

Minutes
Town of Lake Park, Florida
Community Redevelopment Agency Board Meeting
Wednesday, April 3, 2013, 6:30 p.m.
Town Commission Chamber, 535 Park Avenue

The Community Redevelopment Agency Board met on Wednesday, April 3, 2013 at 6:30 p.m. Present were Chair James DuBois, Vice-Chair Kimberly Glas-Castro, Board Members Erin Flaherty, Christiane Francois, Michael O'Rourke and Kathleen Rapoza, Executive Director Dale S. Sugerman, and Agency Clerk Vivian Mendez.

Chair DuBois led the Pledge of Allegiance.

Agency Clerk Mendez performed the Roll Call.

SPECIAL PRESENTATION/REPORTS

1. CRA Six Month Security Services Report

Executive Director Sugerman explained the item (see attached Exhibit "A").

Board Member Francois asked if the light bar on top of the car is continuously on or if it can be turned off and on as needed.

Executive Director Sugerman stated that the light bar can be turned off and on.

Board Member Francois noted that the quarterly report states that the tour button has been vandalized multiple times and asked if it was considered excessive or normal.

Executive Director Sugerman stated that the tour button has been vandalized three (3) times in four (4) months and because the CRA has not had this service in the past he does not know if that is excessive vandalism.

Board Member Francois asked how the buttons are being vandalized.

Public Works Director Dave Hunt explained that the tour buttons are discs attached to telephone poles and that they are being pried from the poles. He stated the buttons are inexpensive and that the wand that the patrol officer uses is the critical piece of equipment.

Vice-Chair Glas-Castro asked what are the expectations for the security firm and if those expectation have been met.

Executive Director Sugerman explained that the businesses and residents in the CRA have not been surveyed to get formal feedback as to what their belief is and that he has received informal feedback that there is never enough security. He provided the example

that a business in the CRA will have a Sheriff's Office patrol car parked across the street and the business owner will comment that there is not enough security. He stated that staff can add anecdotal evidence regarding whether the security service is adding value to the CRA.

Chair DuBois asked if there is a log of calls and events that ET Security is keeping.

Project Manager Richard Pittman explained that the ET Security has knowledge that the security officer called the Sheriff's Office during the report period. He stated that he does not know what type of incident prompted the security officer to contact the Sheriff's Office. He explained that the security officer's job is to observe and report, they do not confront people and if there is a disturbance the Sheriff's Office is contacted. He stated that it is not part of the agreement that ET Security keep a log or provide a log to the Town.

Vice-Chair Glas-Castro stated that the report is fine and asked if ET Security has met expectations.

Project Manager Pittman stated "yes" and stated that ET Security started on short notice and in the time frame expected. The security officer was sharply dressed, well mannered, got along with persons encountered along the patrol route and performs in an professional manner. He stated that ET Security has met expectations. He asked for the Board to provide information regarding their expectations to be discussed at the July 3, 2013 CRA meeting.

Board Member Francois asked if the security officer wears a uniform.

Project Manager Pittman stated "yes".

Chair DuBois asked if a written report is done if an incident occurs.

Project Manager Pittman stated that he does not know their procedure and would enquire with ET Security.

Chair DuBois thinks that it would be standard operating procedure for a report to be done when an incident occurs.

Project Manager Pittman stated that he does not know their procedure and that he has not asked for nor has an incident report been provided.

Chair DuBois asked who does the security officer contact when there is an incident.

Project Manager Pittman advised that the security officer would call the Sheriff's Office directly.

Executive Director Sugerman stated that ET Security is responsible for two things providing high visible security patrol services and to contact the Sheriff's Office if there is an incident and that the CRA did not ask for written reports.

Chair DuBois stated that he is astounded that the reports would have to be asked for and that they are not part of the standard operating procedures of the security firm. He thinks that the reports should be part of the package for security services.

Executive Director Sugerman stated that reports were not part of the package requested in the Request for Proposals.

Chair DuBois requested that independent reports be created related to calls to the Sheriff's Office.

