower and put up a new one, since it was already used for that purpose. Staff was proposing that as a condition of approval that added decorative features be placed on top of the fence would enhance its ascetics. She explained that RG Towers refused the suggestion. The Planning & Zoning Board member Martin Schneider stated that the fence would be an ugly industrial fence and did not fit in our Marina.

**7) Robert Sepolatis** 301 Lake Shore Drive – expressed concern regarding the towers installation at the Marina. He stated that he has watched as children play around the grounds at the Marina. He asked that the Marina not be dragged down with this project.

**CONSENT AGENDA:**

- 1. Regular Commission meeting minutes of February 17, 2016.**
- 2. Resolution No. 08-03-16 Authorizing the Mayor to Execute an Interlocal Agreement (ILA) between the Town and the School Board of Palm Beach County for Coordinated School Planning**
- 3. Resolution No. 09-03-16 Authorizing the Mayor to Execute the First Amendment**

**to the Interlocal Agreement R-2006-0512 between Palm Beach County and the City of Palm Beach Gardens, the Town of Jupiter, the Town of Mangonia Park, the Town of Lake Park, and the City of Riviera Beach creating the Bioscience Land Protection Advisory Board, Extending the Term of the Board through March 14, 2026.**

**Motion: Commissioner O’Rourke moved to approve 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:**

None

**PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:**

None

**NEW BUSINESS:**

**4. Resolution No. 10-03-16 Authorizing the Execution of Amendment to CPZ Architects, Inc. Contract for Architectural and Engineering Services Associated with the Kelsey Park and Lake Shore Park CDBG Funded Projects.**

Town Manger D’Agostino explained the item (see Exhibit “A”). Commissioner O’Rourke questioned the out-of-pocket Town expense. Town Manager D’Agostino explained that the re-roofing out-of-pocket expense would be determined when the Town would go out for bid on that part of the project. Vice-Mayor Glas-Castro questioned the costs associated with the project for inspections. Town Manager D’Agostino explained that the cost associated with the project are only the architect’s fees, not the construction cost. He stated that Palm Beach County has approved all the fees associated with the project. Commissioner Rapoza questioned certain cost associated with the contract. Town Manager D’Agostino explained that the consultant provided cost estimates and submitted to the County for approval. He stated that the Town would need to renegotiate the costs if the Commission was not satisfied. Public Works Director Dave Hunt explained the history of the grant funding and that the County had suggested combining the funding. He stated that the trash receptacles and park benches were included as part of the 2014 Community Development Block Grant (CDBG) funding. He stated that by adding the projects the consultant fees increased. He explained that the re-roofing of the Tennis Center building was not part of the funding. The consultant’s direction was to find out how much it would cost to place different alternates of roofing on the building. He pointed out that the allowances indicated in the contract would only be used if they were necessary for construction to continue, should a cost for a part of the project be slightly above what was allocated as the cost. The County has approved the allowance amounts.

Commissioner Rapoza asked when construction would begin. Public Works Director Hunt explained that a strict schedule for the entire project was included in the contract. Mayor DuBois stated that he had requested additional alternatives, which the consultant charged.

**Motion: Commissioner Flaherty moved to approve Resolution No. 10-03-16; Commissioner Rapoza seconded the motion.**

Commissioner O'Rourke questioned the combination of funding and it all went out for bid. Town Manager D'Agostino explained that the County agreed to combine the funding from 2014, 2015, and 2016 so that the Town would have additional funds to do projects. He explained that the Town would still receive the funding, but it would be necessary to hire a consultant to work on the projects with staff. The consultant would assist with environmental review, and the specs of the project. Commissioner Rapoza reminded the Commission that the contractor stated that they would come before the Commission at 30 percent design completion before progressing to the next phase.

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

**5. Resolution No. 11-03-16 Authorizing the Execution of an Agreement between the Town of Lake Park and Palm Beach County for the use of \$437,555.00 in Fiscal Year 2014, 2015, 2016 CDBG Funds for Kelsey Park and Lake Shore Park Improvements.**

Town Manager D'Agostino explained the item (see Exhibit "B").

**Motion: Commissioner O'Rourke moved to approved Resolution No. 11-03-16; 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.

**TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

**Town Attorney Baird** provided a report regarding a lawsuit that was filed against the Town approximately 1 ½ years ago. The lawsuit dealt with the termination of the then Deputy Town Clerk. He stated that under the Town’s Employee Handbook it states that the Town Manager could establish an employee grievance committee to review his proposed disciplinary action. The committee would report to him as to the committee’s findings as to whether that action was appropriate or not. The grievance committee met, reviewed the facts, interviewed witnesses regarding the termination and they upheld the termination. They recommended that he uphold his decision of termination of the employee. The committee’s intent to be a peer review committee and was not a committee appointed by the Commission and only advisory in nature. Therefore, Mr. Sugerman and I were of the opinion that the grievance committee were not subject to the Sunshine Law. However, the Town has had experience with the Citizens Awareness Foundation, who filed the lawsuit alleging the violation of the Sunshine Law. He reminded the Commission of a previous lawsuit file by this organization against the Town regarding public records at the Marina, which settled. The case has moved through the course and would possibly be going to court for hearing. He explained that he plaintiff’s attorney approached him with a settlement. Both Town Manager and he rejected a settlement amount of \$6,500 to \$7,000 offered with further negotiations. Both he and the Town Manager agreed for a reasonable amount of \$2,500. He explained that to file a Motion for Summary Judgement would cost the Town more than \$2,500. He recommended that the Commission accept the settlement amount of \$2,500. If the Town decided not to move, forward and settle the case would cost considerable more. If the Town losses the case in court the Town would have to pay for plaintiff’s Attorney fees, which could total more than \$10,000. He recommended settling so the Town could receive a Release, Dismissal with Prejudice, and both parties would bear their own attorney’s fees and costs.

Commissioner O’Rourke asked if it was the same firm, which prevailed over the Town. Attorney Baird stated that in the previous case the Town was able to settle sooner in the process. In the current case, Mr. Sugerman believe that this was an issue that needed to be decided because he wanted to preserve the employee grievance committee and was unwilling to settle at the stage where we might have stopped it from proceeding further. The case progressed, which lead up to today. Mayor DuBois stated that the settlement was under \$10,000, which was under the Town Manager’s spending authority. He asked if Attorney Baird needed was a motion. Attorney Baird stated that he would not want to settle the case by himself having seen for himself what could happen when a previous Town Manager settled a suit without Commissioner Consent. He did not want the Commission to be in the same situation as the previous Town Manager.

**Motion: Commissioner Flaherty moved to settle the case at \$2,500; 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.

**Town Manager D’Agostino** stated that the Commission raised many questions regarding the cell tower timetable, including when the Town deemed the application complete. He stated that he has provided the information to each of the Commissioners, but wanted to discuss it with the whole Commission. He explained that the Town determined the application complete on December 23, 2015, and 90 days from December 23, 2015, was March 22, 2016. He explained that the scheduled hearing for the cell tower item was March 16, 2016. If additional information was required at the March 16, 2016 meeting, the Commission could have another meeting between March 17, 2016 and March 22, 2016. In order to call a Special Call meeting, we must provide 72-hour public notice of the meeting. If a special call meeting were necessary it would need to be either Monday, March 21, 2016 or Tuesday, March 22, 2016. He explained that they could meet on a Saturday, if necessary, as allowed by Code, but he wanted to put the information out so that the Commission could consider what the timetable would consist of. He asked the Commission to be mindful as they approach the March 16, 2016 meeting of the timetable dates.

Mayor DuBois asked for the dates again. Town Manager D’Agostino stated that the application was complete on December 23, 2015, 90 days from that date was March 22, 2016. He explained that we have a meeting scheduled for March 16, 2016 to hear the cell tower item. If the Commission needs additional information or require the applicant to respond to issues or concerns, we would need to call a special call meeting on Monday or Tuesday to stay within the March 22, 2016 timeframe. Therefore, in order for staff to post the meeting, we would need 72-hours to notice the special call meeting.

Mayor DuBois asked if the special call meeting would be called at the March 16, 2016 meeting or did the Town Manager want the Commission to call the meeting now. Town Manager D’Agostino stated that the Commission could call the special meeting now if they felt that it would be necessary or they could wait until the March 16, 2016 meeting and call the special call meeting then.

Mayor DuBois asked the Town Attorney for a recommendation. Vice-Mayor Glas-Castro stated that she was not available from March 17, 2016 through March 20, 2016. Attorney Baird stated that he would not recommend a Saturday and that he had a Council meeting in Jupiter where the new Mayor and Councilmembers be sworn-in on March 22, 2016, which was their regular meeting. He stated that the Commission could meet on March 22, 2016, but another member of his firm would be here representing the Town. Attorney Baird did not understand why the Commission could not complete the hearing on March 16, 2016 if the agenda were kept light because the Commission had 4 ½ hours.

Vice-Mayor Glas-Castro had a concern with March 16, 2016 because the agenda packet was published a week before the meeting and there was something going on that would take her attention before that and did not know that she could devote the time. She stated that they were receiving information from residents, they have filed an Intervener, and

they have staff. She asked if the Planning & Zoning meeting minutes would be available, considering they would not be meeting to approve their minutes before the March 16, 2016 Commission meeting. Mayor DuBois stated that the Planning & Zoning Board meeting minutes would be available if made part of the agenda packet.

Attorney Baird stated that the Planning & Zoning Board has already made a recommendation to the Commission to deny the application. Commissioner O'Rourke stated that the Commission should know why the Planning & Zoning Board was recommending denial. Mayor DuBois stated that staff could include the draft minutes as part of the presentation. Town Manager D'Agostino stated that staff could make the P&Z Board meeting minutes available.

Commissioner O'Rourke suggested that a special call meeting be set for March 22, 2016 and felt it was appropriate, and that it was proper to give the applicant time to understand that the meeting would be that date. Mayor DuBois suggested that the special call meeting be set for Monday, March 21, 2016.

Town Manager D'Agostino clarified that since the Planning & Zoning Board would not be meeting in March, the draft meeting minutes would be available as part of staff's presentation and the agenda packet. He stated that the Commission would have the draft minutes, which contain why the Planning & Zoning Board recommended denial.

Mayor DuBois recapped that the draft Planning & Zoning Board meeting minutes would be included with the agenda packet and they would have a special call meeting on March 21, 2016 if they could not concluded the cell tower item on March 16, 2016.

Commissioner O'Rourke agreed. Mayor DuBois verified with Attorney Baird that he would be available to attend the March 16, 2016 and March 21, 2016 Commission meetings. Attorney Baird confirmed. Mayor DuBois stated that if the special call meeting were not necessary they could cancel it.

Town Manager D'Agostino asked the Commission if they wanted to swear-in the newly elected officials at a special call meeting or wait until the April 6, 2016 meeting. He explained that they could swear-in the newly elected officials after the Palm Beach County Supervisor of Elections would provide the certified results of the election. He continued to explain that since the municipal election are combined with the Presidential Preference Primary we could not be guaranteed that the results would arrive within 4 to 8 business days after the election. He stated that if the certified election results are received before March 21, 2016, we could certify the election results and swear-in the new Commission seated. He explained that the swearing-in ceremony was scheduled for April 6, 2016.

Mayor DuBois stated that the Commission could not meet until the results of the election were certified. Town Manager D'Agostino explained that the Commission could continue to meet as the current Commission.

Attorney Baird suggested that the Commission not change the composition of the Commission in-between, with respect to the potential vote of that agenda item. He

explained that he did not believe the Commission wanted to create a potential due process issue either way. Whether it be for the applicant or for the Intervener, depending on how the vote goes because in most zoning cases, the way a government could lose a zoning case was not on competence substantial evidence, or the essential requirement of law, it was on due process.

Mayor DuBois recapped that what was being suggested was that the certified election results be on the April 6, 2016 meeting to swear-in the new Commission members and the Commission that was existing would operate until then. Town Manager D'Agostino agreed.

Attorney Baird stated that by Charter and law that would be how it would happen. Mayor DuBois stated that he had the same understanding as was stated by the Town Attorney. He stated that this would be a cause of disagreement between the Commissioners unless he could get the Commission to say that was how it was going to be. He has at least one Commissioner who was asking the new Commission to hear the RG Tower item. He stated that there was no time to do that.

Commissioner O'Rourke stated that we do not know that there was no time. The Mayor reminded everyone that there was a 90-day clock. Commissioner O'Rourke acknowledged that there was a 90-day clock, but that we did not know that the certified election results would not be in by March 21, 2016.

Mayor DuBois stated that this was where we ran into issues with the Commission because without a vote he does not have consensus.

Commissioner O'Rourke suggested that we set a special call meeting with the certified election items. If no certification were received, the items would not be heard.

Mayor DuBois suggested having a vote to have the meeting to install the new elected officials on April 6, 2016. He asked staff to verify that the certified results are scheduled for April 6, 2016. Staff agreed.

Mayor DuBois recapped that the Commission would have a regular meeting on April 6, 2016, where the certified election results would be on, the elected officials would be sworn-in, and the current Commission would continue until then. He stated that it would be the motion he would be looking for.

**Motion: Commissioner Flaherty moved to have the certified election results on the April 6<sup>th</sup> agenda and the current Commission would continue until that date.**

Motion failed for lack of a second.

Commissioner O'Rourke stated that he did not agree with this process. Mayor DuBois asked for an alternative. Commissioner O'Rourke suggested that a special call meeting be set for the installation of the Commission for the same time (March 21, 2016). If there was no certification then the Commission could address it at that time. The same members that are here today would be there that day (March 21, 2016).

Mayor DuBois recapped that what Commission O'Rourke was suggesting was to have the regular Commission meeting on March 16, 2016. Commissioner Rapoza asked if that was fair to the residents, and to those that may not be available to attend on March 21, 2016 meeting.

Mayor DuBois asked what the difference was. He recapped once again; the current Commission would attend the March 16, 2016 meeting and whatever business were on the agenda heard. If the Commission does not like the outcome of that meeting, the items moved to the March 21, 2016 meeting agenda. He felt that it was not fair to the applicant.

Vice-Mayor Glas-Castro asked if Commissioner O'Rourke was suggesting that the cell tower item not be heard on March 16, 2016 and the hearing continued to March 21, 2016. Commissioner O'Rourke agreed. He stated that the Commission had just agreed to a special call meeting for the hearing on March 21, 2016. He suggested that prior to the special call meeting for...

Mayor DuBois explained that what the Town Attorney has suggested was that Town's that are sued for applications that failed are sued on the basis of due process not the meeting itself. He stated that what Commission O'Rourke was suggesting was to change the due process.

Attorney Baird stated that he was not clear as to what the Commission was suggesting to do. He stated that what the Commission needs to do was to set the hearing and complete the hearing regarding RG Towers by March 21, 2016. He stated that the Commission could set the hearing for March 16, 2016 and if the Commission needs more time they could continue the hearing to March 21, 2016. Or, they could have a special call meeting on March 21, 2016 in which they could consider the RG Towers application that night, and they could also consider, if they have the certification of the election results in, they could certify the election results on March 21, 2016 and seat the new Commissioners. He stated that his council to the Commission has been that it would be in his legal perspective preferable, especially if they start the hearing on March 16, 2016, that the same Commissioners decide the case on March 21, 2016.

Commissioner O'Rourke did not understand why they would start the meeting on March 16, 2016 and did not know who made that suggestion.

Attorney Baird stated that he did not suggest that they did. Commission O'Rourke strongly suggested that the Commission set the special call meeting for one agenda item, except that now they have been asked to add additional agenda items for seating of the new Commissioners. He stated that if it does not happen then that was just the way it goes and then they live with the consequences of that, they would not have a choice. Certification of the election results either happen or not.

Attorney Baird explained that the majority of the Commission needed to decide if they want to have the hearing begin on March 16, 2016 or they just want to have a special call hearing on March 21, 2016. Commissioner Rapoza asked what happened if the certification was not received by March 21, 2016. Attorney Baird stated that they would

not have a new Commission on March 21, 2016 and the current Commission would hear the item. Commission O'Rourke explained that the existing Commission, that was the option. He stated that he did not see any other option.

Mayor DuBois stated that the option was to seat the Commission on April 6, 2016 and maintain the current Commission through March 16, 2016 and March 21, 2016.

Commission O'Rourke offered to make a motion. Mayor DuBois stated that the Commission had to make a decision one way or another.

**Motion: Commissioner O'Rourke moved to take the Quasi-Judicial Hearing for RG Tower cell tower agenda item as special set date of March 21, 2016 at 6:00 p.m.; Vice-Mayor Glas-Castro seconded the motion.**

Mayor DuBois stated that they were setting themselves up to fail. Commissioner O'Rourke asked why. Mayor DuBois stated because if the cell tower applicant challenges a negative decision they would have a reason to move forward with their suit and there was a possibility that they could win. He based his statement on what the Town Attorney had explained to the Commission and the Commission would be opening the Town to litigation on a negative decision.

Vice-Mayor Glas-Castro asked why that was. Mayor DuBois stated that the Town Attorney had explained it twice to the Commission.

Attorney Baird explained that if they couple the hearing of RG Towers with a change in Commission they create the prospect for a potential issue for the petitioner, whether that was the Interveners or whether it was RG Towers. He stated that in an abundance of caution and being conservative, his responsibility to protect the Commission and advise the Commission of contingencies that could lead to liability, he was pointing it out. If the Commission's judgement was that it was a dumb legal opinion, they do not agree with it, there was no risk at all, then go ahead and do whatever it was the majority of the Commission believes was appropriate action.

Commissioner O'Rourke found it more of a due process challenge that they are going to go with a Commission that would not be the same Commission because one of their colleagues would be retiring and felt that was more of a problem for any Intervening Party was also part of this.

Attorney Baird stated that their colleague would remain in her seat until her successor was duly qualified, and the election results are certified. Commissioner O'Rourke stated that the meeting was after an election, which establishes that there would be a new Commission. He stated that this was a meeting where the item was placed after the election date. It was not the same Commission; the certification aspect of it was merely the formality of what was going on, the reality. The reality of what was going on was that the community was going to elect Commission members based on issues in the Town.

Vice-Mayor Glas-Castro stated that she understood that there would be no discussion at all on March 16, 2016 meeting and the item would solely on March 21, 2016. So the

Commission does not get into the issue of changing the Commission. It was her understanding of what Commissioner O'Rourke was proposing. Commissioner O'Rourke agreed that it was his proposal.

Attorney Baird stated that it was what he was proposing. Vice-Mayor Glas-Castro stated then the Commission does not get into the issues, it was a single Commission.

Commission O'Rourke stated that if there were no certification then it would be this Commission.

Attorney Baird clarified that if there was no certification by March 21, 2016, another suggestion was if the certification results arrive before March 21, 2016 they would then constitute the new Commission on March 21, 2016 at the same meeting and that was the risk that he referenced. Whether it be the March 16, 2016 meeting or March 21, 2016 meeting, if they change Commissioners it creates, in his opinion, a risk.

Vice-Mayor Glas-Castro stated that if the hearing were not opened on March 16, 2016, then...

Commissioner O'Rourke asked where the risk was and that it was not a different Commission.

Attorney Baird stated that he would not try to explain it further.

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 4-1.

Mayor DuBois recapped that RG Tower item was scheduled for March 21, 2016 at 6:00 p.m.

Town Manager D'Agostino announced at 1290 AM radio would be doing a story on the Town of Jupiter and the Town of Lake Park elections, which would include information about the candidates from both municipalities. He explained that the Town of Lake Park has Limited Voting, which means each voter could vote for one candidate.

Mayor DuBois asked what time the segment would run. Town Clerk Mendez explained that the program runs from 5:00 a.m. until 9:00 a.m. and the 30-second segments would include Lake Park. She explained that it would be an informational segment to let listeners know that Lake Park would be having an election.

Mayor DuBois asked if the Northern Palm Beach Chamber of Commerce had set up a forum. Vice-Mayor Glas-Castro announced that there would be a meet-and-greet at the

Brew House on Saturday. Mayor DuBois stated that in the past Lake Park Community Watch had hosted a meet-and-greet. Vice-Mayor Glas-Castro stated that the Historical Society had held one many years ago.

Town Manager D'Agostino announced that the Lake Park sample ballots would appear in the Wednesday, March 9, 2016 and Sunday, March 13, 2016 Palm Beach Post.

**Commissioner Rapoza** gave kudos to whomever was responsible correcting the Palm Beach Post Neighborhood insert for properly naming the Town parks from Kelsey West to Kelsey East/Lake Shore Park. She was also pleased to see in the TGIF section an article written by Bill DiPallo regarding the Brew House Gallery highlighting their vision for the Mos' Art Theatre.

She asked if there were any updates on the tour of the Army Reserve Center on Congress Avenue. Town Manager D'Agostino stated there were no updates at this time. She stated that one of the "No Dogs Allowed" signs in Lake Shore Park was spray painted over. She asked how the Town Code was enforced. Town Manager D'Agostino stated that there was a fine structure in the Town Code for this type of violation and could direct Code Compliance to spend time at the parks and begin citing people. He explained that the Commission would be contacted by those being cited. Commissioner Rapoza has witnessed people walking their dogs and not picking up after them. She was disturbed by the lack of respect shown when she has spoken to people in the park.

Mayor DuBois asked if the pet supply stores in Town would be willing to provide the bags and dispensers for the parks. Commissioner O'Rourke asked why bags should be provided if it were against the Ordinance. Commissioner Rapoza suggested rewriting the Ordinance. Mayor DuBois stated that part of the Ordinance protects the Town from liability for having bags. Commissioner Rapoza stated that she was against people walking their dogs in the parks.

**Commissioner Flaherty** asked if the Easter Egg Hunt was still taking place. Town Manager D'Agostino stated that he announced it at the last meeting. The event would be taking place on March 26, 2016.

Commissioner Flaherty asked how for an update on the recruitment of a Marina Director. Town Manager D'Agostino stated that the Marina Director has left, but a business plan would be on March 16, 2016 agenda. He stated that the business plan would include different fees including electrical at the Marina. He stated that the plan would be moving the Marina from a park setting to an Enterprise Fund. He explained that the Marina owes the Town approximately \$500,000 and unless the business plan was implemented, the Marina would never be in a position to provide revenue to the General Fund. Therefore, the taxpayers would be paying for the Marina to some degree.

Commissioner Flaherty stated that he was disappointed when the director's salary level increased to attract qualified candidates. Since the Marina Director left, he suggested that the salary level return to where it had been and use the difference in funding to make some improvements to the Marina building. His understanding was that the building was dealing with major deficiencies. He asked the Commission for their support to lower the

salary range and put the money into fixing the ceiling, flooring, or foundation of the Marina building.

Town Manager D'Agostino thoughts were that this was the first time that the Town had a comprehensive business plan for the Marina and it was because raising the Marina salary range the Town was able to hire someone that was qualified to put a business plan together. He stated that the Commission could take three-steps back and go back to having a caretaker at the Marina. He stated that the Marina has never been a profit center for the Town and the reason for that was that we never had a competent, capable, long-lasting Marina Director. His understanding, after speaking with the employees at the Marina, was that the last Marina Director was concerned that the Commission was micromanaging the departments and not allowing staff to do things that they needed to do. He stated that he wanted to attract the people that would turn the Marina and the Town around. The example of lowering the salary from where it was at now back to where it had been would not provide the necessary funding to make the improvements to the Marina building. He explained that it would cost thousands of dollars to fix. He explained that the only way that Marina would sustain itself and have funds at the bottom line would be to hire someone that would run the Marina like as a business, apply for grants needed, and implement the business plan. Now that the Town has the business plan, if the Town wants to hire a "caretaker", the person hired would follow the business plan. In his opinion that would be an administrative decision that would require a vote of the Commission. He stated that he has already made his recommendation and what he felt it should be, but if the Commission decides differently.

Mayor DuBois asked for the pay range of the former Marina Director. Town Manager D'Agostino believed it was \$76,000. However, the last Marina Director's salary was \$96,000.

Mayor DuBois suggested that the business plan item be heard at the March 16, 2016 meeting and they could discuss salary at that time. Vice-Mayor Glas-Castro was thinking along the same lines.

**Commissioner O'Rourke** stated that during the public comment portion of the meeting a member of the public requested that during the Quasi-Judicial Hearing that testimony of an expert witness be allowable by telephonic testimony and asked that the Commission consider allowing it.

Mayor DuBois stated that he would not be taking one position or another on the item. Commissioner O'Rourke stated that he would not be taking a position, but wanted to be sure that...

Mayor DuBois stated that he has not taken one position or another on an item before. Commissioner O'Rourke asked if the Mayor was trying to suggest that he was taking sides.

Mayor DuBois stated that it puts the Commission in a questionable position. He stated that the public had every right to pursue every avenue that they could on their own, without assistance or hindrance by the Commission.

Commissioner O'Rourke stated that Mos'Art Theatre has been renamed Kelsey Theatre and has been reopened.

**Vice-Mayor Glas-Castro** announced that last week she attended the Riviera Beach ribbon cutting for their new Marina building. She stated that the building was nice. She explained that Riviera Beach has had some ups and down with their redevelopment and this was finally something of substance to show that they are moving forward. She congratulated them on their accomplishment. She stated that all of her other comments had already been addressed during the course of the meeting.

