



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, June 19, 2013, 6:30 p.m.  
Lake Park Town Hall  
535 Park Avenue

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

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

A. **CALL TO ORDER/ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

C. **SPECIAL PRESENTATIONS/REPORTS**

1. Presentation by Thomas L. Twyford, Jr. – Annual Kids Fishing Days Event at the Lake Park Harbor Marina /July 29 - August 2, 2013 Tab 1
2. Proclamations Honoring First United Bank Staff Members Tab 2
3. Proclamations – Marina Task Force Members Tab 3

D. **PUBLIC COMMENT:**

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

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

- 4. Commission Workshop Minutes of May 30, 2013 Tab 4
- 5. Regular Commission Meeting Minutes of June 5, 2013 Tab 5
- 6. Authorizing the use of General Fund Contingency Funds for the Attendance at the 2013 Florida League of Cities Annual Conference. Tab 6
- 7. Setting a Special Call Commission Workshop for June 26, 2013 Tab 7
- 8. Setting a Special Call Budget Workshop for July 17, 2013 Tab 8

F. **OLD BUSINESS:**

- 9. Review of the Town Manager Annual Performance Evaluation for the Evaluation Period of June 29, 2012 to June 29, 2013. Tab 9

G. **PUBLIC HEARINGS - ORDINANCE ON FIRST READING:**

- 10. Ordinance No. 08-2013 Text Amendment to Section 78-71 Tab 10  
A TEXT AMENDMENT TO SECTION 78-71 TO INCLUDE AN “ANIMAL SERVICE ESTABLISHMENTS” USE AS A SPECIAL EXCEPTION USE, AND “ANIMAL DAY CARE ESTABLISHMENT”, “ANIMAL GROOMING ESTABLISHMENT”, “ANIMAL INDOOR TRAINING CENTER”, AND “PET SHOP” USE AS A PERMITTED USE WITHIN THE C-1 BUSINESS DISTRICT, AS WELL AS CREATING A “SPECIAL EXCEPTION” SUBSECTION TO THE C-1 BUSINESS DISTRICT TO INCLUDE SOME EXISTING C-1 PERMITTED USES AND THE NEW “ANIMAL SERVICE ESTABLISHMENT” USE AS A SPECIAL EXCEPTION USE. MODIFICATION TO SECTION 78-2 TO INCLUDE DEFINITIONS FOR THE VARIOUS USES BEING AMENDED IN THE C-1 BUSINESS DISTRICT.

H. **PUBLIC HEARINGS – ORDINANCE ON SECOND READING/QUASI-JUDICIAL:**  
None

I. **NEW BUSINESS:**

- 11. Designating the Town’s Voting Delegate for the 2013 Annual Conference of the Florida League of Cities Tab 11
- 12. Resolution No. 12-06-13 Authorizing the Mayor and the Town Clerk to Execute an Agreement between Palm Beach County and the Town of Lake Park for the use of \$37,294.00 in 2012-2013 CDBG Funds for Tennis Court Improvements Tab 12

J. **PUBLIC HEARINGS RESOLUTION– QUASI-JUDICIAL:**

- 13. Resolution No. 13-06-13 Request by H&L Planning and Development Consultants on behalf of Waterfront Services Inc. to Establish a Building Supplies Office and Retail Space with a Storage Warehouse in the C2 Business District Tab 13

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

L. **ADJOURNMENT**

**Next Scheduled Regular Commission Meeting will be held on Wednesday, July 3, 2013**

**SPECIAL  
PRESENTATION/  
REPORT**

# TAB 1



**Town of Lake Park Town Commission**

**Agenda Request Form**

Meeting Date: June 19, 2013

Agenda Item No. *Tab 1*

**Agenda Title: Presentation by Thomas L. Twyford, Jr. - Annual Kids Fishing Days Event at Lake Park Harbor Marina/July 29 to August 2, 2013**

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

Approved by Town Manager *[Signature]* Date: *6/6/13*

James C. Hart, Marina Director  
Name/Title

<b>Originating Department:</b>  Lake Park Harbor Marina	Costs: <i>T&amp;D</i> Funding Source: Acct. <input checked="" type="checkbox"/> Finance <u><i>EX-2</i></u>	<b>Attachments:</b> Event Application
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u><i>JH</i></u> or Not applicable in this case  <b>Please initial one.</b>

**Summary Explanation/Background:**

Tom Twyford who is the President of the West Palm Beach Fishing Club will be in attendance to make a presentation regarding the Annual Kids Fishing Days Event to be held for the second consecutive year at the Lake Park Harbor Marina from July 29 to August 2, 2013. The event falls under the charitable affiliate of the West Palm Beach Fishing Foundation, which was originally set up as a 501(c)(3) tax exempt organization for the purpose of financing this event, which provides exposure to boating and fishing offshore for less fortunate children.

