Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, April 15, 2015, 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, April 15, 2015 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, and Michael O'Rourke, Interim Town Manager Bambi Turner, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Commissioner Kathleen Rapoza was absent and Commissioner O'Rourke arrived at 6:41 p.m.

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

SPECIAL PRESENTATIONS/REPORTS

1. Palm Beach County Sheriff's Office Citizens on Patrol Quarterly Report.

Mayor DuBois welcomed back Captain Jeff Lindskoog from the Palm Beach County Sheriff's Office (PBSO) to the meeting. Captain Lindskoog gave an update on the Citizens on Patrol program by explaining that the Town does not have its own volunteer patrol. He explained that the Town is part of the North End Rovers unit with a dedicated car assigned to Lake Park. He gave some statistical information regarding the program. He stated that some of the other functions of the North End Rovers are to pick up snipe signs, notifying their office of any graffiti they see in the Town, He stated that the program was running very well. He stated that PBSO would be proposing a Neighbor Watch Program soon.

2. Proclamation Recognizing April 24, 2015 as National Arbor Day.

Dave Hunt, Public Works Director explained the item (see Exhibit "A").

PUBLIC COMMENT:

1) Janet Hash, 1115 Lake Shore Drive – expressed concern with the proposed cell phone tower at the Harbor Marina.

2) John Hash, 1115 Lake Shore Drive – expressed concern with having a cell phone tower built at the Harbor Marina.

Mayor DuBois explained that a contract had been signed, but the proposed site plan has not been submitted for Commission review. He explained that the next step in the process would be for the applicant to submit a site plan and it would then go through the review process. He stated that the public would have opportunities to review the plans and speak at meetings.

CONSENT AGENDA:

1. Regular Commission meeting minutes of April 1, 2015.

Motion: Commissioner Flaherty moved to approve the consent agenda; Commissioner O'Rourke seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

NOMINATION FOR BOARD MEMBERSHIP:

4. Anne Lynch – Nominated for Appointment to the Planning and Zoning Board as an alternate member.

Mayor DuBois explained that Commissioner Rapoza had nominated Anne Lynch for appointment to the Planning and Zoning Board.

Motion: Commissioner Flaherty moved to appoint Anne Lynch as an alternate member of the Planning and Zoning Board; Commissioner O'Rourke seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:

5. Ordinance No. 04-2015 Amending Certain Sections of Article XVI of the Town Charter Pertaining to Special Elections, Annual General Elections, and the Repeal of the Form of Ballots Used during an Election.

Town Clerk Mendez explained the item (see Exhibit "B"). Commissioner O'Rourke stated that on page 2 of the Ordinance it excludes Section 13 pertaining to the annual general election and asked that it be included.

Public Comment Opened:
None
Public Comment Closed:

Motion: Commissioner O'Rourke moved to approve Ordinance No. 04-2015 amending Section 2 on page 2 of the Ordinance to include Section 13 pertaining to the annual general election on first reading; Vice-Mayor Glas-Castro seconded the motion.

Vice-Mayor Glas-Castro asked the Attorney if this was a section of the Town Charter that could be modified without going through the referendum process. Attorney Baird stated "correct".

Vote on Motion:

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

Motion passed 4-0.

Attorney Baird read the Ordinance by title only.

6. Ordinance No. 05-2015 Amending Chapter 2, Article IV Section 2-111 Entitled Election of Board and Committee Officers.

Town Clerk Mendez explained the item (see Exhibit "C"). Mayor DuBois asked if the Library Board has been producing minutes on a timely manner. Town Clerk Mendez stated that the Library Board has submitted their meeting minutes in a timely manner. She explained that the Library Board has been structured differently where they do not have a staff person as their recording secretary.

Public Comment Opened:
Diane Bernhard, 301 Lake Shore Drive – expressed concern with having a staff member assigned as the recording secretary to the Board.

Mayor DuBois explained his experience when he was a member of the Harbor Marina Advisory Board and no staff members were assigned to the Board. He stated that the Board was disconnected from the Commission and at times out on their own to produce agendas.
Public Comment Closed:

Motion: Vice-Mayor Glas-Castro moved to approve Ordinance No. 05-2015 on first reading; Commissioner O'Rourke seconded the motion.

Commissioner O'Rourke stated that there are two weeks before these Ordinances appear on the next agenda and that the Commission were available to answer further questions.

Mayor DuBois spoke of the benefits of having a staff member at Board meetings and reconnecting the Boards with the Commission.

Vote on Motion:

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

Motion passed 4-0.