**Mayor DuBois** explained that he attended a meeting along with Public Works Director Dave Hunt and Town Manager D'Agostino with Palm Beach County Board of County Commissioner Hal Valeche, Rob Robbins, and Trish Weaver to discuss the Lake Park Scrub Area. He stated that County Commissioner Valeche said that he would not support the Town and would support his staff, at which point the Mayor lost his temper (he apologized) and walked out of the meeting in a huff. He suggested to the Town Manager that they not attend the meeting scheduled with Palm Beach County Board of County Commissioner Pricilla Taylor because at the meeting with County Commissioner Valeche he mentioned that he did not want to go against County Commissioner Taylor, which lead the Mayor to think that we should not go down that road. He felt that the County Commissioners did not take the Town of Lake Park into consideration or the Town Commission or its employees. He was still upset about the situation, especially since the Town had a contract and a management report that stated that a Nature Center would be located on the north side of the Lake Park Scrub area, off of 12<sup>th</sup> Street regardless of whether the Park Avenue Extension was built or not. He stated that now the Department of Environmental Resources Management (DERM) has changed the deal on the Town. He stated that the only other option they had was if County Commission Taylor does feel as indicated, then it would be taken to the County Commissioners for a vote. He gets upset that the Town has two documents indicating the agreement, the County has spent \$3 million on priming the Conservation area, and in 12-years they have not funded the building of the Nature Center, which was agreed to as described in the management agreement. He wondered if the Town had any legal standing to get any advantage out of those two agreements. First was the sales agreement, then the contract and then was the management agreement to force them to...

Attorney Baird would be happy to review the agreements and report to the Commission. Mayor DuBois thanked Attorney Baird.

Town Manager D'Agostino announced that another topic that discussed at the meeting was the County had moved onto other projects.

Mayor DuBois commented that 12-years had not been long enough and now Mr. Rob Robbins has spent the funds on the Hungry Land Slough project because there were grants available that needed matching funds for the Hungry Land Slough. He stated that the County had added insult to injury. He has spoken to two previous Town Managers about this topic. He stated that he asked if during their tenure had they been approached by DERM about anything to do with the Lake Park Scrub area and the response was no.

He stated that the County has completely neglected what was in the contract. He suggested that someone else attend the meeting with County Commissioner Taylor.

Mayor DuBois stated that he reads the Palm Beach Post almost every day and saw in the Real Estate section a half page advertisement which listed amenities at Lake Park including a club house, hot tub, pool, and tennis. He stated that the advertisement was for LakePark at Tradition, which was a development by Minto. He asked if the Town had any rights to the name Lake Park. Should the Town register the name of Lake Park. He stated that it comes under the heading of things that bother him to no end.

Mayor DuBois asked if the Town ever looked into the Metropolitan Planning Organization (MPO) funding for repairing Park Avenue or any other streets. Town Manager D'Agostino stated that he sent the information to staff and would follow up.

**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 8:48 p.m.

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Mayor James DuBois

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Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2016



Town of Lake Park Town Commission

Agenda Request Form

Exhibit "A"

Meeting Date: March 2, 2016

Agenda Item No. Tab 4

**Agenda Title: Resolution No. 10-03 -2016 Authorizing the Execution of Amendments to CPZ Architects, Inc. Contract for Architectural and Engineering Services Associated with the Kelsey Park and Lake Shore Park CDBG Funded Projects**

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON \_\_\_\_\_ READING
- NEW BUSINESS**
- OTHER: \_\_\_\_\_

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager J. R. Griffin Date: 2-22-16

David Hunt  
David Hunt / Public Works Director

<b>Originating Department:</b>  <b>Public Works</b>	<b>Costs: Not to Exceed \$68,500</b> <b>Funding Source: Community Development Block Grants</b> <b>Acct. # 301-63818</b> <input checked="" type="checkbox"/> Finance <u>BKR</u>	<b>Attachments:</b> -Resolution No. <u>10-03-16</u> -Contract with Amendment No. 1 and Amendment No. 2
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	<b>Yes I have notified everyone</b> <u>JDH</u> or Not applicable in this case _____ <b>Please initial one.</b>

**Summary Explanation/Background:** The Scope of Work related to the CDBG funded projects was changed at the September 16, 2015, and December 16, 2015, Commission Meetings. Based upon the initial project budget estimates, it was decided to build a new restroom at Kelsey Park and renovate the restroom building at Lake Shore Park. The Grant Administrator, Palm Beach County, also suggested that the Fiscal Year 2016 CDBG funded project (park benches and litter receptacles) be specified in the current construction documents. The additional design tasks associated with the changes to the scope of work requires making contractual amendments to the Town's original agreement with CPZ Architects, Inc. (CPZ).

All of the Town's vendor contracts and contract amendments that are associated with CDBG reimbursements must undergo review and comments from Palm Beach County's Department of Economic Sustainability (DES). DES not only reviewed CPZ Architects' quotes for added design services but required a breakdown of sub-consultants' potential charges associated with professional services during construction.

Amendment No. 1 to CPZ's Professional Services Contract deals primarily with edits and additions to Exhibits "B" and "C". These exhibits provide specific terms and costs for professional services that may be required during the construction phase. These Construction Administration services were assigned an Estimated Allowance of \$10,000 in the original contract.

Amendment No. 2 to CPZ's contract are the added costs for the additional design tasks.

Original Contract Amount	\$59,000.00
Additional Costs for Amendment No. 1	0.00
Additional Costs for Amendment No. 2	<u>9,500.00</u>
Total of Amended Professional Services Contract	\$68,500.00 (Not to Exceed)

The financial impact to the overall contract amount will be \$9,500.00 if approved. The new CPZ contract amount will not exceed \$68,500.00. The majority of these invoiced services will be reimbursed by the CDBG funds. Professional services associated with the re-roof of the Tennis Center Building at Lake Shore Park, in the amount not to exceed \$2,875.00, will not be reimbursable as this building does not meet the usage requirements established by the Grant.

**Recommended Motion:** I move to Approve Resolution No. 10-03-16 authorizing the Mayor to execute the contract amendments with CPZ Architects, Inc. for professional services associated with the CDBG Park Projects.



Town of Lake Park Town Commission

Agenda Request Form *Exhibit "B"*

Meeting Date: March 2, 2016

Agenda Item No. *Tab 5*

Agenda Title: Resolution No. 11-03-2016 Authorizing the Execution of an Agreement between the Town of Lake Park and Palm Beach County for the use of \$437,555.00 in Fiscal Year 2014, 2015, and 2016 CDBG Funds for Kelsey Park and Lake Shore Park Improvements

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON \_\_\_\_\_ READING
- NEW BUSINESS
- OTHER: \_\_\_\_\_

Approved by Town Manager *J. R. Cuffin* Date: *2-22-16*

*David Hunt*  
David Hunt / Public Works Director

<p><b>Originating Department:</b> Public Works</p>	<p>Costs: Reimbursable up to \$437,555.00 Funding Source: Community Development Block Grants Acct. # 301-337.319 301-337.325 <input checked="" type="checkbox"/> Finance <u><i>BKR</i></u></p>	<p>Attachments: -Resolution No. <u><i>11-03-16</i></u> -Town Request to make Amendments to the Agreement with Palm Beach County -Agreement between Palm Beach County and the Town for use of FY 2014, 2015, and 2016 CDBG Funds and to reflect changes in the Project's Scope -Letter Certifying Which Individuals are Authorized to Sign on Behalf of the Town -Non-Discrimination Policy Form -Amendments to CPZ Architect, Inc.'s Contract</p>
<p><b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required</p>	<p>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.</p>	<p>Yes I have notified everyone _____ or Not applicable in this case <u><i>Gold</i></u> Please initial one.</p>

**Summary Explanation/Background:**

At the February 4, 2015 Commission Meeting, the Town approved entering into an agreement with Palm Beach County (County) for the use and oversight of Fiscal Year (FY) 2014 and 2015 Community Development Block Grant (CDBG) funds. Since that agreement was ratified by the County on March 10, 2015, the Town has opted to combine the CDBG funding from the 2015 Agreement with its FY 2016 CDBG

allocation and to make changes to the Project Definition's Scope of Work. The Performance Requirements, including the completion deadline, have been adjusted to allow for the project changes.

Amendments to the CPZ Architect, Inc. contract, prompted by additions and changes to the project's scope of work, have been reviewed and approved by the County's Department of Economic Sustainability. These amendments to the Architect's contract received Commission approval by a previous motion at this meeting (March 2, 2016).

The new agreement with the County allows for the following planned improvements to Kelsey Park and Lake Shore Park:

-Demolition of all or part of existing structures, construction renovations, construction of a new restroom facility, related site improvements including utility upgrades and connections and park equipment (benches and litter receptacles).

These improvements shall be bid as one construction contract. If the submitted construction bids for the core project are less than the estimated amounts, additional project elements have been specified and have received pre-approval via this agreement. The core project consists of the following Scope of Work:

Lake Shore Park

- Construction

- Removal of interior walls and fixtures from existing restroom building
- Re-roof, reconfigure and remodel interior to meet ADA Requirements

Kelsey Park

- Construction

- Demolition of two (2) existing structures
- Construction of one ADA compliant restroom facility of approximately 840 S.F. with related amenities, site work, utility connections and landscaping
- Purchase and installation of park benches and litter receptacles

If the core project bid comes in under the project estimates, the remaining CDBG funds may be spent on any or all of the following project elements. These items will be listed as "Alternates" in the bid packet:

Lake Shore Park

- Construction

- Re-roof adjacent community use building
- Installation of electrical improvements (Tennis Courts)
- Purchase and installation of park benches and litter receptacles

- Site Lighting

- Removal of existing deteriorated poles and fixtures
- Supply and installation of a new lighting system

The original Agreement with the County remains in effect until this new Agreement is approved by the Town Commission and the Board of County Commissioners. In order to receive the CDBG funds for FY 2016 and utilize them along with the FY 2014 and 2015 funds, for both design and construction, the Town must execute this CDBG Agreement with the County. The attached Resolution authorizes the Mayor and the Town Clerk to sign the Agreement and an Affirmation of Non-Discrimination Policy on behalf of the Town. Even though the Board of County Commissioners must also approve this new Agreement, work will continue to proceed under the original Agreement in order to avoid missing completion deadlines.

**Recommended Motion:** I move to Approve Resolution No. 11-03-16 authorizing the Mayor and the Town Clerk to execute the agreement between Palm Beach County and the Town of Lake Park for the use of \$437,555.00 in CDBG funds for the suggested improvements in Lake Shore Park and Kelsey Park.

# TAB 2



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:** March 16, 2016

**Agenda Item No.** *Tab 2*

**Agenda Title:** Town Commission's Acceptance of the CRA Annual Report

- SPECIAL PRESENTATION/REPORTS  CONSENT AGENDA
- BOARD APPOINTMENT  OLD BUSINESS
- PUBLIC HEARING ORDINANCE ON \_\_\_\_\_ READING
- NEW BUSINESS
- OTHER: \_\_\_\_\_

**Approved by Town Manager** *J. D'Agostino* **Date:** *3-3-16*  
John O. D'Agostino, Town Manager

Name/Title

<b>Originating Department:</b>  Town Manager	Costs: -0- Funding Source: General Fund Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> <ul style="list-style-type: none"> <li>• Annual CRA Report for FY 2014-2015</li> </ul>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case JOD _____ <b>Please initial one.</b>

**Summary Explanation/Background:** On Wednesday March 2, 2016, the CRA Board Accepted the CRA Report for FY 14-15. The attached Annual Report must now be accepted by the Town Commission before the Town can submit the same to Palm Beach County.

The Annual Report must be submitted to the County by March 31, 2016.

**Recommended Motion:** Move to accept the CRA Annual Report for FY 2014-2015

# ANNUAL REPORT FISCAL YEAR 2014/15



TOWN OF  
LAKE PARK

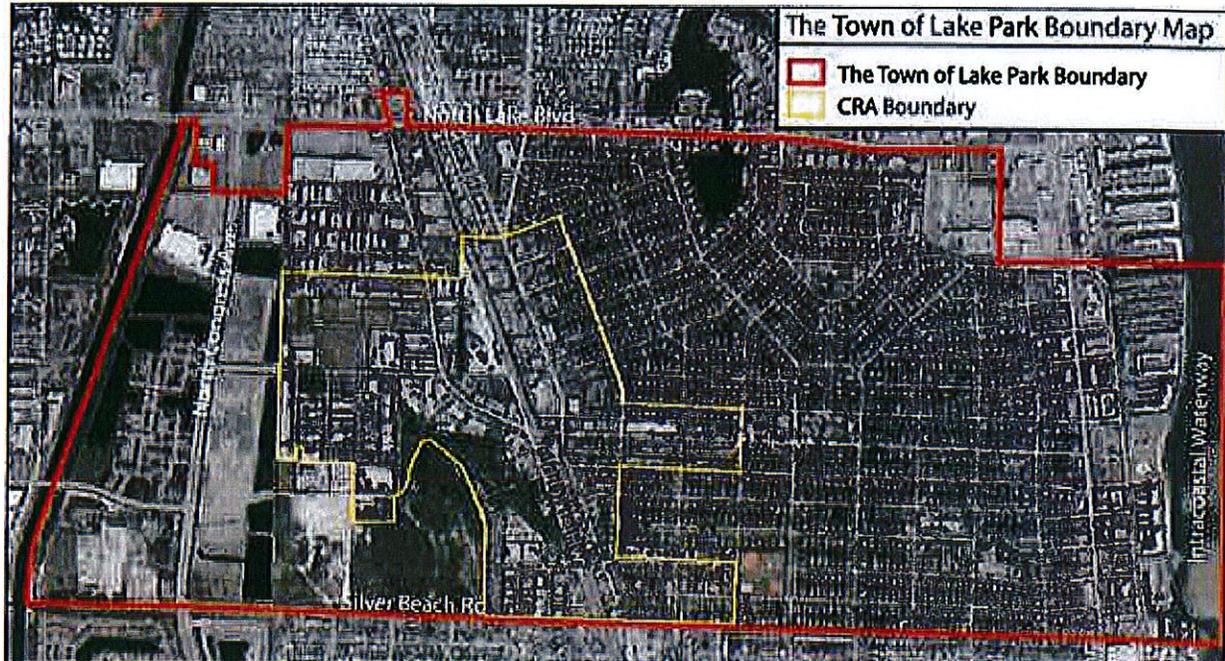
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COMMUNITY  
REDEVELOPMENT  
AGENCY

**TOWN OF LAKE PARK, FLORIDA  
COMMUNITY REDEVELOPMENT AGENCY**

**ANNUAL REPORT FOR FISCAL YEAR 2014-2015**

The Town of Lake Park, one of the earliest master-planned communities in South Florida still retains many of the characteristics of its original plan which was set out by Harry Seymour Kelsey back in 1919. Nearly 80 years later, in 1996, the Town of Lake Park Community Development Agency (CRA) was established. The original CRA plan identified a series of problems and needs, as well as some general opportunities for the designated area. Figure 1 is a map of the Lake Park CRA in context to the physical boundaries of the entire Town of Lake Park.



In January of 2010, the CRA adopted a revised Community Redevelopment Agency Plan in an effort to update the vision for the “downtown” and commercial/industrial areas of the Town. A number of priorities were established by the Plan, including:

- Spearheading a signature catalyst development that would anchor the intersection of Park Avenue and Tenth Street.
- Promoting and supporting the redevelopment of other parcels along Park Avenue.
- Identification of key parcels within the CRA along Park Avenue for redevelopment.
- Promoting the arts and arts related uses including performing arts and related activities as the thematic focus of the downtown.
- Strengthening the connections to Northlake Boulevard, primarily along Tenth Street and Old Dixie Highway.
- The redevelopment of a number of substandard multi-family properties that are located throughout the CRA.
- The continuation of efforts to build and diversity the Town’s tax base within the commercial and industrial properties in the west portion of the CRA.

## ACTIVITIES

During the 2014-2015 fiscal year, a number of initiatives were discussed and undertaken by the CRA. An outline of such activities is as follows:

### October 1 2014:

The first regular CRA Board meeting of the 2014-2015 fiscal year was held at which the Board took the following actions:

- Approval of the CRA Board Meeting Minutes of July 2, 2014.
- Holiday Decoration Design for 2014.
- Extension of CRA Landscape Maintenance Contract with Chris Wayne and Associates.
- The CRA Board will continue to hold Quarterly meetings and allowing for Special Call meetings from time to time when warranted by extenuating circumstances;

The CRA continues to work with the contract purchasers of the building located at 801 Park Avenue within the CRA to prepare the building for occupancy. The structure is 90 percent complete, the owner must hire a contractor, pull permits and complete the work.

### January 7, 2015:

A Regular CRA Board meeting was held. At that meeting, a variety of topics were handled:

- Approval of CRA Board Meeting Minutes of October 1, 2014
- Authorization of Three Month Extension to the Current Landscape Maintenance Contract with Chris Wayne and Associates;
- Appointment of an Interim Executive Director; and
- Authorize the Chair of the CRA to sign a License Agreement with One Park Place LLC for use of the Town Green at 801 Park Avenue.

### March 4, 2015

A Special Call CRA Board meeting was held. At that meeting, a variety of topics were handled:

- Approval of the CRA Board Meeting Minutes of January 7, 2015; and
- Presentation, Acceptance and Transmittal of the Fiscal Year 2014 Annual Director's Report.

### April 1, 2015:

A Regular CRA Board meeting was held. At that meeting, a variety of topics were discussed or handled.

- Approval of Special Call CRA Board Meeting Minutes of March 4, 2015; and
- Award of Extension of Landscape Service Contract; and
- Change the date of Quarterly Community Redevelopment Agency Board Meetings.

### June 3, 2015:

A regular meeting of the CRA Board was held. At this meeting items were discussed or voted upon.

- Approval of CRA Board Meeting Minutes of April 1, 2015; and
- Award of CRA Landscape Maintenance Contract Town Bid 102-2015 to Terracon Services, Inc. in the amount of \$97,104.40.

August 19, 2015:

A Special Call CRA Board Meeting was held. At this meeting several items were discussed or voted upon.

- Approval of the CRA Board Meeting Minutes of June 3, 2015; and
- Fiscal Year 2015/2016 CRA Budget was approved along with Resolution 19-08-15; and
- Authorizing Board Staff to negotiate a license agreement between the Town of Lake Park Community Development Agency and the Artists of Palm Beach County; and
- Resolution 20-08-15 providing for Property and Casualty Insurance Renewals for the CRA; and
- Discussion about enhancing the CGI Communication Video to include businesses within the CRA; and
- Display Lighting Improvements for the Artists of Palm Beach 800 Park Avenue.
- Discussed the need to complete a Market Analysis of the CRA.

**NEW BUSINESSES**

During the 2014-2015 fiscal year, a number of new businesses were opened (and several name changes/changes of ownership/location changes occurred) within the CRA. These were as follows:

<b><u>Business Name</u></b>	<b><u>Address</u></b>	<b><u>Type of Business</u></b>
<b><u>Bill Clark Marine Services LLC.</u></b>	110 10 <sup>th</sup> Street	Marine Business
<b><u>Blue World Naturals LLC</u></b>	1194 Old Dixie Hwy. #102 and #103	Online Retail of Essential Oils/Natural Products
<b><u>DNA Surface Concepts</u></b>	801 15 <sup>th</sup> street #2	Automotive Restoration
<b><u>Dynamic Machine Works LLC</u></b>	850 Old Dixie Hwy. #7	Machine Shop
<b><u>H. W. Professional Services</u></b>	902 Old Dixie Hwy. #3	Janitorial Services
<b><u>I Electrical Contracting</u></b>	947 Park Avenue	Electrical Contracting

<b><u>Kings Custom Designs LLC</u></b>	801 15 <sup>th</sup> Street #3	Vehicle Machine Shop/Repairs
<b><u>L.A.F. Business Corp./L.A.F. Tax &amp; Accounting</u></b>	1194 Old Dixie Hwy. #9	Tax and Educational Services/Multi-Services
<b><u>Marabella Corp. DBA Supa Cars</u></b>	125 Miller Way #23	Buy and Sell Used Cars
<b><u>Nikiani Inc/Buggy Gear</u></b>	804 Old Dixie Hwy. #4	Stroller/Baby Products
<b><u>Palm Beach Drapery and Upholstery Studio</u></b>	1169 Old Dixie Hwy. suite 1	Office Warehouse
<b><u>Pool Tek of the Palm Beaches</u></b>	900 10 <sup>th</sup> Street	Office & Storage Warehouse
<b><u>RAG Express</u></b>	1251 10 <sup>th</sup> Street	Import/Export Office
<b><u>Rechic Unique Boutique</u></b>	700 Old Dixie Hwy. #207	Service/Boutique
<b><u>Shannon D. Allen Cosmetologist</u></b>	505 10 <sup>th</sup> Street	Beauty Salon
<b><u>Site Rite Services LLC</u></b>	1481 Kinetic Road	Private Utility Service
<b><u>Ted's Beauty Salon</u></b>	911 Park Avenue	Beauty Salon
<b><u>The CJ Foundation</u></b>	800 10 <sup>th</sup> Street	Benevolent/Social/Recreational Club
<b><u>Tomas Used and New Tires Auto Repair</u></b>	1400 10 <sup>th</sup> Court	Auto Repair
<b><u>Trilogy Turbos</u></b>	902 Old Dixie Hwy. #3	Auto Mechanic
<b><u>TRL Tax Group/Tadaw Records</u></b>	955 Park Avenue Unit #B	Business Office
<b><u>Waterfront Services, LLC</u></b>	900 10 <sup>th</sup> Street	Office & Storage Warehouse

## TOWN OF LAKE PARK COMMUNITY REDEVELOPMENT AGENCY

Balance Sheet\*  
As of September 30, 2015

Statement of Revenues, Expenditures  
and changes in Fund Balance\*  
For the Year Ending September 30, 2015

**Assets**

Cash & Equivalents	\$	205,585
Accounts Receivable	\$	4,072
Notes Receivable	\$	39,660
Due from other funds		-
<b>Total Assets</b>	<b>\$</b>	<b>249,317</b>

**Liabilities**

Accounts Payable	\$	-
Accrued Payroll		-
Due to other funds		408,795
<b>Total Liabilities</b>	<b>\$</b>	<b>408,795</b>

**Fund Balance**

Restricted	\$	-
Unrestricted		(159,478)
<b>Total Fund Balance</b>	<b>\$</b>	<b>(159,478)</b>

<b>Total Liabilities &amp; Fund Balance</b>	<b>\$</b>	<b>249,317</b>
---	-----------	----------------

**Revenue**

Taxes	\$	179,547
Intergovernmental		335,664
Investment Earnings		1,217
Other		604
<b>Total Revenue</b>	<b>\$</b>	<b>517,032</b>

**Expenses**

Personnel Services	\$	63,122
Operating Expenses		173,617
Grants		-
Capital Expenses		3,295
Debt Service		260,647
<b>Total Expenses</b>	<b>\$</b>	<b>500,681</b>

**Net change in Fund Balance** \$ 16,351

Fund Balance, beginning	\$	(175,829)
Fund Balance, ending	\$	(159,478)

\* Unaudited

Note

Fund Balance improved by: \$ 16,351



Hometown District



Commerce District



Arts District

## **MEMBERS OF THE BOARD OF DIRECTORS**

James DuBois	Chair
Kimberly Glas-Castro	Vice-Chair
Erin T. Flaherty	Board Member
Michael O'Rourke	Board Member
Kathleen Rapoza	Board Member
Christiane Francois	Board Member
Jo Brockman	Board Member

## **STAFF OF THE CRA**

John D'Agostino	Executive Director
Thomas J. Baird, Esq.	Agency Attorney
Vivian Mendez, CMC	Agency Clerk



TOWN OF  
LAKE PARK  
COMMUNITY  
REDEVELOPMENT  
AGENCY

### **TOWN OF LAKE PARK COMMUNITY REDEVELOPMENT AGENCY**

Town Hall ❖ 535 Park Avenue, Lake Park, FL 33403  
561-881-3304 (Phone) ❖ 561-881-3314 (Fax) ❖ [www.lakeparkcra.com](http://www.lakeparkcra.com)

# **TOWN OF LAKE PARK**

## **ADOPTED BUDGET**

### **COMMUNITY REDEVELOPMENT AGENCY**

**FISCAL YEAR**

**October 1, 2015 through September 30, 2016**

**TOWN OF LAKE PARK - ANNUAL BUDGET  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
BUDGET SUMMARY**

**Schedule 1**

**FISCAL YEAR 2015-16**

	Actual Expenses 2012-13	Actual Expenses 2013-14	Budget 2014-15	Estimate for the Year 2014-15	Manager Proposed 2015-16	Adopted Budget 2015-16
Revenue	384,831	444,706	520,293	516,993	605,686	605,686
Personal Services	-	25,495	62,848	63,123	66,691	66,691
Operating Expenses	131,025	156,585	196,798	178,184	240,070	240,070
Capital Outlay	-	-	-	-	-	-
Debt Service	210,625	260,841	260,647	260,647	260,579	260,579
Non-Operating	1,566	-	-	-	38,346	38,346
Total Expenses	343,216	442,921	520,293	501,954	605,686	605,686
Surplus (Deficit)	41,615	1,785	-	15,039	-	-

2015/16 Increment	\$	46,792,836
Town Millage	5.3474	\$ 237,709
Palm Beach County Fire/Rescue Millage	3.4581	\$ 153,724
Palm Beach County Millage	4.7815	\$ 212,553
<b>TOTAL</b>	<b>\$</b>	<b>603,986</b>