The primary sponsors of the event are the Marine Industries Association of Palm Beach County and the Florida Fish and Wildlife Conservation Commission.

This year's event is expected to attract approximately 50 volunteers and 400 children ages 8-12 from various youth groups in the surrounding Palm Beach County area. The Lake Park Elementary School has expressed a desire to participate in this event, and their participation will be coordinated by the Town's Parks and Recreation Department. Children from the Lake Park Summer Program will also participate. A specified amount of space will also be made available for children who wish to register who are not affiliated with a group.

The costs of the event, including primarily rods, reels, tackle, insurance and lunch for the three-day period for the participants, are all funded through private donations and grants. The event organizers are requesting an in-kind donation from the Town to help defray the event costs. Such request consists of a waiver of fees for 35 parking spaces for volunteers and participants, and a waiver of electric and water service charges and dockage fees for a 60-foot drift fishing vessel which will be used for transporting the children on four two-hour fishing trips over the three-day period of the event.

There are no direct costs associated with man hours needed by Marina staff due to the large number of volunteers who will be participating from the West Palm Beach Fishing Club.

**Recommended Motion:** Approve the request for an in-kind donation in the form of a waiver of parking fees for 35 parking spaces, dockage fees for a 60-foot drift fishing vessel, and electric and water service charges.

# PALM BEACH COUNTY FISHING FOUNDATION



P.O. Box 468 • West Palm Beach, FL 33402 • (561) 832-6780 • Fax (561) 832-2137

May 12, 2013

Mr. James Hart, Marina Director  
Lake Park Harbor Marina  
105 Lakeshore Drive  
Lake Park, FL 33403

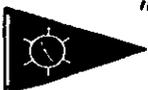
Dear Mr. Hart:

Enclosed is the Palm Beach County Fishing Foundation's (PBCFF) completed Special Event Permit application for the 2013 *Kids Fishing Days* program for less fortunate and at-risk children. This year's program is scheduled for Tuesday, July 30th, Wednesday, July 31st and Thursday, August 1st. We are once again requesting the Town's support and would like to headquarter the event at the Lake Park Marina. This will be our 26th year conducting this community event. Our move to Lake Park Marina last year worked out fantastic. All aspects of the event ran smoothly and the marina proved to be an ideal venue for this program. Nothing has changed with regard to our program format or site plan. Everything will be essentially the same as last year.

We are specifically requesting the following:

1. Use of the various areas indicated on our site map for our educational programs and use of the marina conference room for storage of program equipment during the event.
2. A waiver on the parking fees for 35 parking spaces daily for participants and volunteers.
3. A waiver on the slip space, electric and water fees required for the 60' charter boat we use during the program.

The Florida Fish & Wildlife Conservation Commission (FWC) will be co-hosting the event with us and will be holding land-based kids fishing clinics along with having their marine 'touch tank' on site. We have chartered the 'Living on Island Time' drift boat for these three days and will be rotating various youth groups through two-hour fishing trips and two-hour fishing clinic programs each day.



*"The charitable affiliate of the West Palm Beach Fishing Club -  
improving fishing for the future."*

A CHARITABLE CORPORATION, CONTRIBUTIONS TO WHICH ARE DEDUCTIBLE.



Printed on recycled paper

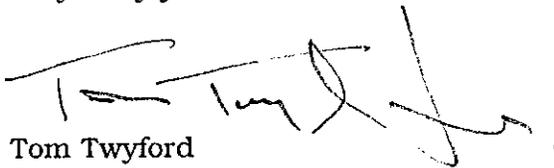
Monday, July 29th will be our set up day. We will be setting up multiple 10' X 10' tents to accommodate the clinic portion of the event. Knot tying, casting lessons, angler ethics, cast netting, Lake Worth Lagoon habitat and boating safety are some of the featured program topics. A 40' X 40' tent will be used for our check-in and dining area.