NEW BUSINESS:

7. Selecting the Venue for Future Sunset Celebration.

Interim Town Manager Turner explained the item (see Exhibit "D"). Commissioner O'Rourke felt that Lake Shore Park offered a nicer venue for the Sunset Celebration events. He asked if staff had a preference. Interim Town Manager Turner stated that staff has been pleased with the events at Lake Shore Park. Commissioner O'Rourke asked if there have been any complaints about the event at Lake Shore Park. Interim Town Manage Turner stated that staff has not received any complaints. Commissioner Flaherty asked if the Marina staff coordinate the event. Interim Town Manager Turner stated that the Marina staff does not coordinate the event, Janet Perry, in the Town Clerk/Deputy Town Manager's Office has taken on primary responsibility of the event each month. Commissioner Flaherty asked if tables and chairs area available for the events. Town Clerk Mendez explained that tables and chairs are delivered by Public Works from the Marina on the day of the event. Commissioner Flaherty stated that he would prefer that the event return to the Marina. Mayor DuBois asked what staff's position was. Interim Town Manager Turner stated that staff does not have a preference. Mayor DuBois asked how the Marina staff were reacting to the events. Interim Town Manager Turner stated that the workload for the Marina staff has increased due to increased occupancy at the Marina. Commissioner O'Rourke stated that the venue should be consistent each month.

Motion: Commissioner Flaherty moved to select the Marina as the primary venue and Lake Shore Park as the alternate venue for the Sunset Celebrations; Vice-Mayor Glas-Castro seconded the motion.

Vote on Motion:

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

Motion passed 4-0

8. Lake Park Harbor Marina Landscape Maintenance-Contract Time Extension.

Public Works Director Dave Hunt explained the item (see Exhibit "E"). Commissioner O'Rourke asked if staff ever considered combining all the landscape contracts to possibly receive a lower rate. Public Works Director Hunt stated that staff did consider combining the contracts, but the Marina is an Enterprise Fund and the Community Redevelopment Agency (CRA) is a distinct funding source, so the only economy of scale was combining the advertisement for the bid. He explained that each contract would be awarded to the most responsible responsive bidder.

Motion: Commissioner O'Rourke moved to extend the Lake Park Harbor Marina Landscape Maintenance-Contract time; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 4-0

9. Resolution No. 11-04-15 Fiscal Year 2014-2015 Mid-Year Budget Review and Adjustments.

Finance Director Blake Rane explained the item (see Exhibit "F"). Commissioner Flaherty asked if the only window coverings budgeted would be the Mirror Ballroom. Interim Town Manager Turner explained that it would cover the windows and the stage coverings for the Mirror Ballroom because the window coverings must be fire-retardant per the Palm Beach County Fire Code. Commissioner Flaherty asked if this item would go out for a formal bid in the future. Interim Town Manager Turner stated that it would go out for formal bid. Commissioner O'Rourke asked for clarification on the cell phone tower reduction in the budget. Finance Director Rane explained that Sprint has decommissioned the tower located at Public Works. As a result, the revenue projected from the tower has ended. He explained that T-Mobile is currently in their due diligence stage to possibly install a tower at the Harbor Marina. T-Mobile has made a payment of $2,950 for the option to test the Harbor Marina location for their tower with payments in the same amount each month after the installation of the tower if approved.

Motion: Commissioner Flaherty moved to adopt Resolution 11-04-15; Commissioner O'Rourke seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza			Absent

Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 4-0

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird explained that the Palm Beach County Inspector General funding case received final judgement in favor of Palm Beach County. The final judgement was challenged with a motion for rehearing was filed and the rehearing motion was denied. The City of West Palm Beach has agreed to fund the appeal to the Fourth District Court of Appeals. He explained that the Town Commission would need to decide, either tonight or at a future meeting, their desire to remain as participants in the appeal. The Commission discussed their desire to remain as participants in the appeal.

Motion: Commissioner O'Rourke moved to remain as appellant in the case; Vice-Mayor Glas-Castro seconded the motion.

