



AGENDA

Lake Park Town Commission
 Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, June 17, 2009,
Immediately following the
Special Call CRA Board Meeting,
Lake Park Town Hall
535 Park Avenue

Desca DuBois	—	Mayor
Jeff Carey	—	Vice-Mayor
Edward Daly	—	Commissioner
Patricia Osterman	—	Commissioner
Kendall Rumsey	—	Commissioner
.....		
Maria V. Davis	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian M. Lemley, 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**
- B. **INVOCATION**
- C. **PLEDGE OF ALLEGIANCE**
- D. **ROLL CALL**
- E. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**
- F. **PRESENTATION:**
 - Florida Inland Navigation District Check Presentation
 - Legislative Report Presented by Fausto Gomez
- G. **CERTIFICATE OF APPRECIATION(S):**
 - Chick-Fil-A
 - CiCi's Pizza

- H. **PROCLAMATION(S):**
- Phil's Auto Body
 - Deputy William Badala
 - Earl Stewart

I. **PUBLIC and OTHER 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 Town Clerk so speakers may be announced. Please remember, comments are limited to a **TOTAL** of three minutes.

- J. **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.**

For Approval:

- | | |
|--|-------|
| 1. Regular Commission Meeting Minutes of May 20, 2009 | Tab 1 |
| 2. Regular Commission Meeting Minutes of June 3, 2009 | Tab 2 |
| 3. Emergency Purchase of a Replacement Fuel Storage Tank at Public Works | Tab 3 |
| 4. Marina Overnight Parking Rate | Tab 4 |
| 5. Authorization Increased Insurance Payment to the Florida Municipal Insurance Trust | Tab 5 |
| 6. Resolution No. 24-06-09 Intent of the Town to Reimburse Certain Expenditures with Proceeds of Tax Exempt Debt | Tab 6 |
| 7. Resolution No. 25-06-09 Amending Town Budget for Fiscal Year 08/09 | Tab 7 |
| 8. Resolution No. 26-06-09 Tentative Stormwater Rate | Tab 8 |
| 9. Resolution No. 27-09-09 Sanitation Rate for TRIM Rate | Tab 9 |

K. **DISCUSSION AND POSSIBLE ACTION:**

10. Zoning in Progress Tab 10

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

M. **ADJOURNMENT:**

Presentation

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. *Presentation*

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> ORDINANCE ON SECOND READING |
| <input type="checkbox"/> BID/RFP Award | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input checked="" type="checkbox"/> Other: Presentation | |

SUBJECT: Lake Shore Park Seawall Project

RECOMMENDED MOTION/ACTION: Receive final check from Florida Inland Navigation District (FIND)

Approved by Town Manager *He Davis* Date: *6/11/09*

Virginia Martin, Grants Writer
Name/Title

June 2, 2009
Date of Actual Submittal

Originating Department: Grants	Costs: \$ Funding Source: Acct. #	Attachments: none
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input checked="" type="checkbox"/> Grants _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____	<input type="checkbox"/> PBSO _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u><i>GM</i></u> : Please initial one.

Summary Explanation/Background: The Lake Shore Seawall Project is now complete, and the FIND Commissioner, Donn R. Colee has requested time on the agenda to present the final check for the project. David Roach, Florida Inland Navigation District Executive Director and/or Mark Crosley, Assistant Executive Director may also attend.

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date:

Agenda Item No. *Presentation*

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
- Other: Presentation**

SUBJECT: Legislative Report by Intergovernmental Consultant Fausto Gomez

RECOMMENDED MOTION/ACTION:

Approved by Town Manager

W. Davis

Date:

5/22/09

Name/Title

Date of Actual Submittal

Originating Department: Town Manager	Costs: \$ Funding Source: Acct. #	Attachments:
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ 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 _____: Please initial one.

Summary Explanation/Background: Consultant Fausto Gomez will provide the Town Commission with a brief update on the Legislative Session.

Certificates of Appreciation

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. *Certificates of Appreciation*

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input checked="" type="checkbox"/> Other: Recognitions | |

SUBJECT: Easter Egg Hunt Donations.

RECOMMENDED MOTION/ACTION:

Staff recommends recognition of the following Businesses with a Certificate of Appreciation for donating prizes for this years Annual Easter Egg Hunt.

Approved by Town Manager *W. Davis* Date: *6/11/09*

Name/Title _____

Date of Actual Submittal _____

Originating Department: Parks & Recreation	Costs: \$ 0 Funding Source: Acct. #	Attachments: Memo
Department Review: <input checked="" type="checkbox"/> Parks & Recreation _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background: Staff would like to thank the following Lake Park Businesses which donated items for the 2009 Easter Egg Hunt.

(Neil Hannon) Chik-fil-A
(Ashton Irons) CiCi Pizza

donated 75 Free Kids Meals
donated 6 Free Kids Buffets.



TOWN OF LAKE PARK

CERTIFICATE OF APPRECIATION

is hereby granted to

CiCi's Pizza

*for Donating Six Free Kids Meals in Support of
the Town of Lake Park 2009 Easter Egg Hunt*

Awarded: June 17, 2009

Mayor Desca Dubois



TOWN OF LAKE PARK

CERTIFICATE OF APPRECIATION

is hereby granted to

Chick-fil-A

*for Donating 75 Free Kids Meals in Support of
the Town of Lake Park 2009 Easter Egg Hunt*

Awarded: June 17, 2009

Mayor Desca Dubois

Proclamations

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. *Proclamations*

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> GENERAL APPROVAL OF ITEM |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
- Other: Proclamation

SUBJECT: Proclamation in Honor of Phil's Auto Body, Inc.

RECOMMENDED MOTION/ACTION: Approval of Proclamation

Approved by Town Manager

W. Davis

Date:

6/11/09

Name/Title

R. McWhorter
HR Director

Date of Actual Submittal

6/11/09

Originating Department: Town Manager	Costs: \$ -0- Funding Source: Acct. #	Attachments: Copy of Proclamation
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input checked="" type="checkbox"/> Human Resources <i>BMT</i> <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u>BMT</u> OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background:

**PROCLAMATION
IN HONOR OF
FOR PHIL'S AUTO BODY, INC.**

WHEREAS; Phil's Auto Body, Inc. is a local business which is operating in the Town of Lake Park; and

WHEREAS; Phil's Auto Body, Inc. has been working for several months to provide assistance to single mothers and fathers who are without transportation; and

WHEREAS; the principals and staff at Phil's Auto Body, Inc. have been donating their time and materials to overhaul and paint automobiles donated by private individuals; and

WHEREAS; Phil's Auto Body, Inc. has donated eleven refurbished and like-new automobiles to needy individuals thereby helping several families; and

WHEREAS; through such action, Phil's Auto Body, Inc. has demonstrated a strong sense of corporate citizenship by working as part of this community to provide assistance to those in need during this time of economic crisis; and

WHEREAS; the Town of Lake Park wishes to express its gratitude to Phil's Auto Body, Inc. for initiating and continuing this worthwhile effort.

NOW, THEREFORE, on behalf of the Commission of the Town of Lake Park, I, Desca Dubois, Mayor of the Town of Lake Park, do hereby publicly recognize and commend Phil's Auto Body, Inc. for its assistance which has benefited not only individual citizens, but the Lake Park community as a whole.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 17th day of June, 2009.

By: _____
Mayor Desca Dubois

ATTEST:

Vivian Mendez Lemley, Town Clerk

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. *Proclamations*

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input checked="" type="checkbox"/> Other: Proclamation | |

SUBJECT: Proclamation in Honor of Deputy William Badala for Receipt of the National Top Cop Award for 2009

RECOMMENDED MOTION/ACTION: Approval of Proclamation

Approved by Town Manager *W. Davis* Date: *6/11/09*
Bambi McArthur *4/11/09*
 Name/Title *HR Director* Date of Actual Submittal

Originating Department: Town Manager	Costs: \$ -0- Funding Source: Acct. #	Attachments: Copy of Proclamation
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input checked="" type="checkbox"/> Human Resources <u><i>BMT</i></u> <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u><i>BMT</i></u> OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background:

At its November 5, 2008 meeting, the Commission of the Town of Lake Park honored Palm Beach County Sheriff's Office Deputy William Badala for the bravery that he exhibited during the October 22, 2008 shooting at Lake Park Towing. On May 21, 2009, the National Association of Police Organizations selected Deputy William Badala as a recipient of its National Top Cop Award for 2009 for his actions during this incident. The purpose of this item is to commend Deputy Badala for his receipt of this honor.

**PROCLAMATION
IN HONOR OF DEPUTY WILLIAM BADALA
NATIONAL TOP COP AWARD WINNER FOR 2009**

WHEREAS; the National Association of Police Organizations is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement officers; and

WHEREAS; the National Association of Police Organizations has since 1994 recognized and paid tribute to law enforcement officers for actions they have undertaken which are above and beyond the call of duty; and

WHEREAS; Palm Beach County Sheriff's Office Deputy William Badala has been chosen this year by the National Association of Police Organizations as a recipient of the National Top Cop Award for the bravery that he exhibited during the October 22, 2008 shooting which occurred at Lake Park Towing; and

WHEREAS; President Barack Obama, Vice President Joe Biden and U.S. Attorney General Eric Holder were among those who participated in the bestowal of this honor upon Deputy William Badala; and

WHEREAS; the citizens of the Town of Lake Park are grateful for the devotion to duty that Deputy William Badala displayed during this incident and for his outstanding service to this community; and

WHEREAS; the Commission of the Town of Lake Park wishes to publicly recognize Deputy William Badala for the honor that has been bestowed upon him.

NOW, THEREFORE, on behalf of the Commission of the Town of Lake Park, I, Desca Dubois, Mayor of the Town of Lake Park, do hereby publicly commend Deputy William Badala and congratulate him for being selected as a recipient of this important award.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 17th day of June, 2009.