The FWC will be providing us with several marine biologists to teach the kids all about local marine animals. We use a "marine touch tank" that has various marine animals in it like sea urchins, crabs, fish, etc. to help teach the kids about the marine environment. The tank will give the kids a unique opportunity to directly interact with some animals they likely have never seen before. Each youth group consists of approximately 40 people and no more than two groups will be on site at any one time. Most of the groups will arrive by vans or buses. We will cook hot dogs for the kids at the end of the program. Last year we reached out to the Lake Park Recreation Department and were able to get some of their kids involved. We intend to do the same this year. Additionally, we are making arrangements to get a group of kids from Lake Park Elementary involved this year as well.

'Kids Fishing Day' has been hosted by the PBCFF since 1988. To date, well over 11,000 special kids have participated. The program has been very successful and extremely well received by the community. We offer the program free of charge to all the kids/youth groups who participate.

We have an excellent group of volunteers and FWC staff members who assist with all aspects of this event. We utilize volunteer paramedics/EMT as well. We were thrilled to bring this program to the Town of Lake Park last year and look forward to working with the Town this year to produce another meaningful *Kids Fishing Day* program.

Very truly yours,



Tom Twyford  
President

Enc.



DATE/TIME RECEIVED:

**TOWN OF LAKE PARK  
SPECIAL EVENT PERMIT APPLICATION**  
Please read instructions before filling out application.

Please submit application fourteen (14) calendar days prior of proposed event to:

DEPARTMENT OF COMMUNITY DEVELOPMENT  
535 PARK AVENUE  
LAKE PARK, FL 33403  
Telephone: 561-881-3318 Fax: 561-881-3323

**Instructions:**

Please print legibly using dark ink.  
Application must be filled out completely. \$75.00 Application fee must accompany application. Non-profit or individual application fee: \$25.00 Please note the permit requirements necessary to be attached to application.

**Non-Profit Tax Status Identification Number:** 65-0213715  
(If applicable)

**Name of Event or Name of Event Organizer:**  
26TH ANNUAL KIDS FISHING DAYS - COORDINATED BY THE  
PALM BEACH COUNTY FISHING FOUNDATION & FLORIDA FISH AND WILDLIFE  
CONSERVATION COMMISSION

**Address/Location of Event:**  
LAKE PARK MARINA

**Detailed description of use (use additional sheet if applicable)**  
(SEE ATTACHED EVENT DESCRIPTION)

If the event requires a facility rental, please contact 561-881-3338.

**Dates/Times of the event:**

	Date	Day	Begin Time	End Time
Event Day 1	<u>7/30/13</u>	<u>TUESDAY</u>	<u>7:30</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	<u>7:00</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
Event Day 2	<u>7/31/13</u>	<u>WEDNESDAY</u>	<u>7:30</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	<u>7:00</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
Event Day 3	<u>8/1/13</u>	<u>THURSDAY</u>	<u>7:30</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	<u>7:00</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM

**Organization(s) Producing Special Event (if applicable):**

Name: PALM BEACH COUNTY FISHING FOUNDATION Name: FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION - DIVISION OF MARINE FISHERIES MGT.  
Address: P.O. Box 468 Address: 2590 EXECUTIVE CENTER CIRCLE EAST  
State/Zip: WEST PALM BEACH, FL 33402 State/Zip: BERKELEY BUILDING, SUITE 204 TALLAHASSEE, FL 32301  
Phone: (561) 832-6780 Phone: (850) 617-9644

Alternate Phone # (561) 373-0957 Alternate Phone # \_\_\_\_\_

Fax: (561) 832-2137 Fax: (850) 488-7152

E-mail: ttwyford@mindspring.com E-mail: NANCY.FISHER@MYFWC.COM

**Individual(s) Responsible:**

Name: Tom Twyford Name: NANCY FISHER

Address: (SAME AS ABOVE) Address: (SAME AS ABOVE)

State/Zip: \_\_\_\_\_ State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Alternate Phone # \_\_\_\_\_ Alternate Phone # \_\_\_\_\_

Fax: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Purpose of the event**

TO INTRODUCE DISADVANTAGED AND AT-RISK CHILDREN TO THE MARINE ENVIRONMENT AND THE JOYS OF FISHING, WHILE AT THE SAME TIME INSTILLING A STRONG CONSERVATION ETHIC

Estimated number of participants? 400

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

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

NOT SURE?