Board Member Flaherty asked if either of the calls made to the Sheriff's Office resulted in an arrest and if the outcome of the calls made to the Sheriff's Office could also be included in the reports to the Board.

Project Manager Pittman stated that it would not be the responsibility of the security officer to advise the outcome if an arrest was made. He stated that he will make it the security officer's responsibility to advise the CRA that the Sheriff's Office was called and that he would contact the Sheriff's Office to find the outcome.

Board Member Rapoza stated that there should be a log book or some type of record keeping to detail their activities.

Project Manager Pittman explained how the buttons that are scattered throughout the CRA work by the security officer checking in at each button with a wand and that wand captures and transmits the date and time of each check in. The security firm then receives a report of the activity.

Board Member Francois asked who receives the report.

Project Manager Pittman stated that the report was not asked for nor has he received the report and if the report is needed the company is obligated to provide it.

Board Member Rapoza asked if there are an quality control system in place.

Project Manager Pittman stated that ET Security has been very responsive to adjusting the schedule when needed, and allowed staff to ride with the security officer to see their activities.

Board Member Rapoza thinks that a good service company provides monthly reports and that it should be considered for future services.

Mayor DuBois stated that incident reports from the actual patrol officers as needed and monthly supervisor report to the CRA regarding activities of the patrol officers should be included in future contracts or requests for proposals.

Vice-Chair Glas-Castro asked if the CRA has a means to survey the business owners.

Executive Director Sugerman stated “yes”.

Chair DuBois asked if the e-mail contact list is sufficient.

Executive Director Sugerman stated that quite a few of the CRA businesses are in a database. He stated that what is important is that if a survey instrument is going to be used to have appropriately designed questions so that when a response is received there can be an appropriate reaction. It is important for him to understand what is important to the Board to measure.

Chair DuBois stated that visibility of the security and noticeable change in activity are important things to measure.

Board Member O’Rourke asked if the two things that the security company was requested to provide was visibility and reporting.

Executive Director Sugerman stated “yes”.

Board Member O’Rourke stated that he does not think that the security company is meeting the reporting requirement.

Executive Director Sugerman explained that the security firm is meeting the reporting requirement to the Sheriff’s Office as they were not required to report the incidents to the CRA.

Board Member O’Rourke stated that if the security company was asked to provide high visibility and report incidents to the Sheriff’s office that it is not enough.

Executive Director Sugerman explained that the prior CRA Board that reviewed the Request for Proposal, approved it before it went out and that the CRA Board did not accept the first proposals received and had staff rewrite the Request for Proposals and go back out to the market. There were only two (2) expectations and that staff believes that ET Security has met those expectations.

Chair DuBois suggested that a picture of the car be sent to the residents and business owners in the CRA and asked if they have seen the car and if they know that this service is being provided for their benefit.

Board Member O’Rourke stated that the survey could also serve the function of a public relations type effect to let people know that the CRA is trying to do something regarding security.

Board Member Rapoza thinks it is a great idea to get out publicly but also to have it publicized through the Palm Beach Post reporter for the Town.

Motion: A motion was made by Board Member Francois directing staff to send out a survey to businesses and residents in the CRA that includes a photograph of the

ET Security patrol car and questions regarding the visibility of the security service; Board Member Flaherty made the second.

Board Member O'Rourke stated that the motion should include the exact questions.

Motion: A motion was made by Board Member Francois to amended the motion to include the following questions 1. Have you seen this vehicle and this security officer in your area and 2) Did you know that this is a security firm that has been contracted by the CRA for security purposes in the CRA area; Board Member Flaherty made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Erin Flaherty	X		
Board Member Christiane Francois	X		
Board Member Michael O'Rourke	X		
Board Member Kathleen Rapoza	X		
Vice-Chair Kimberly Glas-Castro	X		
Chair James DuBois	X		

Motion passed 6-0.

PUBLIC COMMENT:

None

GENERAL BUSINESS:

2. Approval of CRA Board Meeting Minutes of March 6, 2013

Chair DuBois requested that on page 2 the second paragraph to remove the word "not".

Motion: A motion was made by Board Member Flaherty to approve the Meeting Minutes of January 16, 2013 as amended; Board Member Francois made the second.