By: _____
Mayor Desca Dubois

ATTEST:

Vivian Mendez Lemley, Town Clerk

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. *Proclamations*

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> GENERAL APPROVAL OF ITEM |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input checked="" type="checkbox"/> Other: Proclamation | |

SUBJECT: Proclamation in Honor of Earl Stewart Toyota

RECOMMENDED MOTION/ACTION: Approval of Proclamation

Approved by Town Manager

Barbara M. Keenan

Name/Title

HR Director

W. Davis

Date:

6/11/09

Date of Actual Submittal

6/11/09

Originating Department: Town Manager	Costs: \$ -0- Funding Source: Acct. #	Attachments: Copy of Proclamation
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input checked="" type="checkbox"/> Human Resources <i>BMT</i> <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u>BMT</u> OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background:

**PROCLAMATION
IN HONOR OF
EARL STEWART TOYOTA**

WHEREAS; Earl Stewart Toyota is a family-owned automobile dealership which has operated in the Town of Lake Park for more than thirty years; and

WHEREAS; in order to increase awareness of the need for increased energy efficiency and the need to decrease dependency on fossil fuels, Earl Stewart Toyota sponsored the effort to drive a Toyota Prius a distance of 1,100 miles from North Palm Beach, Florida, to Washington, D.C. in eleven days using eleven gallons of gasoline; and

WHEREAS; the Toyota Prius departed from the Earl Stewart Toyota dealership in the Town of Lake Park on June 1, 2009 and arrived in Washington, D. C. on June 11, 2009; and

WHEREAS; as a result of accomplishing this goal, Earl Stewart Toyota will be considered for recognition by the Guinness Book of World Records; and

WHEREAS; the Town of Lake Park wishes to congratulate Earl Stewart Toyota for sponsoring this important event.

NOW, THEREFORE, on behalf of the Commission of the Town of Lake Park, I, Desca Dubois, Mayor of the Town of Lake Park, do hereby publicly recognize and commend Earl Stewart Toyota for this accomplishment.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 17th day of June, 2009.

By: _____
Mayor Desca Dubois

ATTEST:

Vivian Mendez Lemley, Town Clerk

Consent Agenda

TAB 1

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. *Tab 1*

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> ORDINANCE ON SECOND READING | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Commission Meeting Minutes of May 20, 2009

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager *W. Davis* Date: *6/11/09*
Victoria M. Lemley *6/11/09*
 Name/Title Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ Funding Source: Acct. #	Attachments: Minutes
Department Review: <input type="checkbox"/> Attorney _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____	<input type="checkbox"/> Grants _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Recreation _____ <input checked="" type="checkbox"/> Town Clerk <i>YML</i> <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <u>n/a</u> Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, May 20, 2009, 7:30 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, May 20, 2009 at 7:32 p.m. Present were Mayor DuBois, Vice-Mayor Carey, Commissioners Daly, Osterman, and Rumsey, Town Manger Maria Davis, Attorney Thomas Baird, and Deputy Town Clerk Jessica Shepherd.

Mayor DuBois led the Invocation and the Pledge of Allegiance. Deputy Town Clerk Jessica Shepherd performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None.

Motion: A motion was made by Commissioner Osterman to approve the agenda; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Daly	X		
Commissioner Osterman	X		
Commissioner Rumsey	X		
Vice-Mayor Carey	X		
Mayor DuBois	X		

Motion passed 5-0

PRESENTATION(S):

Deputy of the Quarter Certificate of Appreciation to Deputy Carlos Cotto

Palm Beach County Sheriff's Office Captain Doug Reece provided the Commission a brief explanation as to why Deputy Carlos Cotto was being honored with the Deputy of the Quarter Certificate for his efforts from January – March 2009.

Deputy Carlos Cotto accepted the certificate and thanked the Commission. Deputy Cotto stated that he was humbled by the honor and was just doing his job.

2008 Comprehensive Annual Financial Report (CAFR) presented by Ed Holt of Nowlen, Holt & Miner, P.A.

Finance Director Anne Costello introduced Mr. Ed Holt from Nowlen, Holt & Miner, P.A. who gave an overview of the 2008 CAFR report to the Commission.

Mr. Holt explained each section of the report and asked the Commission to turn to page 13 of the CAFR report (see Exhibit "A"), which was the Statement of Net Assets. Mr. Holt explained that the Town's total assets were 26.6 million, with 17.9 million in liabilities leaving 8.7 million as the net assets.

Mr. Holt directed the Commission to turn to page 16 of the report, which was the Balance Sheet Governmental Funds and explained that the total assets minus total liabilities was 5.8 million. Due to the reserves that are required from the general fund the true available total was \$686,000. A reasonable amount of those funds are expected to be saved for future projects. The question was what was considered reasonable. Mr. Holt gave a figure of 16%. It could be more depending on what the municipality wanted to save and not borrow for projects.

Mr. Holt also gave an overview of the Management letter on page 110. The letter indicated that there had been vast improvements since last year.

Mr. Holt thanked the Commission and staff for their time. Mayor DuBois thanked Mr. Holt for the presentation.

PUBLIC and OTHER COMMENT

None.

CONSENT AGENDA:

1. Notification of Expenditure for Urgent Professional Engineering Services to Develop an Application Package to Become LAP (Local Area Program) Certified
2. Resolution No. 20-05-09 Fee Schedule
3. Renewal for Audit Services for Fiscal Year 2009

Public Comment Open.

None.

Public Comment Closed.

Motion: A motion was made by Commissioner Rumsey to approve the Consent Agenda; Vice-Mayor Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Daly	X		

Commissioner Osterman	X		
Commissioner Rumsey	X		
Vice-Mayor Carey	X		
Mayor DuBois	X		

Motion passed 5-0

PUBLIC HEARING:
RESOLUTION

Resolution No. 21-05-09 Interlocal Agreement with Palm Beach County for Bus Shelters

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE TOWN AND PALM BEACH COUNTY FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND USE OF PALM TRAN BUS SHELTERS IN THE TOWN OF LAKE PARK, AUTHORIZING THE MAYOR TO EXECUTE SAID INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Community Development Director Patrick Sullivan explained the reason for the Resolution. Palm Beach County has a program which puts up bus shelters. Staff recommendation was to place a few bus shelters along Congress Avenue and then expand throughout the rest of the Town. The bus shelters would be paid for by the advertising placed on the shelters. The County contracts with CBS Outdoor, Inc. for the installation and maintenance of the bus shelters.

Commissioner Daly asked if there would be shelters placed on US 1. Patrick Sullivan stated that shelters can be placed on US 1 depending on the space available.

Commissioner Rumsey stated that a small commission would be gained by the Town for having the shelters. Patrick Sullivan stated that yes a small percentage would be sent to the Town every three (3) months or so.

Public Comment Open.

None.

Public Comment Closed.

Motion: A motion was made by Commissioner Osterman to approve Resolution 21-05-09 Interlocal Agreement with Palm Beach County for Bus Shelters; Vice-Mayor Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner			

Daly	X		
Commissioner Osterman	X		
Commissioner Rumsey	X		
Vice-Mayor Carey	X		
Mayor DuBois	X		

Motion passed 5-0

DISCUSSION & POSSIBLE ACTION:

Town Manager Goals

Town Manager Maria Davis explained that her contract states that she and the Commission establish goals each year. Due to the financial situation the goals that are being proposed (see Exhibit "B") are realistic and attainable. One of the key elements in the upcoming fiscal budget would be revenue enhancements on a limited budget.

1. Revenue Enhancements:

- Parking meters at Lake Shore Park.
- Harbor Marina looking to initiate phase II of construction of 8 new slips, relocation of the fuel dock and the reconstruction of the breakwater on the east side of the fishing pier. Looking at a possible increase in slip rental rates as well as increase the parking.

2. Implement a Comprehensive Stormwater Maintenance Program.

- The Town has the equipment and staff to clean the drains. The Towns has begun this process for the first time ever.
- Implementing a swale regrading program

3. Update Stormwater Master Plan

4. Enhance Communication with Residents

- Electronic newsletter
- Develop a new resident welcome packet
- Develop Town services booklet

5. Focus on CRA and Economic Development

- Incentives to attract business
- Ensure adoption of the updated Master Plan
- Develop a Co-op and/or increase the number of artisans on Park Ave.

6. Continue to pursue Stimulus and other Federal Funds to Execute Infrastructure Projects

7. Develop solutions/alternatives to balance budget with emphasis on minimally impacting Town services and employees

COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:

Commissioner Daly

None

Commissioner Osterman stated that she has heard good things about officers patrolling in the CRA.

Commissioner Rumsey thanked staff for both events over the weekend. He expressed that he had a good time at the fishing tournament. He announced that Andy Spilos has a photo exhibit at the Library of the history of Lake Park until the end of June. He stated that the volunteer dinner was great and it was good to see the volunteers honored. He encouraged volunteers to get involved.

Vice-Mayor Carey

None

Mayor DuBois thanked staff and Recreation Director Greg Dowling for the nice volunteer dinner and thanked Michael Pisano for the nice fishing tournament at the Marina.

Town Attorney stated that the court has not ruled to amend the Voting Rights Act complaint against the Town. He stated that he was still waiting to see a new complaint.

Town Manager Davis introduced the new Public Works Director Michael Arnold and gave a brief history of his work experience. She announced that summer camp begins June 15th and runs through August 7th and that registration has begun and fees have been reduced. She indicated that so far only one child has registered when last year at this time there were approximately 22 kids. Lastly, she stated that if anyone would like to receive E-News, please sign up on the Town website.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rumsey and seconded by Commissioner Daly, and by unanimous vote, the meeting adjourned at 8:33 p.m.

Mayor Desca DuBois

Deputy Town Clerk Jessica Shepherd

Town Clerk, Vivian M. Lemley

Town Seal

Approved on this _____ of _____, 2009

TAB 2

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. Tab 2

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Regular Commission Meeting Minutes of June 3, 2009.

RECOMMENDED MOTION/ACTION: Approve the Regular Commission Meeting Minutes of June 3, 2009.

Approved by Town Manager W. Davis

Date: 6/12/09

Jessie Fisher
Deputy Clerk

6/10/09
Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments:
Department Review: <input type="checkbox"/> City Attorney <input type="checkbox"/> Community Affairs <input type="checkbox"/> Community Development	<input type="checkbox"/> Finance <input type="checkbox"/> Fire Dept <input type="checkbox"/> Library <input type="checkbox"/> PBSO	<input type="checkbox"/> Personnel <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Town Clerk <u>VMC</u> <input type="checkbox"/> Town Manager
Advertised: Date: _____ 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 <input checked="" type="checkbox"/> _____: Please initial one.