**TOWN OF LAKE PARK - ANNUAL BUDGET  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
DEPARTMENTAL BUDGET DETAIL**

**FISCAL YEAR 2015-16**

**Schedule 2**

ACCOUNT NUMBER	DESCRIPTION	ACTUAL 2012-13	ACTUAL 2013-14	CURRENT YEAR BUDGET 2014-15	ACTUAL AS OF 07/31/15	ESTIMATE FOR THE YEAR 2014-15	TOWN MGT. PROPOSED BUDGET 2015-16	ADOPTED BUDGET 2015-16
<b>REVENUES</b>								
110-311.115	Ad Valorem Taxes - County	137,196	154,465	181,929	179,547	179,547	212,553	212,553
110-361.100	Interest Earnings	142	103	200	-	-	100	100
110-361.120	Interest Income - Bus. Dev. Loans	2,475	1,806	2,500	982	1,178	1,500	1,500
110-369.100	Miscellaneous Revenue		781		-	-		-
110-369.300	Refund Prior Year Expense		16		604	604	100	100
110-381.001	Transfer from General Fund	245,018	287,535	335,664	335,664	335,664	391,433	391,433
	<b>TOTAL REVENUE</b>	<b>384,831</b>	<b>444,706</b>	<b>520,293</b>	<b>516,797</b>	<b>516,993</b>	<b>605,686</b>	<b>605,686</b>
<b>EXPENDITURES</b>								
110-55-552-520-19900	Wages Reclassified	-	21,158	62,848	52,373	62,848	66,691	66,691
110-55-552-520-25100	Unemployment Compensation	-	4,337	-	275	275	-	-
	<b>TOTAL PERSONNEL EXPENSES</b>	<b>-</b>	<b>25,495</b>	<b>62,848</b>	<b>52,648</b>	<b>63,123</b>	<b>66,691</b>	<b>66,691</b>
110-55-552-520-31000	Professional Services	323		7,191			15,000	15,000
110-55-552-520-31100	Professional Services - CRA Attorney		4,454	5,000	2,109	2,812	10,000	10,000
110-55-552-520-34000	Contractual Services	90,201	76,127	82,000	57,623	82,600	98,000	98,000
110-55-552-520-34010	Contract PBC Sheriff	9,361						
110-55-552-520-34901	Administrative Fee		51,176	70,000	58,333	70,000	70,000	70,000
110-55-552-520-41100	Telephone	168						
110-55-552-525-41100	Telephone	1,535						
110-55-552-520-41200	Postage & Shipping	38	7	1,000			1,000	1,000
110-55-552-520-43000	Utilities	12,941	12,051	12,000	8,480	11,307	12,000	12,000
110-55-552-520-43250	Garbage & Trash		550	1,000			1,000	1,000

**TOWN OF LAKE PARK - ANNUAL BUDGET  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
DEPARTMENTAL BUDGET DETAIL**

**FISCAL YEAR 2015-16**

**Schedule 2**

ACCOUNT NUMBER	DESCRIPTION	ACTUAL 2012-13	ACTUAL 2013-14	CURRENT YEAR BUDGET 2014-15	ACTUAL AS OF 07/31/15	ESTIMATE FOR THE YEAR 2014-15	TOWN MGT. PROPOSED BUDGET 2015-16	ADOPTED BUDGET 2015-16
110-55-552-520-44000	Rental & Leases - Office Space		600			-	-	-
110-55-552-520-44100	Equipment Rentals	750		2,000	400	400	2,000	2,000
110-55-552-520-45000	Insurance	9,769	9,696	12,000	10,023	10,023	12,000	12,000
110-55-552-520-46000	Repair & Maintenance	5,144	1,129	3,812	-	-	11,800	11,800
110-55-552-520-47000	Printing				103	155	-	-
110-55-552-520-48100	Advertising				93	93	-	-
110-55-552-520-52000	Operating Supplies				-	-	2,475	2,475
110-55-552-520-54200	Memberships, Dues, & Subscription	795	795	795	795	795	795	795
110-55-552-520-54200	Grant - Artists of Palm Beach County						4,000	4,000
	<b>TOTAL OPERATING EXPENSES</b>	<b>131,025</b>	<b>156,585</b>	<b>196,798</b>	<b>137,959</b>	<b>178,184</b>	<b>240,070</b>	<b>240,070</b>
110-55-552-520-91010	Transfer to General Fund - ILA	169,520	169,516	169,325	141,104	169,325	169,256	169,256
110-55-552-520-91030	Transfer - ILA 2009	4,577	54,795	54,792	45,660	54,792	54,793	54,793
110-55-552-525-91030	Transfer to General Fund - ILA	36,528	36,530	36,530	30,442	36,530	36,530	36,530
	<b>TOTAL DEBT SERVICE</b>	<b>210,625</b>	<b>260,841</b>	<b>260,647</b>	<b>217,206</b>	<b>260,647</b>	<b>260,579</b>	<b>260,579</b>
110-55-552-520-82111	Grant	1,921						
110-55-552-520-96200	Unrealized Gain/Loss on Invest	(355)						
110-389,900	Fund Balance Surplus						38,346	38,346
	<b>TOTAL OTHER EXPENSES</b>	<b>1,566</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>38,346</b>	<b>38,346</b>
	<b>TOTAL CRA EXPENDITURES</b>	<b>343,216</b>	<b>442,921</b>	<b>520,293</b>	<b>407,813</b>	<b>501,954</b>	<b>605,686</b>	<b>605,686</b>
	<b>SURPLUS/(DEFICIT)</b>	<b>41,615</b>	<b>1,785</b>	<b>-</b>	<b>108,984</b>	<b>15,039</b>	<b>-</b>	<b>-</b>

**TOWN OF LAKE PARK - ANNUAL BUDGET  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
EXPENSE DETAIL & ANALYSIS**

**FISCAL YEAR 2015-16**

**Schedule 4**

Account #	Account Name	Task, Description, and/or Vendor	Cost
520-19900	Wages Reclassified	15% of the Town Manager, 15% of the Finance Director, 15% of the Assistant to the TM, 5% of the Town Clerk and Deputy Town Clerk, 20% of the Project Manager, and 10% of the Irrigation Tech I	\$ 66,691
		<b>TOTAL PERSONNEL EXPENSES</b>	<b>\$ 66,691</b>
520-31000	Professional Services	Property marketing, networking, and consulting	\$ 15,000
520-31100	Prof. Ser. - Attorney	Town Attorney	10,000
520-34000	Contractual Services	Terracon Services, Inc. landscape maintenance (\$97,105), & Web hosting (\$895)	98,000
520-34901	Administrative Fee	Services provided the CRA by other Town staff members	70,000
520-41200	Postage & Shipping	Miscellaneous items	1,000
520-43000	Utilities	FP&L and Seacoast Utility Authority	12,000
520-43250	Garbage & Trash	SWA Fee	1,000
520-44100	Equipment Rentals	Lift for decorations, etc.	2,000
520-45000	Insurance	Property and Casualty	12,000
520-46000	Repair and Maintenance	Irrigation system repairs (\$1,800), reset of plant materials (\$10,000)	11,800
520-52000	Operating Supplies	Irrigation materials (\$1,200), fertilizer (\$1,275)	2,475
520-54200	Memberships, Dues, & Subscriptions	Florida Redevelopment Association (\$620) State of Florida (\$175)	795
520-82113	Grant - Artists of Palm Beach County	Artists of Palm Beach County - potential building lighting grant	4,000
		<b>TOTAL OPERATING EXPENSES</b>	<b>\$ 240,070</b>



# **Board Membership**

# TAB 3



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:** March 16, 2016

**Agenda Item No.** *Tab 3*

**Agenda Title:** Diane Bernhard – Nominated for re-appointment to the Library Board as an Regular Member

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON \_\_\_\_ READING
- NEW BUSINESS
- OTHER: Board Membership Nomination**

- CONSENT AGENDA
- OLD BUSINESS

**Approved by Town Manager** *J. R. Castro* **Date:** *3-8-16*

***Vivian Mendez, Town Clerk, CMC***  
Name/Title

<b>Originating Department:</b>  Town Clerk	Costs: \$ <b>0.00</b> Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> <ul style="list-style-type: none"> <li>• Nomination by Vice-Mayor Glas-Castro.</li> <li>• Commission-Appointment Board Volunteer List Memo.</li> <li>• Applicant's Town Board Application.</li> </ul>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> <b>Not Required</b>	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>VM</i> <b>Please initial one.</b>

**Summary Explanation/Background:** The Town Clerk's Office received a volunteer board application for reappointment to a Town Board. The candidate's biographical information for this appointment has been placed in the Town Commission Dropbox.

Vice-Mayor Glas-Castro has made a nomination to reappoint the following applicant to the Library Board:

**Diane Bernhard**

**Recommended Motion:** In order for the nomination to go forward, there must be a second to the nomination and a majority vote of the Commission for the nominee.

## Vivian Mendez

---

**From:** Kim Glas-Castro  
**Sent:** Monday, March 7, 2016 6:45 PM  
**To:** Vivian Mendez  
**Subject:** Re: Volunteer Applicant

I nominate Diane Bernhard for re-appointment

Kim Glas-Castro  
Vice Mayor  
Town of Lake Park

Sent from my iPad

On Mar 7, 2016, at 3:29 PM, Vivian Mendez <[vmendez@lakeparkflorida.gov](mailto:vmendez@lakeparkflorida.gov)> wrote:

Good afternoon,

The Town Clerk's Office has received two Town Board applications. The applications have indicated which Boards they would be interested in serving. One applicant is interested in serving on the Planning & Zoning Board and one applicant has requested re-appointment to the Library Board. The applications can be found attached or in the Dropbox under Board Applications.

In order for these applications to move forward to a Commission meeting agenda they each need nominations. If a member of the Commission wishes to nominate either or both applicants please respond to this email.

Thank you for your time and consideration to this matter.

Sincerely,

Vivian Mendez, CMC  
Town Clerk  
Town of Lake Park  
535 Park Avenue  
Lake Park, Florida 33403  
561-881-3311  
561-881-3314 (fax)  
[vmendez@lakeparkflorida.gov](mailto:vmendez@lakeparkflorida.gov)

\* Please note: Florida has a very broad public records law. Written communication regarding Town business are public records available to the public upon request. Your email communications are therefore subject to public disclosure. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity, instead contact this office by phone. Florida State Statute Section 668.6076.

<volunteer applicant March 2016.pdf>



Office of the  
Town Clerk

March 7, 2016

**Commission-appointed Board Volunteer List:**

On August 21, 2013 the Town Commission adopted Ordinance No. 10-2013 Board Nomination Process, which modified the self appointed process for filling vacancies on Commission-appointed boards.

In section 2-2112 (i) "Nomination for action on vacancies" states that the clerk shall prepare a list of volunteers, including members seeking reappointments. Below is the list of volunteers for Commission-appointed boards.

**New applicant:**

Anthony "Tony" Bontrager has applied for Planning & Zoning Boards as a regular member. The Planning & Zoning Boards has one (1) regular membership opening.

**Re-Appointment:**

Diane Bernhard has applied to be reappointed to the Library Board as a regular member. The Library Board has one (1) regular membership opening.

A nomination to fill a vacancy may be made by any member of the Commission. For a nominee to be appointed or reappointed there must be a second and majority vote of the Commission.

If you have any questions regarding the volunteer list please contact me.

535 Park Avenue  
Lake Park, FL 33403  
Phone: (561) 881-3311  
Fax: (561) 881-3314

---

[www.lakeparkflorida.gov](http://www.lakeparkflorida.gov)

RECEIVED

MAR 7 2016

Town Clerk's Office  
TOWN OF LAKE PARK

The Town of Lake Park



Application to Serve on Town Boards and Committees

This application serves as an information file of the skills, talents, and interests of citizens who are willing to serve on advisory boards and committees for the *Town of Lake Park*. When an opening occurs on one of the boards on which you have indicated a desire to serve, your application will be submitted to the Town Commission. You will be notified when your nomination to be on a board has been made.

Please print the following information:

Name: Bernhard, Diane  
Last First Middle  
Address: 301 Lake Shore Dr., #203, Lake Park, FL 33403

Birthday: Month: 12 Day: 15

Telephone: home 561.844.1333 work \_\_\_\_\_ cell 561.707.7057

E-Mail Address diane.bernhard@comcast.net

	<b>Yes</b>	<b>No</b>
Are you a resident of Lake Park	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are you a non-resident business owner in Lake Park	<input type="checkbox"/>	<input type="checkbox"/>
Are you a registered voter (Response to this question is not mandatory)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you currently serve on a Town Board or Committee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If so, which one(s): <u>Library Board; Friends of the Library</u>		
Have you been convicted of a crime	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If so, when? \_\_\_\_\_ where? \_\_\_\_\_

Please indicate your preference by number "1" through "3" of which board you wish to serve, with #1 being the most desired and #3 being the least desired.

Active Boards:			
Choice #	Board	Choice #	Board
<input type="checkbox"/>	CRA Board (Community Redevelopment Agency)	<input type="checkbox"/>	Planning & Zoning/Historic Preservation Board *
<input checked="" type="checkbox"/>	<u>1</u> Library Board		

Inactive Boards:	
<input checked="" type="checkbox"/>	Code Compliance
<input type="checkbox"/>	Harbor Marina Advisory Board <u>2</u>
<input type="checkbox"/>	Construction Board of Adjustments & Appeals
<input type="checkbox"/>	Tree Board

Please note: Membership on these (\*) Boards require members to complete an annual financial disclosure form pursuant to F.S. 112.3145 (1)(a), (2)(b), (7)

Your Name: Diane Bernhard

Please indicate the reason for your interest in your first and second choices:

I read, have published some articles. I use the library services. I want to help find ways to make the library + programs more useful for the community.

Number of Meetings of the above boards you have attended in the past six months: 1 ; 3

Your educational background: (High school, College, Graduate School or other training)

High School + some college, Post-Secondary training in massage + allied subjects. Training as a Health Coach.

What is/was your profession or occupation: Licensed Massage Therapist,

How long: 30+ years Certified Health Coach,  
Former Anatomy, Physiology + Pathology instructor. Public Speaker.

Please indicate employment experience that you feel relates to your desired service on an

advisory board or committee: As an A+P instructor, writer of a Medical Massage Workbook + author of published articles I have used libraries for research.

Please indicate other general experience or community involvement that you feel qualifies you to

serve on the boards you have chosen: I have served the Town of Lake Park while on an ad hoc committee to re-write the

Employee Handbook; as a Marina Task Force Member and on the Library Board.

Feel free to attach additional sheets if necessary. Also, please attach your resume, if available.

Please return your completed form to the Office of the Town Clerk, 535 Park Avenue, Lake Park, Florida 33403.

**I HEREBY CERTIFY THAT THE STATEMENT AND ANSWERS PROVIDED ARE TRUE AND ACCURATE. I UNDERSTAND THAT ANY FALSE STATEMENTS MAY BE CAUSE FOR REMOVAL FROM A BOARD OR COMMITTEE, IF APPOINTED:**

Signature: Diane Bernhard Date: 3/4/16

# **New Business**

# TAB 4



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 16, 2016

Agenda Item No. *Tab 4*

**Agenda Title: A REQUEST FROM THE EVENT ORGANIZERS OF THE CHILI COOK-OFF FOR THE TOWN TO BE AN IN-KIND SPONSOR AND IN SUCH A CAPACITY WAIVE CERTAIN FEES AND PROVIDE CERTAIN EVENT SERVICES.**

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING - ORDINANCE ON 1<sup>st</sup> READING
- NEW BUSINESS**
- OTHER:
- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *J. R. C...* Date: *3-9-16*

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

<b>Originating Department:</b>  Community Development	Costs: \$ 0 (see requests listed herein) Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> → Copy of Special Event Application and Letter Request
<b>Advertised:</b> Date: <i>N/A</i> Paper: <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone__ or Not applicable in this case <u><i>ND</i></u>  <b>Please initial one.</b>

**Summary Explanation/Background:**

A special event permit application was submitted to the Community Development Department by the Kiwanis (led by Mr. Roger Michaud) of Lake Park (a non-profit organization) on February 24, 2016, and later modified on March 2, 2016. The Kiwanis is working alongside Tromsi, Inc. (led by Mr. Robert Trepp) to hold a Chili Cook-Off event in Kelsey Park on Saturday, April 30, 2016 from 11:00am – 5:00pm. Mr. Trepp and Mr. Michaud are jointly requesting that the Town Commission consider approving some of the following special requests which cannot be granted administratively:

1. Request Lake Park to be an in kind sponsor of the event through the actions listed in request #2 below

**STAFF RESPONSE:** The Town's insurance carrier, the Gehring Group, provided the following response: *"As an in-kind sponsor, you would share in the liability but, it would not be more than*

*you would if the event planners merely leased the space from the Town and included it as additional insured. As a sponsor in kind, Lake Park would become responsible for making certain that any and all vendors provided it with certificates of insurance listing the Town as additional insured, as opposed to merely receiving a certificate from the one event sponsor. The Town would also have to be certain to receive hold harmless agreements, signed by each of the Chili Cook-off participants (the people competing).*

*Being an in kind-sponsor wouldn't increase the Town's exposure, because anyone injured during the event would most certainly attach Lake Park to a law suit. But, it would make the Town have to be more responsible for making certain that it did everything necessary to better ensure its insulation from a financial obligation."*

2. Request the Town of Lake Park waive the following fees as part of an in kind sponsorship
  - Park
  - Indoor pavilion \* (**only** if it is not being rented out the day of the event to others)

**STAFF RESPONSE:** The Kiwanis is a non-profit organization and pursuant to the Parks & Recreation Facility guidelines is subject to three free venue rentals per year. Kelsey Park and the Indoor Pavilion would be free under this scenario and the Kiwanis would still have one free rental remaining for this calendar year. However, refundable deposits in the amount of \$500 for Kelsey Park and \$200 for the Indoor Pavilion are required to secure the facilities. Additionally, use of the Indoor Pavilion requires a staff person to be present during the event at the rate of \$30/hour pursuant to the Town's facility rental policy. This nonrefundable fee of \$180 (for a 6 hour event) will also be required in advance of the event. As of March 4, 2016, the Park and Pavilion have not yet been reserved since deposits and personnel fees have not yet been paid.

- Signage

**STAFF RESPONSE:** This application fee of \$100 has already been paid in order to get the signage application (requesting 3 banners along US-1 and additional yard signage along Lake Shore Drive) started. The Applicant is requesting reimbursement of this fee.

- Garbage pickup, dumpster and garbage container

**STAFF RESPONSE:** The Public Works Department indicated that a service similar to the last Chili Cook-Off event would include an 8-cubic yard dumpster and one tipping, at a total cost of \$93.48. The Applicant is requesting this service at no cost.

- Special event

**STAFF RESPONSE:** This application fee of \$25 has already been paid in order to get the application started. The Applicant is requesting reimbursement of this fee.

- Application fees

**STAFF RESPONSE:** See Special Event and Signage categories above.

- Electric/water (if any)

**STAFF RESPONSE:** Public Works indicated this is not applicable.

- Advertise the event in Town emails, place provided poster / flyers where possible at town buildings where the public may see them and pick them up.

**STAFF RESPONSE:** See request #1 above whereby the Applicant is requesting that the Town consider being an in-kind sponsor. If approved by the Town Commission, the Town would assist with the needed advertising, time and staff permitting.

3. Request permission to place temporary yard sign type signs in various locations around park perimeter (2 or 3 per each side of the park) and three 3x6 banners along US 1. One at each end of the park and one facing west up Park Ave.

**STAFF RESPONSE:** The request is being processed through a special event signage application for which the Town Code provides flexible signage provisions. Signage cannot be placed any sooner than April 15 (a maximum of 14 consecutive calendar days is permitted).

4. Request waiving the past requirement for PBSO deputies which places an undo and expensive burden on the event. The need for dedicated PBSO onsite only started with the previous Town Manager and the cost of doing so was one of the main reasons in not attempting to do the event again. At our first two events in Lake Park it was sufficient for the on duty PBSO patrol to be onsite and/or nearby and those were much larger events.

**STAFF RESPONSE:** The PBSO requirement is a requirement of PBSO and is determined solely by PBSO based on their review of a special event permit application. In reviewing this request, PBSO has provided the following response when considering that the Town might be an in-kind sponsor: ***"We will be providing an on-duty deputy for this event at no charge. D/S Brian Fitch will be there for the entire event."***

5. Request that the Town of Lake Park provide for event parking on the east end of Park Ave

**STAFF RESPONSE:** The Public Works Department has agreed to assist with this request during normal business hours if the Town is considered to be an in-kind sponsor. Normally, this request takes approximately 4 hours of staff time and would be charged accordingly.

6. Request the usage of the small gated parking area located at the north east corner across from Kelsey Park.

**STAFF RESPONSE:** The Public Works Department indicated the gate can be left open for the entire weekend for use during the event day.

**RECOMMENDED MOTION:** At the Town Commission's discretion based on the information provided above.



COMMUNITY  
MAR 01 2016  
COMMUNITY

15427 80<sup>th</sup> Lane North  
Loxahatchee, FL 33470

Phone: 561) 420-9509  
Fax: 561) 795-5524

February 8, 2016

Special requests for the proposed Lake Park Chili Cook-off:

It is our hope that The Town of Lake Park will be open to providing the important local support this event needs to be successful in reaching out to the Lake Park community and providing a way for individuals, businesses, charities & local government to come together each year to celebrate Lake Park and what it has to offer everyone while at the same time raising money for local charities.

As such we are requesting the below items be granted

1. Request Lake Park to be an in kind sponsor of the event through the actions listed in request #2 below
2. Request the town of Lake Park waive the following fees as part of an in kind sponsorship
  - Park
  - Signage
  - Garbage pickup, dumpster and garbage container
  - Special event
  - Indoor pavilion \* (**only** if it is not being rented out the day of the event to others)
  - Application fees
  - Electric/water (if any)
  - Advertise the event in Town emails, place provided poster / flyers where possible at town buildings where the public may see them and pick them up.
3. Request permission to place temporary yard sign type signs in various locations around park perimeter ( 2 or 3 per each side of the park) and three 3x6 banners along US 1. One at each end of the park and one facing west up Park Ave.
4. Request waiving the past requirement for PBSO deputies which places an undo and expensive burden on the event. The need for dedicated PBSO onsite only started with the previous Town Manager and the cost of doing so was one of the main reasons in not attempting to do the event again.  
At our first two events in Lake Park it was sufficient for the on duty PBSO patrol to be onsite and/or nearby and those were much larger events.
5. Request that the Town of Lake Park provide for event parking on the east end of Park Ave
6. Request the usage of the small gated parking area located at the north east corner across from Kelsey Park.



DATE/TIME RECEIVED:

**TOWN OF LAKE PARK  
COMMUNITY DEVELOPMENT DEPARTMENT  
SPECIAL EVENT PERMIT APPLICATION**

For Events being held on Town Property, Town services may be requested for an additional fee(s). Please schedule a pre-submittal meeting with the Community Development Director at least 60 days in advance of your event by calling 561-881-3319.

**\*This Application must be completed and submitted by the Event Organizer ("Applicant")\***

**Instructions:**

This completed Special Event Permit Application and all relevant attachments must be submitted to the Community Development Department not less than twenty-one **(21) calendar days** prior to the date of the proposed Event.

For events being proposed on Town Property, the deadline to submit is sixty **(60) calendar days** prior to the date of the proposed Event.

Application Fee Due and Payable Upon Submittal: \$75.00 (\$25.00 for individuals or Non-profit organizations)

Non-Profit IRS Tax Identification Number (required if Applicant is a non-profit):

26-0162372

(If applicable)

Name of Applicant (i.e. Event Organizer):

MEMORIAL OF LAKE PARK

Name of Event:

LAKE PARK CHILD COOKOFF

Address/Location of Event:

601 FEDERAL Hwy LAKE PARK, FL 33403 (KELLEY PARK)

**If this Event requires a Town facility rental, please contact our Parks and Recreation Department at 561-881-3338 regarding the completion of the Facility Usage Application PRIOR to submitting this application.**

Community  
MAR 01 2016  
Development

**Dates/Times of the event (as applicable):**

	Date	Day	Begin Time	End Time
Event Day 1	9/30/16	SAT	11:00 <input type="radio"/> AM <input type="radio"/> PM	5:00 <input type="radio"/> AM <input checked="" type="radio"/> PM
Event Day 2	_____	_____	<input type="radio"/> AM <input type="radio"/> PM	<input type="radio"/> AM <input type="radio"/> PM
Event Day 3	_____	_____	<input type="radio"/> AM <input type="radio"/> PM	<input type="radio"/> AM <input type="radio"/> PM
Event Day 4	_____	_____	<input type="radio"/> AM <input type="radio"/> PM	<input type="radio"/> AM <input type="radio"/> PM
Event Day 5	_____	_____	<input type="radio"/> AM <input type="radio"/> PM	<input type="radio"/> AM <input type="radio"/> PM
Event Day 6	_____	_____	<input type="radio"/> AM <input type="radio"/> PM	<input type="radio"/> AM <input type="radio"/> PM

**Additional Applicant Information:**

Name: ILLINOIS OF LAKE PARK

Address: 355 W FLORIDA DR

State/Zip LAKE PARK, FL 33403

CONTACT PHONE: COURT ROBERT TEGG 561.420.9509

Alternate Phone # DEBBIE SMITH 561.452.4865

Fax: 561.795.5524

E-mail: Robert.tegg@bellsouth.net

**Description and Purpose of the Event**

FUNDRAISER & COMMUNITY OUTREACH

Estimated number of participants? 300

Has this event ever occurred in the Town of Lake Park? Yes  No

Has this site had a Special Event Permit this calendar year? Yes  No

Will there be an admission fee for the Event? If yes, how much? Yes  (\$ ) No

MAR 01 2016

COMMUNITY DEVELOPMENT

**\*\*THE FOLLOWING SECTIONS MAY NOT APPLY TO  
NON-COMMERCIAL EVENTS\*\***

Will your event require road closure?