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

Will your event require road closure? Yes \_\_\_ No X

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

\_\_\_\_\_  
(Initial to acknowledge statement)

Will the event require the use of electricity? FOR FANS AND MARINE TOUCH TANK PUMP Yes X No \_\_\_

Will the event require water hook-up? AT BOAT SLIP FOR DLIST BOAT. Yes X No \_\_\_

Describe restroom availability: WE WILL USE MARINA RESTROOMS - THEY WERE VERY ADEQUATE LAST YEAR.

Will food and/or beverages be served? HOT DOGS, SODA AND LOTS OF BOTTLED WATER. Yes X No \_\_\_

Will the event have vendors or concession sales, including food? Yes \_\_\_ No X

*If YES, the event organizer is responsible for securing all respective PBC and State of Florida Health Certificates for food vendors, as well as copies of all other commercial vendor licenses.*

*The event organizer holds full responsibility and liability for vendors.* \_\_\_\_\_  
(Initial to acknowledge statement)

Will Palm Beach County Sheriff's Office services be required? Yes \_\_\_ No X

Will Palm Beach County Fire-Rescue services be required? Yes \_\_\_ No X

Will alcoholic beverages be served? Yes \_\_\_ No X

*If YES, additional liquor legal liability with a \$1million limit is required.*

*Commercial for-profit and non-profit special events will require a Certificate of General Liability with the following limits:*

\$1 million per occurrence; \* INSURANCE CERTIFICATE BEING  
\$2 million aggregate; PROCESSED - WILL HAVE  
\$100,000 damage to rented premises. SAME COVERAGE AS LAST  
YEAR.

Are you proposing signage?

Yes \_\_\_ No X

If YES, please fill out the signage permit application attached. An additional \$100 fee is required for signage.

Will the event have an official "Flyer" and/or promotional materials? Yes X No \_\_\_

\* SEE COPY OF LAST YEAR'S FLYER.

If yes, the Town Logo and/or reference is not permitted unless pre-approved by providing a copy of the Flyer. TCT.

(Initial to acknowledge statement)

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

SEE ATTACHED DIAGRAM.

**NOTE:** Public parking spaces are first-come, first-serve.

**IF TENTS ARE BEING UTILIZED:**

**For any tent which is larger than 10 ft. x 10 ft. and pop-up style, a Certificate of Flame Resistance will be required to be attached to this Special Event Permit application.**

\* will be provided by TENT RENTAL company.

**(FOR OFFICE USE ONLY)**

**SIGNATURES/APPROVALS:**

Please Sign and Date.

**PARKS & RECREATION DIRECTOR:**

L. Canale

5/30/13

**PUBLIC WORKS DIRECTOR:**

J. Hart (N/A)

5/23/13

**MARINA DIRECTOR: (If applicable)**

[Signature]

5/30/13

**PALM BEACH COUNTY SHERIFF:**

Lt. Ay 205'3 05'3013

**PALM BEACH COUNTY FIRE-RESCUE:**

[Signature]

5/31/13 N. DeRossi #20587

**CODE COMPLIANCE OFFICER:**

[Signature]

**COMMUNITY DEVELOPMENT DIRECTOR:**

[Signature]

5/31/2013

**Comments:**

- ① parking meters are operational unless waived by the Town Commission (pursuant to conversation w/Jamie)
- ② Jamie Hart (Marina Director) will be responsible for attaining required insurance.

**APPLICANT SIGNATURE:**

[Signature]

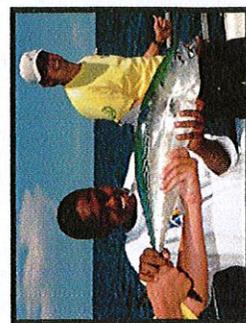
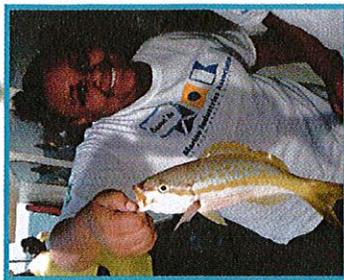
**DATE:** 5/9/13

③ No road closure + no signage

Support the Palm Beach County Fishing Foundation's

25th Annual

# Kid's Fishing Days



Kid's Fishing Days is a

community outreach program designed to introduce disadvantaged children to fishing and the marine environment.