Vice-Mayor Glas-Castro stated that residents need to understand that if the case is lost that they (the residents) would be paying twice for the unfunded mandate place on the municipality by Palm Beach County. The residents would be paying through their Ad Valorum Taxes to Palm Beach County and their Ad Valorum to the Town. She felt that the Town should remain as participants. Mayor DuBois stated that he would prefer that the item be brought back as an agenda item so the public had an opportunity to speak on the item. Vice-Mayor Glas-Castro asked if the case were lost would the Town be expected to pay the entire amount owed since the case began. Town Attorney Baird stated that Palm Beach County would expect that the municipalities fund the Countywide program that the County created. He explained that the other municipality he represents has budgeted each year their portion so that they are prepared to pay the full amount owed in the event the case were lost. He explained that the major concern was not funding the Inspector General program; it would be that Palm Beach County could impose other programs on an election ballot for municipalities to fund as they tried to do in the past. He stated that the misconception is that municipalities oppose the Inspector General and that is not the issue. He explained that the municipalities oppose funding a Palm Beach County program that Palm Beach County elected to push the cost onto the municipalities instead of funding it themselves. Vice-Mayor Glas-Castro pointed out that the Inspector General's proposed budget for fiscal year 2016 was 2.9 million with an increase of $500,000 to hire seven additional staff members if the case is lost. Mayor DuBois stated that the Inspector General budget was expected to go up to 5 million over time. The Commission directed staff to bring the item back at a future meeting agenda.

Vote on Motion:

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

Motion passed 4-0

Interim Town Manager Turner announced that all parties have signed the Town Manager's contract and John D'Agostino will begin May 1, 2015. She thanked all the sponsors for their support of the Easter Egg Hunt held on April 4, 2015. She apologized to those that felt that the event was not organized or intended as a fun family event. The seawall remediation project at the Marina is almost complete and not anticipated to go over budget. Very Serious Films LLC of North Palm Beach would be filming a movie at Town Hall from June 8-15, 2015 in the Commissioner Chamber. A night depository box has been installed outside the west entrance to Town Hall. 836 Bayberry Drive has been selected as the "Property of the Month" for the month of May. The Northern Palm Beach County Chamber Leadership Award nominations have been submitted. The next Sunset Celebration is scheduled for April 24, 2014 at Lake Shore Park. The end of season Tennis Tournament is scheduled for April 25 and 26 beginning at 8:00 a.m. Summer Camp registration has begun.

Commissioner O'Rourke recalled that a resident inquired about a tree memorial program and asked if the Tree Board could be brought back. Mayor DuBois explained how much work would be involved for the Tree Board and members with some knowledge would be necessary. Commissioner O'Rourke asked how building a cell tower at the Harbor Marina could be viewed as a public benefit, but a restaurant would not. He explained that he had asked the former Town Manager about a restaurant at the Marina and was told that there were deed restrictions restricting a restaurant at the Marina. Mayor DuBois explained that he asked the same question and was told that the cell tower would be installed in one of the non-deeded restricted areas at the Marina. Attorney Baird explained that the topic of placing a restaurant at the Marina has been discussed at length. He explained that the State have explained that the Marina property is deed restricted and the beneficiary of the restrictions are the trustees of the Internal Improvement Fund. The State would allow a restaurant on the Marina property, but a contract would be developed, which would include that the State would get a percentage of the proceeds generated by the restaurant. He stated that it is possible to have such a contract, but the State would demand a certain percentage of revenue.

Vice-Mayor Glas-Castro announced that the Palm Beach County League of Cities meeting would be Wednesday at the City of Atlantis. She explained that two members on the Lake Park Historical Society would be recognized by the Palm Beach County Historical Society. She asked for an update on the Florida Power & Light project on 3rd Street. Interim Town Manager Turner stated that she has not been made aware of any updates. She stated that no apologies are necessary for the Easter Egg Hunt and it was a very nice event. She asked what Community Development Block Grant projects would be submitted for the next fiscal year. Interim Town Manager Turner stated that staff would be meeting later this week to discuss which projects would be eligible.

Commissioner Flaherty congratulated the Historical Society members on being recognized by the County. He thanked Mr. and Mrs. Hash for speaking at the past two Commission meetings. He asked for an update on the 801 Park Avenue property. Community Development Director DiTommaso explained that the property had been purchased a year and a half ago and a site plan submittal packet had been received earlier in the week in the Community Development Department.

Commissioner Rapoza was absent.

Mayor DuBois stated that there was no need to apologize for the Easter Egg Hunt. He offered several suggestions for next year. He referred to an article in the New York Times about how children in New York were not all able to receive eggs during their Easter Egg Hunt. He stated that 90% of the All Aboard Florida plan had been completed of the intersections. He explained that several weeks ago he and staff met with them to review the plans. He explained that since the intersections are maintained by Palm Beach County the Town would need to coordinate with the Metropolitan Planning Organization (MPO) so that a site visit could be organized and the MPO could look at the intersections.