Yes \_\_\_ No X

**If YES, describe the requested street segment closure and time and provide a Traffic Circulation Plan prepared by a Traffic Engineer, including a detour signage plan. You are responsible for notifying affected businesses/entities, including Palm Tran, regarding affected routes:**

**(Initial to acknowledge statement)**

**EVENT COMPONENTS** (Check the items that will be associated with your event.)

- Road closure
- Electric service hook-up required
- Water service hook-up required
- Sidewalks blocked
- Municipal park(s) prepared
- Booths or other temporary structures
- Parking lots to be partially or completely closed
- Food Vendors
- Town litter pick-up or street sweeping
- Tents (if yes, describe type and size 10x10 20x20's)
- Barricades ordered
- Alcohol served
- Security/Law Enforcement
- Music, bands, DJ
- Rides or other amusements
- Animals
- Fireworks
- Food Vendors
- Bleachers
- Designated parking area
- Town Restroom (if yes, please describe \_\_\_\_\_)
- Portable Restrooms (if yes, please describe portable restrooms with hand sanitizer)
- Dumpsters/Trash Receptacles
- Portable stage
- Other (e.g., bounce house, etc.)

**EVENT VENDOR(S) LIST ALL NAMES**

TBD \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Will the event require the use of electricity? Yes  No

Will the event require water hook-up? Yes  No

\*Will food and/or beverages be served? Yes  No

\*Will the event have vendors or concession sales, including food? Yes  No  *NO FOOD TRUCKS*

***\*If the answers to the above questions are YES, the Applicant is responsible for securing all respective Palm Beach County and State of Florida Health Certificates for food vendors, as well as copies of all other commercial vendor licenses. Florida hood system inspection reports are required for all food trucks and must accompany this Special Event Permit Application.***

***All Applicants must also provide to the Town a Certificate of Insurance issued no more than thirty (30) days prior to the date of the event and naming the Town of Lake Park (and the CRA, if the event is taking place within the CRA area) as certificate holder and an additional insured with respect to commercial general liability. The required limits are \$1 million per occurrence and \$2 million aggregate. \$100,000 damage to rented premises must also be provided.***

***The Applicant holds full responsibility and liability for its vendors.*** *[Signature]*  
(Initial to acknowledge statement)

\*\*Will alcoholic beverages be served? Yes  No

***\*\*If the answer to the above question is YES, additional liquor legal liability insurance usual to the insured's operations with a \$1million limit must be included on the Certificate of Insurance.***

\*\*\*Are you proposing signage? Yes  No

***\*\*\*If the answer to the above question is YES, please fill out the Signage Permit Application available in the Community Development Department. An additional \$100.00 application fee is required for this signage application. This application will be deemed incomplete if signage is proposed and a signage application is not submitted.***

Will the event have an official "Flyer" and/or promotional materials? Yes  No   
If yes, please provide a copy of the "Flyer".

Please provide a sketch of the Special Event site including: Proposed location of parking, tent(s), concession stand(s), booth(s), stage(s), etc.  
OR provide an attachment:

SEE ATTACHED EXHIBIT "A" FOR FLYER

SEE ATTACHED EXHIBIT "B" FOR LAYOUT

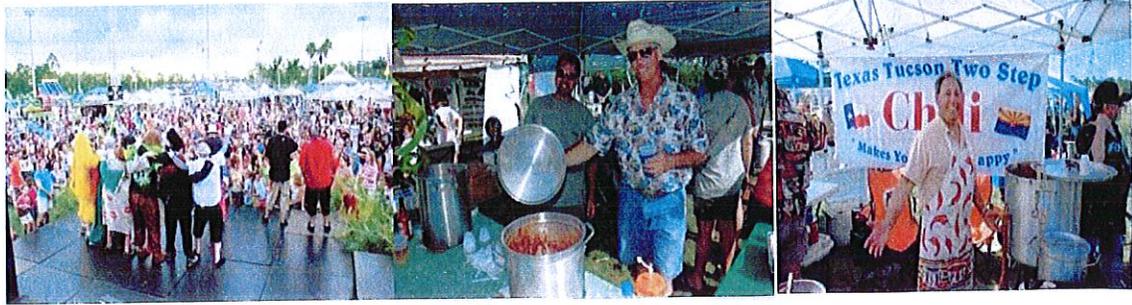
**NOTE:** Public parking spaces are on a first-come, first-serve basis, and may be metered depending on where your event is being held.

**IF TENTS ARE BEING UTILIZED:**

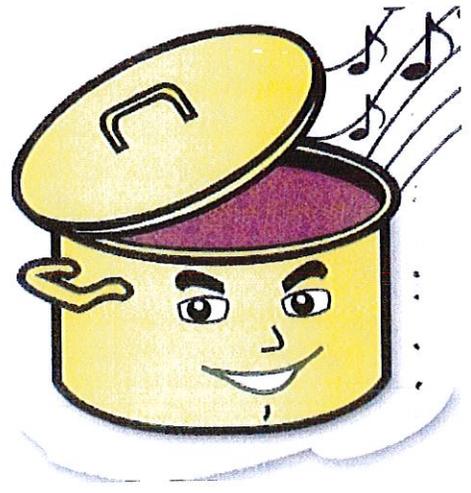
**MAXIMUM ALLOWABLE TENT SIZE IS 35' X 45'**

**For ALL tents larger than 10 ft. x 10 ft. (pop-up style), a *Certificate of Flame Resistance* is required and must accompany this Special Event Permit Application.**

EXHIBIT 9

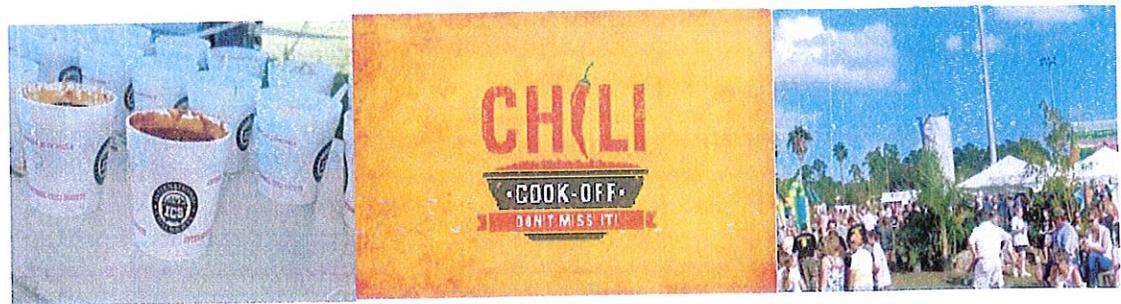


# Lake Park Chili Cook-Off



**April 30th, 2016**  
**Kelsey Park**  
601 Federal Hwy.  
Lake Park, FL 33403

**Free Admission**





**(FOR OFFICE USE ONLY)**

**SIGNATURES/APPROVALS:**

Please Sign and Date

**PARKS & RECREATION DIRECTOR:** *(If applicable)*

\_\_\_\_\_ DATE: \_\_\_\_\_

**PUBLIC WORKS DIRECTOR:**

\_\_\_\_\_ DATE: \_\_\_\_\_

**MARINA DIRECTOR:** *(If applicable)*

\_\_\_\_\_ DATE: \_\_\_\_\_

**PALM BEACH COUNTY SHERIFF:**

\_\_\_\_\_ DATE: \_\_\_\_\_

**PALM BEACH COUNTY FIRE-RESCUE:**

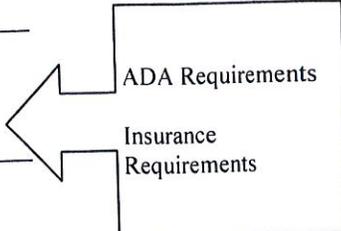
\_\_\_\_\_ DATE: \_\_\_\_\_

**RISK MANAGEMENT:** *(If applicable)*

\_\_\_\_\_ DATE: \_\_\_\_\_

**CODE COMPLIANCE OFFICER:**

\_\_\_\_\_ DATE: \_\_\_\_\_



**COMMUNITY DEVELOPMENT DIRECTOR:**

\_\_\_\_\_ DATE: \_\_\_\_\_

**Additional Comments (reviewers may include attachments):**

APPLICANT SIGNATURE: *Roger Michael*

APPLICANT PRINTED NAME: Roger Michael  
Kiwanis Club of Lake Park

DATE: 2/25/16

# TAB 5



**Town of Lake Park Town Commission**

**Agenda Request Form**

**Meeting Date:** March 16, 2016

**Agenda Item No.** *Tab 5*

**Agenda Title: Adoption of the Lake Park Harbor Marina Market Study and Business Plan**

- SPECIAL PRESENTATION/REPORTS
  - BOARD APPOINTMENT
  - PUBLIC HEARING ORDINANCE ON \_\_\_ READING
  - NEW BUSINESS
  - OTHER: \_\_\_\_\_
- CONSENT AGENDA
  - OLD BUSINESS

**Approved by Town Manager** *John O. D'Agostino*

**Date:** *3-8-16*

**John O. D'Agostino, Town Manager**

**Name/Title**

<b>Originating Department:</b>  Town Manager	Costs: -0- Funding Source: General Fund Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> <ul style="list-style-type: none"> <li>• Marina Market Study and Business Plan</li> <li>• Resolution Adopting the Market Study and Business Plan</li> </ul>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone JOD _____ or Not applicable in this case _____ <b>Please initial one.</b>

**Summary Explanation/Background:** The Lake Park Harbor Marina Business Plan has been a long time in the making. For many years, the Marina was NOT well managed as an enterprise fund. My immediate goal as Town Manager has been to have a business plan prepared for the operation of the Marina as a profitable enterprise fund (i.e., like a business). The purpose of this agenda item is the adoption by the Commission of the Lake Park Harbor Marina Market Study and Business Plan ("Business Plan") as a roadmap for making the Marina profitable. To enable it to: (1) pay back the \$2,480,000 to the General Fund and the \$400,000 to the Sanitation Fund that was forgiven on August 7, 2013, (2) to build reserves to self-fund future repairs, and (3) eventually provide the General Fund with excess revenue in the form of a Payment In Lieu of Taxes. Currently, the Marina Enterprise Fund does not have a fund balance greater than \$30,000. If emergency Capital items are

needed, and because the Marina has been dependent upon the General Fund, the General Fund has historically stepped in and covered those expenses. This creates a drain on the General Fund as it does not have enough funds to dedicate to the Library, Park and Recreation and Public Works, Roads, Sidewalks etc. Should the Business Plan be adopted as proposed, the Marina will begin to operate as a bona fide Enterprise Account that will have a sufficient amount in Fund Balance to pay for the future Capital needs of the Marina.

Among the important elements of the Business Plan are the following:

- For many years, many electric meters at the Marina have failed and have not been repaired. As a result, accurate electric fees have not been charged to the tenants occupying slips that have non-functioning meters. The Business Plan requires a minimal capital investment to change the current metered electric rate to a flat rate. By changing to a flat utility rate, the Marina's bottom line should improve by \$60,000 per year.
- The need to install boat lifts in spaces that are currently rented out for \$300.00 per month will increase the rental charge to \$800.00 plus per month. The Business Plan addresses this need.
- Dry Trailer Storage is another initiative that should be approved to increase revenue to the Marina. The Business Plan calls for taking a certain number of spaces that are currently underutilized and dedicating them to trailer storage. Having trailer storage close to the Marina will increase convenience for boaters who desire to have their vessels close at hand. In future years, as the Marina pays down the debt to the General and Sanitation Funds and increases its Fund Balance, a motorized tow service from the trailer storage area to the water will be possible. This service will be unique and an important competitive advantage and will allow for additional income. No one has this service available at surrounding marinas.
- The Business Plan provides that the current dockage rates at the Lake Park Harbor Marina be increased only for winter month-to-month rentals for commercial vessels from \$20.00 per foot to \$24.00 per foot, and that the daily launch fees at the Lake Park Harbor Marina be revised to provide for an annual launch fee in the amount of \$150.00 per year.
- Pursue development and implementation of a park mobile application for the annual ramp pass system and storage trailer parking.

The Business Plan also capitalizes on the quaintness and uniqueness of the Marina. The open space and the landscape of the Marina distinguishes our marina from the others and is another competitive advantage. Additionally, the amenities which are in close proximity to the Marina such as, the Town's recently resurfaced tennis courts, exercise heart path and play equipment for children at Lake Shore Park, and several restaurants which are within walking and/or short driving distance.

As the Marina continues to make money, other considerations may include a shuttle service or Uber service to the Brewhouse Gallery, Kelsey Theatre or a number of restaurants on Park Avenue will truly link the Marina to our Arts District and downtown Park Avenue area.

If the Marina is to become self-sufficient and profitable, it must no longer be viewed and operated as a park with boats. It must be operated as a business. Adoption of the Business Plan will enable facilitate such operation.

Staff recommends the adoption of the Lake Park Harbor Marina Market Study and Business Plan in its entirety. The adoption of a new Dockage Agreement which will reflect the new rates, etc., will be presented to the Commission in April as a separate agenda item.

The adoption of the Business Plan will ensure that the Marina will increase profits,  
Recommended Motion: I move to adopt Resolution 12-03, 2016 for the adoption of the Lake Park Harbor Marina Market Study and Business Plan.

EXHIBIT A

2016

*Lake Park Harbor Marina Market  
Study and Business Plan*



Jonathan Luscomb

Marina Director

1/26/2016

## Introduction

The redeveloped Lake Park Harbor Marina officially opened for business in the spring of 2006 at a time when demand for dock space was very high. Soon after, the bottom fell out of the recreational marine industry. This was due to extremely rapid increases in fuel prices beginning in 2007 and was followed by the Great Recession in 2008. Subsequent years continued to be a challenge to the entire marine industry and boating in general. Boat sales plunged, demand for dock space dropped, fuel prices soared and the competition to fill empty dock space sharply increased placing downward pressure on area rates. Even as the price of fuel fell and economic conditions improved area marina occupancy levels, Lake Park Marina still lagged behind the market in its ability to attract and retain customers.

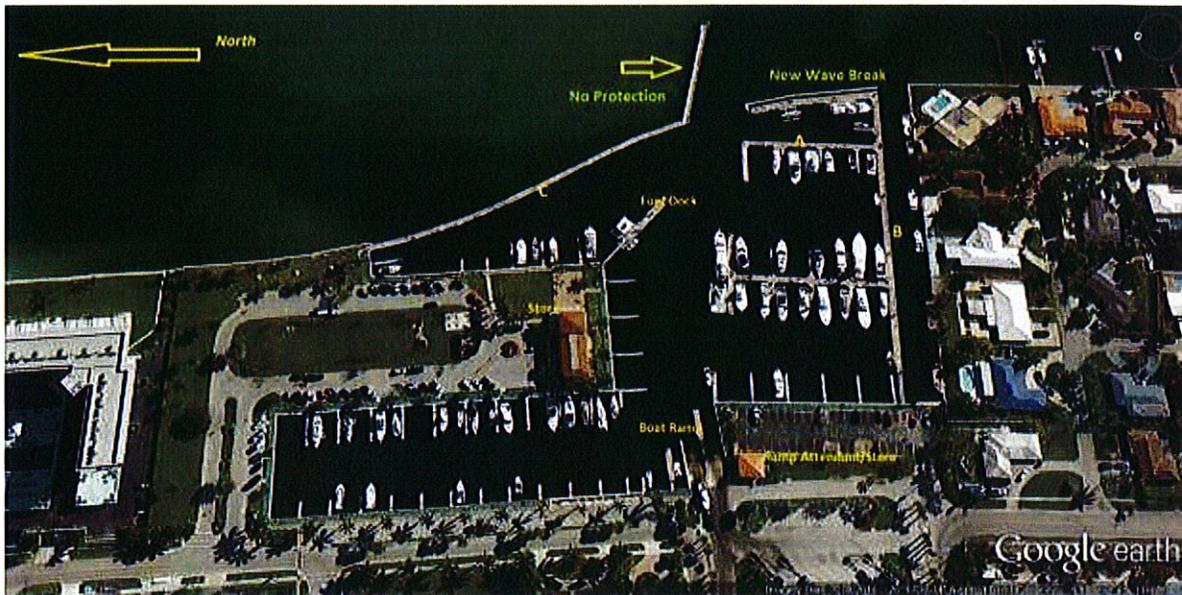
This plan is meant to provide a direction for Lake Park to develop a sustainable and profitable marine facility which will serve the boating public and provide the Town of Lake Park and its residents a consistent financial contribution. The plan is divided into three sections:

1. Site and Operational Assessment: Examines existing facility condition, layout, and operations.
2. Market Analysis: Compares area competition and assess Lake Park Harbor's position in the market based on the findings.
3. Recommendations: Creates a vision and plots a path to stabilize and maximize Lake Park Harbor's revenue potential by developing ways to adapt to market conditions and competition and successfully differentiate itself from other marine facilities in the market.

## Site and operational Assessment

Lake Park Harbor Marina consists of 108 useable dock spaces ranging in size from 30' to 60'. 77 slips are fixed docks with concrete finger piers and the remainder are concrete floating docks. There are areas of the marina which can accommodate vessels larger than 60' because they are a linear-side-tie system on the floating docks (A). See Photo 1.

Photo 1



The marina schematic shows small linear slips on the south side of the main floating dock (B) and ten linear slips on the inside of the seawall located on the north side of the marina entrance (C). This wall also functions as access to a public fishing pier at the marina's entrance. These two areas are limited for frequent use. In the case of the south side of the floating docks, the potential for blocking the southern neighbors' access in and out of a narrow shared canal exists. Use of the northern seawall also has the potential to block ingress and egress of existing marina tenants which occupy traditional slips across the fairway.

While the marina has two seawalls which provide for some wave attenuation, the marina basin, fuel dock and launch ramp are highly susceptible to unwanted wave action from vessel wakes and moderate winds. The public fishing pier attached to the northern seawall is open underneath and does not provide any wave break. Wind and boat wakes from the northeast to southeast push wave action directly into the entrance of the marina basin. The waves ricochet throughout the basin and in some cases rigorously rock marina tenants and ramp users creating an uncomfortable and potentially unsafe condition.

For marina tenants wishing to buy fuel on the way out or on the way in to their slip, the centrally located floating fuel dock is convenient. The fuel dock is however inconvenient for passersby. The marina entrance is ¼ mile west of the Intracoastal Waterway and does not offer a quick in and out experience. Once on the fuel dock, there is easy access to and from the Marine store. The Marine store currently has old inventory, some convenience items, a drink cooler, and an abundance of business cards and brochures.

The launch area has of two ramps, two courtesy slips, a floating staging dock and truck/trailer parking spaces consisting of:

- 21 spaces along Federal Hwy for up to 55’ truck and trailer rigs
- 50 spaces for 30’ to 45’ truck and trailer rigs

The ramps are well maintained, have a gentle slope and extend far into the water which allow for easy launching and retrieving for a wide range of boat sizes.

The ramp building currently provides public restrooms and a small space for a ramp/store attendant. The interior space has not been utilized for some time. It contains a small tackle inventory and a working bait freezer with inventory. The ramp at one time was staffed. Truck and trailer parking is free and ramp fees are \$10.00 per launch. The ramp is unusual in that it offers unlimited overnight parking at a fee of \$25.00 per night. All ramp fees are collected by the honor system and overnight fees are usually collected by staff in the ship’s store. There are box storage trailers and boat trailers on the site which have not been charged any fees. The owners of them are current tenants in the marina.

Lake Park Harbor has six primary sources of revenue. The chart below shows a six year average of each source as a percentage of total revenue. Utilities and electric fees have been blended here. Four of the sources have a cost of goods sold component. Wet slip fees and Ramp fees do not.

	<b>Average % of Total Revenue</b>	<b>Average Cost of Goods Sold %</b>	<b>Net Income Contribution %</b>
<b>Wet Slips</b>	47%	0%	100%
<b>Fuel</b>	32%	77%	23%
<b>Ramps</b>	4%	0%	100%
<b>Utilities/Electric*</b>	3%	255%	-155%
<b>Merchandise</b>	1%	62%	38%

*\*does not include trash pickup*

It is clear not all electric and utility costs are directly attributed to vessel occupancy, but the costs are mitigated by charging fees.

In F/Y 2012 occupancy rates at Lake Park Harbor dropped from 42% in October 2011 to 28% in September 2012. The Town Commission followed staff’s recommendation to lower dockage rates to better compete in a difficult period aiming to increase occupancy rates. The strategy was a success. Monthly occupancy rates steadily increased for the next two years reaching and leveling off at 67% by the end of F/Y 2014. The Town again dropped rates for specific “hard-to-fill” smaller slips in August 2014 utilizing the same strategy as before and again it was successful. The marina for the first quarter of F/Y 2016 is ranging in the upper 90% to 100% range. Actual monthly marina occupancy rates from May 2011 to December 2015 are shown below.

	FY/2011	FY/2012	FY/2013	FY/2014	FY/2015	FY/2016
<i>Oct</i>		42	27	47	68	92
<i>Nov</i>		44	32	49	72	98
<i>Dec</i>		47	38	52	75	101
<i>Jan</i>		47	35	53	86	
<i>Feb</i>		45	37	58	90	
<i>Mar</i>		44	37	60	91	
<i>Apr</i>		45	42	57	93	
<i>May</i>	54	37	44	60	97	
<i>Jun</i>	52	32	42	62	93	
<i>Jul</i>	48	31	46	63	91	
<i>Aug</i>	45	31	43	61	93	
<i>Sep</i>	39	28	43	67	95	
Annualized Occ. %	48	39	39	57	87	97
Total Slips Occupied	52	42	42	62	94	105

With a closer look at the current occupancy breakdown, estimated annual tenants are 94 percent of the total. While that is an excellent ratio, the receipts may be below what would be expected due to the ease of entering into and terminating an annual contract without consequence before its expiration date.

There are eight tenants in the marina which have a Lake Park Zip Code. Of those, two are actual town residents.

The following table shows all fees collected directly related to occupancy and how the increase in occupancy affected revenues and the average rate collected per vessel. The figures are end of year actuals. Despite increased occupancy, and increases in wet slip and utility revenues, electric receipts steadily fell in all of the years shown.

	FY/2010	FY/2011	FY/2012	FY/2013	FY/2014	FY/2015
Ann Occ %	Not Avail.	48	39	39	57	87
Wet Slips	\$ 627,985.00	\$ 593,873.00	\$ 478,392.00	\$ 394,884.00	\$ 541,458.00	\$ 718,823.00
Utility	\$ 15,400.00	\$ 18,773.00	\$ 13,770.00	\$ 14,700.00	\$ 18,788.00	\$ 28,888.00
Electric	\$ 20,736.00	\$ 16,682.00	\$ 11,852.00	\$ 11,278.00	\$ 10,555.00	\$ 9,603.00
	\$ 664,121.00	\$ 629,328.00	\$ 504,014.00	\$ 420,862.00	\$ 570,801.00	\$ 757,314.00
Av Annul Fees/boat			\$ 11,966.14	\$ 9,991.98	\$ 9,272.27	\$ 8,059.96
Av Monthly Rate/boat			\$ 997.18	\$ 832.66	\$ 772.69	\$ 671.66

Dockage and utilities are at a flat rate and billed monthly. Electric is metered and billed based on kilowatt hour usage. Over the years electric meters failed and have not been repaired. Electric fees have not been charged to any tenant occupying any of those slips with non-functioning meters. Electric fees have been charged on a flat rate basis to the occasional daily transient tenant in accordance with the marina's rate card. It is estimated that 59 meters are not working properly. Repair costs range from \$200 to \$425 each and once repaired, remain an ongoing maintenance item.

Overall the entire facility is in good condition with some deferred maintenance issues. They are currently being investigated and addressed.

## Market Analysis:

This market analysis focuses on an area 13 miles long including the Bluffs Marina in Jupiter to the Palm Beach Town Docks. Research is based on number of slips, slip mix, marina amenities, dockage rates, location and inlet proximity. Research tools used consisted of internet, email, telephone and site visits. Observed occupancies of all marinas visited were very high ranging from mid-80% to upper 90% range.

In the chosen market area, there are 11 commercial (three municipally owned) marinas with similar slip mixes as Lake Park Harbor: 30' to 60'. Totalling each marina's advertised slip count, there are 1365 slips ranging in size from 30' to 262'. Using Google Earth to measure slip sizes, an estimated 1183 or 87% of the total slip inventory match the slip mix of Lake Park Harbor. See attached Exhibit 1.

Slip measurements were confirmed during site visits. The Table below shows the advertised slip counts of each marina in the market area.

<u>Marina</u>	<u>Slip Count</u>
The Bluffs Marina	102
Loggerhead – Palm Beach Gardens	130
PGA/Soverel Harbor	168
*North Palm Beach Marina	107
*Old Port Cove Marina	200
Lake Park Harbor	108
*Riviera Beach Marina	137
Sailfish Marina	94
*Cannonsport Marina	54
*Palm Harbor Marina	200
Palm Beach Town Docks	87

\* Redeveloped since 2006

This table shows the market share Lake Park Marina has of slip sizes from 30' to 60'.

Slip Size	30'	40'	45'	50'	60'
Market Share	35%	20%	6%	3%	10%

In terms of area slip inventory, Lake Park has highest percentage of 30' slips and the second highest of 40' slips in the market. During the recession and after the redevelopment of Lake Park Harbor, five marinas (\*see table above) included in this study have redeveloped and expanded their slip inventories. Each followed market trends toward larger boats, floating dock systems, adding amenities and left behind smaller slip offerings. Ironically, the smaller slips at Lake Park have proven to be a challenge to fill.

Dry storage marinas have also followed market trends toward larger outboard powered boats by investing in larger lifts, retrofitting existing storage facilities and expanding the capabilities of new storage facilities. Area examples are: New Port Cove, Loggerhead Riviera Beach and PGA Marina. Storing a 30' to 40' boat in a rack is not unusual now. Boat ramps are also following this trend by reconfiguring trailer parking spaces, redesigning existing launch ramp capacities and building new ramps which can accommodate the larger truck and trailer rigs needed to transport and launch larger boats. For example Phil Foster Park and Jim Berry Light Harbor Park. Seeing a 35ft boat on the road is now considered commonplace. It's reasonable to say competition for boats in the 30' to 40' range include trailers and dry storage marinas.