Summary Explanation/Background:



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
June 3, 2009 7:53 p.m.**

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, June 3, 2009 at 7:53 p.m. Present were Vice-Mayor Carey, Commissioners Daly, Rumsey, and Osterman, Attorney Thomas Baird, Town Clerk Vivian Lemley, and Town Manager Maria Davis. Mayor DuBois was absent

Vice-Mayor Carey led the invocation and the Pledge of Allegiance.
Town Clerk Vivian Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Presentation by Fausto Gomez was moved to June 17, 2009 and Resolution No. 22-06-09 Grant Application for the 2009 Department of Justice's Byrne Justice Assistance Grant Local Program was placed on the Consent Agenda.

Motion: A motion was made by Commissioner Osterman to approve the Agenda as modified; Commissioner Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly	X		
Commissioner Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois			Absent

Motion passed 4-0.

CERTIFICATE OF APPRECIATION

Mos' Art Theatre

Vice-Mayor Carey presented a Certificate of Appreciation to a representative for Mos' Art

Theatre for donating 300 Easter Bunny Baskets at the Easter Egg Hunt.

PUBLIC and OTHER COMMENT

None

Public Comment Closed.

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of May 6, 2009
2. Revised Legal Employment Consulting Services
3. Resolution No. 22-06-09 Grant Application for the 2009 Department of Justice's Byrne Justice Assistance Grant Local Program

Motion: A motion was made by Commissioner Osterman to approve item numbers 1 and 2 of the Consent Agenda; Commissioner Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly	X		
Commissioner Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois			Absent

Motion passed 4-0.

Town Manager Maria Davis explained the reason for adding Resolution No. 22-06-09 to the agenda. She stated that the item was placed on the agenda that day because she recently learned that the Town was eligible for a grant from the Department of Justice in the amount of \$10,000 which would be used to acquire more security cameras for the downtown area. One of the stipulations was that the Town produce a resolution to be adopted by the Commission 30 days in advance of the application deadline for the grant. There was not enough time to produce the resolution prior to the agenda publication.

Motion: A motion was made by Commissioner Osterman to approve item number 3 of the Consent Agenda; Commissioner Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly	X		
Commissioner Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois			Absent

Motion passed 4-0.

DISCUSSION & POSSIBLE ACTION

Installation of Swimming Pool at One Park Place

Community Development Director Patrick Sullivan explained that Ahrens Company wanted to install a swimming pool at One Park Place. It was requested that the application be processed administratively instead of going through a full review process because of the cost of the full review process. He asked the Commission if they would consider processing the application administratively. He considered the pool a plus for the streetscape and it would bring activity to the downtown area.

Richard Ahrens introduced himself to the Commission.

Commissioner Rumsey asked Mr. Ahrens when the One Park Place project commenced.

Mr. Ahrens stated that the project was started approximately 2 ½ to 3 years ago.

Commissioner Rumsey asked for a status update on the property.

Mr. Ahrens explained the status of the property.

Commissioner Rumsey stated that he saw the One Park Place project as a win/win situation for the downtown area. He expressed his concerns regarding the delays on the construction of the property.

Mr. Ahrens explained the reasons for the delays in the construction of the property.

Commissioner Rumsey recommended that Mr. Ahrens get a Certificate of Occupancy before installing the swimming pool.

Mr. Ahrens stated that he was having issues with Seacoast Utilities.

Town Manager Maria Davis asked that Mr. Ahrens explain the issues he was having with Seacoast Utility.

Mr. Ahrens explained that deposit money that was set aside for Phase II was being transferred to Phase I. He explained the process and status of the money transfer.

Town Manager Maria Davis stated that she sits on the Seacoast Utility Board and the transfer was approved a month ago.

Mr. Ahrens stated that he had not received the documents and was waiting on the transfer of the funds.

Discussion ensued between Mr. Ahrens and the Commission regarding the One Park Place Project and the installation of a swimming pool.

Vice-Mayor Carey stated that he wanted to see the final plans for the swimming pool brought before the Commission for approval.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Daly to approve the installation of a swimming pool at One Park Place and for the application for the swimming pool to be reviewed administratively; Commissioner Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey		X	
Commissioner Daly	X		
Commissioner Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois			Absent

Motion passed 3-1.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor DuBois

Absent

Commissioner Rumsey stated that Earl Stewart Toyota had a green equipped car with a driver which left on Monday and would be driving to Washington D.C. on one tank of gas. If they make the trip from Lake Park to Washington D.C. on one tank of gas it would make a world record and be recorded in the Guinness Book of World Records. He recommended giving Earl Stewart Toyota a proclamation for the endeavor.

The Commission came to consensus to give a proclamation to Earl Stewart Toyota.

Commissioner Rumsey recommended that staff prepare land development regulations that address transient housing, halfway houses and group homes.

Attorney Thomas Baird stated that in order for staff to develop land development regulations, the Commission would need to declare "Zoning in Progress". He explained how staff would need to prepare the land development regulations. He stated that staff has been looking at model regulations from other municipalities and they are close to bringing something back to the Commission for approval.

Commissioner Osterman stated that in her conversations with Attorney Baird it was her understanding that transient housing, halfway houses and group homes were considered family units.

Attorney Thomas Baird explained that the regulations were not exclusively for sober houses.

Commissioner Osterman asked Attorney Baird to clarify.

Attorney Baird explained that the basis for which sober houses have claimed protection under the Fair Housing Act.

Discussion ensued between Attorney Baird and Commissioner Osterman regarding land development regulations for sober houses.

Vice-Mayor Carey stated that the item should be placed on the next agenda and there would need to be a presentation with back up in order for the Commission to make an informed decision.

Attorney Baird stated that he would bring an Ordinance back to the Commission for approval. He would need the Commission to declare "Zoning in Progress" in order to create the Ordinance and bring it back for approval at the next Commission Meeting.

Commissioner Osterman discussed her discomfort with making a decision on the item.

Attorney Baird explained what declaring “Zoning in Progress” would mean.

Discussion ensued between Attorney Baird and the Commissioners regarding the declaration of “Zoning in Progress” and the history of a previous lawsuit regarding a sober house in the Town.

Motion: A motion was made by Commissioner Daly to approve the declaration of “Zoning in Progress”; Commissioner Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly	X		
Commissioner Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois			Absent

Motion passed 4-0.

Commissioner Daly recommended that the Town make an effort to be closer to its business owners so that there would be a better outcome of businesses sponsoring Town events.

Town Manager Maria Davis agreed and stated that Recreation Director Greg Dowling had made an effort to visit business owners in the Town and he recently stopped in to visit Earl Stewart Toyota. She stated that 100 sponsor packages had been sent out and were now being followed up on.

Commissioner Osterman

None

Vice-Mayor Carey

None

Town Attorney Thomas Baird gave an update on the Justice Department lawsuit against the Town.

Town Manager Maria Davis stated that the ball field security fence project would commence on June 22, 2009. She announced that Summer Camp Registration was open to the public and the registration fee was \$55 for the first child, \$30 for the second child and \$50 per week per

child for all activities. The camp runs from June 15, 2009 to August 7, 2009. Clogging classes would commence on June 17, 2009 at the pavilion at Lake Shore Park on Wednesdays from 7 p.m. to 8 p.m. There would be 10 classes for \$40. She congratulated Town Clerk Vivian Lemley for obtaining and earning her Certified Municipal Clerk Certification.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Osterman and seconded by Commissioner Daly, and by unanimous vote, the meeting adjourned at 8:40 p.m.

Mayor DuBois

Deputy Clerk Jessica Shepherd

Town Clerk Vivian Lemley

Town Seal

Approved on this ___ of _____, 2009.

TAB 3

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: **June 17, 2009**

Agenda Item No. *Tab 3*

- | | |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> ORDINANCE ON SECOND READING |
| <input checked="" type="checkbox"/> BID/RFP Award | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Emergency Purchase – Replacement of Gasoline Fuel Storage Tank at Public Works Complex

RECOMMENDED MOTION/ACTION: Approve emergency purchase in the amount of \$59,671 for removal of old and installation of new 5,000 gallon gasoline fuel storage tank at Public Works complex. All labor and material to be provided by Glasgow Equipment Service, Inc. via a piggyback purchase under Palm Beach County Term Contract #07032RA entitled Purchase of Fuel System, Lubrication Equipment & Fluid Storage Tank OEM Parts.

Approved by Town Manager *W. Davis* Date: *6/10/09*

Michael K. Arnold / Public Works Director
Name/Title *MA*

June 10, 2009
Date of Actual Submittal

Originating Department: Public Works	Costs: \$ 59,671 Funding Source: Acct. #	Attachments: Quotation & Contract; Palm Beach County Term Contract Letter
Department Review: <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input checked="" type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Grants _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____	<input type="checkbox"/> PBSO _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Town Clerk _____ <input checked="" type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background:

In late 2008, Public Works began to experience a significant increase of drivability and performance issues with the newer GM vehicles with 4.6L and 5.0L engines, a problem that was eventually found to be fuel related.

There are two 5,000 gallon fuel storage tanks at the Public Works complex, one for diesel and one for unleaded gasoline. The interior walls of the latter were found to be deteriorating and disintegrating, thereby releasing rusty metal particulate matter into the fuel. When pumped into some of the noted vehicles, the particulate matter plugged and damaged fuel injectors. This in turn required that vehicle fuel tanks be removed, drained and cleaned and that fuel injectors be cleaned and/or replaced.

The cost of repairs thus far has been considerable, leading staff to request this emergency purchase rather than risk further vehicle damage repair costs that might be incurred by waiting until the next fiscal year to request funds to replace the fuel storage tank.

Typically, these tanks are not manufactured until an order is placed, which equates to a lead time ranging from nine to ten weeks. However, the recommended vendor, Glasgow Equipment Service, Inc., has the particular new tank we require in stock due to a customer having cancelled an order. Given that situation, Glasgow reduced its price to the Town by \$8,323, i.e., from an initial quote of \$67,994 down to \$59,671.

To reiterate the above recommended action, staff requests and recommends approval of an emergency purchase in the amount of \$59,671 for removal of the old and installation of a new 5,000 gallon gasoline fuel storage tank at the Public Works complex, with all labor and materials being provided by Glasgow Equipment Service, Inc. via a piggyback purchase under Palm Beach County Term Contract #07032RA entitled Purchase of Fuel System, Lubrication Equipment & Fluid Storage Tank OEM Parts.