Motion: Commissioner O'Rourke moved to direct staff to pursue funding through the MPO for the pedestrian crossing improvements at the Town's Florida East Coast (FEC) railroad intersections; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 4-0

Mayor DuBois explained that the Department of Environmental Resource Management (DERM) had proposed a Mangrove Island directly east of the Harbor Marina channel and extended south to Rivera Beach. He stated that many Rivera Beach residents opposed the project and it would not be moving forward. He stated that the T-Mobile site plan should include their entire ground footprint. Community Development Director DiTommaso explained that T-Mobile has submitted their site plan application and several comments, including the Mayor's comment, has already been included from staff. He thanked Interim Town Manager Turner for stepping in as the Interim Town Manager during the transition time. Interim Town Manager Turner thanked the Commission for the opportunity. Mayor DuBois expressed condolences to the Babcott family on Palmetto Drive for the loss of their family member due to a fire.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner O'Rourke and seconded by Vice-Mayor Glas-Castro, and by unanimous vote, the meeting adjourned at 8:37 p.m.

Mayor James DuBois

Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this 6 of May, 2015

Exhibit "A"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 15, 2015 **Agenda Item No.**

Agenda Title: Proclamation recognizing April 24, 2015 as National Arbor Day

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

Approved by Town Manager _____ **Date:** 4/7/2015
Interim Town Mgr.

_____
David Hunt/Public Works Director

Originating Department: **Public Works**	**Costs: $ 350.00** **Funding Source: DPW, Grounds Maintenance Div.** **Acct. # 406 - 52000** **[X] Finance** BKR	**Attachments:** **Proclamation**
Advertised: Date: _____ Paper: _____ **[X] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	**Yes I have notified everyone**_____ or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background: Each year, the Town of Lake Park celebrates National Arbor Day by inviting school children from local schools to participate in the Arbor Day Event with poems, songs and drawings honoring trees. This year, the National Arbor Day observance will take place in Blakley Park, at 10:30 a.m. on Friday, April 24, 2015. Several trees planted from prior Arbor Day Celebrations will be revisited to see their growth over time. Also, a new tree will be presented which will be placed at a disclosed location. The Public Works Department will be coordinating the event. The anticipated $150.00 cost will cover refreshments and has been budgeted for this event.

Recommended Motion: I move to proclaim April 24, 2015 as National Arbor Day.

PROCLAMATION
IN HONOR OF NATIONAL ARBOR DAY

WHEREAS; in 1871 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees and this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS; Arbor Day is now observed throughout the nation and the world. Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS; trees are a renewable resource which provides the materials necessary to produce paper, construct our homes, fuel our fires and manufacture countless other wood products, and

WHEREAS; trees increase property values, enhance the economic vitality of business areas and improve the overall aesthetic appeal of our community, and

WHEREAS; trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS; efforts to protect our trees and woodlands by planting trees to promote the well-being of this and future generations should be supported by all persons,

NOW, THEREFORE; on behalf of the Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, Florida do hereby recognize April 24, 2015 as National Arbor Day.

IN WITNESS WHEREOF, *I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this _____ day of April, 2015.*

BY:_____
Mayor James DuBois

ATTEST:

_____
Vivian Mendez, Town Clerk

Exhibit "B"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 15, 2015 **Agenda Item No.**

Agenda Title: Ordinance Amending Certain Sections of Article XVI of the Town Charter pertaining to Special Elections, Annual General Elections, and the Repeal of the Form of Ballots used during Elections.

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

Approved by Town Manager Bonnie McKibbon Lee Date: 4/8/2015
Interim Town Mgr.

Vivian Mendez – Town Clerk
Name/Title

Originating Department: **Town Clerk**	Costs: **$ 0.00** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Ordinance**
Advertised: Date: _____ Paper: _____ **[X] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case ***VM*** **Please initial one.**

Summary Explanation/Background: Prior to July 1, 1973 the Town Commission adopted a municipal Charter, which contains among other matters, provisions pertaining to operations of the Town under a Town Commission-Town Manager form of government. Florida State Statue 166.021(4) and 166.31, set forth the procedures to be followed in amending municipal charters adopted prior to July 1, 1973, which charters have not been subsequently readopted. Amendments to municipal charters provisions which were adopted prior to July 1, 1973, such as the Town's Charter, may be made by Ordinance if the proposed changes do not affect the basic organizational and administrative structure of the municipal government, and if the proposed changes do not fall within

any of the statutorily excluded areas which expressly require a referendum in order to adopt the proposed charter amendment. The proposed amendments in Article XVI do not fundamentally alter the basic organizational or administrative structure of the Town's Commission-Manager form of government as set forth in the Town Charter.