## Amenities:

The table below shows all of the advertised amenities on each marinas web site and rate card. In reviewing this table, one can see that Lake Park offers basic “bare bone” amenities - shown in the shaded area.

	Fuel - Dock/inslip	Pumpout D,I	Heads/Showers	Free Wi-Fi	Laundry	Security R,G	Ship's Store	Phone/CATV	Clean Marina	Fixed Docks	Floating Docks	Protected Harbor	Onsite Rest.	Bus. Ctr./Capt. Lounge	Fitness	Concierge	Pool	Picnic/Grills	Liveboard	Dist. To P.B. Inlet
<b>Lake Park Harbor</b>	D	D	Y	Y	Y	R	Y	N	Y	Y	Y	SEMI	N	N	N		N	N	N	1.7
<b>The Bluffs</b>	D,I	D	Y	Y	N	R	N	Y	N	Y		Y	N	N	N		N	N	Y	7.5
<b>Loggerhead - PB</b>	D	D	Y	Y	Y	G	Y	Y	Y	Y		Y	N	C,B	N	Y	N	N		7.5
<b>PGA Marina/ Sovereign</b>	D	D	Y	Y	Y	R,G	Y	Y	Y	Y	Y	Y	Y	N	N		N	N		5
<b>North Palm Beach</b>	D	D,I	Y	Y	Y	R	Y	Y	Y	N	Y	Y	N	N	N	Y	S	N	Y	4
<b>Old Port Cove</b>	D	D,I	Y	Y	Y	R,G	Y	Y	Y	N	Y	N	Y	C,B	Y	Y	S	N	Y	4.1
<b>Riviera Beach</b>	D	D,I	Y	Y	Y	R		Y	N	Y	Y	N	Y	C	N		N	N	Y	1
<b>Cannon Sport</b>	D,I	D,I	Y	Y	Y		Y	Y	Y	Y	N	N	N	N	Y		Y	Y		0.7
<b>Sailfish</b>	D,I	N	Y	Y	Y		Y	Y	Y	Y	N	N	Y	C	N		Y	N	Y	0.5
<b>Palm Harbor</b>	D	D,I	Y	Y	Y	R,G	Y	Y	N	N	Y	N	Y	C,B	Y		N	Y	Y	3.9
<b>P.B. Town Docks</b>	N	D,I	Y	Y	N	R,G	N	Y	Y	Y	N	N	N	N	N		N	N	Y	4.7

Whether perceived or actual, amenities add value. The recently redeveloped marinas discussed above believe this and have added amenities beyond the “bare bone” to include fitness centers, lounges, business centers, pools and epicurean centers. These marinas are in the upper tier of area rates. When comparing Palm Harbor Marina and the Palm Beach Town Docks’ amenity packages, one can see they could not be more different, yet even without amenities Palm Beach is at the top of area rates. Location coupled with surrounding activities help create demand at these facilities and support these two marina’s rates. When looking at non-highlighted listings there are three which can be added to Lake Park’s listing and advertised with minimal investment: Business Center/Lounge, Picnic/grills and Concierge.

## Area Dockage Rates

The last area rate survey completed by the Town was in 2012. The table below is a recent (2016) annual rate comparison. The surveyed marinas are listed lowest monthly rate per foot to the highest. Seasonal, monthly, daily and utility rates were also collected (See Exhibit 2). All of the dockage rate categories have similar rankings and utility rates are charged via flat rate for the majority of marinas sampled (See Exhibit 3). Included in the list are two nearby dry stack marinas. These were included as they are easily able to store boats from 30’ to 40’ feet and arguably compete with Lake Park in the small slip arena.

All marinas listed have minimum charge size ranges with the exception of Lake Park and PGA/Soverel Harbor. For example, the effective annual rate per foot at the Palm Beach Docks is very high at \$51.70/ft./month for a 30' boat because its minimum charge is for 50'.

The higher priced competition also advertise the most amenities with the exception of the Palm Beach Town Docks and some charge more per foot for larger vessels. Tiered rate structures are common in the marine industry. The rationale is larger vessels are not only longer, but are wider and use more square feet than smaller and narrower vessels. Some believe larger vessels have more impact on marina property and services than smaller vessels. Tiered rates are also used to differentiate more desirable locations within a marina like floating versus fixed docks, or a parking space at one's slip. Lake Park does this by charging less for the hard to fill less desirable fixed 30' slips.

Rates also are area/location specific (mini markets). To the north, The Bluffs and Loggerhead P.B. Gardens are very close. Centrally, Riviera Beach and Lake Park are very close. To the south the Palm Beach Town Docks and Palm Harbor are very close. It is interesting to note that each marina's travel distance to Palm Beach Inlet does not seem to affect pricing much. Sailfish Marina is the closest to the Palm Beach inlet, sits in a wonderful resort setting, has a great restaurant, but its rates are in the middle. Conversely, Palm Harbor and Palm Beach Town Docks are much further south. One has an extensive amenity package while one offers the least in the area, but as stated, location and area attractions support this area's highest rates.

	30	40	45	50	55	60	70	80	90
<b>Lake Park Harbor Marina</b>	\$ 10.00	\$ 17.00	\$ 17.00	\$ 17.00	\$ 17.00	\$ 17.00	\$ 17.00	\$ 17.00	\$ 17.00
<b>Commercial</b>	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00
<b>New Port Cove Marine Center -30' min.</b>	\$ 16.80	\$ 17.00				\$ 17.42			
Floating Docks		\$ 18.78							
Dry Stack - Inside	\$ 18.87								
Dry Stack - Outside	\$ 16.00								
<b>Riviera Beach Marina -32' min.</b>	\$ 18.88	\$ 17.70	\$ 17.70	\$ 17.70	\$ 17.70	\$ 17.70	\$ 17.70	\$ 17.70	\$ 17.70
<b>Commercial</b>	\$ 20.48	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20
<b>PGA/Soverel Harbor</b>	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00		
Wharf/Linear up to 65	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 25.00	\$ 25.00	\$ 25.00
Wharf/Linear over 65	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00
Dry Stack/In or Out	\$ 18.66								
<b>Loggerhead P.B. Gardens</b>	\$ 17.25	\$ 20.00	\$ 20.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 24.00	\$ 24.00	\$ 29.00
<b>Bluffs Marina - 50' min.</b>	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00	\$ 22.00
<b>Sailfish Marina</b> Quoted Rates			\$ 22.57		\$ 25.04		\$ 30.90		
<b>Old Port Cove Marina - 30' min.</b>	\$ 23.83		\$ 27.00	\$ 27.00	\$ 27.09	\$ 27.00	\$ 30.14	\$ 36.50	\$ 36.50
<b>Loggerhead Riviera Beach - Drystack</b>	\$ 28.72								
<b>North Palm Beach Marina - 40' min.</b>	\$ 37.33	\$ 28.00	\$ 27.00	\$ 27.30	\$ 28.90	\$ 31.33	\$ 32.43	\$ 35.56	\$ 37.00
<b>Palm Harbor Marina - 50'min.</b>	\$ 50.69	\$ 38.02	\$ 33.80	\$ 30.42	\$ 30.42	\$ 30.42	\$ 30.42	\$ 30.02	\$ 42.58
<b>P.B. Town Docks - 50' min.</b>	\$ 51.70	\$ 38.78	\$ 34.47	\$ 31.03	\$ 31.03	\$ 31.03	\$ 32.85	\$ 32.85	\$ 34.06

In comparing this rate survey to the survey done in 2012, no upward movement has occurred at Riviera Beach or Loggerhead P.B. Gardens while the others have increased 4-6%.

In terms of rates, Lake Park's closest competing marina is the City of Riviera Beach. Riviera Beach Marina has been under construction for over two years. Phase I and Phase II dock construction are now complete. The upland construction is underway and will include a park, event center, restaurants and other amenities. In February of 2015 Riviera Beach issued an RFP for marina management services. The City's selection committee has scored all respondents, but has not yet awarded the contract. Once the contract is awarded and construction is complete it is expected that dockage rates will increase opening the door for others to follow. Riviera Beach's willingness to hold rates down due to its redevelopment traps its competitors from pushing rates up.

## Launch Ramps

There are seven boat ramps in within the 13 mile market area. Lake Park controls one, the Village of North Palm Beach controls one and Palm Beach County controls the remaining five. Size in terms of parking capacity ranks Phil Foster as the largest at 126. It also can easily handle the very large rigs of 55' and longer. Lake Park is second with 71, but its ability to handle the large rigs is limited as confirmed by the Town's Marina Task Force findings in 2014. Jim Barry Harbor Light is third with 70 and also able to handle the large rigs. The other ramps have much smaller capacities.

Palm Beach County charges \$10.00 for a daily pass which includes launching and parking for up to 24 hours. The county also offers annual passes for \$36.00. The annual passes are stickers which are applied to the trailer. All fees are collected over the phone, on line, or with a daily parking smart phone app. See Photo 2. No attendant is on site and no cash is accepted. Enforcement is handled by P.B.S.O. The County offers overnight parking at two of their ramps, but it is limited to a 24-hour maximum.

Photo - 2



Lake Park offers free parking with a \$10.00 launch fee and overnight parking without limit for \$25.00 per night. Ramp fees are collected in cash using the honor system and overnight uses the honor system or is collected in the ship's store.

The Village of North Palm Beach is restricted to town residents. North Palm Beach charges a daily launch fee of \$10.00 and an annual fee of \$63.00. There are also long term wet slips and boat-on-trailer storage. Fees range from \$600 to \$900 per year depending on size. According to their web site, waiting lists are very long.

## Strengths, Weaknesses, Opportunities, and Threats - S.W.O.T. Analysis

The S.W.O.T. analysis is a simple tool used to look at internal and external factors of a business which can help identify a possible strategy in creating a path to success. Strengths and weaknesses are internal factors while opportunities and threats are external. They are listed in order of significance - most to least.

<p><b>Strengths:</b></p> <ul style="list-style-type: none"> <li>• Quaint Attractive Facility</li> <li>• Ample and close to slip parking</li> <li>• Floating Docks</li> <li>• Launch Ramp</li> <li>• Near a safe inlet</li> </ul>	<p><b>Weaknesses:</b></p> <ul style="list-style-type: none"> <li>• Distance from ICW</li> <li>• Wave action in marina basin</li> <li>• Limited amenities</li> <li>• Abundance of small fixed pier slips</li> <li>• Lack of expandability</li> </ul>
<p><b>Opportunities:</b></p> <ul style="list-style-type: none"> <li>• Market differentiation</li> <li>• Staffed launch ramp w/sundries on site</li> <li>• Annual Launch ramp passes</li> <li>• Parking app</li> </ul>	<p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>• Notion of Change</li> <li>• Market adaptability</li> <li>• Rate Trap</li> <li>• Local Discount Marine Stores</li> <li>• Private marina “deals”</li> </ul>

The elements included in the analysis are not exclusive. Others exist and their significance may be judged differently by others. A brief explanation of each is attached as Exhibit 4.

The internal strengths are items which can be managed and highlighted. For example, the well cared for landscaping, architecture and stained concrete piers make Lake Park a pretty place to be. Dramatic high resolution long-shadowed photos of these items can be used in marketing materials. The same concept applies to the internal weaknesses. The case of wave action in the marina basin is something which can managed internally with the installation of a rock revetment at the marina’s entrance.

Opportunities are external. Market differentiation: What is the competition not doing that Lake Park can do? Can the marina make money doing it? How much will it cost? Threats are also external. The Notion of change: what can be done for stakeholders to embrace changes which are needed to improve the marina’s performance? Is there a way these changes can be shown as a benefit for them?

**Market Position**

Since the marina was redeveloped, the area has become more competitive and the number of slips have increased. All of the marinas in the area including Lake Park, are clean, well maintained, have good service and varying amenity packages. While amenities do add value, location and surrounding activities are in command while proximity to the Palm Beach Inlet does not seem to matter much. Lake Park Marina’s occupancy steadily fell and was not competing well. Only when rates were significantly reduced to the areas lowest did occupancies rebound to where they are today. Lake Park’s customer sees price and not amenities, location, or service etc. as the reason they brought their boat here. The following are two excerpts from a well-known internet forum – *The Cruiser’s Net*

*May 2010 – “Lake Park City Marina, in Lake Park Florida which is adjacent to West Palm Beach, is a low-cost alternative to the high-priced marinas just a wee bit further south down the ICW. There’s less to tour on land by foot, but if all you need is an attractive, clean, well-run marina for the night within walking distance of a Winn Dixie supermarket and a choice of an upscale restaurant and more modest but honest family-run buffet — then Lake Park is a great low-cost choice.”*

*January 2015 - “We’ve used Lake Park City Marina for several years and find it to be a good place to keep a boat. Their amenities are not great but the rates are better than most and they have great floating docks.”*

Lake Park has become known as the least expensive which places it in a “rate trap”. By attracting the price conscious customer, the question arises, how much upward pressure in price will be tolerated before the marina loses its “good deal” reputation and occupancy drops? The answer is less than 4% on slips 40’ and up and it is not clear how much of an

increase in 30' fixed docks will be tolerated. If rates are increased more than 4%, it is likely Riviera Beach Marina will be where the price conscious boater will end up. If a 4% rate increase results in the loss of four boats, no increase in revenue attributed to the increase will result until those boats are replaced. Adjusting rates and testing loyalty is a calculated risk.

## The Vision and the Path Forward

### Phase I – Utility Rates

As discussed in the assessment section of this plan, the Town is losing significant bottom line performance by not recapturing electric fees. The table in that discussion shows a 54% decrease in the collection of electric fees from F/Y 2010 to F/Y 2015 even with the steep increase in occupancy. The two are tied together. Meter failures can be attributed to lack of occupancy and a lack of maintenance. Idle meters deteriorate when not used in a corrosive environment and failures do not come to light until they are needed. When the failures came to light over the years they were not fully addressed.

It is estimated there are 59 improperly functioning meters. Estimated repair costs range from \$200 to \$425 each and depends on which component has failed. The units are sealed and are not designed to be maintained or repaired. They are designed to be replaced. Questions also arise regarding the accuracy of those meters which appear to be working. Determining an accurate annual maintenance cost of a meter is a challenge because there is not reliable data to reference any kind of failure rate. That said, if one were to budget with the assumption of a failure rate of 5% of the 108 meters used, then the annual budgeted repair cost should be around \$2,300.

The chart below shows the area's flat utility rates by marina and averages them. Water, CATV, trash disposal, oil collection and miscellaneous items like WI-FI are bundled with electric use and sold as "utilities". These fees are derived from vessel usage histories and market surveys. The arrows show a range of vessel sizes typically serviced by a 30 amp or 50 amp outlet. Some vessels need two services.

Flat Rate based on one cord per month								
	30 Amp 			50 Amp 				
	30'	35'	40'	45'	50'	55'	60'	70'
Old Port Cove	\$ 82.50	\$ 96.25	\$ 110.00	\$ 144.00	\$ 175.00	\$ 192.50	\$ 390.00	\$ 469.00
New Port Cove	\$ 82.50	\$ 96.25	\$ 110.00	\$ 144.00	\$ 175.00	\$ 192.50	\$ 390.00	\$ 469.00
N. Palm Beach	\$ 82.50	\$ 96.25	\$ 110.00	\$ 144.00	\$ 175.00	\$ 192.50	\$ 390.00	\$ 469.00
Loggerhead PBG	\$ 80.00	\$ 80.00	\$ 80.00	\$ 115.00	\$ 115.00	\$ 115.00	\$ 115.00	\$ 115.00
Sailfish	\$ 110.00	\$ 110.00	\$ 110.00	\$ 160.00	\$ 160.00	\$ 160.00	\$ 160.00	\$ 160.00
Palm Harbor	\$ 125.00	\$ 125.00	\$ 125.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00
P.B. Town Docks	N/A	N/A	N/A	\$ 171.00	\$ 171.00	\$ 171.00	\$ 171.00	\$ 171.00
Area Avg.	\$ 93.75	\$ 100.63	\$ 107.50	\$ 154.00	\$ 167.29	\$ 174.79	\$ 259.43	\$ 293.29

The chart below applies Lake Park's utility fee to the averages above and shows what can be termed the "net potential fee" increase needed to bring Lake Park's fee up the areas average.

Area Avg.	\$ 93.75	\$ 100.63	\$ 107.50	\$ 154.00	\$ 167.29	\$ 174.79	\$ 259.43	\$ 293.29
Lake Park Util.	\$ (30.00)	\$ (30.00)	\$ (30.00)	\$ (30.00)	\$ (30.00)	\$ (30.00)	\$ (30.00)	\$ (30.00)
Net potential fee	\$ 63.75	\$ 70.63	\$ 77.50	\$ 124.00	\$ 137.29	\$ 144.79	\$ 229.43	\$ 263.29

Before adopting utility rates similar to the "net potential fee", the total monthly out-of-pocket costs associated with storing a boat in a marina must be compared. Would simply adopting the net potential fee change Lake Park's market position as the least expensive and risk losing tenants to the competition? In this case it would.

The following chart shows how adjusting the “net potential fee” to a monthly flat electric fee \$40 for a 30 amp service and \$80 for a 50 amp service would have on the total tenant out-of-pocket costs. The tested rate maintains Lake Park’s current market position as being the area’s least expensive.

Annual rate est. monthly costs		30	35	40	45	50	55	60	65	70
Lake Park	Dockage	\$ 300.00	\$ 595.00	\$ 680.00	\$ 765.00	\$ 850.00	\$ 935.00	\$ 1,020.00	\$ 1,105.00	\$ 1,190.00
	Utilities	\$ 30.00	\$ 30.00	\$ 30.00	\$ 30.00	\$ 30.00	\$ 30.00	\$ 30.00	\$ 30.00	\$ 30.00
	Electric	\$ 40.00	\$ 40.00	\$ 40.00	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00
	Tax	\$ 19.80	\$ 37.50	\$ 42.60	\$ 47.70	\$ 52.80	\$ 57.90	\$ 63.00	\$ 68.10	\$ 73.20
	Total	\$ 389.80	\$ 702.50	\$ 792.60	\$ 922.70	\$ 1,012.80	\$ 1,102.90	\$ 1,193.00	\$ 1,283.10	\$ 1,373.20
New Port Cove	Dockage	\$ 504.00	\$ 588.00	\$ 680.00	\$ 775.00	\$ 850.00	\$ 935.00	\$ 1,045.00		
	Utilities	\$ 82.50	\$ 96.25	\$ 110.00	\$ 144.00	\$ 144.00	\$ 144.00	\$ 390.00		
	Tax	\$ 35.19	\$ 41.06	\$ 47.40	\$ 55.14	\$ 59.64	\$ 64.74	\$ 86.10	\$ -	\$ -
	Total	\$ 621.69	\$ 725.31	\$ 837.40	\$ 974.14	\$ 1,053.64	\$ 1,143.74	\$ 1,521.10	\$ -	\$ -
Riviera Beach	Dockage	\$ 566.40	\$ 619.50	\$ 708.00	\$ 796.50	\$ 885.00	\$ 973.50	\$ 1,062.00	\$ 1,150.50	\$ 1,239.00
	Utilities	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 65.00	\$ 65.00	\$ 65.00
W/ Lake Park's Est. Elec.		\$ 40.00	\$ 40.00	\$ 40.00	\$ 40.00	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00	\$ 80.00
	Tax	\$ 36.38	\$ 39.57	\$ 44.88	\$ 50.19	\$ 55.50	\$ 60.81	\$ 67.62	\$ 72.93	\$ 78.24
	Total	\$ 682.78	\$ 739.07	\$ 832.88	\$ 926.69	\$ 1,060.50	\$ 1,154.31	\$ 1,274.62	\$ 1,368.43	\$ 1,462.24
Loggerhead	Dockage	\$ 517.50	\$ 603.75	\$ 800.00	\$ 900.00	\$ 1,100.00	\$ 1,210.00	\$ 1,320.00	\$ 1,430.00	\$ 1,680.00
	Utilities	\$ 80.00	\$ 80.00	\$ 80.00	\$ 115.00	\$ 115.00	\$ 115.00	\$ 115.00	\$ 115.00	\$ 115.00
	Tax	\$ 35.85	\$ 41.03	\$ 52.80	\$ 60.90	\$ 72.90	\$ 79.50	\$ 86.10	\$ 92.70	\$ 107.70
	Total	\$ 633.35	\$ 724.78	\$ 932.80	\$ 1,075.90	\$ 1,287.90	\$ 1,404.50	\$ 1,521.10	\$ 1,637.70	\$ 1,902.70
Saifish Marina	Dockage				\$ 1,015.65		\$ 1,377.20			\$ 2,163.00
	Utilities				\$ 160.00		\$ 160.00			\$ 160.00
	Tax	\$ -	\$ -	\$ -	\$ 70.54	\$ -	\$ 92.23	\$ -	\$ -	\$ 139.38
	Total	\$ -	\$ -	\$ -	\$ 1,246.19	\$ -	\$ 1,629.43	\$ -	\$ -	\$ 2,462.38
Old Port Cove	Dockage	\$ 715.00	\$ 945.00	\$ 1,215.00	\$ 1,215.00	\$ 1,350.00	\$ 1,490.00	\$ 1,620.00	\$ 1,960.00	\$ 2,110.00
	Utilities	\$ 82.50	\$ 96.25	\$ 110.00	\$ 144.00	\$ 175.00	\$ 192.50	\$ 390.00	\$ 422.50	\$ 469.00
	Tax	\$ 47.85	\$ 62.48	\$ 79.50	\$ 81.54	\$ 91.50	\$ 100.95	\$ 120.60	\$ 142.95	\$ 154.74
	Total	\$ 845.35	\$ 1,103.73	\$ 1,404.50	\$ 1,440.54	\$ 1,616.50	\$ 1,783.45	\$ 2,130.60	\$ 2,525.45	\$ 2,733.74
North Palm Beach	Dockage	\$ 1,120.00	\$ 1,120.00	\$ 1,120.00	\$ 1,215.00	\$ 1,365.00	\$ 1,590.00	\$ 1,880.00	\$ 2,075.00	\$ 2,270.00
	Utilities	\$ 82.50	\$ 96.25	\$ 110.00	\$ 144.00	\$ 175.00	\$ 192.50	\$ 390.00	\$ 422.50	\$ 469.00
	Tax	\$ 72.15	\$ 72.98	\$ 73.80	\$ 81.54	\$ 92.40	\$ 106.95	\$ 136.20	\$ 149.85	\$ 164.34
	Total	\$ 1,274.65	\$ 1,289.23	\$ 1,303.80	\$ 1,440.54	\$ 1,632.40	\$ 1,889.45	\$ 2,406.20	\$ 2,647.35	\$ 2,903.34
Palm Harbor	Dockage	\$ 1,520.00	\$ 1,520.00	\$ 1,520.00	\$ 1,520.00	\$ 1,520.00	\$ 1,672.00	\$ 1,825.00	\$ 2,471.00	\$ 2,661.00
	Utilities	\$ 125.00	\$ 125.00	\$ 125.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00
	Tax	\$ 98.70	\$ 98.70	\$ 98.70	\$ 103.20	\$ 103.20	\$ 112.32	\$ 121.50	\$ 160.26	\$ 171.66
	Total	\$ 1,743.70	\$ 1,743.70	\$ 1,743.70	\$ 1,823.20	\$ 1,823.20	\$ 1,984.32	\$ 2,146.50	\$ 2,831.26	\$ 3,032.66
P. B. Town Docks	Dockage	\$ 1,551.00	\$ 1,551.00	\$ 1,551.00	\$ 1,551.00	\$ 1,551.00	\$ 1,706.00	\$ 1,945.00	\$ 2,017.00	\$ 2,300.00
	Utilities incl. w/dockage									
	Tax	\$ 93.06	\$ 93.06	\$ 93.06	\$ 93.06	\$ 93.06	\$ 102.36	\$ 116.70	\$ 121.02	\$ 138.00
	Total	\$ 1,644.06	\$ 1,644.06	\$ 1,644.06	\$ 1,644.06	\$ 1,644.06	\$ 1,808.36	\$ 2,061.70	\$ 2,138.02	\$ 2,438.00

The City of Riviera Beach charges a utility rate and meters electric. For this chart the same flat rate applied to Lake Park was applied to them.

On December 16, 2015 a sample pool of 97 vessel’s electrical connections was inventoried. This equates to an occupancy rate of 90%. These were annual or long term tenants who are subject to monthly metered electric fees. The tested electric fees used in the chart above were applied to the actual inventory results. Assuming the occupancy rate remains constant, the potential annual revenue for electric is estimated at \$50,000. At an annualized occupancy rate of 94% the total metered electric fees collected in F/Y 2015 were \$9,603 to a budgeted target of \$15,000.

By shifting to a flat rate system, many variables inherent to a metered system are eliminated namely: failing meters, human error and dishonesty. In metered rate settings, boaters have been known to plug into a neighboring electrical service pedestals with the aim of deceiving the marina. The question of “fairness” is sure to be asked, however when looking at the going market rates for utilities, the suggested fees are reasonable, below market and Lake Park remains at the bottom of boater “out of pocket costs”. Metered electric is inconsistent and problematic. Our competitors know

this. It is recommended Lake Park forego a metered system and incorporate a flat rate bundled utility fee. See the recommended fee schedule. Exhibit - 5

### **Launch Fees**

The current daily launch fees at Lake Park are the same as all area ramps. Lake Park's ramp is unique in three ways. Lake Park offers staffed ramps and unlimited overnight parking, but does not offer an annual fee. It is recommended to adopt an annual fee in line with the recommendations of the Marina Task of \$50.00/year and to incorporate the Park mobile system eliminating cash transactions at the ramp. A representative of Palm Beach County explained that Ramp revenues actually decreased 20% with the annual implementation due soft enforcement and the frequent user taking advantage of the pass. The County expects it to improve in 2017 as they improve their facilities and the word gets out.