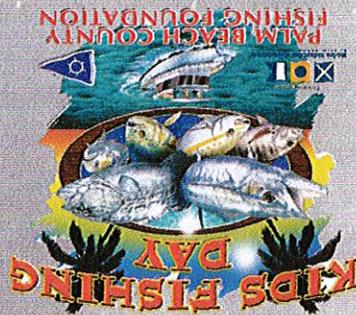
Marine Industries Association  
OF PALM BEACH COUNTY, INC.



Presented by:

## Help Us Take A Kid Fishing!

July 31st, August 1st & 2nd, 2012



Palm Beach County Fishing Foundation  
P.O. Box 468  
West Palm Beach, FL 33402  
(561) 832-6780 • Fax (561) 832-2137



PRSRPT STD  
U.S. POSTAGE  
PAID  
WEST PALM BEACH, FL  
PERMIT NO. 224

# The Palm Beach County Fishing Foundation

invites you to

## Take A Kid Fishing



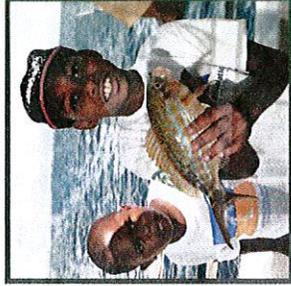
It's all about introducing kids to fishing and our marine environment! The Palm Beach County Fishing Foundation (the charitable affiliate of the West Palm Beach Fishing Club) along with the assistance of WPBFC members and other community volunteers will conduct its annual *Kid's Fishing Days*, celebrating 25 years, on July 31, August 1 & 2, 2012. Hundreds of disadvantaged children from throughout Palm

Beach County will experience what most of us take for granted, a day of boating and fishing on the ocean. With the support of our event partner, the Florida Fish & Wildlife Conservation Commission, the kids will also learn all about our marine environment, why we need to protect it, and why it's important to be an ethical angler.

Since 1988, nearly 11,000 special kids have participated in this heartwarming community outreach event. Foster children, mentally and physically challenged kids and at-risk children have benefited from previous *Kid's Fishing Days* events. The program is free of charge to those who participate and is made possible each year through the generosity of many community volunteers and sponsors.

You or your business can help Take A Kid Fishing by sponsoring one or more children. A tax-deductible donation of \$35.00 will help cover the cost of one child's participation. Larger donations are greatly appreciated and will help cover significant expenses such as charter fees, t-shirts and rental expenses. Each child will receive a t-shirt, lunch, drinks, dessert, an official certificate of participation and a brand new fishing rod and reel. Of course, each child walks away with special memories of a fun day on the water and a better understanding of our unique marine environment. We believe programs like *Kid's Fishing Days* help build better citizens and environmental stewards for the future. We hope you feel the same way. If you have helped in the past, we thank you for your previous support and hope you can continue your assistance again this year. All donors will be recognized in the WPBFC's *Tight Lines* bulletin after the event.

**ALL CONTRIBUTIONS ARE TAX DEDUCTIBLE & ACCEPTED YEAR AROUND**



The PBCFF gratefully acknowledges the generosity and support of these major *Kid's Fishing Days* sponsors:



Marine Industries Association  
OF PALM BEACH COUNTY, INC.



Sandie &  
Ethan Weitz



The Fleming Family  
Foundation



Rybovich Endowment  
Memorial Funds  
benefiting *Kid's Fishing Day*



ForTheFuture.com • (561) 333-3333

The Walter & Adi Blum Foundation, Inc.