The following sections are proposed to be modified:

Section 11 – Special Elections; Section 13 – Date of General Elections; Section 22 – Form of Ballot.

Recommended Motion: I move to adopted Ordinance 04-2015 on first reading.

Exhibit "C"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **April 15, 2015** **Agenda Item No.**

Agenda Title: Ordinance Amending Chapter 2, Article IV, Section 2-111 Entitled Election of Board and Committee Officers.

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

Approved by Town Manager Barbara McKibbon-Leere Inter Town Mgr. **Date:** 4/8/2015

Vivian Mendez – Town Clerk
Name/Title

Originating Department: **Town Clerk**	Costs: **$ 0.00** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **Ordinance**
Advertised: Date: _____ Paper: _____ **[X] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case ***VM*** **Please initial one.**

Summary Explanation/Background: The Town Code of Ordinances Chapter 2, Article IV, is entitled "Boards, Commissions, and Committees", which authorizes the Town Commission to appoint members to certain standing boards, Commissions, and committees. Section 2-111 of this Chapter provides for each board, Commission, or committees to elect a Chair and officers from their membership, including a recording secretary. The current language pertaining to the selection of a recording secretary has proven to be a challenge for the boards in the past.

Staff is proposing the following three (3) amendments to this section of the Code:

1. Amend the title from "Boards, Commissions, and Committees", to "Boards, and Committees" and remove the word Commission.
2. Each board shall annually elect a chair from its membership and a vice-chair at their first meeting of each year instead of the month of January.
3. The Town Manager shall assign a staff member to be the recording secretary who shall be responsible for producing minutes of the board or committee meeting.

Recommended Motion: I move to approve Ordinance 05-2015 on first reading.

Exhibit "D"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 15, 2015 **Agenda Item No.** - 1

Agenda Title: Selecting the Venue for Future Sunset Celebrations

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

Approved by Town Manager [signature] **Date:** 4/7/2015
Interim Town Manager

Name/Title

Originating Department: Town Manager	**Costs: $ -0-** Funding Source: Acct. # [ ] Finance _____	**Attachments:** **None**
Advertised: Date: _____ Paper: _____ **[x] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case: BMT **Please initial one.**

Summary Explanation/Background:

Since their inception, the monthly Sunset Celebrations have been held at the Lake Park Harbor Marina. Recently, in order to accommodate the Marina Seawall Remediation Project that has been underway, the venue for the monthly Sunset Celebrations was changed to Lake Shore Park.

The planning for the monthly Sunset Celebrations takes place a month in advance of each event, and the planning for the April Sunset Celebration to take place at Lake Shore Park has already been completed and advertisements have been published. Staff is in the process of planning for the May Sunset Celebration. Now that the Marina Seawall Remediation Project is substantially complete, staff is seeking direction from the Town Commission as to whether to continue to hold the Sunset Celebrations at Lake Shore Park, or whether to return this event to the Marina commencing in May, 2015.

Recommended Motion: There is no recommended motion.

Exhibit "E"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 15, 2015 **Agenda Item No.**

Agenda Title: Lake Park Harbor Marina Landscape Maintenance-Contract Time Extension

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

Approved by Interim **Town Manager** [signature] **Date:** 4/7/2015
Richard Pittman / Project Manager Richard Pittman
Name/Title

Originating Department: Public Works	**Costs: $ 2,907.42 per month** **Funding Source: Marina F.Y 15 Budget** **Acct. # 800-34000** **[X] Finance** BKR	**Attachments:** **Letter of Agreement**
Advertised: Date: _____ Paper: _____ **[X] Not Required**	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case ____ **Please initial one.**

Summary Explanation/Background:
The Town Commission has approved two extensions of the Chris Wayne & Associates, Inc. (CWA) landscape maintenance contract for the Lake Park Harbor Marina landscape maintenance for Fiscal Year 2015. The latest extension, approved at the January 7, 2015 Town Commission meeting, will expire on April 30, 2015. Staff is recommending a third contract extension until a new contract is in place. The current contract with CWA is $2,907.42 per month.

CWA is agreeable to a contract extension through September 30, 2015 (see attached Letter of Agreement). The solicitation for the marina landscape maintenance was advertised on April 12, 2015. The bid opening is scheduled for May 13, 2015. The RFP package is written to allow the Town Commission to elect to commence a new contract for maintenance in July or on October 1ST. The recommendation for the contract commencement date of the new contract will be based on the monthly price of the new contract versus the current monthly cost using CWA. The recommendation for the award of a new marina landscape maintenance contract and time extension, if desired, will be on the June 3rd Town Commission meeting agenda.