Vote on Motion:

Board Member	Aye	Nay	Other
Board Member Erin Flaherty	X		
Board Member			

Christiane Francois	X		
Board Member			
Michael O'Rourke	X		
Board Member			
Kathleen Rapoza	X		
Vice-Chair			
Kimberly Glas-Castro	X		
Chair			
James DuBois	X		

Motion passed 6-0.

OLD BUSINESS:

None

NEW BUSINESS:

None

EXECUTIVE DIRECTOR REPORT:

Executive Director Sugerman welcomed the new Board Members. He explained what CRA Board Members do and who is appointed to the Board. He stated that the Artist of Palm Beach County hosted a free workshop for residents on March 16, 2013 and that two (2) Lake Park residents and two (2) from outside the area attended. He stated that the next workshop will be on April 24, 2013 fro 6:00 pm to 8:00 pm and will be basic water color class. He provided a list of new businesses that opened in March in the CRA.

BOARD MEMBERS COMMENTS:

Board Member Francois welcomed the new Board Members. She requested an update on 754 Park Avenue regarding the parking area that has been closed.

Executive Director Sugerman stated that he has been meeting with the parties and that there is no agreement between the two adjacent properties to develop a shared/cross-access or cross maintenance agreement. He believes that the parties are still talking. He stated that the owner of 754 Park Avenue has installed chains and reflective signs. He stated within the past two (2) days the chains from one of the entrances to the parking lot was cut and the reflective signs between the parking lots were sheared off. This has created a serious hazard because approximately two (2) inches of sharp metal was left from the signs sticking out of the ground.

Board Member Francois asked who is responsible for the hazard and has the property owner been advised.

Executive Director Sugerman stated it would be the responsibility of the property owner.

Board Member Francois stated that she spoke with Sue-Ellen Mosler and that Ms. Mosler is considering installing another entrance to her property, which would require the removal of at least one (1) palm tree and possibly two (2) other trees.

Chair DuBois asked if the Public Works Department can remove the hazard and send the property owner a bill.

Executive Director Sugerman believes that the Town cannot go onto private property.

Board Member O'Rourke asked if the Town has an Ordinance regarding hazardous conditions on private property.

Attorney Baird stated that the Town has Ordinances regarding nuisances and what constitutes a nuisance and it is possible that this activity could fall within that definition. The property owner has the legal responsibility to maintain the property within the Town's Codes. He stated that in particular situation these devices were not erected because of Town Codes but erected because the owner wished to secure the property. Liability for injuries, activities and etcetera will be the property owners liability and not the Town.

Chair DuBois asked if a permitting process needs to be provided for property owners that wish to block their driveway entrances in order to ensure that if it does occur that it conforms to some acceptable standard.

Attorney Baird stated that property owners have the right to do what they want to do with their properties as long as they are not violating established Code provisions.

Chair DuBois suggested that a Code provision be established regarding these types of activities.

Vice-Chair Glas-Castro stated that as a private property owner she is not able to install a fence without a permit however, this activity has been permitted to block shared access.

Attorney Baird stated that staff can evaluate whether the signage and structure of what was installed requires a permit and if it does and a permit was not obtained then it would be subject to Code proceedings. If a permit is not required then the property owner can install the signage and structures without obtaining a permit.

Vice-Chair Glas-Castro stated that it is her opinion that the property owner does not have the ability to install the signage and structures because of the bond referendum for the Park Avenue Streetscape. The residents approved the referendum and the Town negotiated the location of the curb cuts, shared driveways, shared parking where going to be. That if the Town Administration and Town Attorney did not have the foresight then to get formal agreements for shared access and shared parking and if there are prescriptive rights by now then other action needs to be taken in the Code that acknowledges that there is a shared access and parking situation.

Chair DuBois stated that at the last meeting he asked former Mayor Paul Castro to provide assistance to the Town regarding this issue and asked if he had been contacted.

Executive Director Sugerman stated that he did not contact former Mayor Castro however, he has spent considerable time reviewing the Town's records on this project.