Cut and mail with your donation today

Yes, I/we would like to help the Palm Beach County Fishing Foundation

## Take A Kid Fishing

Donor's Name: \_\_\_\_\_

(Please print name as you would like it to appear in *Tight Lines*)

E-mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Donation amount: Check (payable to the Palm Beach County Fishing Foundation)

\$35  \$70  \$125  \$250  Other \$ \_\_\_\_\_

VISA  MC  AMEX  \_\_\_\_\_

Exp. Date    SIGNATURE: \_\_\_\_\_

**ALL CONTRIBUTIONS ARE TAX DEDUCTIBLE & ACCEPTED YEAR AROUND**

Presented by:

Return completed form with check or fax donations to:



Palm Beach County Fishing Foundation,  
P.O. Box 468, West Palm Beach, FL 33402

Marine Industries Association  
OF PALM BEACH COUNTY, INC.

(561) 832-6780 • Fax (561) 832-2137

# 2013 KIDS FISHING DAYS

## Program Description

Palm Beach County

## Fishing Foundation



### KID'S FISHING DAY

This is all about introducing kids to fishing and our marine environment! Since 1988, the Palm Beach County Fishing Foundation, along with the assistance of volunteers and important community partners like the Marine Industries Association of Palm Beach County, has conducted an annual Kid's Fishing Day program. Each year, hundreds of less fortunate, at-risk and special needs children

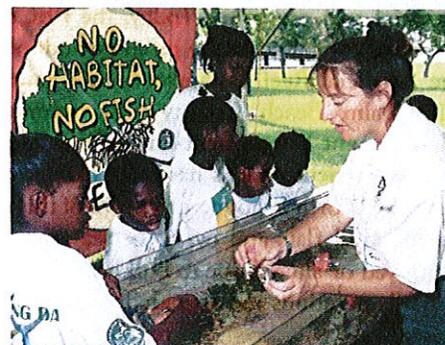


from throughout Palm Beach County experience what most of us take for granted, a day of boating and fishing on the ocean. It takes three days and 12 separate drift boat trips to get all the kids on the water. More importantly, because of this program's strong educational component, the

kids learn all about our marine environment

and why we need to protect it. This is accomplished through a variety of hands-on educational stations based on land, which includes the Florida Fish & Wildlife Conservation Commission's Marine Touch Tank.

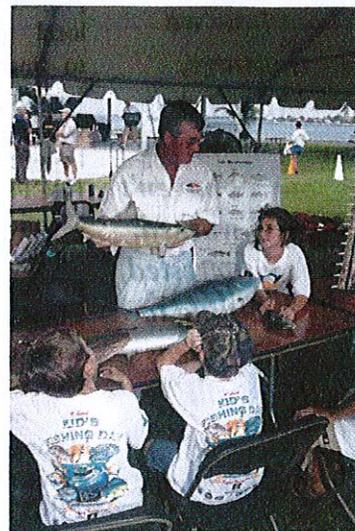
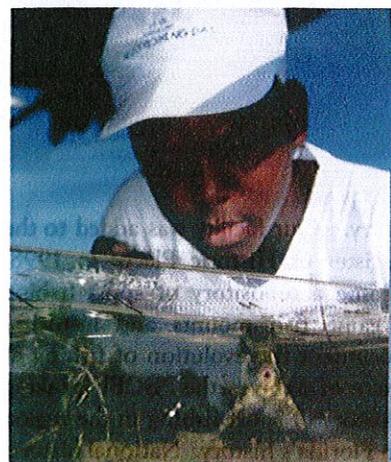
To date, over 11,000 special kids have participated in this heartwarming community outreach event. The program is free of charge to those who participate and is made possible each year through the generosity of many sponsors and volunteers. Each child receives an event t-shirt, lunch, drinks, dessert, and an official certificate of participation. If that wasn't enough, every kid goes home with a brand new fishing rod and reel. Of course, each child walks away with special memories of a fun day on the water and a better understanding of our unique marine environment.



For many, this ocean adventure is a first time experience. Seeing flying fish, sea turtles and large oceanic predators like sharks is a thrill not soon forgotten! We believe programs like our Kid's Fishing Day help build better citizens and environmental stewards for the future.