QUOTATION & CONTRACT

For Installation or Service

DATE: 5/27/2009

PAGE 1 OF 2**GLASGOW EQUIPMENT SERVICE, INC.**

P.O. BOX 10087

RIVIERA BEACH, FLORIDA 33419-0087

PHONE (561) 842-7236 * FAX (561) 842-7402

**TOWN OF LAKE PARK
650 OLD DIXIE HWY.
LAKE PARK, FL. 33403
ATTN.: PAUL MATHIS**

RE: 5,000 FIREGUARD TANK

THIS IS A PROPOSAL TO REMOVE / INSTALL AN ABOVEGROUND TANK AT YOUR FACILITY. ITEMS OF SPECIAL ATTENTION ARE HIGHLIGHTED IN **BOLD** FOR YOUR CONVENIENCE.

1. PROVIDE SIX (6) SETS OF SIGNED / SEALED ENGINEERED DRAWINGS
APPLY / SECURE PERMITS FROM PALM BEACH COUNTY
THIS PROPOSAL INCLUDES A PERMIT ALLOWANCE OF \$ 500.00
2. **OWNER TO PUMP DOWN FUEL IN GASOLINE TANK TO LOWEST LEVEL**
3. MOBILIZE TO SITE / LAYOUT JOB
SAFELY BARRICADE AREA OF WORK
4. DISCONNECT / REMOVE ALL FUEL PIPING FROM SUCTION PUMP
REMOVE ELECTRIC SOLENOID VALVE / *SET ASIDE*
REMOVE VEEDER ROOT EQUIPMENT / *SET ASIDE*
DISCONNECT POWER / PULL CONDUITS BACK FOR REMOVAL WORK
5. DISPATCH A VACUUM TRUCK / **TRIPLE-RINSE** GASOLINE TANK TO CODE
LOAD TANK & PIPING / HAUL OFFSITE FOR PROPER DISPOSAL
THIS PROPOSAL INCLUDES A PUMP-OUT ALLOWANCE OF \$ 600.00
6. SUPPLY / SET ONE (1) **FIREGUARD** 5,000 GALLON CYLINDRICAL TANK
SET TANK ON EXISTING CONCRETE SLAB and LAG DOWN WITH BOLTS
SUPPLY / DRESS TANK OUT WITH TANK FITTINGS and VENTS
SUPPLY / INSTALL ONE (1) REMOTE FILL ASSEMBLIES WITH AST SPILL BOX
RUN NEW BLACK-IRON FUEL PIPING TO EXISTING GASBOY SUCTION PUMP
7. SUPPLY / INSTALL ONE (1) VEEDER-ROOT INTERSTITIAL SENSOR (CYLINDRICAL)
RE-INSTALL ONE (1) ELECTRICAL SOLENOID VALVE
RE-INSTALL ONE (1) VEEDER ROOT PROBE / CALIBRATE FOR NEW TANK
EXTEND CONDUITS & ELECTRICAL WIRE TO ABOVE ITEMS / CONNECT
SCHEDULE / RECEIVE ELECTRICAL INSPECTIONS
8. INTRODUCE FUEL TO NEW SYSTEM / INSPECT FOR LEAKS
OPEN NEW FUEL SYSTEM TO USER-STAFF
PROVIDE THIRD-PARTY TANK TESTING / RECEIVE FINAL INSPECTIONS

THIS PROPOSAL INCLUDES: FREIGHT, OFFLOADING, PIPE & FITTINGS, CHECKOUT AND START-UP OF NEW SYSTEM

TOTAL BID PRICE

\$ 67,994.00

QUOTATION & CONTRACT

For Installation or Service

DATE: 5/27/2009

PAGE 2 OF 2**GLASGOW EQUIPMENT SERVICE, INC.**

P.O. BOX 10087

RIVIERA BEACH, FLORIDA 33419-0087

PHONE (561) 842-7236 * FAX (561) 842-7402

**TOWN OF LAKE PARK
650 OLD DIXIE HWY.
LAKE PARK, FL. 33403
ATTN.: PAUL MATHIS**

RE: 5,000 FIREGUARD TANK**SPECIAL**

GLASGOW CURRENTLY HAS **IN STOCK** A NEW FIREGUARD 5,000 GALLON CYLINDRICAL TANK MANUFACTURED BY METAL PRODUCTS. WE WOULD BE WILLING TO OFFER IT TO THE TOWN OF LAKE PARK AT COST FOR A SAVINGS OF \$ 8,323.00.

CONDITIONS & CLARIFICATIONS

- QUOTE GOOD FOR 30 DAYS
- NO FUEL SUPPLY
- NO ENVIRONMENTAL WORK
- NO PLANS OR SPECIFICATIONS
- BID BASED ON UTILIZING EXISTING EQUIPMENT (VEEDER-ROOT, GASBOY)
- ELECTRICAL BASED ON UTILIZING EXISTING SERVICE PANEL AND CONDUITS
- OPTIONAL ITEMS MUST BE CHOSEN AT THE TIME OF CONTRACT ACCEPTANCE
- NOT RESPONSIBLE FOR PRE-EXISTING or UNFORESEEN CONDITIONS
- ALL WORK SUBJECT TO CITY / COUNTY REVIEW AND APPROVAL
- **DOES NOT INCLUDE A BID BOND. WE CAN PROVIDE ONE IF THE TOWN REQUIRES IT AT AN ADDED COST**

PAYMENT TERMS: SIGNED CONTRACT or PURCHASE ORDER. CONSTRUCTION DRAWS AS JOB PROGRESSES, BALANCE DUE NET 30 DAYS OF FINAL INVOICE DATE.

SINCERELY,

GREG THORPE, SALES
GLASGOW EQUIPMENT SERVICE, INC.
(800) 329-8265 x 128



Purchasing Department
 50 South Military Trail, Suite 110
 West Palm Beach, FL 33415-3199
 (561) 616-6800
 FAX: (561) 616-6811
 www.pbcgov.com/pur

**Palm Beach County
 Board of County
 Commissioners**

Jeff Koons, Chairman
 Burt Aaronson, Vice Chairman

Karen T. Marcus

Shelley Vana

Mary McCarty

Jess R. Santamaria

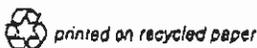
Addie L. Greene

County Administrator

Robert Weisman



"An Equal Opportunity
 Affirmative Action Employer"



F2UL -

HERE IS A COPY OF OUR CONTRACT WITH PBC. YOUR PURCHASING REP. WILL KNOW HOW TO "PLAY-BACK" IT FOR YOUR OWN PURPOSES TO MIN. PAPERWORK

Form L

December 16, 2008

Glasgow Equipment Service, Inc.
 1750 Hill Avenue
 West Palm Beach, FL 33407

Dear Vendor:

RE: TERM CONTRACT #: 07032RA

This is to inform you that Palm Beach County Board of County Commissioners is entering into a Term Contract with your company for **FUEL SYSTEM, LUBRICATION EQUIPMENT & FLUID STORAGE TANK OEM PARTS, PURCHASE OF** based on:

RENEWAL OF CONTRACT based on BID #: 07-032R/KM in accordance with all original terms, conditions, specifications and prices with no deviation.

The term of this contract is 03/30/09 through 03/29/10. The estimated dollar value for all awarded vendors is \$ 42,500.

The obligations of Palm Beach County under this contract are subject to the availability of funds lawfully appropriated for its purpose by the State of Florida and the Board of County Commissioners.

Palm Beach County Departments will issue individual hard copy orders against this contract as your authorization to deliver. All invoices must reference a unique document number (e.g. CPO/DO 680 XY03030500000000001111 or CPO/DO 680 XY030305*1111). Failure to provide an order number with each invoice will result in a delay in processing payment.

If you have any questions, please contact Kristen A. Monnett, Senior Buyer at (561) 616-6824.

Sincerely,

Tammy L. Smith
 Purchasing Manager

- c: Don Howard, Fleet Management
- Harriet Armstrong, Fleet Management
- Bonnie Stein, Fire Rescue
- File
- Tanoy Williams, OSBA

To: Mike Arnold

From: Paul Mathis

REC'D
6/10/09
MM

RE: Unleaded Fuel Tank Replacement

The need for the replacement of the storage tank for unleaded fuel at the Public Works complex is the result of particulate matter being pumped into the fuel tanks of vehicles. Once in the fuel tanks the particulate matter can and does plug up fuel injectors causing drivability complaints and damage to fuel injectors particularly Chevy pick-ups with 4.8L and 6.0L gasoline engines. The particulate matter is rusty metal particles from the interior walls which line the inside of the storage tank.

The cause of the problem is not that uncommon. Most storage fuel tanks are usually kept full and there is very little space for moisture to produce rust. The Town's 5000 gallon unleaded storage tank was also kept full until late 2001, when the Town went over to the PBSO and no longer maintained its own Police Department. The Lake Park PD used a lot unleaded fuel on a monthly bases and with the department gone there was no longer a need to keep 4000 to 4500 gallons of unleaded on hand as Public Works was not a large consumer of unleaded fuel. Because of the low consumption, two to three thousand gallons of fuel were kept in the storage tank as it took 3-5 months to use that amount. This was the case until early 2007 when the county installed a fuel monitoring system and the PBSO began fueling up at the PW complex. During the years of low unleaded fuel consumption, the open area above the fuel in the tank and the top of the tank was exposed to air and moisture for a prolonged period which created large areas of rust. The Sheriff's Departments high consumption of unleaded fuel necessitated the need for more fuel in the 4000 to 4500 gallon range again and that level has been maintained since. The rusty areas in the storage tank

were now exposed to fuel and began flaking off and falling to the bottom of the storage tank.

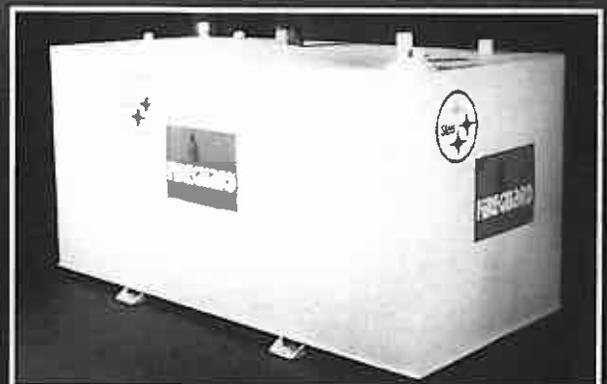
In late 2008 the Public Works Department experienced a large number of drivability issues with its Chevrolet pickup fleet and the cause was later found to be particulate matter from the unleaded storage tank. Vehicle Maintenance had the tank cleaned of most of the particles and increased the frequency of dispenser filter replacements. While these actions have helped, they only work for the larger particles. It is the smaller fine particles that are getting past the filters and causing the drivability issues noted earlier. The condition of the storage tank will only get worse over time as the tank continues to fall apart from the inside out and the only course of action that will resolve the problem is the replacement of the storage tank. Both of the Towns fuel storage tanks are 16 years old and are 4 years from needing replacement under normal circumstances by law. The problem with the unleaded storage tank does not exist for the diesel storage tank which is kept full and at this time does not require replacement.