### **Phase II - Marketing**

Focusing internally to improve Lake Park's business practices, levels of service and amenities, etc. will certainly improve the marina's ability to attract and retain customers. That said, it needs to be kept in mind competitors are doing the same thing every day in a very large and competitive setting in an effort to set themselves apart. The private sector also can adapt to market changes much faster than the public sector.

Marketing programs should focus on the marina's most significant strength and develop it: A quaint and attractive facility. Programs can further that idea by adding "with excellent local tastes within walking distance" and highlight Town businesses like the Pelican Café and Southern Kitchen. Materials should not be generic aerial photographs, but surface level photos which show lots of boats, the beautiful landscaping, architecture and intra-coastal views. Active boaters at the marina or a person fishing on the pier can be shown. The Marina should partner and market with our commercial tenants such as Mad Son fishing charters and Jim Abernathy's Scuba Adventures. Park Avenue could be connected to the marina by partnering with local Uber drivers. These ideas show activities and attraction which will be perceived as amenities. There are many opportunities to better sell the marina. See Exhibit 6.

Boater guides are expensive and effective. Boaters do not throw them away and use them year after year. Boater's guides are incorporating the internet and apps which are proving to be a powerful tools. The marina's website should be improved to include the above concepts and linked to our local partner's web sites.

Amenities which add value and convenience such as expanded pump out capabilities should be included in the existing package. Better shading for the patio in front of the ships store creates a place to congregate. Charcoal grills placed in convenient locations around the marina will add value to those who spend the night. The second floor should be converted to a lounge/business center offering a place to sit still, stretch out, use the computer or watch the news.

### **Phase III – Capital initiatives**

In any marina, the largest contributors to net operating income are rental fees. Marina expansion projects usually center on increasing rental space by adding commercial lease space, more slips or increasing the number of billable feet by reconfiguring existing slip layouts. Lake Park cannot expand nor can it reconfigure its slip layout in any traditional way. Creating expanded lease space for a restaurant was tried and abandoned.

The recommendations in this plan aim to expand rental opportunities for Lake Park in nontraditional, but proven ways by transforming underperforming areas and increasing rental opportunities. The plan requires minimal capital costs when measured against return. If done properly, bottom line performance will increase dramatically.

With price as its primary draw, continuing to compete in the largest slip mix arena within a 13 mile area is a challenge and will continue to be a challenge. Even with the high occupancies the marina is experiencing now with its current rate structures, net margins are minimal after debt leaving nothing for the town. An unexpected repair or equipment failure easily erases successes. Simply raising rates, improving services, adding amenities and changing existing operational practices is not the answer. More needs to be done. Lake Park should seek to find a niche and differentiate itself by offering a product and or service which is not offered by any of its competitors in the market place and may be difficult

for them to do so. Two opportunities exist which will meet that need in two underperforming areas of the Marina: The Launch Ramp and 30' fixed pier slips. Each offer increased rental fee opportunities with reasonable payback periods and increased ancillary income opportunities for existing services. A wise man once said, *"No dollar falls cleaner to the bottom line than rent."*

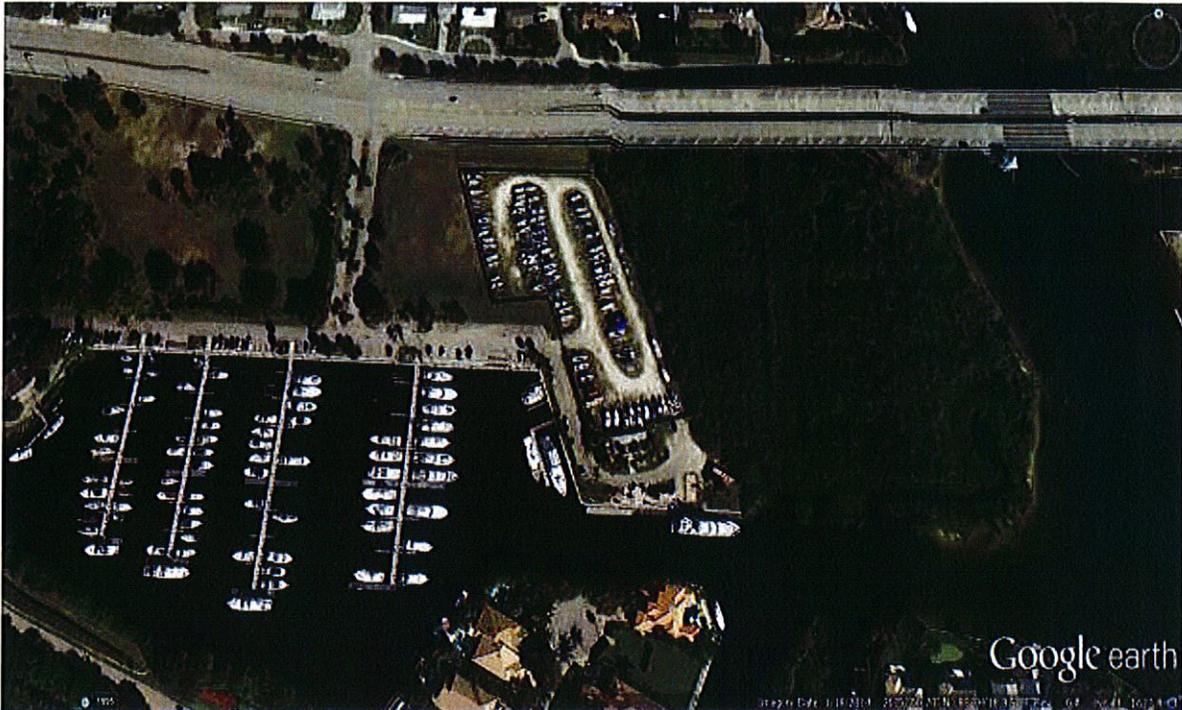
### **The Launch Ramp**

Trailing a boat to the ramp is inconvenient, time consuming and many times problematic. Most trailered boats are kept at home while some who own boats on trailers choose not to keep them at home or cannot due to association rules, space or local codes. In either case, neither have opted to store their boat at a wet or dry storage marina. In photo 3, there are 24 boats stored at a public storage facility in Riviera Beach. Photo 4 shows another site in Palm Beach Gardens where one of our competitors provided needed storage and charged \$150 per boat per month. There are 84 monthly tenants shown. Loggerhead no longer provides this service as condominiums are now being constructed on this site. This type of boating is a logistical challenge and can be discouraging.

**Photo -3**



Photo-4



There is an excellent opportunity to increase ramp use and provide a unique and needed service to boaters who trailer.

At Lake Park Marina there are 71 trailer parking spaces and two ramps. Ramp use is calculated based on fees collected to average an estimated at 3100 launches per year and 688 overnights per year. The average total receipts for combined ramp use over the last six years were just under \$49,000 with a high of \$54,000. This equates to per space revenue of \$685 per year or \$57 per month. Offering boat and trailer storage will increase bottom line income to the marina.

The table below shows the income potential of converting 33 of the existing lower lot parking space inventory into monthly rental spaces. The Village of North Palm Beach offers this service at their ramp, but only to Village residents for a nominal fee as previously mentioned.

Month	1	2	3	4	5	6	7	8	9	10	11	12
Occupancy %	0%	6%	15%	21%	27%	36%	45%	58%	45%	82%	88%	94%
Total # of trailer spaces	71	71	71	71	71	71	71	71	71	71	71	71
Designated Monthly Spaces	33	0	2	5	7	9	12	15	19	23	27	31
Open Spaces	38	71	69	66	64	62	59	56	52	48	44	40
Monthly Revenue @ 200/space												
Designated Monthly Spaces	\$ -	\$ 400.00	\$ 1,000.00	\$ 1,400.00	\$ 1,800.00	\$ 2,400.00	\$ 3,000.00	\$ 3,800.00	\$ 4,600.00	\$ 5,400.00	\$ 5,800.00	\$ 6,200.00
Open Spaces @57/month	\$ 4,047.00	\$ 3,933.00	\$ 3,762.00	\$ 3,648.00	\$ 3,534.00	\$ 3,363.00	\$ 3,192.00	\$ 2,964.00	\$ 2,736.00	\$ 2,508.00	\$ 2,394.00	\$ 2,280.00
Total Monthly revenue	\$ 4,047.00	\$ 4,333.00	\$ 4,762.00	\$ 5,048.00	\$ 5,334.00	\$ 5,763.00	\$ 6,192.00	\$ 6,764.00	\$ 7,336.00	\$ 7,908.00	\$ 8,194.00	\$ 8,480.00
Total Annual Revenue	\$ 48,564.00	\$ 51,996.00	\$ 57,144.00	\$ 60,576.00	\$ 64,008.00	\$ 69,156.00	\$ 74,304.00	\$ 81,168.00	\$ 88,032.00	\$ 94,896.00	\$ 98,328.00	\$ 101,760.00

Critical to the success of this service are fresh water, electrical access and security. Potential customers need to wash their boats, flush their engines, and on occasion run a battery charger or buffer. Including these services and its proximity to Palm Beach Inlet will set Lake Park far above the places depicted above. These utilities already exist in the form of irrigation and street lighting. Each can be retrofitted or tapped to supply what exists now and the needed boater services. It is recommended to provide 10 stations which would serve 31 storage spaces and cost an estimated \$10,000.

There is already a roving night time security guard service in place at the marina and ramp area. The center of their operations has been the marina office building and rounds are made on a golf cart. That activity can be shifted to the ramp area increasing security's visibility there and without changing the services already provided marina wide. Tenants will be required to sign a lease/dockage agreement and be responsible to secure their own boat and trailer.

Marketing the program will utilize the marina's website, popular boating forums such as "The Hull Truth" and "Florida Sportsman", free boating publications/flyers at marine retail stores and direct marketing to current ramp users by staff and signage. The concept will sell itself once observed by boaters using the ramp. It is projected occupancy will reach 94% in 12 months. Ancillary income from these tenants include fuel, bait and ice.

### **30' Fixed Piers**

Outboard engines are increasing in popularity, efficiency and horsepower. Manufacturers are meeting market demand for larger outboard powered boats from 30' to over 50'. These boats require two to four engines to properly power them. Dry stack marinas are expensive and in some cases unable to store many boats because of length or configuration. Many boat owners are not satisfied with dry stacks due to limited accessibility, limited storage capacity, limited after hours in water storage, dirt and the potential for damage. In water storage for outboard powered boats is problematic and not preferred by most due to increased maintenance and accelerated depreciation.

Lake Park Harbor's hard-to-fill fixed 30' slips offer the potential to change how they are used and to provide a significant net increase in the revenues currently generated by them. The same potential exists for 40' fixed docks. Installing boat lifts capable of lifting these boats will attract a customer who is looking for dry storage with no restrictions on size, configuration or hours of operation. In slip lifts offer electric and water services where a dry stack cannot. The target slip offer parking at each slip. Boat lifts are inexpensive to maintain. They will provide ancillary income to the marina by driving fuel, bait and ice sales. Retail in slip lifts are unique to Lake Park Harbor's 13 mile market area.

The following photos are of three different marinas north of Jupiter Inlet which have retrofitted their small fixed underutilized dock facilities to meet this market. All three are sold out at a minimum annual rate of \$800 per month. All three sites are in close proximity to the Jupiter inlet and interestingly, all three sites are within two miles of Jupiter Pointe Marina. Jupiter Pointe is a very large dry stack facility with over 700 storage spaces capable of storing the size ranges mentioned above. Amenities include a restaurant, boat club, and hurricane safe buildings.

Most of the boats shown these photos are set up for serious fishing. Inlet proximity to this customer is very important and Lake Park is less than 2 miles from Palm Beach Inlet.

**Photo 5: Black Pearl Marina / North Side – Jupiter - 30 slips – Sold Out**



**Photo 6: Black Pearl Marina / South Side**



**Photo - 7: Jupiter inlet Beach Club (JIB Club) – Jupiter - 11 slips – Sold Out**



**Photo- 8: Jupiter inlet Beach Club (JIB Club)**



Photo - 9: Blowing Rocks Marina / South Side – Jupiter- 9 slips – Sold Out



Photo - 10: Blowing Rocks Marina North side



A turnkey estimate for a 16,000 pound capacity boat lift is \$18,000 including permits and electrical hook up. The chart below shows the expected net revenues generated by five boat lifts installed in the southern most section of E-Dock next to the launch ramp without grant assistance.

Month	1	2	3	4	5	6	7	8	9	10	11	12	Total W/Lift	Total W/out	Annual Revenue Net Increase	
Lifts Occupied (of 5)	0	1	2	2	3	3	4	5	5	5	5	5				
Revenue projection @ \$800/month																
Year 1	\$(1,500.00)	\$(700.00)	\$ 100.00	\$ 100.00	\$ 1,800.00	\$ 1,800.00	\$ 2,900.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 24,500.00	\$ 18,000.00	\$ 6,500.00	
Year 2	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 48,000.00	\$ 18,000.00	\$ 30,000.00	
Year 3	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 48,000.00	\$ 18,000.00	\$ 30,000.00	
Year 4	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 48,000.00	\$ 18,000.00	\$ 30,000.00	
													Total	\$ 168,500.00	\$ 72,000.00	\$ 96,500.00

The Florida Inland Navigation District has indicated the project is eligible for 50% funding assistance under the Waterways Assistance Program however, there is a requirement which may or may not discourage seeking grant assistance:

**Rule 66B-2.004(11), Fees.** Any public project eligible for District program funds that charges a fee or will charge a fee must create and maintain an enterprise fund for the public project that shall plan for and retain at all times sufficient funds for the on-going maintenance of the facility during its project life. Accounting records of the previous five years of the public project's enterprise fund will be submitted as part of any subsequent assistance program application to the District.

The term of the grant is 25 years. A separate annual boat lift maintenance line item/sinking fund of \$1,000 could be created to easily meet this grant requirement. Payback applying only the net proceeds without grant assistance is about four years and with grant assistance would be about 2.5 years.

If the Town can tolerate a Grant match in the amount of \$90,000, it is recommended to install 10 boat lifts.

**Recommendations (Immediate):**

1. Using market data, convert electric fees/billing from a metered system to a flat rate system. Blend with current utility fee.
2. Maintain current slip rental rate structure for the present time.
3. Add winter seasonal rate.
4. Change current practice with regard to early lease termination.
5. Charge based on vessel length over all (L.O.A.).
6. For long term contracts, Annual and Seasonal, charge for vessel length or slip length – whichever is longer. For short term contracts, charge for L.O.A. if necessary.
7. Pursue development of park mobile app /annual ramp pass system.
8. Amend current dockage agreement.
9. Liquidate old store items – restock.
10. Begin "Attractive and Quaint" campaign.

**Mid Term - 6 months**

1. Begin implementing the lease of monthly trailer parking spaces – utilities installation
2. Begin implementing the installation of boat lifts on E dock. Determine match source(s), permitting, application for grant funding.
3. Begin Phase I rock revetment activities – design and permitting, grant opportunities.

4. Add amenities
5. Explore rate increase for E dock – end \$300/month rate

**Long Term – 1 year**

1. Market Survey – Rates
2. Examine rate sensitivity
3. Apply for assistance grants for in slip lifts construction : January – March 2017

**Conclusion:**

Defining the marina as “quaint attractive and local” is a starting point to separating Lake Park from its competitors internally and can start immediately. Incorporating the “expansion” concepts discussed will further that effort and insulate the marina from falling into the red due to tough economic times or costly repairs and maintenance items. Both concepts offer rental income, increases in ancillary income and minimal capital outlay with excellent returns. The timeline to implementation is short and benefits can be realized quickly.

**Exhibit - 1**  
Area Slip Inventory

Exhibit 1 - Observed Area Slip Inventory

Ship Name	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	105	110	115	120	125	130	140	150	170	190
95 Bufts Marina					10	54	6	13				8												300	marginal		
129 Loggetend Marina - P.A.G.			32	29	18	4	14				11						2						1				
168 Pcd/Swerve Harbor					35	40	17				9	11															
105 North Palm Beach Marina					6	56	24	4			8		2		4								1	1	1	1	1
144 Old Port Cove South						32	49	14	12	2							4		3	2	2	2	4	3	1	1	1
62 Old Port Cove North			12			3			3		16		6				2	2	3	1	1	2	3		2		
108 Lake Park Harbor			42		30	10	8		18																		
111 Riviera Beach Marina					39	50	12	10																			
56 Camponport Marina	1	1	2	2		12			17	7	4										1	1	1	1	1	1	1
86 Solisti Marina			2			12	5	3	2	8	3																
Charter Dock		2				3		16	1	3																	
200 Palm Harbor Marina																											
T-Dock Usage - Counts may differ from observed inventory	120	37	148	173	275	146	161	103	40	11	8	0	4	0	6	2	6	1	4	4	4	7	3	3	3	1	1
	1183																										1284

\*\*Advertised slip inventories do not account for

T-Dock Usage - Counts may differ from observed inventory

200 marginal

1 (T-head)

1 (T-head)

1 (T-head)

1 (T-head)

**Exhibit -2**

**Table 1**  
**Seasonal Rates**

<i>Seasonal</i>	<i>Slip Size</i>	<i>30</i>	<i>40</i>	<i>45</i>	<i>50</i>	<i>55</i>	<i>60</i>	<i>70</i>	<i>80</i>	<i>90</i>
<i>Bluffs Marina - 50' min.</i>		\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00
<i>Loggerhead P.B.Gardens</i>		\$ 21.00	\$ 24.00	\$ 24.00	\$ 27.00	\$ 27.00	\$ 27.00	\$ 28.00	\$ 28.00	\$ 33.00
<i>PGA/Soverel Harbor</i>		\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00
	<i>Wharf/Linear up to 65</i>									
	<i>Wharf/Linear over 65</i>									
	<i>Dry Stack/In or Out</i>									
			\$ 39.63	\$ 39.56	\$ 39.60	\$ 39.54	\$ 39.58	\$ 44.14	\$ 53.25	\$ 53.22
<i>North Palm Beach Marina - 45'min.</i>		\$ 36.83		\$ 41.56	\$ 41.60	\$ 41.54	\$ 41.58	\$ 46.36	\$ 55.94	\$ 55.89
<i>Old Port Cove Marina - 30' min</i>		\$ 20.83	\$ 21.00				\$ 21.35			
<i>New Port Cove Marine Center - 30' min.</i>		\$ 23.25								
	<i>Floating Docks</i>	\$ 22.53								
	<i>Dry Stack - Inside</i>	\$ 18.50								
	<i>Dry Stack - Outside</i>									
<i>Loggerhead Riviera Beach - Drystack</i>		\$ 28.72								
<i>Riviera Beach Marina - 32' min.</i>		\$ 26.13	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50
	<i>Commercial</i>									
<i>Cannon Sport</i>		Non Responsive								
<i>Sailfish Marina</i>	<i>Quoted Rates</i>			\$ 34.51		\$ 40.81		\$ 56.57		
	<i>Commercial</i>									
<i>Palm Harbor Marina -50' min.</i>		\$ 83.00	\$ 62.25	\$ 55.33	\$ 49.80	\$ 50.07	\$ 49.80	\$ 53.54	\$ 53.10	\$ 55.21
<i>P.B. Town Docks -50'</i>										
<i>Lake Park Harbor Marina</i>		\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00
	<i>Commercial</i>	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00

**Exhibit - 2**

Table 2

Winter Monthly Rates

Winter Monthly		30	40	45	50	55	60	70	80	90
Slip Size										
Bluffs Marina - 50' min.		\$ 26.00	\$ 26.00	\$ 26.00	\$ 26.00	\$ 26.00	\$ 26.00	\$ 26.00	\$ 26.00	\$ 26.00
Loggerhead P.B.Gardens		\$ 24.50	\$ 27.00	\$ 27.00	\$ 30.00	\$ 30.00	\$ 30.00	\$ 32.00	\$ 32.00	\$ 37.00
PGA/Soverel Harbor		\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00
	Wharf/Linear up to 65	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00
	Wharf/Linear over 65	\$ 29.00	\$ 29.00	\$ 29.00	\$ 29.00	\$ 29.00	\$ 29.00	\$ 29.00	\$ 29.00	\$ 29.00
	Dry Stack/In or Out	\$ 23.67								
North Palm Beach Marina - 45' min.			\$ 45.63	\$ 45.56	\$ 45.60	\$ 45.54	\$ 45.58	\$ 50.79	\$ 61.25	\$ 61.22
Old Port Cove Marina - 30' min.		\$ 42.50		\$ 47.77	\$ 46.58	\$ 47.81	\$ 47.83	\$ 53.36	\$ 64.38	\$ 64.27
New Port Cove Marine Center - 30' min.		\$ 24.67	\$ 24.88	\$ 25.22			\$ 25.50			
	Floating Docks		\$ 27.30							
	Dry Stack - Inside									
	Dry Stack - Outside	\$ 28.72								
Loggerhead Riviera Beach - Drystack		\$ 26.13	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50	\$ 24.50
Riviera Beach Marina -32' min. Commercial		\$ 20.48	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20	\$ 19.20
Cannon Sport		Non responsive								
Sailfish Marina Commercial	Quoted Rates			\$ 42.40		\$ 48.18		\$ 58.30		
Palm Harbor Marina - 50' min.		\$ 105.00	\$ 78.75	\$ 70.00	\$ 63.00	\$ 63.88	\$ 63.00	\$ 65.40	\$ 64.50	\$ 66.31
P.B. Town Docks - 50' min.		\$ 105.00	\$ 78.75	\$ 70.00	\$ 63.00	\$ 63.88	\$ 63.00	\$ 73.71	\$ 64.50	\$ 73.68
Lake Park Harbor Marina Commercial		\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00
		\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00	\$ 24.00

**Exhibit - 2**

Table 3

Daily/Transient Rates

Daily/Transient - per foot per day Slip Size	30	40	45	50	55	60	70	80	90
<i>Bluffs Marina</i>	Non Responsive								
<i>Loggerhead P.B.Gardens</i>	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00
<i>PGA/Soverel Harbor</i>	Not Responsive								
<i>North Palm Beach Marina</i>	Not Published								
<i>Old Port Cove Marina</i>	Not Published								
<i>New Port Cove Marine Center - 30' min.</i>	\$ 1.75	\$ 1.75	\$ 1.75	\$ 1.75	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00
<i>Loggerhead Riviera Beach - Drystack</i>	N/A								
<i>Riviera Beach Marina -32' min. Commercial</i>	\$ 1.75	\$ 1.75	\$ 1.75	\$ 1.75	\$ 1.75	\$ 1.75	\$ 1.75	\$ 1.75	\$ 1.75
<i>Cannon Sport</i>	Non Responsive								
<i>Sailfish Marina 30' min. Commercial</i>	\$ 2.25	\$ 2.75	\$ 2.75	\$ 2.75	\$ 2.75	\$ 2.75	\$ 2.75	\$ 3.25	\$ 3.25
<i>Palm Harbor Marina 50' min.</i>	\$ 4.75	\$ 3.56	\$ 3.17	\$ 2.85	\$ 2.85	\$ 2.85	\$ 3.10	\$ 3.10	\$ 3.10
<i>P.B. Town Docks - 50' min.</i>	\$ 5.08	\$ 3.81	\$ 3.39	\$ 3.05	\$ 3.05	\$ 3.05	\$ 3.51	\$ 3.07	\$ 3.54
<i>Lake Park Harbor Marina Commercial</i>	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00	\$ 2.00

**Exhibit-3**  
Utility Rates

<b>Utilities</b>					
<b>Bluffs Marina</b>					
<i>Metered and billed through FPL</i>					
<b>Loggerhead P.B.Gardens</b>					
	<i>Minimum Utility rate/month</i>	\$	75.00		
	<i>30 amp per month/cord</i>	\$	80.00		
	<i>50 Amp/month/cord</i>	\$	115.00		
	<i>100 Amp/metered</i>				
	<i>Transient/Daily</i>				
	<i>30 amp</i>	\$	10.00		
	<i>50 amp</i>	\$	13.00		
<b>Sailfish Marina</b>					
	<i>Minimum</i>				
	<i>30 amp per month/cord</i>	\$	110.00		
	<i>50 Amp/month/cord</i>	\$	160.00		
	<i>100 Amp/month</i>	\$	220.00		
	<i>Transient/Daily</i>				
	<i>30 amp</i>	\$	15.00		
	<i>50 amp</i>	\$	17.00		
	<i>100 amp</i>	\$	20.00		
<b>Palm Harbor Marina</b>					
	<i>30 amp per month/cord</i>	\$	125.00		
	<i>50 amp per cord /month</i>	\$	200.00		
	<i>2 x 50 amp per cord/month</i>	\$	400.00		
	<i>100 amp Single Ph per cord/month</i>	\$	700.00		
	<i>Transient/Daily</i>				
	<i>30 amp</i>	\$	15.00		
	<i>50 amp</i>	\$	25.00		
	<i>2 x 50 amp</i>	\$	35.00		
	<i>100 amp</i>	\$	35.00		
<b>Utilities</b>					
<b>P.B. Town Docks</b>					
	<i>100 Amps included in Dockage</i>				
	<i>Additional 100 Amp Single PH /ft/day</i>	\$	0.25		
	<i>Additional 100 Amp 3-PH</i>	\$	0.40		
<b>North Palm Beach Marina + Old Port Cove Marina + New Port Cove Marine Center</b>					
	<i>Up to 40' Per ft./month</i>	\$	2.75	@	
	<i>41' to 49' "</i>	\$	3.20	41	\$ 82.50
	<i>50' to 59' "</i>	\$	3.50	50	\$ 131.20
	<i>60 to 69 "</i>	\$	6.50	50	\$ 175.00
	<i>70 to 79 "</i>	\$	6.70	60	\$ 390.00
	<i>80 to 100 "</i>	\$	6.90	70	\$ 469.00
	<i>80</i>	\$	6.90	80	\$ 552.00
	<i>Transient/Daily</i>				
	<i>See above</i>				
<b>Riviera Beach Marina</b>					
	<i>Up to 60' flat utility + metered .11kwh</i>	\$	40.00		
	<i>60' to 100' flat utlity + metered .11kwh</i>	\$	65.00		
	<i>Transient/Daily</i>				
	<i>30 amp</i>	\$	15.00		
	<i>50 amp</i>	\$	19.50		
	<i>100amp</i>	\$	30.00		
<b>Lake Park Harbor</b>					
	<i>Flat Utility + metered .11kwh</i>	\$	30.00		
	<i>Transient/Daily</i>				
	<i>30 amp</i>	\$	6.00		
	<i>50 amp</i>	\$	8.00		
	<i>100amp</i>	\$	-		
<b>Cannon Sport</b>					
			Not responsive		
<b>PGA/Soverel Harbor</b>					
			Not responsive		

## **Exhibit – 4**

### **Brief Explanation**

#### **S.W.O.T.**

##### **Strengths:**

1. **Quaint and attractive Facility.** Lake Park Marina is a small and attractive place. It has a park like feel, attractive landscaping and ample open greenspace. It is unique in that respect and can be sold as such.
2. **Ample and close parking.** Parking is important to a marina tenant. In most cases, tenants are able to park near their boat. This is a desired feature.
3. **Floating docks:** Floating docks are preferred by most boaters. They provide consistent boarding and mooring conditions. Almost all of the newly redeveloped marinas in Lake Park's market area have installed floating dock systems.
4. **Launch Ramp:** The ramp is an onsite "extra" which tenants can avail themselves to. An onsite launch ramp makes Lake Park unique.
5. **Near a safe inlet:** Lake Park Marina is the 4th closest marina to Palm Beach inlet. Palm Beach Inlet is considered the safest in Palm Beach County while others warn of a local knowledge requirement. Our proximity to it is a strength.