**“Your Kid's Day is the model for the rest of the United States.”**

- Mr. Bill Cole  
U.S. Fish & Wildlife Service, 1996



# 2013 KIDS FISHING DAYS

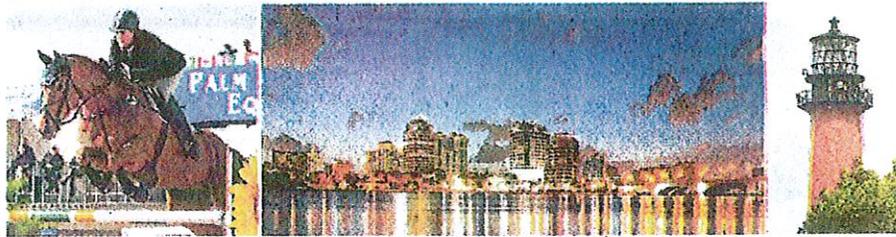


← 105 Lake Shore Drive  
Lake Park, FL 33403



EVENT SET UP: MONDAY, JULY 29th  
 PROGRAM DAYS: TUESDAY, JULY 30th  
 WEDNESDAY, JULY 31st  
 THURSDAY, AUGUST 1st  
 EVENT BREAK DOWN: FRIDAY, AUGUST 2nd

# UNITY



scheduled Friday for former WP-TV-Channel 5 weatherman Rob Lopicola, who is accused of having sex with two underage boys he met through personal ads on Craigslist. Circuit Judge Stephen Rapp denied a request from prosecutors to delay the hearing because of a scheduling conflict. Lopicola, 42, has been at the Palm Beach County Jail since last month, when he was arrested in Broward County.

DAPHNE DJRET

## Chamber candidates forum scheduled tonight

The Central Palm Beach County Chamber of Commerce will host a candidates forum 6 to 8 p.m. today in Building 1 at the South Florida Fairgrounds.

The event will allow attendees to meet candidates in a casual setting, ask questions and comment during brief one-on-one conversations.

Candidates running for federal, state and local offices are expected to attend, including: county sheriff candidate Joe Talley, circuit court candidate Jody Lane, county court candidate Jane Sullivan, Property Appraiser Gary Nikolits and challenger Robert Weinroth, and House of Representatives District 22 candidates Lois Frankel and Kristin Jacobs. For more information, call Scott Brown at (561) 578-4810.

MITRA MALEX

## LAKE WORTH

### Planning and zoning board member resigns

Robert Waples resigned from the city's planning and zoning board Tuesday, citing the need to devote more time to other priorities.

Waples also serves as president of the Residents of Lake Osborne Heights Neighborhood Association and the Neighbors Helping Neighbors Project, a nonprofit that organizes volun-

## LAKE PARK



RICHARD GRAULICH / THE PALM BEACH POST

Kelon Edwards, 14, of Delray Beach, shows off the 5-pound barracuda he caught Wednesday during the Palm Beach County Fishing Foundation's 25th annual Kids' Fishing Day at the town marina in Lake Park. The three-day event continues today and has about 400 kids ages 8 to 14 from across the county participating.

## Kids learn to get hooked on fishing

Annual program teaches them techniques, responsibility of sport.

By Hana Engroff  
Palm Beach Post Staff Writer

LAKE PARK — Cheers erupted as Keion Edwards reeled in his group's first catch, a 5-pound barracuda.

"I was thinking, 'Oh my God,'" Keion, 14, said of hooking the fish.

The Delray Beach teen's barracuda was one of about a dozen fish — mostly bonitos and black sea bass — his group caught as part of the Palm Beach County Fishing Foundation's 25th annual Kids' Fishing Day at the Lake Park Harbor Marina.

But the three-day program,

which started Tuesday, is "more than just a fishing trip," said Tom Twyford, West Palm Beach Fishing Club president. "Catching a fish is just a bonus. It's more about introducing them to this sport and teaching them."

About 400 children from West Palm Beach to Pahokee registered this year for the free program. Ranging in age from about 8 to 14, they came from summer camps, church youth groups and Boys and Girls Clubs, some of them never having seen the ocean.

Groups of up to 40 arrived for morning and afternoon sessions, rotating through activity stations run by volunteers. They learned about knot-tying, casting a fishing rod, setting up a tackle box and being a responsible angler. They got to touch sea critters

in a tank provided by the Florida Fish & Wildlife Conservation Commission.

Each child also went home with a new fishing rod and reel from Fish Florida, but the program's highlight was a fishing trip aboard Living On Island Time, a 60-foot drift boat.

It was Edwards' first trip on a boat. He came with the Caregiving Youth Project, an organization for children who help take care of chronically ill family members.