Recommended Motion: Based on the bid opening date, I move to approve a time extension of the Lake Park Harbor Marina landscape maintenance contract with CWA until a new contract is in place.

Public Works Department

March 13, 2015

Mr. Chris Dellago, RLA, President
Chris Wayne & Associates, Inc.
15863 97th Drive North
Jupiter, Florida 33478

Dear Mr. Chris Dellago:

RE: Letter of Agreement
Contract Extension for CRA District Landscape Maintenance
Contract Extension of Lake Park Harbor Marina Landscape Maintenance

Chris Wayne and Associates, Inc. (CWA) currently perform landscape maintenance within the Lake Park CRA District under a contract extension approved by the Lake Park CRA Board on January 7, 2015. The compensation for this service is $6,330.00 per month. The contract, with the extension, will expire on April 30, 2015.

Chris Wayne and Associates, Inc. currently perform landscape maintenance at the Lake Park Harbor Marina property under a contract extension approved by the Lake Park Town Commission on January 7, 2015. The compensation for this service is $2907.42 per month. This contract, with the extension, will also expire on April 30, 2015.

The Lake Park CRA and the Town of Lake Park have a need to extend the aforementioned contracts to the end of the fiscal year (September 30, 2015) at which time it is anticipated that new landscape maintenance contracts will commence. The current CWA monthly charges have been budgeted for through September 30th. We propose that CWA agree to an additional five month extension at the current rates while the Town publicly solicits bids for new, five year contracts (an initial three year contract with two, one year extension options). By re-bidding the contract, you will have the opportunity to adjust your rates to reflect current costs and expenses. In addition, the Town will be able to adjust its Fiscal Year 2016 Budget figures to allow for any rate increases that may arise from the competitive bidding process.

Please indicate your acceptance of an additional five month contract extension for both of CWA's current contracts and compensation by signing below and returning to the Town of Lake Park Public Works Department.

Respectfully yours,

J. David Hunt
Director of Public Works

Accepted by: _____ Date: 3/16/15
Chris Dellago, President CWA

cc: B. McKibbon-Turner, Interim Town Manager
B. Rane, Finance Director
R. Pittman, Project Manager

650 Old Dixie Highway
Lake Park, FL 33403
Phone: (561) 881-3345
Fax: (561) 881-3349

www.lakeparkflorida.gov

Exhibit "F"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: **4/15/2015** **Agenda Item No.**

Agenda Title: **FISCAL YEAR 2014/2015 MID-YEAR BUDGET REVIEW AND ADJUSTMENTS**

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

Approved by Town Manager [signature] **Date:** 4/8/15

Blake K. Rane **Finance Director** BKR
Name/Title

Originating Department: **FINANCE**	Costs: See attachment "A" Funding Source: Acct. # [X] Finance ____BKR_____	**Attachments:** Resolution, Mid-year Budget Adjustment Itemization (Attachment "A"), and Narrative
Advertised: Date: _____ Paper: _____ [X] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone_____ or Not applicable in this case _BKR_ **Please initial one**.

Summary Explanation/Background:

At this point in each fiscal year, the Town Finance Director conducts a mid-year review of the approved budget to determine if any adjustments need to be made. This review has been conducted and attached is a schedule (Attachment "A") that lists the significant items that need to be adjusted for the Town of Lake Park 2014/15 Budget, along with a narrative explanation of such adjustments.

Recommended Motion:.

I move to adopt Resolution 11-04-15.

RESOLUTION NO. 11-04-15

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN BUDGET FOR FISCAL YEAR 2014-2015 AS PREVIOUSLY ADOPTED BY RESOLUTION NO. 29-09-14; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the Town Commission has previously established the budget for the Town of Lake Park for the fiscal year beginning October 1, 2014 and ending September 30, 2015; and

WHEREAS, at the time of its adoption, the budget properly reflected expected revenues and appropriations; and

WHEREAS, to implement this budget, the Town Commission adopted and levied by Resolution No. 29-09-14 a final millage rate for the Fiscal Year 2014-2015; and

WHEREAS, the Town Commission deems it necessary and advisable to amend the budget for the Town of Lake Park for Fiscal Year 2014-2015, which was adopted by Resolution No. 29-09-13.

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

Section 1. The whereas clauses are true and correct and are supported herein.