##### **Weaknesses:**

1. **Long distance from the Intra Coastal Waterway Channel (ICW).** It is difficult to attract traffic for fuel and store sales. Boaters want convenience. Competing with facilities with fuel docks on the ICW is a challenge. Signage is difficult to place and expensive to maintain.
2. **Wave action in marina basin:** The basin is very susceptible to wave action from vessel traffic or weather. It can be unsafe and uncomfortable to some while aboard their vessel. The wave action also negatively effects the launch ramp. All competing marinas surveyed, are located in areas of slow speed or have enclosed basins.
3. **Abundance of small fixed docks:** As stated floating docks are preferred by most boaters.
4. **Lack of expandability:** The marina's current layout prevents expansion to add slips, or to increase billable dock space within the existing footprint. Expansion can only take place to the east. Difficult challenges exist financially and environmentally.

##### **Opportunities:**

1. **Market Differentiation:** Installing boat lifts in the slips which have proven to be most challenging and competitive to fill can transform them into the most desirable in the market area by adding a very unique element to the marina. **Monthly Storage at launch ramp lot(s):** Providing monthly boat-on-trailer storage at the ramp further differentiates Lake Park's ramp facilities from any other in Palm Beach County. Both attract fuel customers.
2. **Staffed launch ramp with sundries on site:** Staffed ramps are unique and create a more pleasurable trailering experience.
3. **Launch ramp passes and parking app:** The addition of annual ramp pass opportunities and a parking app similar to area ramps add convenience and add controls.

##### **Threats:**

1. **Notion of change:** Change of thinking is needed to differentiate Lake Park. Is the Marina a park or profit center?
2. **Market adaptability:** Ability to change quickly and decisively to market changes. "Give them what they want"
3. **Rate trap:** Existing customer bases potential intolerance for rate increases – Riviera Beach with vacancy and low rates.
4. **Local discount marine store:** An onsite store is not a large profit center, but an amenity. It cannot compete with large stores nearby like West Marine and Boat Owner's Warehouse. Inventory sits for long periods, cannot command retail prices and ties up cash.
5. **Private sector marinas discount published rates.**

**RESOLUTION NO. 12-03-16**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA ADOPTING THE LAKE PARK HARBOR MARINA MARKET STUDY AND BUSINESS PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park, Florida (hereinafter "Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, staff has prepared the Lake Park Harbor Marina Market Study and Business Plan ("Business Plan") the purpose of which is to provide direction for the Town of Lake Park to develop a sustainable and profitable marine facility which will serve the boating public and provide the Town of Lake Park and its residents with a consistent financial contribution; and

**WHEREAS**, such Business Plan contains the following recommendations:

1. that the method for billing and recapturing electric fees be added to the existing flat rate utility fee - a change from the current metered rates, the flat utility rate is to be increased by \$40.00 per month for boats under 45 feet and increased by \$80 per month for 45 foot and longer boats;
2. that current dockage rates at the Lake Park Harbor Marina be increased only for winter month-to-month rentals for commercial vessels from \$20.00 per foot to \$24.00 per foot;
3. that the daily launch fees at the Lake Park Harbor Marina be revised to provide for an annual launch fee in the amount of \$150.00 per year; and

**WHEREAS**, the Town Commission of the Town of Lake Park has reviewed the provisions of the Business Plan and has determined that it is in the best interest of the Town to adopt the Business Plan, including the recommended fee structure, in its entirety.

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

**Section 1.** The whereas clauses are true and correct and are incorporated herein.

**Section 2.** The Town Commission hereby adopts the Lake Park Harbor Marina Market Study and Business Plan, a copy of which is attached hereto and incorporated herein as **Exhibit A.**

**Section 3.** This Resolution shall become effective immediately upon adoption.

# TAB 6



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: March 16, 2016

Agenda Item No. *Tab 6*

Agenda Title: Non-Ad Valorem Assessment Charge to the Town by Palm Beach County Information System Services

- SPECIAL PRESENTATION/REPORTS     CONSENT AGENDA  
 BOARD APPOINTMENT     OLD BUSINESS  
 PUBLIC HEARING ORDINANCE ON \_\_\_\_\_ READING  
 NEW BUSINESS  
 OTHER: \_\_\_\_\_

Approved by Town Manager *J. D'Agostino* Date: 3-3-16

John O. D'Agostino, Town Manager

Name/Title

<p><b>Originating Department:</b>  Town Manager</p>	<p>Costs: \$770.00 Funding Source: General Fund Acct. # <input type="checkbox"/> Finance _____</p>	<p><b>Attachments:</b></p> <ul style="list-style-type: none"> <li>• Non-Ad Valorem Assessment Support Services Contract.</li> <li>• Notification Letter by Steve Bordelon.</li> <li>• Inter-Local Agreement for Assignment of Property data and Development of Annual Assessments for Palm Beach County Non-Ad Valorem Districts.</li> <li>• Exhibit A</li> </ul>
<p><b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required</p>	<p>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.</p>	<p>Yes I have notified everyone _____ OR Not applicable in this case _JOD_  <b>Please initial one.</b></p>

**Summary Explanation/Background:** The County on the October 27<sup>th</sup>, 2015 notified the Town of Non-Ad Valorem processing fees that will be assessed to the Town. Those fees are broken down into 10 categories based on assessment ranges. If the Town's assessments remain the same as last year, the Town will incur an estimated processing fee of \$770.00. Prior to the notification, the County processed Non-Ad Valorem tax bills free of charge to local communities. If assessments for the Non-Ad Valorem entities increase, the processing fee will increase correspondingly.

The Town is required to enter into an Inter-local Agreement for Assignment of Property Data and Development of Annual Assessments for Palm Beach County Non-Ad-Valorem Tax Districts.

The signed documents are due to the County by April 30, 2016.

**Recommended Motion:** Motion to approve the Inter-Local Agreement between the Town of Lake Park and Palm Beach County Information System Services and to further authorize the Mayor to sign the Agreement.



**Information Systems Services**

301 N. Olive Avenue, 8th Floor  
West Palm Beach, FL 33401  
(561) 355-2823  
FAX: (561) 355-3482 (8th Floor)  
FAX: (561) 355-4120 (4th Floor)  
  
www.pbcgov.com



**Palm Beach County  
Board of County  
Commissioners**

Shelley Vana, Mayor

Mary Lou Berger, Vice Mayor

Hal R. Valeche

Paulette Burdick

Steven L. Abrams

Melissa McKinlay

Priscilla A. Taylor

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

Official Electronic Letterhead

October 27, 2015

Mr. Blake Rane  
Finance Director  
Town of Lake Park  
535 Park Avenue  
Lake Park, FL 33403

**RE: Interlocal Agreement for Services Provided by Information  
Systems Services**

Dear Mr. Rane:

Each year, Palm Beach County's Information Systems Services (ISS) Department provides services to numerous Non-Ad Valorem (NAV) agencies by supplying their applicable property and tax data to the Property Appraiser (PA) and Tax Collector (TC). These "Assessment Services" provided by ISS are referenced in the Data Sharing Agreement which each NAV agency has entered into with the Property Appraiser. This agreement further states that ISS may enter into a separate agreement with the NAV agency.

ISS currently provides service to 59 NAV agencies in processing their annual NAV assessments. These services are provided without any formal agreement and at no cost to the agencies. We will continue to provide Tax Assessment services and support to NAV agencies, but can no longer do so without recovering our costs. The types of services that we provide are not covered under any statutory commissions or fees applicable to the Tax Collector or Property Appraiser.

ISS and its predecessor organization, Automated Information Management (AIM), has always provided the IT support services needed to interface NAV agency data with both the Property Appraiser's and Tax Collector's systems. However, for many years, these services have been provided by ISS at no cost to the NAV agencies. Inasmuch as the ISS Department is a component of the County's general fund supported by countywide ad valorem tax dollars, we are required to recover the costs of services provided to external parties, such as NAV agencies.

Therefore, to establish a more formal business partnership between our organizations, including service fees, ISS has prepared the following documents for your review:

LETTER to: Town of Lake Park  
RE: Proposed Interlocal Agreement for ISS Services  
October 27, 2015  
Page Two

- Description of services to be provided by ISS, including a fee structure
- Proposed interlocal agreement between ISS and the NAV Agency

The above referenced documents were approved by the PBC Board of County Commissioners on June 23, 2015.

In order for ISS to continue providing the level of support required to produce the data for your NAV district, a formal interlocal agreement between our organizations is required to delineate our respective responsibilities and establish a fee amount. ISS realizes that some NAVs may choose to explore other options for obtaining these services, in which case ISS would assist with the transition. Please be assured that ISS will work with each agency that has previously used our services to assure there is no disruption during the 2016 tax notice and billing cycle.

Please forward any questions or comments regarding this agreement at your earliest convenience so that we may formalize an agreement prior to the beginning of the 2016 tax cycle. Our contact person is Andrea Lemer who can be reached by email at [Alemer@pbcgov.org](mailto:Alemer@pbcgov.org) or by telephone at (561) 355-6896.

Your assistance in this regard would be greatly appreciated.

Thank you.



Steve Bordelon  
Director, Information Systems Services

Attachments:

Classification of 2015 / 2016 Tier Level; ISS Services  
Exhibit "A", "ISS Non-Ad Valorem Assessment Support Services"  
Interlocal Agreement, "Assignment of Data and Annual Assessment Services"

cc: Verdenia Baker, County Administrator



**Information Systems Services**

301 N. Olive Avenue, 8th Floor  
West Palm Beach, FL 33401  
(561) 355-2823

FAX: (561) 355-3482 (8th Floor)  
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**Palm Beach County  
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Priscilla A. Taylor

**County Administrator**

Verdenia C. Baker

October 27, 2015

Mr. Blake Rane  
Finance Director  
Town of Lake Park  
535 Park Avenue  
Lake Park, FL 33403

Dear Mr. Rane:

A review of your Non Ad Valorem assessment for tax year 2015 determined that the Town of Lake Park assessed \$517,417 for 2015.

If you assess a similar amount for tax year 2016, it will place the Town of Lake Park in the Tier 4 category referenced in Exhibit A of this agreement. This Tier is applicable to organizations with assessments greater than (>) \$300,000 and less than or equal to (<=) \$550,000. The ISS processing fee for Tier 4 organizations is \$770.

Should you have any questions, please contact me by email at [Alemer@pbcgov.org](mailto:Alemer@pbcgov.org) or by telephone at (561) 355-6896.

Thank you.

A handwritten signature in cursive script that reads "Andrea Lemer".

Andrea Lemer

Analyst Programmer, Information Systems Services

"An Equal Opportunity  
Affirmative Action Employer"

Official Electronic Letterhead

# EXHIBIT A

## PALM BEACH COUNTY INFORMATION SYSTEMS SERVICES Non-Ad Valorem Assessment Support Services

The purpose of this Exhibit is to identify the roles and responsibilities of the Palm Beach County ("County") and \_\_\_\_\_ ("Local Government") in carrying out the terms of the Agreement regarding Non-Ad Valorem (NAV) Assessment Support Services. This Exhibit delineates the services to be provided by County through the Information System Services Department ("ISS"), and describes the associated costs and payment requirements.

### **Section A: Annual Planning and Exhibit Review**

There will be an annual review of this Exhibit to ensure all parties are satisfied with services rendered to date and to determine whether any amendments are required.

### **Section B: Description of Services**

#### **A. Baseline services from the County for Non-Ad Valorem Assessment Support Services will include:**

1. Loading of the Local Government's data (Property Control Numbers) provided by the Property Appraiser's office for the generation of the Notice of Proposed Property Taxes in August.
2. Provide one (1) set of reports and/or data files based on the data received from the Property Appraiser's Office in May utilizing the existing calculation rates on file from the prior year's Actual Property Taxes.
3. Provide additional set of reports and/or data files using the new and or approved calculation rates provided by the Local Government for the Notice of Proposed Property Taxes.
4. Loading of the Local Government's data (Property Control Numbers) provided by the Property Appraiser's Office for the generation of the Tax Collector's Actual Property Taxes in October.
5. Provide one (1) set of reports and/or data files based on the data received from the Property Appraiser office in August utilizing the existing calculation rates used on the Notice of Proposed Property Taxes.

6. Provide additional set of reports and/or data files using the new and/or approved calculation rates provided by the Local Government for the Tax Collector's Actual Property Taxes at the rate of \$125.00 per hour.

**Section C: Fees for Non-Ad Valorem Assessment Services**

<b>Tiers</b>	<b>Assessment Ranges</b>	<b>Fee</b>
1	≤\$50,000	\$150
2	>\$50,000 to ≤\$150,000	\$210
3	>\$150,000 to ≤\$300,000	\$420
4	>\$300,000 to ≤\$550,000	\$770
5	>\$550,000 to ≤\$800,000	\$1,120
6	>\$800,000 to ≤\$1,100,000	\$1,540
7	> \$1,100,000 to ≤\$1,450,000	\$2,030
8	> \$1,450,000 to ≤\$1,850,000	\$2,630
9	> \$1,850,000 to ≤\$2,300,000	\$3,220
10	> \$2,300,000	\$3,850

**Section D: Billing and Payment**

The County shall submit annual invoices to the Local Government which shall include a reference to this Agreement and identify the amount due and payable to the County. Payment will be made in accordance with the Local Government Prompt Payment Act, as amended, which also establishes a process and remedies for non-compliance.

**Section E: Annual Review of Fees**

The County reserves the right to review the fees included in this Exhibit on an annual basis and make appropriate rate adjustments. Should an adjustment be warranted, sixty (60) days notice will be provided. Any such rate adjustments shall be reduced to writing via an Amendment to be executed by all parties.

**Interlocal Agreement for Assignment of Property Data and Development of  
Annual Assessments for Palm Beach County Non-Ad Valorem Districts**

THIS Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between \_\_\_\_\_ ("Local Government") and Palm Beach County Board of County Commissioners ("County"), a political subdivision of the State of Florida.

**WITNESSETH THAT:**

**WHEREAS**, the parties desire to enter into this Agreement covering the provision of Information Technology services by the County for the Local Government in order to certify its non-ad valorem assessment roll to the Property Appraiser for the Notice of Proposed Property Taxes and to the Tax Collector for the Actual Property Tax Notices;

**NOW, THEREFORE**, in consideration of the mutual promises and agreements contained herein the County and the Local Government agree as follows:

1. The above representations are true and correct.
2. The Local Government agrees that County, through its Information Systems Services Department ("ISS") will take compatible electronic medium from the Property Appraiser on June 1<sup>st</sup> of each year pursuant to the provisions of Section 197.3632 (3) (b), Florida Statutes.
3. The term of this Agreement, unless terminated as provided herein, is for a period of one (1) year. This Agreement shall automatically renew annually unless either party gives written notice as provided in 9 below. The effective date of the Agreement is the date of approval by County and filing with the Clerk of the Circuit Court for Palm Beach County.
4. In addition Local Government agrees that County will take said compatible electronic medium from the Property Appraiser, prior to September 15 of each year's

**Agreement with Palm Beach County and the Local Government**  
**Re: Palm Beach County Information System Services**

certification date, which will include the same information as the June 1<sup>st</sup> electronic medium plus the changes made thereto since June 1<sup>st</sup>.

5. Local Government further agrees to provide County, with all the information and assistance reasonably necessary to complete the data processing required to certify Local Government's non-ad valorem assessment roll to the Tax Collector and provide the non-ad valorem assessments to the Property Appraiser for the Notice of Proposed Property Taxes on compatible electronic medium.
6. Local Government agrees to provide final approval to County no later than July 28<sup>th</sup> for the Notice of Proposed Property Taxes and September 12<sup>th</sup> for the Actual Property Tax Notices. Should the above date fall upon a holiday, Saturday or Sunday, Local Government will agree to provide final approval by the last business day prior to the holiday, Saturday or Sunday. If the approval is not received by 5:00 p.m. on the appropriate date, Local Government agrees it will take the necessary actions, at its sole expense, to notify its non-ad valorem parcel owners of the Notice of Proposed Property Taxes and/or Actual Property Tax Notices for that year.
7. The Local Government further agrees to reimburse County for all costs incurred in producing the non-ad valorem assessment roll for Local Government described in the attached Exhibit A. Payment shall be made to County within 45 days, following receipt of its invoices.
8. The parties recognize that County will be processing several non-ad valorem assessment rolls for various local governments at the same time and Local Government agrees to provide timely information and assistance as may be required by County during the certification process; including, if necessary, personnel on location in County offices to verify the calculations being made by the computer.
9. This Agreement shall be automatically extended hereafter, from year-to-year, unless and until terminated by either of the parties. This Agreement may be terminated at any time by Local Government upon 60 day written notice to County or by County upon written 60 day written notice to Local Government; however, notice given by

**Agreement with Palm Beach County and the Local Government**  
**Re: Palm Beach County Information System Services**

either party after January 1<sup>st</sup> and prior to October 1<sup>st</sup>, shall be effective only following completion of the certification of that year's non-ad valorem tax roll.

10. Local Government shall, at its sole expense, agree to maintain in full force and effect at all times during the life of this Agreement, insurance coverages and limits (including endorsements), as described herein. Local Government shall agree to provide County with at least ten (10) day prior notice of any cancellation, non-renewal or material change to the insurance coverages. The requirements contained herein, as well as County's review or acceptance of insurance maintained by Local Government are not intended to and shall not in any manner limit or qualify the liabilities and obligations assumed by Local Government under the Agreement.

**Commercial General Liability** Local Government shall maintain Commercial General Liability at a limit of liability not less than **\$500,000** Each Occurrence. Coverage shall not contain any endorsement excluding Contractual Liability or Cross Liability unless granted in writing by County's Risk Management Department. Local Government shall provide this coverage on a primary basis.

**Business Automobile Liability** Local Government shall maintain Business Automobile Liability at a limit of liability not less than **\$500,000** Each Accident for all owned, non-owned and hired automobiles. In the event Local Government doesn't own any automobiles, the Business Auto Liability requirement shall be amended allowing Local Government to agree to maintain only Hired & Non-Owned Auto Liability. This amended requirement may be satisfied by way of endorsement to the Commercial General Liability, or separate Business Auto coverage form. Local Government shall provide this coverage on a primary basis.

**Worker's Compensation Insurance & Employers Liability** Local Government shall maintain Worker's Compensation & Employers Liability in accordance with Florida Statute Chapter 440. Local Government shall provide this coverage on a primary basis.

**Professional Liability** Local Government shall maintain Professional Liability or equivalent Errors & Omissions Liability at a limit of liability not less than

**Agreement with Palm Beach County and the Local Government**  
**Re: Palm Beach County Information System Services**

**\$1,000,000** Each Claim. When a self-insured retention (SIR) or deductible exceeds **\$10,000**, County reserves the right, but not the obligation, to review and request a copy of Local Government's most recent annual report or audited financial statement. For policies written on a "Claims-Made" basis, Local Government shall maintain a Retroactive Date prior to or equal to the effective date of this Agreement. The Certificate of Insurance providing evidence of the purchase of this coverage shall clearly indicate whether coverage is provided on an "occurrence" or "claims - made" form. If coverage is provided on a "claims - made" form the Certificate of Insurance must also clearly indicate the "retroactive date" of coverage. In the event the policy is canceled, non-renewed, switched to an Occurrence Form, retroactive date advanced, or any other event triggering the right to purchase a Supplement Extended Reporting Period (SERP) during the life of this Agreement, Local Government shall purchase a SERP with a minimum reporting period not less than 3 years. Local Government shall provide this coverage on a primary basis.

**Additional Insured** Local Government shall endorse the County as an Additional Insured with a CG 2026 Additional Insured - Designated Person or Organization endorsement, or its equivalent, to the Commercial General Liability. The Additional Insured endorsement shall read "Palm Beach County Board of County Commissioners, a Political Subdivision of the State of Florida, its Officers, Employees and Agents." Local Government shall provide the Additional Insured endorsements coverage on a primary basis and with proof of insurance prior to execution.

11. This Agreement shall be governed by the laws of the State of Florida. Any legal action necessary to enforce the Agreement will be held in Palm Beach County. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity, by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

**Agreement with Palm Beach County and the Local Government**  
**Re: Palm Beach County Information System Services**

12. No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employees of County and/or Local Government.
13. **Waiver of Subrogation** Local Government hereby waives any and all rights of Subrogation against County, its officers, employees and agents for each required policy. When required by the insurer, or should a policy condition not permit an insured to enter into a pre-loss Agreement to waive subrogation without an endorsement to the policy, then Local Government shall agree to notify the insurer and request the policy be endorsed with a Waiver of Transfer of rights of Recovery Against Others, or its equivalent. This Waiver of Subrogation requirement shall not apply to any policy, which specifically prohibits such an endorsement, or which voids coverage should Local Government enter into such an Agreement on a pre-loss basis.
14. **Notice** Any notice, request, instruction, demand, consent, or other communication required or permitted to be given under this Agreement shall be in writing and shall be delivered by certified mail, postage prepaid, and certified return receipt requested to the following addresses or such other addresses as the parties may provide to each other in writing:

If sent to the County:

Steve Bordelon, Information Systems Services Director  
301 N. Olive Avenue, 8<sup>th</sup> floor  
West Palm Beach, FL 33401  
(Telephone: 561-355-2394)

With copy to:

County Attorney's Office  
Palm Beach County Board of County Commissioners

**Agreement with Palm Beach County and the Local Government  
Re: Palm Beach County Information System Services**

301 N. Olive Avenue, Suite 601  
West Palm Beach, FL 33401  
(Telephone: 561-355-2225)

If sent to the Local Government shall be sent to:

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15. County and Local Government agree each will do any and everything reasonably necessary to accurately produce Local Government's non-ad valorem assessment roll. Local Government recognizes that problems may arise in spite of efforts by County, and County shall not be held liable as a result of its processing of Local Government's non-ad valorem assessment roll. In the event of any claim or litigation arising hereunder, Local Government will cooperate in the defense thereof and will reimburse County for all costs incurred in connection therewith, including reasonable attorney's fees (through appeal) whether suit is brought or not, except as to litigation arising hereunder between the parties.
  
16. Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of Local Government, its officers, agents, employees, and lobbyists in compliance with contract requirements and detect corruption and fraud.

**Agreement with Palm Beach County and the Local Government**  
**Re: Palm Beach County Information System Services**

17. Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.
  
18. The County's performance and obligation to pay under this Agreement for subsequent fiscal years are contingent upon annual appropriations for its purpose by the Board of County Commissioners.
  
19. Local Government shall protect, defend, reimburse, indemnify and hold County, its agents, employees and elected officers harmless from and against all claims, liability, expense, loss, cost, damages or causes of action of every kind or character, including attorney's fees and costs, whether at trial or appellate levels or otherwise, arising during and as a result of their performance of the terms of this Agreement or due to the acts or omissions of County
  
20. Local Government warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity and expression, or genetic information.
  
21. Local Government has submitted to County a copy of its non-discrimination policy which is consistent with the above paragraph, as contained in Resolution R-2014-1421, as amended, or in the alternative, if Local Government does not have a written non-discrimination policy or one that conforms to County's policy, it has acknowledged through a signed statement provided to County that Local Government will conform to County's non-discrimination policy as provided in R-2014-1421, as amended.

**Agreement with Palm Beach County and the Local Government  
Re: Palm Beach County Information System Services**

**IN WITNESS WHEREOF**, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Agreement on behalf of County and Local Government has hereunto set its hand the day and year above written.