The new unleaded storage tank would be of a horizontal cylindrical design as opposed to the vertical wall design of the current storage tank. One of the key benefits of the newer tank is the formation of rust on the walls is less likely and any impurities in the tank will be more readily removed from the bottom.

FIREGUARD[®]

FIRE-RATED

ABOVEGROUND TANKS



U.S. Patent #5695089 & #5809650



UL 2085 Protected AST

Visit our Web Site: www.modweldco.com
Email us at: modern@modweldco.com

FIREGUARD® is the New Generation



of fire-rated ASTs, going far beyond those "first generation" tanks which were merely enclosed in concrete.

- Fireguard® was the first AST of its design to obtain a UL Listing for secondary containment.
- Fireguard®'s secondary containment can be tightness tested on-site with standard testing procedures!
- Fireguard®'s exterior steel wall provides superior weatherability and low-cost maintenance. Unlike concrete, cracking or spalling will never be a problem!
- Fireguard®'s unique thermal insulating material is 75% lighter than concrete... shipping, installation and relocation costs are reduced!
- The Fireguard® technology is patented under U.S. Patent #5695089 and #5809650 for "Lightweight Double Wall Storage Tank."
- Fireguard® is a UL approved core component for the 2244 system listing



IS YOUR ABOVEGROUND TANK EVERYTHING IT'S CRACKED UP TO BE?

FIREGUARD®

vs.

Concrete Encased

- Secondary containment is testable on-site using standard, economical testing procedures.
- Fireguard®'s steel outer wall provides low-cost maintenance and protects the insulation material from weathering.
- An average 12,000 gallon Fireguard® weighs under 30,000 pounds - well within the legal load limit for trucking.

- The secondary containment on certain designs may require elaborate and expensive procedures to be tested on-site.
- Exposed concrete outer wall is susceptible to cracking, spalling and weathering - problems that are expensive to correct and are usually not covered by warranty.
- An average 12,000 gallon concrete-encased tank weighs upwards of 100,000 pounds - imagine the hassles involved in handling that tank.

**FIREGUARD® TANKS ACCOMMODATE
EVERY SITE REQUIREMENT:**

- Significantly more size options than most competitive brands
- Capacities range from 186 to 50,000 gallons
- Cylindrical or rectangular design
- Compartmentalized configurations
- Ballistics resistant
- Impact resistant
- Support designs available for seismic zones 0 through 4

el Secondary Tank
It to UL standards



Steel Primary Tank
built to UL standards

Lightweight thermal insulation

- Unique feature that helped Fireguard® exceed the UL 2-hour fire test
- Sufficiently porous to facilitate quick emergency venting and/or leak detection



Contract Number: GS-07F-0134K
FSC Group 54, Part III
Aboveground Storage Tanks/Systems
FSC Classes: 5430

FIREGUARD® SPECIFICATIONS			
CYLINDRICAL DESIGN			
SAMPLE OUTER TANK DIMENSIONS, ALL DIAMETERS AND LENGTHS ARE NOMINAL			
GALLONS	DIAMETER	LENGTH	APPROX. WEIGHT (lbs.)
186	48	54	2,119
250	48	68	2,513
300	50	72	2,821
500	54	70	2,413
560	54	78	2,606
1,000	54	134	5,338
1,000	70	78	5,005
1,500	70	114	6,537
2,000	70	150	8,309
2,500	70	186	9,644
3,000	70	222	10,979
4,000	78	233	13,523
4,000	90	175	14,072
5,000	79	290	18,998
5,000	103	169	17,149
6,000	79	347	21,961
6,000	103	199	19,206
8,000	103	259	23,319
10,000	103	331	28,256
12,000	103	391	32,370
15,000	127	313	35,821
20,000	127	415	44,506
25,000	127	517	55,891
30,000	127	619	64,575

FIREGUARD® SPECIFICATIONS				
RECTANGULAR DESIGN				
SAMPLE OUTER TANK DIMENSIONS, ALL DIAMETERS AND LENGTHS ARE NOMINAL				
GALLONS	LENGTH	WIDTH	HEIGHT	APPROX. WEIGHT (lbs.)
186	45	45	56	2,256
250	118	37	37	3,305
250	79	51	37	2,916
500	141	52	37	4,991
750	141	73	37	6,513
1,000	128	73	37	4,607
1,000	89	73	51	4,102
1,500	125	89	45	5,772
2,000	141	87	51	6,679
2,000	141	73	61	6,486
2,500	141	89	61	7,453
3,000	251	73	51	11,572
3,000	118	103	73	9,379
4,000	332	73	51	14,990
4,000	155	103	73	11,640
5,000	337	73	61	16,615
5,000	192	103	73	13,901
6,000	403	73	61	19,631
6,000	229	103	73	16,162
8,000	371	103	61	22,872
8,000	303	103	73	20,684
10,000	461	103	61	27,992
10,000	377	103	73	25,205
12,000	452	103	73	29,788
15,000	387	103	103	38,510
18,000	463	103	103	45,290
24,700	466	138	103	54,539

Please note that all dimensions and weights are approximate. Individual tanks may vary from these values.

FIREGUARD®: THE ONLY TANK THAT MEETS ALL OF THESE STANDARDS

- UL-2080 Listed "Fire Resistant" Tanks for Flammable and Combustible Liquids
 - UL-2085 Listed "Protected" Aboveground Tanks for Flammable and Combustible Liquids
 - Both inner and outer tanks built per UL-142 Standard for Steel Aboveground tanks for Flammable and Combustible Liquids
 - Uniform Fire Code, 2000 Edition Article 79 and UFC Standard 79-7 "Protected Tank"
 - UL-2244, Aboveground Flammable Liquid Tank Systems, The Fireguard tank can be used as the primary storage containment
 - NFPA 30 and 30A, 2000 Edition, National Fire Protection Association
 - NFPA 1, Uniform Fire Code™, of the National Fire Protection Association, 2003 Edition Section 3.3.199.5, "Protected Aboveground Tank"
 - International Fire Code (IFC), 2000 – Chapter 34
 - ULC-S655 Underwriters Laboratories of Canada Standard for Aboveground Tanks for Flammable and Combustible Liquids
- Other Standards...
- Ballistics protection per UFC Article 79, and per UL-2085
 - Vehicle impact protection per UFC Article 79, and per UL-2085
 - California Air Resources Board (CARB) testing requirements for air emissions
 - Steel Tank Institute (STI) Standard F941 for Thermally Insulated Aboveground Storage Tanks
 - Many fire codes and environmental regulations will accept Fireguard® Secondary Containment Tanks as an alternate to diking requirements

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Phone: (713) 675-4211 Fax: (713) 673-4062
200 North Main, Rhome, TX 76078
Phone: (817) 636-2215 Fax: (817) 636-2680

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MODERN WELDING COMPANY OF IOWA, INC.
2818 Mt. Pleasant Road, Burlington, IA 52601
Phone: (319) 754-6577 Fax: (319) 754-8428

MODERN WELDING COMPANY OF OHIO, INC.
One Modern Way, Newark, OH 43055
Phone: (740) 344-9425 Fax: (740) 344-6018

MODERN WELDING COMPANY OF OWENSBORO, INC.
1450 East Parrish Avenue, Owensboro, KY 42303
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TAB 4

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. *Tab 4*

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Increasing Overnight Trailer Parking Fee

RECOMMENDED MOTION/ACTION: Approve

Approved by Town Manager *W. Davis* Date: *6/12/09*

Name/Title

Date of Actual Submittal

Originating Department: <p style="text-align: center;">Marina Director</p>	Costs: \$ Funding Source: Acct. #	Attachments:
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ 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 _____: Please initial one.

Summary Explanation/Background: Staff has reviewed and analyzed the parking rates. Lake Park Marina is the only facility on the southeast coast of Florida which provides overnight trailer parking. Staff is of the opinion that the overnight parking rate is substantially lower than it should be. Therefore, it is recommended that the rate be adjusted from \$15 to \$25 per night.

TAB 5

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date:

Agenda Item No. Tab 5

- PUBLIC HEARING
- Ordinance on Second Reading
- Public Hearing

- RESOLUTION
- DISCUSSION

ORDINANCE ON FIRST READING

BID/RFP AWARD

GENERAL APPROVAL OF ITEM

CONSENT AGENDA

Other:

SUBJECT: Authorize Increased Insurance Payment

RECOMMENDED MOTION/ACTION: Approve

Approved by Town Manager W. J. Davis Date: 6/11/09

Name/Title

Date of Actual Submittal

Originating Department: Town Manager	Costs: \$49,383 Funding Source: Acct. #	Attachments: Resolution
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ 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 _____: Please initial one.

Summary Explanation/Background: Staff made the decision to increase windstorm coverage for piers, wharves and docks at the marina for fiscal year 2009/10. During the budget process it was determined that the increased premium for the additional coverage was too expensive, thus the budget was cut.

Staff failed to make the correlating cancellation of the increased insurance at the time when the decision was made to cut it from the budget. This was discovered after the first quarter of coverage and staff immediately cancelled the insurance.

The Commission authorized a resolution for renewal of property, casualty and workers compensation insurance in September 2008. copy attached. This resolution with exhibit A does not include the insurance premium that was incurred for the first quarter of the fiscal year. Throughout the year there are various acquisitions eg: vehicles, equipment, property etc. that are purchased and added to the Town's Property and Casualty Insurance Coverage on a routine basis without bringing the increases to the Town Commission for authorization. However, given the amount of this premium, and in an abundance of caution, staff is reporting this expenditure to the Commission accordingly. The funds to pay for this premium are available in the insurance fund.