Section 2. An amended final budget of the Town of Lake Park General Fund is hereby approved and adopted as set forth in the attached Mid-Year Budget Adjustment Itemization (Attachment "A").

Section 3. The Town Manager is hereby authorized to amend/transfer between departmental accounts provided, however, that total appropriated expenditures by fund do not exceed Commission authorized amounts.

Section 4. If any section, subsection, sentence, clause, phase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This resolution shall take effect immediately upon adoption.

Mid-Year Budget Adjustment Itemization

April 15, 2015

ATTACHMENT "A"

General Fund

Item		Account Number	Proposed Change	Totals
	Revenue			
	Total General Fund Budgeted Revenue			$ 8,522,458
(1)	Rent - Cell Tower (Sprint)	001-362.120	$ (11,883)	
	Rent - Cell Tower (Metro PCS)	001-362.122	2,950	
(2)	Building Permits w/ min Surcharge	001-322.100	5,000	
	Building Permits - Other	001-322.110	(45,000)	
	Re-inspection Fees	001-329.152	(2,000)	
(10)	Balance Brought Forward	001-38-000-9000	(9,999)	
	Total Revenue Changes		$ (60,932)	(60,932)
	Proposed Budget			$ 8,461,526
	Expenses			
	Total General Fund Budgeted Expense			$ 8,522,458
(2)	Contractual Services	001-52-524-500-34000	$ (48,550)	
(3)	Executive Salaries	001-51-512-105-11000	10,086	
	Executive Salaries	001-51-512-104-11000	(9,231)	
	FICA	001-51-512-105-21000	772	
	FICA	001-51-512-104-21000	(706)	
	Retirement	001-51-512-105-22000	504	
	Retirement	001-51-512-104-22000	(923)	
(4)	Improvement Buildings	001-54-597-408-62100	25,000	
(5)	Membership Fees	001-51-512-100-54200	900	
(6)	Memberships, Dues, & Subscriptions	001-51-512-104-54200	1,117	
(7)	Special Pay	001-51-512-105-15000	500	
(8)	Contractual Services	001-52-522-300-34000	4,949	
(9)	Contribution - Police Actuary	001-51-589-900-91601	(13,231)	
	Contingency	001-51-589-900-99901	2,880	
(10)	Transfer to Fund Balance	001-51-589-900-99901	(34,999)	
	Total of Expense Changes		$ (60,932)	(60,932)
	Proposed Budget			$ 8,461,526

Mid-Year Budget Adjustment Itemization

April 15, 2015

ATTACHMENT "A"

Insurance Fund

		Account Number	Proposed Change	Totals
	Revenue			
	Total Insurance Fund Budgeted Revenue			$ 227,116
(1)	Refund Prior Year Expenses		$ 25,081	
	Total Revenue Changes		$ 25,081	25,081
	Proposed Budget			$ 252,197
	Expenses			
	Total Insurance Fund Budgeted Expense			$ 227,116
(1)	Insurance Claims Deductible		$ 25,081	
	Total of Expense Changes		$ 25,081	25,081
	Proposed Budget			$ 252,197

Mid-Year Budget Adjustment Itemization

April 15, 2015

ATTACHMENT "A"

Special Projects Fund

	Account Number	Proposed Change	Totals
	Revenue		
	Total Special Projects Fund Budgeted Revenue		$ 419,150
(1)	2015 JAGD-PALM-13-R1-124	$ 5,995	
	Total Revenue Changes	$ 5,995	5,995
	Proposed Budget		$ 425,145
	Expenses		
	Total Special Projects Fund Budgeted Expense		$ 419,150
(1)	2015 JAGD-PALM-13-R1-124	$ 5,995	
	Total of Expense Changes	$ 5,995	5,995
	Proposed Budget		$ 425,145

Mid-Year Budget Adjustment Itemization

April 15, 2015

ATTACHMENT "A"

Marina Fund

		Account Number	Proposed Change	Totals
	Revenue			
	Total Marina Fund Budgeted Revenue			$ 1,427,014
(1)	Balance Brought Forward	401-399.999	$ 550,000	
	Total Revenue Changes		$ 550,000	550,000
	Proposed Budget			$ 1,977,014
	Expenses			
	Total Marina Fund Budgeted Expense			$ 1,427,014
(1)	Seawall Remediation	401-57-579-800-46060	$ 550,000	
	Total of Expense Changes		$ 550,000	550,000
	Proposed Budget			$ 1,977,014

Mid-year Budget Narrative

The Mid-year Budget adjustment is intended to keep the Commission informed of any significant changes that have occurred or are likely to occur in the current fiscal year. The following tasks have been accomplished in preparation for presenting this review:

a. Monthly reports are available to all Department Directors;
b. Also, periodic Fiscal Year Financial Reports are prepared and distributed to the Commission and Senior Staff;
c. Additionally, the Finance Director has analyzed each fund and each department within each fund, meeting with Department Directors as necessary; and
d. Finally, The Finance Director and the Interim Town Manager have met and reviewed the findings of the budget review process.