Chair DuBois stated that the search was to no avail.

Executive Director Sugerman stated "no" that he has a very strong professional opinion about what happened, when it happened, and what did not happen.

Board Member O'Rourke asked if the information that Executive Director Sugerman has obtained could be used to resolve this issue.

Executive Director Sugerman believes that this is a dispute between two (2) private property owners. That the records that he has reviewed very clearly indicated to him that the concept of shared parking, cross access and cross maintenance was discussed in the late 1990's and early 2000's at public meetings and advise was given by the then Assistant Town Attorney on what direction the Town Commission should go. The advise was that the Town should have Ordinances dealing with shared parking, cross access, and cross maintenance agreements for things like the Park Avenue Downtown District (PADD). It is also very clear to him after reviewing the records that no action was ever taken and that there was public acknowledgement that a shared parking agreement should not be entered into for a particular parcel because there was no standard for shared parking in the Town's code. It is his professional opinion that there is nothing the Town or CRA can do presently to force these two (2) property owners to get along.

Board Member O'Rourke made a motion to direct staff to draft Ordinances that would apply to shared parking in the PADD.

Executive Director Sugerman stated that Board Member O'Rourke's motion would be an appropriate motion of the Town Commission and not the CRA Board.

Chair DuBois stated that the motion can be brought before the Commission at the next meeting. He stated that a tool is needed for the future not just for this issue but there are other areas in Town where shared parking exists and business owners are very protective of their parking and if a shared parking concept could be agreed to by business owners it would go a long way. He asked if the Town could create a Planned Unit Development (PUD) for some of these multiple owned blocks. He suggested that the PUD include shared uses for all the properties thus increasing property values because of the increased ability to redevelop. He suggested that Tax Increment Financing (TIF) could be utilized to provide increased parking for those business within the PADD.

Executive Director Sugerman stated that he likes the idea of setting aside incentive funds but the CRA has negative cash flow. He stated that Lake Park is a very unique community and the way it was laid out almost every business is its own stand alone parcel and this is relatively unique. He stated to craft a government regulation that calls for things such as unity of title and shared parking is easier when an property owner has

many parcels instead of one (1) or two (2) parcels. He stated that the suggestion of Chair DuBois would be a monumental task to get individual owners of individual commercial parcels to cooperate under unity of title or a shared parking, cross access and cross maintenance.

Chair DuBois stated that he understands Executive Director Sugerman but that he wants to create some tool or method. He stated that there has to be an incentive for the property owners. He asked if something could be done even if his suggestion may not be the solution given the issues. He stated that a short-term and long-term solution needs to be developed, and if a solution can be created to provide a long-term result. He asked how the Aherns Property was developed.

Attorney Baird stated that a PUD is usually one property owner with several parcels not several property owners.

Board Member Rapoza asked if the property owners are working towards a resolution and noted that an offer has been made from one (1) property owner to the other and no response was received.

Executive Director Sugerman stated that he has not been a party to the conversation between the two (2) property owners.

Board Member Flaherty had no comments.

Board Member O'Rourke asked for an update on 801 Park Avenue (One Park Place).

Executive Director Sugerman stated that Iberia Bank completely owns the property and they are marketing it. He stated that the Town has been in contact with the Bank however, the Bank has not been extremely forthright with their marketing plan. People have approached the Town regarding the property and that he is sending those prospective buyers to the contact person at the Bank and he has heard nothing from the Bank. He stated staff has reach out to the Bank on several occasion expressing to the Bank the desire to assist in finding a buyer for the property and advised that the Town would be willing to expedite permitting to finish the building. The reaction has been "ok, we will call you I don't call us".

Vice-Chair Glas-Castro stated that at the last CRA meeting it was reported that Brown Baggin It had closed and did not fulfill their obligation for the grant funding that they received. She asked if other businesses have been evaluated that have received grant funds to seek promissory notes or agreements to ensure the CRA is not in the same position.

Executive Director Sugerman explained that since he has been the Executive Director that any time there has been a loan there is a promissory note attached to that loan. He stated that the CRA is not making any more loans.