RESOLUTION NO. 54-09-08

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE TOWN MANAGER TO A EXECUTE THE RENEWAL QUOTATION FROM THE FLORIDA LEAGUE OF CITIES FOR PROPERTY, CASUALTY AND WORKERS' COMPENSATION INSURANCE FOR THE TOWN OF LAKE PARK; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town of Lake Park ("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, the Town Commission has determined that it is in the best interest of the Town of Lake Park to provide for property, casualty and workers' compensation insurance for Fiscal Year 2009; and

WHEREAS, the Town Commission of the Town of Lake Park has reviewed the Property and Casualty and Workers' Compensation Renewal Recommendation effective October 1, 2008 presented by Gehring Group, a copy of which is attached hereto and incorporated herein as Exhibit "A", for the provision of property, casualty and workers' compensation insurance coverage for Fiscal Year 2009 through the Florida League of Cities Florida Municipal Insurance Trust; and

WHEREAS, the Town Commission of the Town of Lake Park has directed that adequate funds be allocated for such coverage in Fiscal Year 2009.

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

Section 1. The whereas clauses are incorporated herein as true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Commission hereby authorizes and directs the Town Manager to execute the renewal quotation for property, casualty and workers' compensation insurance coverage through the Florida League of Cities Florida Municipal Insurance Trust for Fiscal Year 2009 as outlined in the attached Exhibit A.

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

 Certification
I, Jessica Stephens Clerk of the Town of Lake Park
Florida, do hereby certify that the foregoing is a true
and correct copy of the original instrument as contained in
the official records of the Town. Witness my hand and the
Official Seal of the Town of Lake Park This
5th day of September 2008
Town Seal
Jessica Stephens
Deputy Town Clerk

The foregoing Resolution was offered by Commissioner Balius, who moved its adoption. The motion was seconded by Commissioner Osterman and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	___
VICE-MAYOR ED DALY	<u>/</u>	___
COMMISSIONER CHUCK BALIUS	<u>/</u>	___
COMMISSIONER JEFF CAREY	<u>/</u>	___
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 54-09-08 duly passed and adopted this 3 day of September, 2008.

TOWN OF LAKE PARK, FLORIDA

BY: Desca Dubois
DESCA DUBOIS
MAYOR

ATTEST:

Vivian Mendez Lemley
VIVIAN MENDEZ LEMLEY
TOWN CLERK

TOWN OF LAKE PARK
(TOWN SEAL)
FLORIDA

Approved as to form and legal
sufficiency:

BY: Thomas J. Baird
THOMAS J. BAIRD
TOWN ATTORNEY



**Town of Lake Park
Property & Casualty &
Workers' Compensation
Renewal Recommendation
Effective Date: October 1, 2008**

The Town of Lake Park has continued to renew their property and casualty insurance program with the Florida League of Cities/ Florida Municipal Insurance Trust since October 1, 2005. Based upon the "soft" market and its premium reductions, expanded capacity in the market and a return of premium, the Town's incumbent carrier provided the following renewal quotation for fiscal year 2008/2009.

PROPERTY, INLAND MARINE, GENERAL LIABILITY, AUTOMOBILE

The incumbent provider for Property, Inland Marine, General Liability, and Automobile coverage is the Florida Municipal Insurance Trust (FMIT) administered through the Florida League of Cities. Regarding Property, the FMIT renewal quotation is \$105,525 based upon a Total Insured Value (TIV) of \$13,726,845. The expiring premium is \$144,038 based upon a TIV of \$13,726,845. Inland Marine coverage is included in the FMIT property quotation and covers items such as heavy equipment and small boats. The renewal quotation represents a decrease in premium of \$38,513 below the expiring premium with a deductible of \$5,000 for All Other Perils. The Windstorm deductible remains unchanged at 5% of the Total Insured Value per building, per location, per occurrence, subject to the policy deductible or whichever is greater. With the 2008/2009 property renewal, the Florida Municipal Insurance Trust Board of Trustees has approved a \$10,000,000 return of premium for members in good standing that had their property coverage with the Trust during FY 2006/2007. Based upon property premiums paid n 2006/2007 the Town can expect to receive a minimum return of premium in the amount of \$26,863. A check can be issued or a credit can be taken on the 2008/2009 second installment payment per the member's choice.

FMIT, as the incumbent provider for General Liability, Public Officials Liability/Employment Practices Liability, offers a renewal quote of \$40,596, a 0.23% increase from the current year's premium of \$37,601. FMIT also provided a renewal quotation for Automobile coverage with a

0.29% increase in premium for both liability and physical damage. The 2008/2009 quotation is \$26,362 versus the current premium of \$26,287. This premium increased slightly due to the addition of seven vehicles during the current fiscal year.

WORKERS' COMPENSATION

FMIT is also the incumbent carrier for the Town's workers' compensation program and has provided a renewal quotation of \$126,536, a decrease of 20.51% from the expiring premium of \$159,188. The Town's experience modification factor decreased from a 1.61 to a 1.60 for the coming year. The rates issued by the National Council on Compensation Insurance (NCCI) and utilized by The FMIT for each class code have also experienced decreases which will apply the renewal quotation. The FMIT continues to offer the Town standard credits for maintaining and enforcing a Drug Free Workplace (5%) and Safety Program (2%) in addition to their standard Incentive Credit. The Gehring Group will work with staff to review trends and establish programs which over time will help to decrease the experience medication factor to an acceptable level.

CRIME

Coverage with the FMIT includes an honesty blanket bond with a limit of \$50,000. This type of bond protects the Town from employee dishonesty. The Town also has theft, disappearance and destruction coverage with a limit of \$10,000. These coverages' are included in the Property Coverage offered by the FMIT. In addition, the Town has a position schedule bond for the Finance Director and Town Manager. This bond does not renew until December 6, 2008.

SUMMARY

- *The Gehring Group recommends that the Town of Lake Park place its' Property, Inland Marine, General Liability, Automobile, Workers' Compensation and Crime coverage's with the FMIT for a combined premium of \$299,780. This recommendation represents an overall decrease to the Town of -18.50%, or -\$71,462 from the expiring premiums.*

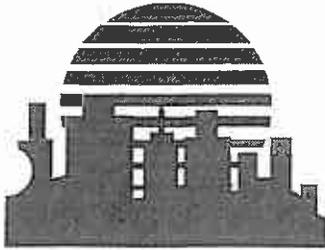
**TOWN OF LAKE PARK
PROPERTY & CASUALTY RENEWAL EVALUATION
2008 - 2009 PLAN YEAR**



Coverage Type	CURRENT FMIT			RENEWAL FMIT			% + or -
	Deductible	Liability Limits	Premium	Deductible	Liability Limits	Premium	
Property, Inland Marine & Equipment Breakdown	\$ 5,000	\$ 13,726,845	\$ 144,038	\$ 5,000	\$ 13,726,845	\$ 105,525	-26.74%
	See Below for Wind						
General Liability <i>Stop Loss Deductible</i>	\$ 25,000 \$ 75,000	\$2,000,000	\$ 25,320	\$ 25,000	\$2,000,000	\$ 25,379	0.23%
Public Official Liability & Employment Practices Liability	\$ 25,000	\$ 1,000,000	\$ 12,281	\$ 25,000	\$ 1,000,000	\$ 15,217	23.91%
Auto Liability <i>Stop Loss Deductible</i>	\$ 25,000 \$ 75,000	\$ 2,000,000	\$ 26,287	\$ 25,000	\$ 2,000,000	\$ 26,362	0.29%
Personal Injury Protection	N/A	\$ 10,000	Included	N/A	\$ 10,000	Included	
Medical Payments	N/A	\$ 5,000	Included	N/A	\$ 5,000	Included	
Uninsured Motorists	N/A	\$ 20,000	Included	N/A	\$ 20,000	Included	
Physical Damage Comprehensive Coverage	N/A	Per Schedule	Included	N/A	Per Schedule	Included	
Physical Damage Collision Coverage <i>Stop Loss Deductible</i>	N/A \$ 75,000	Per Schedule	Included	N/A	Per Schedule	Included	
Crime Coverage Employee Dishonesty Coverage	\$ 1,000	\$ 10,000	Included	\$ 1,000	\$ 10,000	Included	
Theft, Disappearance, Destruction	\$ 1,000	\$ 10,000	Included	\$ 1,000	\$ 10,000	Included	
Position Schedule Bond*	\$ 1,000	\$ 50,000	\$ 725	\$ 1,000	\$ 200,000	\$ 761	5.00%
Workers' Compensation	First Dollar Coverage	\$ 1,000,000	\$ 159,188	First Dollar Coverage	\$ 1,000,000	\$ 126,536	-20.51%
Modification Factor	1.61			1.60			
Annual Premium Sub Total:			\$ 367,839			\$ 299,780	
Gehring Group Administrative Services Fee:			\$ 18,392			\$ 14,989	
Total Net Premium:			\$ 386,231			\$ 314,769	
Minimum Return of Premium:			N/A			\$ (26,863)	
Grand Total:			\$ 386,231			\$ 287,906	
\$ Increase						\$ (71,462)	
% Increase						-18.50%	

Property Deductible : Locations greater than 1/2 mile from Coastal Waters; Named Storm Deductible 5% of value per building/per location/per occurrence subject to policy deductible or whichever is greater.

*Position Schedule Bond renews on December 6, 2008. A 5% increase has been added for budget purposes only.



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Date: August 26, 2008

To:
Ms. Bambi McKibbon-Turner
HR Director
Town of Lake Park, FMIT# 0795
535 Park Avenue
Lake Park FL 33403

From: The Administrator

Re: Piers, Wharves, Docks, Boardwalks, Boat Ramps, Dune Walkovers

Attached is a list of any of the above structures that are currently on your property schedule.

We are now able to offer windstorm, hail and storm surge coverage on these structures. Coverage will become effective October 1, 2008. The additional premium due is shown in the last column and will be billed later.

If multiple structures are listed, you may choose to insure all of them or some of them. Check the box in the left column to indicate your choices. Also, you may make any updates as needed. If you choose not to insure any of the structures, please also note and return the schedule.

Please return the attached form to Byron Beard.
Fax: 407-425-9378. Email: bbeard@flcities.com. Telephone: 407-367-1742.