We are happy to report that thus far there are very limited adjustments that need to be made to the fiscal year 2014-15 Budget. As you will note, many of the adjustments are minor in effect but staff feels it important to keep the Commission informed of such adjustments and where funding is moved between funds or increases or decreases revenue. Adjustments are discussed below and are listed in detail on Attachment "A".

GENERAL FUND

In the General Fund staff recommends adjusting the following revenue items (corresponding Item numbers appear on Attachment A): Item 1 – Two cell tower related changes have occurred since the budget was adopted; we were informed that the Sprint tower is being decommissioned thus reducing the Town's revenue, and the initial study annual fee for the Metro PCS tower has been received. Item 2 – The Town's relationship with Hybird changed to a revenue sharing model reducing both the Town's revenue and expense.
Expenses that require adjustment include: Item 3 – The movement of Salary expenses and related items from the Town Manager department to the Human Resources department. Item 4 – Replacing the curtains and draperies in the Mirror Ballroom. Items 5, 6, & 7 – Are adjustments that put the funding for small expenses where it is needed. Item 8 – Corrects a calculation error in the amount of the Palm Beach County Fire/Rescue contract. Item 9 – Adjusts the amount of funding that was required by the actuary to maintain the Retired Police Officers Pension Fund. Item 10 – is both in revenue and expense as a housekeeping adjustment designed to simplify the budget while still maintaining an account with a balance as a placeholder.

INSURANCE FUND

In the Insurance Fund staff recommends increasing the amount available for any unknown deductibles by the unbudgeted amount received as the refund of prior year expenses.

SPECIAL PROJECTS FUND

The Town has been awarded a Florida Department of Justice grant in the amount of $5,995. It is recommended to increase both revenue and expense by this amount.

MARINA FUND

In the Marina Fund staff recommends adding to the budget the funding that was appropriated by the Commission on August 20, 2014.

AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, April 15, 2015, 6:30 p.m.
Lake Park Town Hall
535 Park Avenue

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

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

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATIONS/REPORTS

1. **Palm Beach County Sheriff's Office Citizens on Patrol Quarterly Report** — **Tab 1**
2. **Proclamation Recognizing April 24, 2015 as National Arbor Day** — **Tab 2**

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.

3. Regular Commission Meeting Minutes of April 1, 2015 **Tab 3**

F. NOMINATION FOR BOARD MEMBERSHIP:

4. Anne Lynch – Nominated for Appointment to the Planning and Zoning Board as an Alternate Member **Tab 4**

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

None

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

5. Ordinance No. 04-2015 Amending Certain Sections of Article XVI of the Town Charter Pertaining to Special Elections, Annual General Elections, and the Repeal of the Form of Ballots Used during an Election. **Tab 5**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CERTAIN SECTIONS OF ARTICLE XVI OF THE TOWN CHARTER; PROVIDING FOR THE AMENDMENT OF SECTION 11 PERTAINING TO SPECIAL ELECTIONS; PROVIDING FOR THE AMENDMENT OF SECTION 13 PERTAINING TO THE ANNUAL GENERAL ELECTION; PROVIDING FOR THE REPEAL OF SECTION 22, ENTITLED "FORM OF BALLOT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

6. Ordinance No. 05-2015 Amending Chapter 2, Article IV Section 2-111 Entitled Election of Board and Committee Officers. **Tab 6**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV OF THE TOWN CODE, ENTITLED "BOARDS, COMMISSIONS, AND COMMITTEES"; PROVIDING FOR THE AMENDMENT OF THE TITLE OF ARTICLE IV; PROVIDING FOR THE AMENDMENT OF SECTION 2-111; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

I. NEW BUSINESS:

7. Selecting the Venue for Future Sunset Celebration **Tab 7**

8. Lake Park Harbor Marina Landscape Maintenance-Contract Time Extension **Tab 8**

9. Resolution No. 11-04-15 Fiscal Year 2014-2015 Mid-Year Budget Review and Adjustments **Tab 9**

J. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

K. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, May 6, 2015