Vice-Mayor Glas-Castro asked if other businesses were in the same position as Brown Baggin It and if they were to close that the obligation would go unpaid.

Executive Director Sugerman believes that Brown Baggin It is the only loan without a promissory note.

Vice-Mayor Glas-Castro stated that included in the monthly report is a list of new businesses. She asked if there is a means to identify new businesses in Town on the Town website so that a user could look up a local service provider.

Executive Director Sugerman stated that the Town website promotes new businesses in Town through a link on the right side of the Town website home page and it is updated monthly. A directory of businesses in Town has not been created on the Town website.

Vice-Mayor Glas-Castro stated that a resident shared that idea with her and noted that this feature in on the Town of Jupiter' s website.

Board Member Rapoza asked if it would be feasible that if a business owner wanted to have a link on the CRA website and that they could pay for that service.

Executive Director Sugerman stated that it has not been encouraged because the Town's Code allows adult businesses and massage parlors and as the Executive Director, he does not want to be put into the position to decide which businesses should and should not have a link on the Town website. While an announcement is made of the new businesses in the CRA each month a directory of businesses has not been created for the CRA or Town website.

Chair DuBois suggested that the discussion be continued and that the Jupiter website be reviewed to see how they developed a criteria for inclusion in the business directory.

Board Member Flaherty stated that he would review the Jupiter website and see what can be done on the CRA and Town websites.

Executive Director Sugerman stated that last month the Commission approved an agreement with Relocate.org, which will be promoting the Town, and that Relocate.org will be providing space to local business on their website. There is a limitation on who Relocate.org will engage in promoting.

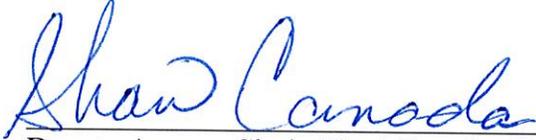
Chair DuBois stated that on Wednesday, April 24, 2013 from 6:00 pm to 8:00 pm that the Artist of Palm Beach County will be offering a workshop on watercolor basics at Art on Park. This is a great way to start in the arts.

ADJOURNMENT

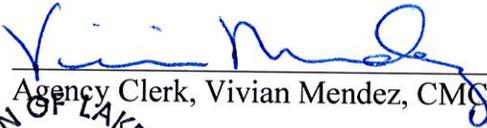
There being no further business to come before the CRA Board and after a motion to adjourn by Board Member Rapoza and seconded by Board Member Francois, and by unanimous vote, the meeting adjourned at 7:47 p.m.



Chair, James DuBois



Deputy Agency Clerk, Shari Canada, CMC



Agency Clerk, Vivian Mendez, CMC



FLORIDA
Approved on this 15 of May, 2013

Exhibit "A"
04/03/2013 CRA



CRA
Agenda Request Form

Meeting Date: April 3, 2013

Agenda Item No. *Tab 1*

Agenda Title: Quarterly Report for CRA Security Officer Patrol Services

- | | | | |
|-------------------------------------|-------------------------------------|--------------------------|---------------------------------|
| <input checked="" type="checkbox"/> | SPECIAL PRESENTATION/REPORT | <input type="checkbox"/> | CONSENT AGENDA |
| <input type="checkbox"/> | OLD BUSINESS | <input type="checkbox"/> | NEW BUSINESS: Resolution |
| <input type="checkbox"/> | DISCUSSION FOR FUTURE ACTION | <input type="checkbox"/> | OTHER |

Approved by Executive Director: *DSS* **Date:** 3/20/13

Richard Pittman, Project Manager *RP*
Name/Title

Originating Department: Public Works	Costs: \$ 0.00 Funding Source: Acct. # <input checked="" type="checkbox"/> Finance _____	Attachments: Quarterly Report Photo of Security Vehicle
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Summary Explanation/Background: The CRA Board is being updated on the CRA Security Officer Patrol Services being performed within the CRA. A report for the period December 15, 2012 thru March 15, 2013 is attached.