**PALM BEACH COUNTY**

**BOARD OF COUNTY COMMISSIONERS:**

**By:** \_\_\_\_\_

**Steve Bordelon, PBC ISS**

**Local Government:**

**Name**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Typed Name**

\_\_\_\_\_  
**Title**

**WITNESS:**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Typed Name**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**By** \_\_\_\_\_

**County Attorney**

**APPROVED AS TO  
TERMS AND  
CONDITIONS**

**By** \_\_\_\_\_

**Department Director**

FEB 11 2016

Office of Town Manager  
TOWN OF LAKE PARK

February 9, 2016

**Information Systems Services**

301 N. Olive Avenue, 8th Floor  
West Palm Beach, FL 33401  
(561) 355-2823

FAX: (561) 355-3482 (8th Floor)  
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www.pbcgov.com



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**County Administrator**

Verdenia C. Baker

Mr. Blake Rane  
Finance Director  
Town of Lake Park  
535 Park Avenue  
Lake Park, FL 33403

**RE: Interlocal Agreement for Services Provided by Information  
Systems Services**

Dear ~~Mr. Rane~~: John:

For many months, the Palm Beach County Information Systems Services (ISS) Department has been working with representatives of the Non-Ad Valorem Districts and our County Attorney's Office to establish an Interlocal Agreement that is acceptable to all parties.

On February 9, 2016, the attached Interlocal Agreement document was approved by the Board of County Commissioners. ISS services under this agreement are hereby offered as an option for your Non Ad Valorem District.

Should you choose to execute this service agreement with ISS, please sign and return the attached documents to ISS prior to April 30, 2016. If your organization does not have a Board of Director's meeting scheduled before this date, please contact Andrea Lemer by e-mail ([alemer@pbcgov.org](mailto:alemer@pbcgov.org)) to advise her of this circumstance. Please be assured that under such circumstances ISS will continue to work with your District while provisions are being made to present this agreement to your Board of Directors for their review and approval.

Sincerely,

*Steve Bordelon*

Steve Bordelon  
Director, Information Systems Services

c: Verdenia Baker, County Administrator  
Andrea Lemer, ISS Analyst Programmer

**Interlocal Agreement for Assignment of Property Data and Development of  
Annual Assessments for Palm Beach County Non-Ad Valorem Districts**

THIS Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between \_\_\_\_\_ ("Local Government") and Palm Beach County Board of County Commissioners ("County"), a political subdivision of the State of Florida.

**WITNESSETH THAT:**

**WHEREAS**, the parties desire to enter into this Agreement covering the provision of Information Technology services by the County for the Local Government in order to certify its non-ad valorem assessment roll to the Property Appraiser for the Notice of Proposed Property Taxes and to the Tax Collector for the Actual Property Tax Notices;

**NOW, THEREFORE**, in consideration of the mutual promises and agreements contained herein the County and the Local Government agree as follows:

1. The above representations are true and correct.
  
2. The Local Government agrees that County, through its Information Systems Services Department ("ISS") will take compatible electronic medium from the Property Appraiser on June 1<sup>st</sup> of each year pursuant to the provisions of Section 197.3632 (3) (b), Florida Statutes.
  
3. The term of this Agreement, unless terminated as provided herein, is for a period of one (1) year. This Agreement shall automatically renew annually unless either party gives written notice as provided in 9 below. The effective date of the Agreement is the date of approval by County and filing with the Clerk of the Circuit Court for Palm Beach County.
  
4. In addition Local Government agrees that County will take said compatible electronic medium from the Property Appraiser, prior to September 15 of each year's

**Agreement with Palm Beach County and the Local Government  
Re: Palm Beach County Information Systems Services**

certification date, which will include the same information as the June 1<sup>st</sup> electronic medium plus the changes made thereto since June 1<sup>st</sup>.

5. Local Government further agrees to provide County, with all the information and assistance reasonably necessary to complete the data processing required to certify Local Government's non-ad valorem assessment roll to the Tax Collector and provide the non-ad valorem assessments to the Property Appraiser for the Notice of Proposed Property Taxes on compatible electronic medium.
6. Local Government agrees to provide final approval to County no later than July 28<sup>th</sup> for the Notice of Proposed Property Taxes and September 12<sup>th</sup> for the Actual Property Tax Notices. Should the above date fall upon a holiday, Saturday or Sunday, Local Government will agree to provide final approval by the last business day prior to the holiday, Saturday or Sunday. If the approval is not received by 5:00 p.m. on the appropriate date, Local Government agrees it will take the necessary actions, at its sole expense, to notify its non-ad valorem parcel owners of the Notice of Proposed Property Taxes and/or Actual Property Tax Notices for that year.
7. The Local Government further agrees to reimburse County for all costs incurred in producing the non-ad valorem assessment roll for Local Government described in the attached Exhibit 1. Payment shall be made to County within 45 days, following receipt of its invoices.
8. The parties recognize that County will be processing several non-ad valorem assessment rolls for various local governments at the same time and Local Government agrees to provide timely information and assistance as may be required by County during the certification process; including, if necessary, personnel on location in County offices to verify the calculations being made by the computer.
9. This Agreement shall be automatically extended hereafter, from year-to-year, unless and until terminated by either of the parties. This Agreement may be terminated at any time by Local Government upon 60 day written notice to County or by County upon written 60 day written notice to Local Government; however, notice given by

**Agreement with Palm Beach County and the Local Government  
Re: Palm Beach County Information Systems Services**

either party after January 1<sup>st</sup> and prior to October 1<sup>st</sup>, shall be effective only following completion of the certification of that year's non-ad valorem tax roll.

10. This Agreement shall be governed by the laws of the State of Florida. Any legal action necessary to enforce the Agreement will be held in Palm Beach County. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity, by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.
11. No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employees of County and/or Local Government.
12. **Notice** Any notice, request, instruction, demand, consent, or other communication required or permitted to be given under this Agreement shall be in writing and shall be delivered by certified mail, postage prepaid, and certified return receipt requested to the following addresses or such other addresses as the parties may provide to each other in writing:  
If sent to the County:

Steve Bordelon, Information Systems Services Director  
301 N. Olive Avenue, 8<sup>th</sup> floor  
West Palm Beach, FL 33401  
(Telephone: 561-355-2394)

With copy to:

County Attorney's Office  
Palm Beach County Board of County Commissioners  
301 N. Olive Avenue, Suite 601

**Agreement with Palm Beach County and the Local Government  
Re: Palm Beach County Information Systems Services**

West Palm Beach, FL 33401  
(Telephone: 561-355-2225)

If sent to the Local Government shall be sent to:

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13. County and Local Government agree each will do any and everything reasonably necessary to accurately produce Local Government's non-ad valorem assessment roll. Local Government recognizes that problems may arise in spite of efforts by County, and County shall not be held liable as a result of its processing of Local Government's non-ad valorem assessment roll.
  
14. Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of Local Government, its officers, agents, employees, and lobbyists in compliance with contract requirements and detect corruption and fraud in connection with the performance of this agreement.
  
15. Failure to cooperate with the Inspector General or interfering with or impeding any investigation in connection with the performance of this agreement shall be in violation of Palm Beach County Code, Section

**Agreement with Palm Beach County and the Local Government  
Re: Palm Beach County Information Systems Services**

2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

16. The County's performance and obligation to pay under this Agreement for subsequent fiscal years are contingent upon annual appropriations for its purpose by the Board of County Commissioners.

**Agreement with Palm Beach County and the Local Government  
Re: Palm Beach County Information Systems Services**

**IN WITNESS WHEREOF**, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Agreement on behalf of County and Local Government has hereunto set its hand the day and year above written.

**PALM BEACH COUNTY**

**BOARD OF COUNTY COMMISSIONERS:**

**By:** \_\_\_\_\_  
Steve Bordelon, PBC ISS

**Local Government:**

**Name**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Typed Name**

\_\_\_\_\_  
**Title**

**WITNESS:**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Typed Name**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**By** \_\_\_\_\_  
County Attorney

**APPROVED AS TO  
TERMS AND  
CONDITIONS**

**By** \_\_\_\_\_  
Steve Bordelon, Director, Information Systems Services

## **PALM BEACH COUNTY INFORMATION SYSTEMS SERVICES Non-Ad Valorem Assessment Support Services**

The purpose of this Exhibit is to identify the roles and responsibilities of the Palm Beach County ("County") and \_\_\_\_\_ ("Local Government") in carrying out the terms of the Agreement regarding Non-Ad Valorem (NAV) Assessment Support Services. This Exhibit delineates the services to be provided by County through the Information Systems Services Department ("ISS"), and describes the associated costs and payment requirements.

### **Section A: Annual Planning and Exhibit Review**

There will be an annual review of this Exhibit to ensure all parties are satisfied with services rendered to date and to determine whether any amendments are required.

### **Section B: Description of Services**

**Baseline services from the County for Non-Ad Valorem Assessment Support Services will include:**

1. Loading of the Local Government's data (Property Control Numbers) provided by the Property Appraiser's office for the generation of the Notice of Proposed Property Taxes in August.
2. Provide one (1) set of reports and/or data files based on the data received from the Property Appraiser's Office in May utilizing the existing calculation rates on file from the prior year's Actual Property Taxes.
3. Provide additional set of reports and/or data files using the new and or approved calculation rates provided by the Local Government for the Notice of Proposed Property Taxes.
4. Loading of the Local Government's data (Property Control Numbers) provided by the Property Appraiser's Office for the generation of the Tax Collector's Actual Property Taxes in October.
5. Provide one (1) set of reports and/or data files based on the data received from the Property Appraiser office in August utilizing the existing calculation rates used on the Notice of Proposed Property Taxes.

6. Provide additional set of reports and/or data files using the new and/or approved calculation rates provided by the Local Government for the Tax Collector's Actual Property Taxes.
7. Each additional set of reports not listed above will be provided at the rate of \$125.00 per hour.

**Section C: Fees for Non-Ad Valorem Assessment Services**

<b>Tiers</b>	<b>Assessment Ranges</b>	<b>Fee</b>
1	≤\$50,000	\$150
2	>\$50,000 to ≤\$150,000	\$210
3	>\$150,000 to ≤\$300,000	\$420
4	>\$300,000 to ≤\$550,000	\$770
5	>\$550,000 to ≤\$800,000	\$1,120
6	>\$800,000 to ≤\$1,100,000	\$1,540
7	> \$1,100,000 to ≤\$1,450,000	\$2,030
8	> \$1,450,000 to ≤\$1,850,000	\$2,630
9	> \$1,850,000 to ≤\$2,300,000	\$3,220
10	> \$2,300,000	\$3,850

**Section D: Billing and Payment**

The County shall submit annual invoices to the Local Government which shall include a reference to this Agreement and identify the amount due and payable to the County. Payment will be made in accordance with the Local Government Prompt Payment Act, as amended, which also establishes a process and remedies for non-compliance.

**Section E: Annual Review of Fees**

The County reserves the right to review the fees included in this Exhibit on an annual basis and make appropriate rate adjustments. Should an adjustment be warranted, sixty (60) days notice will be provided. Any such rate adjustments shall be reduced to writing via an Amendment to be executed by all parties.

# TAB 7



**Town of Lake Park Town Commission**

**Agenda Request Form**

Meeting Date: **March 16, 2016**

Agenda Item No. *Tab 7*

**Agenda Title: Palm Beach County Sales Tax to Finance Infrastructure Projects in the Town of Lake Park**

- SPECIAL PRESENTATION/REPORTS
  - BOARD APPOINTMENT
  - PUBLIC HEARING ORDINANCE ON \_\_\_\_\_ READING
  - NEW BUSINESS
  - OTHER: \_\_\_\_\_
- CONSENT AGENDA
  - OLD BUSINESS

Approved by Town Manager *John O. D'Agostino* Date: *3-4-16*  
**John O. D'Agostino, Town Manager**

Name/Title

<b>Originating Department:</b>  Town Manager	Costs: -0- Funding Source: General Fund Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> <ul style="list-style-type: none"> <li>• Lake Park Infrastructure Improvement Project List</li> <li>• County Sales Tax Revenue Spreadsheet</li> </ul>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case JOD _____  <b>Please initial one.</b>

**Summary Explanation/Background:** Palm Beach County and the Palm Beach County League of Cities sent out estimated revenues for back logged infrastructure projects. The initial proposal was a ½ cent sales tax increase for Ten Years. The estimated revenue to the town was \$518,748 or \$5,187,478 over ten years.

I am requesting the Commission prioritize the attached the list of Town projects. There will not be a sufficient amount of funds available to complete the entire list.

The County Administrator was tasked by the County Commission to make the Sales Tax Referendum "inclusive". The County Administration included Schools and the Cultural Council on the referendum. The County is now proposing a 1 cent sales tax over ten years. To accommodate the Schools and the Cultural Council, a significant amount of both the County and Municipal share percentage was reduced. Under the 1 cent sales tax, the following breakdown is proposed:

- School Board 46.5%
- County 28.5%
- Municipalities 18.5%
- Cultural Council 6.5%

Under the 1 cent Sales Tax scenario, the Town of Lake Park will receive \$471,800 per year for 10 years or a total of \$4,718,004 instead of the \$5,187,478. The reduction over 10 years amounts to \$469,474 between the ½ cent sales tax proposal and the 1 cent sales tax proposal.

As you can see from the list of projects attached, difficult choices must be made to align the list of projects with the amount of projected revenue. The League is requesting a realistic list of projects that represent a true backlog of projects. Finally, we must submit to the County a Resolution either in support or denial of the 1 cent sales tax initiative. The Palm Beach County League of Cities Executive Board voted to "Not Oppose the 1 cent Sales Tax."

**Recommended Motion:** Move to support Resolution \_\_\_\_\_ to establish a 1 cent sales tax for infrastructure repairs, School Infrastructure and Cultural Council Infrastructure.



RECEIVED

**MEMORANDUM**

JAN 7 2016

Date: January 6, 2016  
 To: John D'Agostino, Town Manager  
 From: David Hunt, Director *[Signature]*  
 Subject: Required Infrastructure Improvement Projects, Funded by \$0.005 Sales Tax

Office of Town Manager  
TOWN OF LAKE PARK

The following estimates for roadway improvements, sidewalks, and street lighting projects span a twenty year completion time table. For example we assumed that all Town roadways would have to be milled and overlaid with asphalt in the next twenty years. This is a conservative estimate and if funding allows, the process should probably be accelerated. The unit prices were derived from the Engineers' estimated construction costs for the ten block, Lake Shore Drive Drainage Improvement Project, updated in 2015. The Lake Shore Drive costs have escalated 83.3% since the 2010 estimates were prepared. The Park Avenue 2008 project costs were adjusted by the same 83.3% increase to allow for inflation.

PROJECT DESCRIPTION	ESTIMATED QUANTITY	ANTICIPATED COST
Mill roadways in advance of paving	62 Lane Miles	\$875K
Overlay roads with 1" asphalt	62 Lane Miles	3.8M
Replace sidewalks (50% of total)	31 Miles	6.1M
Roadway centerline striping (100 ft. back from ea. Intersection), skip lane striping, & pavement edge striping	15 Miles	36K
<b>INTERSECTION IMPROVEMENTS:</b>		
<b>4 WAY:</b>		
ADA compliant sidewalk corners (8 / intersection)	91 intersections	550K
Street name signs (\$830 ea. intersection)	91 intersections	76K
Thermo-plastic stop bars (\$125 ea. intersection)	91 intersections	11K
Roadway centerline striping (2 approaches @ 50' ea.)	91 intersections	4K
<b>3 WAY:</b>		
ADA compliant sidewalk corners (4 / intersection)	43 intersections	130K
ADA compliant sidewalk corners (2/ intersection)	43 intersections	65K
Street name signs (\$415 ea. intersection)	86 intersections	36K
Thermo-plastic stop bars (\$65 ea. intersection)	86 intersections	6K
Roadway centerline striping (1 approach @ 50')	86 intersections	2K
<b>RE-CONSTRUCT PROJECTS</b>		
Lake Shore Drive (3,500 ft. – Less Pump Station)	\$1,571/ft.	5.5M
Six blocks of Park Avenue (3,800 ft.)	\$1,737/ft.	6.6M

650 Old Dixie Highway, Lake Park, Florida 33403 \* (561) 881-3345 \* Fax: (561) 881-3349

E-mail: publicworks@lakeparkflorida.gov

PROJECT DESCRIPTION	ESTIMATED QUANTITY	ANTICIPATED COST
<b>RE-CONSTRUCT PROJECTS (cont.)</b>		
Street light improvements		8.0M
<b>DESIGN &amp; RECONSTRUCT</b>		
Five blocks of Tenth Street (2,300 ft.)	\$1,571/ft.	3.6M
Gateway Road (1,320 ft.)	\$1,311/ft.	1.7M
	<b>TOTAL:</b>	<b>\$37,091,000</b>

ec: Richard Pittman, Project Manager  
 Blake Rane, Finance Director  
 Nadia DiTommaso, Community Development Director

**Local Discretionary Sales Surtax**  
 Revenue Estimates for the Local Fiscal Year Ending September 30, 2016  
 2015 Local Government Financial Information Handbook

2,691,486,189

Local Government	State Distribution Formula	Half Cent			Distribution Percentage	10 Years, 3% Revenue Increase		10 Year	
		Yearly	10 Years, No revenue Increase	10 Years, 3% Revenue Increase		1 Year	10 Year		
<b>Local Government</b>	<b>59.318244</b>	<b>\$ 67,605,436</b>	<b>\$ 676,054,362</b>	<b>\$ 796,271,178</b>	<b>28.500%</b>	<b>\$ 84,963,316</b>	<b>\$ 1,116,470</b>	<b>\$ 767,073,564</b>	
<b>PALM BEACH BOCC</b>	<b>0.107709</b>	<b>\$ 1,227,757</b>	<b>\$ 1,449,485</b>	<b>\$ 1,418,305</b>	<b>0.0490%</b>	<b>\$ 111,647</b>	<b>\$ 9,697,593</b>	<b>\$ 11,450,720</b>	
Atlantis	0.935553	10,662,571	12,580,146	62,608,952	0.4254%	4,822,471	39,854,526	47,059,411	
Belle Glade	4.652370	5,302,340	43,023,404	51,742,147	2.1157%	3,985,453	22,930	74,023	
Boca Raton	3.844878	4,382,033	43,820,327	252,122	1.7485%	7,402	34,896,643	41,205,243	
Boynton Beach	0.022122	25,212	81,389	96,102	0.0032%	12,189	13,858	138,585	
Briery Breeze	0.007141	8,139	38,369,100	45,305,449	0.0053%	13,858	138,585	163,638	
Cloud Lake	3.366575	3,826,910	134,016	159,244	0.0061%	13,858	138,585	163,638	
Delray Beach	0.011798	13,402	152,375	179,921	0.0053%	12,189	13,858	143,923	
Deltona	0.013370	15,237	23,615,049	27,864,167	0.9423%	2,147,785	21,477,854	25,360,611	
Golf	0.052568	59,910	598,096	707,401	0.0239%	54,488	544,877	643,380	
Greenacres	0.105721	120,492	1,204,924	1,422,750	0.0481%	109,588	1,095,877	1,293,989	
Gulf Stream	0.192276	219,138	2,191,384	2,587,541	0.0874%	199,306	1,993,060	2,393,365	
Haverhill	0.143489	163,512	1,635,123	1,930,720	0.0652%	148,714	1,487,142	1,755,987	
Highland Beach	0.174871	195,456	1,954,560	2,307,904	0.0780%	177,767	1,777,669	2,069,036	
Hypoluxo	0.174871	195,456	1,954,560	2,307,904	0.0780%	177,767	1,777,669	2,069,036	
Juno Beach	0.174871	195,456	1,954,560	2,307,904	0.0780%	177,767	1,777,669	2,069,036	
Jupiter	3.074841	3,504,194	35,041,942	41,376,809	1.3982%	3,187,060	31,870,598	37,632,150	
Jupiter Inlet Colony	0.021263	24,233	242,331	286,140	0.0089%	22,040	220,400	260,244	
Lake Clarke Shores	0.180410	208,614	2,086,143	2,427,852	0.0820%	187,006	1,870,059	2,208,128	
Lake Park	0.455159	518,748	5,187,478	6,125,268	0.2070%	471,800	4,718,004	5,570,923	
Lake Worth	1.955674	2,228,896	22,288,959	26,318,347	0.8893%	2,021,178	20,271,777	23,936,900	
Lantana	0.572210	652,152	6,521,523	7,700,481	0.2602%	593,132	5,931,316	7,003,577	
Loxahatchee Groves	0.170906	194,783	1,947,828	2,296,956	0.0777%	177,155	1,771,547	2,091,807	
Maitland	0.021907	24,967	249,675	294,811	0.0100%	22,708	227,079	268,130	
Mangonia Park	0.105883	120,676	1,206,760	1,424,918	0.0482%	109,755	1,097,547	1,295,961	
North Palm Beach	0.654093	745,474	7,454,743	8,802,408	0.2974%	678,008	6,780,078	8,005,778	
Ocean Ridge	0.095574	108,927	1,089,266	1,286,183	0.0435%	99,069	980,686	1,169,782	
Palmetto	0.293172	334,062	3,340,621	3,944,537	0.1333%	303,829	3,038,290	3,587,551	
Palm Beach	0.438875	499,961	4,999,610	5,903,437	0.1995%	454,714	4,547,138	5,369,188	
Palm Beach Gardens	2.688268	3,063,837	30,638,369	36,177,160	1.2225%	2,786,555	27,865,554	32,903,077	
Palm Beach Shores	0.061586	70,190	701,904	828,793	0.0280%	63,838	638,380	753,787	
Palm Springs	1.121494	1,278,174	12,781,745	15,082,423	0.5100%	1,162,498	11,624,979	13,726,538	
Riviera Beach	1.810970	2,063,976	20,639,761	24,371,008	0.8235%	1,877,183	18,771,834	22,165,398	
Royal Palm Beach	1.947190	2,219,227	22,192,271	26,204,181	0.8955%	2,018,384	20,183,840	23,832,656	
South Bay	0.161671	184,257	1,842,574	2,175,673	0.0735%	167,582	1,675,818	1,978,772	
South Palm Beach	0.073130	83,347	833,472	984,147	0.0333%	75,804	758,042	895,080	
Tequesta	0.302240	344,465	3,444,652	4,087,374	0.1374%	313,291	3,132,906	3,699,271	
Wellington	3.175212	3,618,812	36,188,120	42,730,192	1.4439%	3,291,304	32,913,044	38,863,050	
West Palm Beach	5.601454	6,384,019	63,840,185	75,381,186	2.5473%	5,806,256	58,062,559	68,559,084	
School District					46.5000%	105,992,779	1,059,927,789	1,251,541,078	
Cultural Council					6.5000%	14,816,195	148,161,949	174,946,602	
<b>Countywide Total</b>	<b>100.000000</b>	<b>\$ 113,970,730</b>	<b>\$ 1,139,707,300</b>	<b>\$ 1,345,743,095</b>	<b>1.000000</b>	<b>\$ 227,941,460</b>	<b>\$ 2,279,414,600</b>	<b>\$ 2,691,486,189</b>	

*Handwritten:*  
 6173,414,54  
 24 | 148,161,949  
 Ranges.

## INFRASTRUCTURE SURTAX

- Florida Statutes has County and Municipalities as partners
- Distribution based on population
- Agreements needed from majority of municipal population to change distribution

### PROPOSAL

- One-Cent
- 10 Years
- Include School Board & Cultural Council
- Create oversight committees to audit spending for compliance with approved projects
- Distribution:
  - School Board 46.5%
  - County 28.5%
  - Municipalities 18.5%
  - Cultural Council 6.5%

## Vivian Mendez

---

**From:** Richard Radcliffe C. <RRadcliffe@pbcgov.org>  
**Sent:** Thursday, March 10, 2016 10:45 AM  
**To:** Vivian Mendez  
**Cc:** Jeriise Hansen; John D'Agostino  
**Subject:** Sample Resolution  
**Attachments:** Sample (Cultural Council) Resolution for Municipalities One Cent Sales Tax Proposal.docx

Vivian,

As per our phone conversation I'm sending you the sample resolution in support of the One Cent Sales Tax proposal that was created by a group working with the Cultural Council. It is very important to note that the Palm Beach County League of Cities neither supports nor opposes this resolution because it has never been seen by the Board of Directors.

If you have any questions please don't hesitate to call.

Richard

Richard C. Radcliffe  
Executive Director  
[rradcliffe@pbcgov.org](mailto:rradcliffe@pbcgov.org)  
The Palm Beach County League of Cities, Inc.  
P.O. Box 1989, Governmental Center  
West Palm Beach, Florida 33402  
Tel. 561-355-4484; Fax 355-6545  
[www.leagueofcities.org](http://www.leagueofcities.org)

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Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

# SAMPLE RESOLUTION

## ONE PENNY SALES TAX PLAN

**WHEREAS**, the Palm Beach County Commission is considering a one-half penny sales tax to pay for needed improvements to infrastructure, county parks, public safety initiatives and economic development; and

**WHEREAS**, municipalities across Palm Beach County would benefit from the one-half penny sales tax by receiving proportional funding for needed roads, bridges and other capital and infrastructure needs; and

**WHEREAS**, the School District of Palm Beach County is considering a one-half penny sales tax to pay for needed technology for students, building repairs and safety upgrades; and

**WHEREAS**, a combined one penny sales tax plan that would fund important educational, infrastructure, parks, public safety, economic development and arts and sciences initiatives would be more comprehensive and less confusing to voters; and

**WHEREAS**, our School District and County Commission have voted unanimously to work together on a single ballot initiative to demonstrate unity, good planning and combined leadership from our elected officials; and

**WHEREAS**, a single ballot initiative plan would reduce voter confusion and ballot competition that could result in both the school and county initiatives failing; and

**WHEREAS**, a single ballot initiative greatly increases the likelihood of voter approval, which directly benefits the municipalities.

**NOW THEREFORE BE IT RESOLVED**, that the **[NAME OF CITY]** endorses a one penny local government infrastructure sales tax plan partnership that would fund important educational, infrastructure, parks, public safety, economic development and arts and sciences initiatives of the County Commission, School District and local municipalities.

Approved in Palm Beach County, Florida on this **XX** day of **MONTH** 2016.