Attachment

Piers, Wharves and Docks

<u>FMIT #</u>	<u>Location #</u>	<u>Member Name</u>	<u>Address</u>	<u>Building Description</u>	<u>Building Limit</u>	<u>Wind Pricing</u>
0795	002-001	Town of Lake Park	105 Lake Shore Drive, Lake Park, FL	Seawall	\$1,375,000	\$75,625.00
0795	002-002	Town of Lake Park	105 Lake Shore Drive, Lake Park, FL	North Pier & Wavebreak	\$1,050,000	\$57,750.00
0795	002-003	Town of Lake Park	105 Lake Shore Drive, Lake Park, FL	Boat Ramp	\$202,000	\$11,110.00
0795	002-004	Town of Lake Park	105 Lake Shore Drive, Lake Park, FL	North Docks	\$840,000	\$46,200.00
0795	002-005	Town of Lake Park	105 Lake Shore Drive, Lake Park, FL	South Docks (Floaling)	\$700,000	\$38,500.00
0795	002-006	Town of Lake Park	105 Lake Shore Drive, Lake Park, FL	Fueling Dock	\$72,000	\$3,960.00
0795	002-007	Town of Lake Park	105 Lake Shore Drive, Lake Park, FL	Boarding Dock	\$36,500	\$2,007.50
					\$4,275,500	\$235,152.50

TAB 6

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. Tab 6

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Reimbursement resolution for loan.

RECOMMENDED MOTION/ACTION: Approve resolution.

Approved by Town Manager *W. Davis* Date: *6/12/09*
Cecilia M. Costello Finance Director *6/10/09*
 Name/Title Date of Actual Submittal

Originating Department: Finance	Costs: \$ Funding Source: Acct. #	Attachments: Resolution
Department Review: <input checked="" type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u>N/A</u> _____ Please initial one.

Summary Explanation/Background: At the direction of the Town Commission, the Town is pursuing the installation of parking meters at various locations throughout the Town. Additionally, it has become necessary to replace a fuel tank at the Public Works facility. Failure to do so could

cause the Town to incur costly damage to our vehicles. Finally, the roof at the Police Department needs to be replaced. The Town intends to secure financing for these projects.

As a governmental agency, the Town is eligible to borrow up to ten (10) million dollars in any calendar year in the form of a **bank-qualified tax-exempt** loan. These loans are tax exempt obligations that are issued for 501(c)(3) organizations and state and local governments by a "qualified small issuer" and which are formally designated by the issuer as "qualified tax-exempt obligations." Banks are allowed to deduct 80% of their carrying costs associated with these obligations thus being able to offer a lower interest rate than an ordinary commercial loan.

The reimbursement resolution allows the Town to "reimburse" itself with this loan for costs incurred prior to the issuance of the debt. The resolution qualifies expenses that have been incurred within the past sixty days. Debt service payments for these expenditures will be budgeted in the next budget year.

RESOLUTION NO. 23-06-09

**A RESOLUTION OF THE TOWN COMMISSION
OF THE TOWN OF LAKE PARK FLORIDA
EXPRESSING THE INTENT OF THE TOWN TO
REIMBURSE CERTAIN EXPENDITURES WITH
PROCEEDS OF TAX EXEMPT DEBT**

WHEREAS, the Town of Lake Park has the powers and authority proscribed for municipalities by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town of Lake Park has the power and authority to borrow money to pay for expenses it incurs, including capital projects and equipment; and

WHEREAS, the Town Commission has directed and authorized its Town Manager and Finance Director to work with a financial consultant to pursue tax exempt financing for various projects.

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

Section 1. This Resolution is an official intent for purposes of United States Treasury Regulation Section 1.150-2. The Town expects to incur expenditures for the purchase of parking meter equipment, roof replacement on a municipal building and the replacement of a fuel tank at the public works facility.

Section 2. The Town reasonably expects that tax exempt obligations will be issued for such purposes in the maximum principal amount of approximately \$300,000. The Town reasonably expects that it will reimburse original expenditures made towards such purposes from proceeds of tax exempt bonds. The Town is not obligated to proceed with such expenditures or to participate in the issuance of tax exempt obligations for such purposes.

Section 3. This Resolution shall be effective upon its adoption.

TAB 7

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. *Tab 7*

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input checked="" type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Budget amendment resolution.

RECOMMENDED MOTION/ACTION: Approve resolution.

Approved by Town Manager *Dee Davis* Date: *6/12/09*

Ann M. Costello
Name/Title Finance Director

6/10/09
Date of Actual Submittal

Originating Department: Finance	Costs: \$ Funding Source: Acct. #	Attachments: Resolution
Department Review: <input checked="" type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ 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 _____: Please initial one.

Summary Explanation/Background: All budgets are legally enacted and changes or amendments to the total budgeted expenditures of the Town or a department must be approved by the Town Commission; however changes within a department which do not affect the total departmental expenditures may be approved by the Town Manager. Periodically throughout the year, unanticipated expenditures are necessary that have not been budgeted within in a specific cost center. These expenditures are covered by funds within the Non-departmental Contingency account but must be classified within the appropriate cost center for financial reporting and audit purposes. This resolution will authorize the Town Manager to enact budget adjustments between departments within the General Fund.

RESOLUTION NO. 24-06-09

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN BUDGET FOR FISCAL YEAR 2008-2009 AS PREVIOUSLY ADOPTED BY RESOLUTION NO. 49-09-08; 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, 2008 and ending September 30, 2009; 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. 48-09-08 a tentative and final millage rate for the fiscal year 2008-2009; and

WHEREAS, the Town Commission deems it necessary and advisable to amend the budget for the Town of Lake Park for Fiscal Year 2008-2009; which was adopted in Resolution No. 49-09-08.

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

Section 1. The Town Manager is hereby authorized to amend/transfer authorization between departmental accounts provided; however, that total appropriated expenditures by fund do not exceed Commission authorized amounts.

Section 2. If any section, subsection, sentence, clause, phase or portion of the 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 3. This resolution shall take effect immediately upon adoption.

TAB 8

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. *Tab 8*

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | |
| <input type="checkbox"/> Other: | |

SUBJECT: Resolution to establish rate for Equivalent Stormwater Unit (ESU).

RECOMMENDED MOTION/ACTION: Approve resolution.

Approved by Town Manager *H. Davis* Date: *6/12/09*
Alex M. Costello Finance Director *6/11/09*
 Name/Title Date of Actual Submittal

Originating Department: Finance	Costs: \$ Funding Source: Acct. #	Attachments: Resolution
Department Review: <input checked="" type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background: As provided in the ordinance to establish the Stormwater Utility, the rate for an Equivalent Stormwater Unit (ESU) must be set by resolution. This resolution will establish the tentative rate for an ESU at \$6.50 per month for stormwater management for Fiscal

Year 2009/2010. This rate represents \$.50 increase over prior year. At this rate single family homes and condominiums will pay an annual fee of \$78.00 for stormwater management.

This fee will appear as a non-ad valorem assessment on the tax bill for next year. A final rate will be established after a public hearing is held in September. All affected property owners will be notified of the date, time and place of this public hearing on their "Notice of Proposed Property Taxes" (TRIM notice) that will be mailed in August and by publication of the notice in the Palm Beach Post. All affected property owners have the right to appear at this public hearing and the right to file a written objection within 20 days of the publication of the notice.

It is anticipated that these fees will generate approximately \$513,000 in revenue for the on-going maintenance of the Town's stormwater system and continue to build a capital fund necessary to begin improvements to this system.

RESOLUTION NO. 25-06-09

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA SETTING THE TENTATIVE RATE FOR AN EQUIVALENT STORMWATER UNIT (ESU) TO BE CHARGED FOR STORMWATER MANAGEMENT FOR FISCAL YEAR 2009-2010; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Town of Lake Park ("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, Ordinance No. 09-2008, once adopted by the Town Commission establishes a Stormwater Utility for the Town of Lake Park; and

WHEREAS, this ordinance provides that the rate for an Equivalent Stormwater Unit (ESU) shall be established by resolution; and

WHEREAS, the Town Manager has recommended to the Town Commission a rate schedule ; and

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

Section 1. The foregoing whereas clauses are hereby ratified and confirmed as being true and correct and are incorporated herein.

Section 2. An Equivalent Stormwater Unit (ESU) shall be equal to five thousand two hundred two (5,202) square feet of impervious area. The number of ESU's for a given parcel shall be calculated by dividing the sum of impervious area plus 25 percent of the pervious area of a parcel by 5,202 square feet.

Section 3. The Town Commission hereby establishes that the rate for an Equivalent Stormwater Unit (ESU) shall be \$6.50 per month.

Section 4. The rates shall be applied to the various classes of property within the benefited areas according to the terms of Section 4(D)1 of this ordinance.

Section 5. This Resolution shall become effective immediately upon adoption.

TAB 9

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: June 17, 2009

Agenda Item No. Tab 9

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: 2009-2010 Sanitation rates for Truth in Millage (TRIM)

RECOMMENDED MOTION/ACTION: Approve resolution for Sanitation rates for TRIM.

Approved by Town Manager

W. Davis

Date:

6/12/09

Anna M. Costello
Name/Title Finance Director

6/10/09
Date of Actual Submittal

Originating Department:	Costs: \$ N/A Funding Source: Acct. #	Attachments: Resolution
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input checked="" type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input checked="" type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input checked="" type="checkbox"/> Town Manager _____
Advertised: Date: _____ 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 _____: Please Initial one.

Summary Explanation/Background: As part of the Town code section 24-111, the Town is required to establish tentative rates, fees and administrative policies for the collection of residential and commercial refuse and recyclables for compliance with the Truth in Millage (TRIM) statute. A rate increase of 7.5% across the board is recommended for Fiscal Year 2009/2010. There has not been an increase in rates for at least five years while personnel and operating costs have increased annually. Additionally, disposal fees from the Solid Waste Authority were increased 25% last year. This was the first increase in disposal fees in approximately eight years from the Solid Waste Authority. A single family residence will pay an additional \$11.69 for a total of \$167.49 annually for sanitation services. Final rates will be adopted at the first public hearing on the budget in September.

RESOLUTION NO. 26-06-09

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA; ESTABLISHING THE SCHEDULE OF FEES AND CHARGES FOR RESIDENTIAL, GOVERNMENTAL AND COMMERCIAL REFUSE AND RECYCLABLES COLLECTION SERVICES; PROVIDING FOR LATE FEES, FREQUENCY OF BILLING AND OTHER MATTERS RELATING TO COLLECTION POLICY; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 24-111 of the Lake Park Code provides that the Town Commission shall set rates, fees and charges for residential, governmental and commercial refuse and recyclables collection services by Resolution or other official action; and

WHEREAS, said Section provides for establishment of policy pertaining to billing collection and related administrative policies by Resolution or other official action;

WHEREAS, the Town has determined that it is the best interest of the Town to establish the rates, fees and charges for Residential, Governmental, and Commercial refuse and recyclables collection services as described in "EXHIBIT A" and "EXHIBIT B" and attached hereto.