In previous budget years the CRA funded at least one Sheriff's Department deputy specifically for the CRA. The budget for FY 2012-2013 could not afford to continue with a dedicated Sheriff Deputy. The CRA Board decided to advertise for a private security firm to perform a security patrol service. The service commenced on December 15, 2012. The existing contract expires September 30, 2013.

The next CRA Board meeting is scheduled for July 3, 2013. At that meeting the Board will be asked to give direction on several options that will be presented associated with CRA security services in preparation for the CRA 2013-2014 budget. The CRA Executive Director would like input from individual Board members in advance of the July 3rd meeting so that the questions and concerns can be addressed as part of the presentation.

Recommended Motion: Motion to encourage individual Board members to communicate with the CRA Executive Director regarding CRA security in advance of the July 3, 2013 meeting.

QUARTERLY REPORT
Dec. 15, 2012-March 15, 2013
CRA SECURITY OFFICER PATROL SERVICES (UNARMED)
E.T. SECURITY

The CRA Board approved the award of contract on December 5, 2012. E.T. Security was notified of the contract award and Mr. Eddie Tucker, Mr. Chris Goolsby and Mr. Adelar Montesino visited Lake Park to sign the contract and prepare for the service to commence on December 15, 2012. A security patrol automobile was acquired, stenciled and ready for December 15th. "Detex" tour buttons were placed at ten locations within the CRA district which does include the CRA district west of the FEC Railroad. E.T. Security uses the tour buttons to monitor time and location of their security guard.

The contract amount is \$21,961.00 thru September 30, 2013. The contract requires security officer patrol service to be performed from the public road and alleyways throughout the CRA district.

E.T. Security has provided the roving security guard averaging twenty-five hours per week since December 15th. The service is routinely provided on Friday and Saturday evenings. The remainder of the evenings of service varies from week to week.

Mr. Adelar Montesino has been the security patrol officer. He has been smartly uniformed and has been punctual. The monthly schedule has been adhered to.

In February, Dave Hunt and Richard Pittman met with the E.T. Security for a drive around after dark. Locations were identified where greater presence was needed on Park Ave. and on 10th Street.

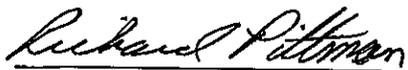
The patrol vehicle suffered damage while the vehicle was at a shop awaiting the final decal being placed. For a few weeks the vehicle was being used in this unsightly condition. The vehicle window was repaired March 4 thru 6.

The patrol vehicle has lacked a light bar since the service began. The light bar was installed during the March 4 thru 6 period but the electrical was not connected. The management of E.T. Security did call to advise that they were aware of the omission of the electrical to the light bar.

On Tuesday, March 12, Mr. Chris Goolsby with E.T. Security advised the Town that Mr. Montesino, security patrol officer, had resigned. Mr. Chris Goolsby would be performing the service until another security patrol officer could be hired.

During this quarter three tour buttons were vandalized and replaced. Also, during this quarter the security officer contacted the Sheriff's Department two times.

This report was prepared by Richard Pittman, Town of Lake Park Project Manager and Chris Goolsby, E.T. Security Supervisor.



Richard Pittman, Project Manager



Chris Goolsby, E.T. Security



AGENDA

Community Redevelopment Agency Meeting
Wednesday, April 3, 2013, 6:30 pm
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Chair
Kimberly Glas Castro	—	Vice-Chair
Christiane Francois	—	Board Member
Erin Flaherty	—	Board Member
Michael O'Rourke	—	Board Member
Kathleen Rapoza	—	Board Member
Dale S. Sugerman, Ph.D.	—	Executive Director
Thomas J. Baird, Esq.	—	Agency Attorney
Vivian Mendez, CMC	—	Agency Clerk

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

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATION/REPORTS

1. CRA Six Month Security Services Report

Tab 1

D. PUBLIC COMMENT

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

E. GENERAL BUSINESS:

2. Approval of CRA Board Meeting Minutes of March 6, 2013

Tab 2

F. OLD BUSINESS

None

G. **NEW BUSINESS:**
None

H. **EXECUTIVE DIRECTOR REPORT:**

I. **BOARD MEMBER COMMENTS**

J. **ADJOURNMENT**