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

SECTION I

The rates, fees, charges, billing, collection and related administrative policies for Residential, Governmental and Commercial refuse and recyclables collection services as provided in the attached Exhibit A and Exhibit B are hereby established.

SECTION II

Repeal prior Resolution of former rates.

SECTION III

This Resolution shall take effect upon adoption.

EXHIBIT A

RESIDENTIAL COLLECTION SERVICE FEES

(Base Level of Service)

ANNUAL ASSESSMENT/UNIT

Single-Family	\$167.49
Mobile Homes	\$167.49
Multi-Family <5/bldg.	\$167.49
Multi-Family >4/bldg.	\$ 97.93

I BASE LEVEL OF SERVICE:

1. Can Service - (Garbage/household trash)
Twice (2) /week - Monday and Thursday
2. Dumpster Service - (Garbage/household trash)
minimum twice (2)/week
3. Vegetation - (Bagged clippings/bulk cuttings)
two (2) cubic yards or less - Monday
4. Bulk Household Trash (furniture, white goods, etc.)
one (1) item or two (2) cubic yards or less -Thursday
5. Recyclables - once (1) week - Wednesday

II SPECIAL PICKUPS:

1. Large vegetation piles: (Mondays) more than 4" diameter or any excess over two
(2) cubic yards - \$5.00/cubic yard.
2. Non-containerized household trash: (Thursdays) more than one (1) item or items
in excess of two (2) cubic yards.
 - a. White goods (stove, refrigerator, washing machine, dryer, freezer, etc.)
\$5.00/unit;
 - b. Furniture (sofa, chair, table, mattress/box springs, etc.) \$5.00/unit
 - c. Other non-prohibited materials - \$5.00/cubic yard (or part thereof)
\$5.00 minimum charged.

3. Garbage/trash service above amount calculated on the basis of SWA waste generation data/property/year. Assigned container - \$8.56/cubic yard container (\$6.21 collection rate + \$2.35 disposal).
4. Special Pickup Charge - In addition to special pickup and other charges, there will be an additional fee of \$25.00 charged when trash and/or garbage, vegetation and/or recyclable items are placed out for collection and picked up on days not specified in the pickup schedule identified in the "Base Level of Service" Exhibit A, Section I.

ADMINISTRATIVE POLICIES:

Frequency of Billing: Owner billed on a monthly basis for special pickups.

Deposits: Prior to establishment of service, all Commercial accounts shall pay to the Town the equivalent on one months service cost. This fee shall be retained by the Town for security of payment for service. Upon termination of service such funds will be returned provided the account is paid in full at the time of termination.

Late Fees: One Percent (1%)/month on the outstanding balance beginning thirty (30) or more days following rendition of the bill.

Service Removal and Reinstatement: a service charge will be required for the removal of service and reinstatement of service for non-payment. The charges will be as follows;

- First offense \$100.00
- Second offense \$200.00
- Third and subsequent offense \$500.00

Collection: Account subject to referral to collection agency or property lien for any bill remaining unpaid forty-five (45) days after rendition.

EXHIBIT B

COMMERCIAL PROPERTY ASSESSMENT SCHEDULE
(Base Level of Service)

<u>COMMERCIAL CLASS</u> <u>FOOT</u>	<u>ANNUAL ASSESSMENT/SQUARE</u>
--	---------------------------------

Low generator class	\$.013
Medium generator class	\$.048
High generator class	\$.171
Non-generator class	\$.013

<u>AGRICULTURAL CLASS</u>	<u>ANNUAL RATE</u>
---------------------------	--------------------

0 - 10 Acres	\$43.00
11 - 99 Acres	\$4.30/acre
100 + Acres	\$430.00

I BASE LEVEL OF SERVICE

1. Collection service to be scheduled minimum, 1x/week for properties generating trash only and minimum 2x/week for properties generating garbage and trash.

COMMERCIAL DUMPSTER (COLLECTION & DISPOSAL) RATE CHART

	1X	2X	3X	4X	5X
.5CY	18.54	37.09	55.63	74.18	92.72
2CY	74.21	148.41	222.61	296.83	371.04
3CY	111.31	222.61	333.92	445.22	556.53
4CY	148.41	296.83	445.22	593.66	742.07
6CY	222.61	445.22	667.83	890.44	1,113.06
8CY	296.83	593.66	890.49	1,187.32	1,484.15

The above schedule is applicable to regularly scheduled service up to the amount calculated on the basis of SWA waste generation data/property/year.

2. Can Service - (Garbage/trash)
Twice (2)/week - Monday and Thursday
3. Dumpster Service - Trash Only - minimum one (1)/week
Garbage/trash minimum twice (2)/week
4. Vegetation - (Bagged clippings/bulk cuttings)
Two (2) cubic yards or less - Monday
5. Bulk Trash (furniture, white goods, etc.)
One (1) item or two (2) cubic yards or less - Thursday
6. Recyclables - buckets or bins/ one (1)/week - Wednesday
Cardboard/Office Paper dumpsters - one (1)/week - Thursday

II SPECIAL PICKUPS: CUSTOMER MUST CALL FOR SPECIAL PICKUP

1. Assigned container - \$8.56/cubic yard container capacity (\$6.21 collection rate + \$2.35 disposal rate) above the regularly scheduled service amount calculated on the basis of SWA waste generation data/property/year. In addition to the \$8.56 per cubic yard, there will be an additional fee of \$25.00 charged for the special pickup of the assigned container.
2. Non-containerized trash - Thursday Only
 - a. White goods (stove, refrigerator, washing machine, dryer, freezer, etc.) \$5.00/unit.
 - b. Furniture (desk, chair, table, etc.) \$5.00/unit.
 - c. Other non-prohibited materials \$8.56/cubic yard (\$6.21 collection rate and \$2.35 disposal rate) (or part thereof); \$8.56 minimum charge.
3. Large Vegetation Piles - (Mondays) more than 4" diameter or any excess over two (2) cubic yards - \$8.56/cubic yard (or part thereof); \$8.56 minimum charge.
4. Special Pickup Charge: In addition to special pickups and other charges there will be an additional fee of \$25.00 charged when trash and/or garbage, vegetation and/or recyclable items are placed out for collection and picked up on days not specified in the pickup schedule identified in the Base Level of Service" Exhibit B.

TAB 10

**Town of Lake Park Town Commission
Agenda Request Form**

Meeting Date: **6-17-2009**

Agenda Item No. *Tab 10*

- | | |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> Ordinance on Second Reading | |
| <input type="checkbox"/> Public Hearing | <input checked="" type="checkbox"/> DISCUSSION |
| <input type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Zoning in progress for reviewing transient uses in the R-1 and R1A districts

RECOMMENDED MOTION/ACTION:

Approved by Town Manager

De Davis

Date:

6/12/09

Originating Department: Commissioner Osterman	Costs: \$ N/A Funding Source: Acct. #	Attachments: Staff memo
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input checked="" type="checkbox"/> Community Development <i>AM</i>	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ 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 <i>AM 6/12/09</i> OR Not applicable in this case _____: Please initial one.

Summary Explanation/Background: zoning in progress was declared by the Commission with a unanimous 4-0 vote at the meeting of June 3, 2009 in order to study the appropriateness of permitting transient uses in the single family districts of R-1 and R-1A. There was concern expressed by Commissioner Osterman and Vice Mayor Carey that the Commission should not be taking action under Commissioner Comments. Commissioner Osterman has therefore requested that this item be brought before the commission for further discussion as an advertised agenda item.

Town of Lake Park Community Development Department



Meeting Date: 6-17-09
Memo Date: June 12, 2009

Patrick Sullivan, AICP, CED, Director

PS
6/12/09

To: Town Commission

Re: zoning in progress

There has been a new court decision since we last considered sober houses. Below is a brief synopsis of the Treasure Island, Florida decision.

I think that the Treasure Island, Florida decision provides us with a potential approach to crafting an ordinance. It also appears to coincide with what they are considering in Delray. The concept is based on transient uses in single family districts rather than specific uses such as sober houses. The root of the idea is neighborhood stability. The concept of neighborhood stability is exactly what we are looking to establish. Our major concern is the stability of our single family districts, not the multifamily districts.

The Treasure Island decision recognized the concept of limiting occupancy turnover in certain districts as acceptable by noting that "By limiting ... zones to single-family homes that, in general, may change occupancy no more than two times per year, the City plainly intended to create pockets of stable, single-family neighborhoods." And the court agreed that limiting occupancy was acceptable and that providing an accommodation would fundamentally alter the zoning scheme and therefore could be rejected.

This should be our goal for our single family districts. In support of this, our recent EAR based amendments and amended FLUM changed the name of this land use area from "Residential – low density" to "Single Family" thus recognizing the uniqueness of this area. Plus we already allow treatment facilities in our multifamily and commercial areas. Given the court's view on this subject it would seem reasonable to pursue restrictions on short term rentals within this area.

In support of the above, the decision goes on to say:

"The Supreme Court has squarely held that localities have a legitimate interest in creating single-family neighborhoods "where family values, youth values, and the blessings of quiet seclusion and clear air make the area a sanctuary for people.(VIII. of Belle Terre, 416 U.S. at 9, 94 S.Ct. 1536) As the Supreme Court of Pennsylvania, among others, has observed, low turnover may be an essential aspect of such neighborhoods:

[O]ne of the many benefits of single-family zoning districts is that they create residential neighborhoods in which the residents may develop a sense of community and a shared commitment to the common good of that community. With out some level of stability and permanence in the composition of the groups residing in such residential districts, this goal is necessarily subverted."

Albert v. Zoning Hearing Bd. of N. Abington Twp., 578 Pa. 439, 854 A.2d 401, 409 (2004)

By changing the zoning we can limit an owner or lessee's ability to rent units in our single family districts on a short term basis. It would apply to all units within the district not just isolated buildings such as sober houses. Along with this change to the zoning we would allow sober houses in our multifamily and commercial districts. The combination of these strategies would protect our single family neighborhoods while still allow for the placement of sober houses in the Town.

Zoning in progress will allow staff necessary time to research and write an appropriate ordinance for your review. During that period of review any requests for transient housing can be put on hold until such time as a new ordinance is adopted.

Patrick Sullivan, AICP, CED, Director
Community Development Department
881-3319 fax 881-3323
psullivan@lakeparkflorida.gov