"This is an ideal day for our kids to get out and have fun," said Karen Harwood, the organization's director of family care.

Getting to take home their own fishing rod is "like a gift that keeps on giving," she said.

hengroff@pbpost.com

# TAB 2



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 19, 2013

Agenda Item No. *Tab 2*

Agenda Title: Proclamation Honoring First United Bank Staff Members

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

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *[Signature]* Date: *6/12/13*

*Vivian Mendez - Town Clerk*  
Name/Title

<b>Originating Department:</b>  <b>Commissioner Rapoza</b>	Costs: \$ <b>0</b> Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> <b>Proclamation</b>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u><i>VM</i></u> OR Not applicable in this case _____ <b>Please initial one.</b>

**Summary Explanation/Background:** At the May 15, 2013 Regular Commission Meeting Commissioner Rapoza requested that the Commission honor First United Bank staff members for generously donating resources and money to Lake Park Elementary School.

**Recommended Motion:** To present First United Bank with a proclamation honoring their staff members.

**PROCLAMATION  
TOWN OF LAKE PARK, FLORIDA  
IN HONOR OF FIRST UNITED BANK STAFF MEMBERS**

**WHEREAS;** the *First United Bank* located on US Highway 1 in North Palm Beach, Florida, staff members have embraced the Lake Park Elementary School; and

**WHEREAS;** *First United Bank* staff's fundraising efforts raised enough money to purchase many of the needs of the Lake Park Elementary School children; and

**WHEREAS;** *First United Bank* staff purchased sneakers, fleece blankets, toiletries, backpacks, arts and crafts, and paid for a trip to Washington DC for the fifth grade Safety Patrol students; and

**WHEREAS;** *First United Bank* staff was instrumental in securing donations from Harry & David, the Palm Beach Kennel Club, and the law firm of Cohen Norris Wolmer Ray Telepman & Cohen; and

**WHEREAS;** the funds raised by the *First United Bank* staff enabled three students to attend the Gifted Program at The Benjamin School's Summer Program and ten students to participant in the Palm Beach County Fishing Foundation's Annual Kid's Fishing Day where each student went home with a fishing rod and reel; and

**WHEREAS,** *First United Bank* staff underwrote Scholastic News for the 2013/2014 school year, are currently working on soliciting partners who will agree to underwrite a class for Christmas 2013, and have started a savings program for the students.

**NOW, THEREFORE,** on behalf of the citizens and Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend *First United Bank* staff members for their efforts and express our sincere and enduring gratitude for the services they have rendered to Lake Park Elementary School and to this community.

**IN WITNESS WHEREOF,** I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 19<sup>th</sup> day of June, 2013.

BY: \_\_\_\_\_  
*Mayor James DuBois*

ATTEST:  
\_\_\_\_\_  
*Vivian Mendez, Town Clerk*

# TAB 3



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 19, 2013

Agenda Item No. Tab 3

Agenda Title: Proclamations Honoring the Marina Task Force Members

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

Approved by Town Manager [Signature] Date: 6/4/13

Vivian Mendez - Town Clerk
Name/Title

Table with 3 columns: Originating Department (Commissioner O'Rourke), Costs (0), Attachments (Proclamations for each of the five (5) citizen Marina Task Force Members), Advertised (Not Required), and notification status (Yes I have notified everyone).

Summary Explanation/Background: At the May 15, 2013 Regular Commission Meeting Commissioner O'Rourke made a motion asking that the Marina Task Force members be presented with proclamations thanking them for their efforts on the Task Force.

Recommended Motion: No motion is required.

**PROCLAMATION  
TOWN OF LAKE PARK, FLORIDA  
IN HONOR OF MARINA TASK FORCE MEMBER  
DIANE BERNHARD**

**WHEREAS; Diane Bernhard** was chosen to serve on the Town of Lake Park Marina Task Force by the Commission from September 2012 until March 2013; and,

**WHEREAS; Diane Bernhard** thought “outside the box” when creating a conceptual plan for an open gazebo to be placed in the parking lot on US Highway One and Silver Beach Road and ways to develop alternatives for enhancing revenues; and,

**WHEREAS; Diane Bernhard** attended all of the meetings of the Marina Task Force and was a significant contributor to the development of the final report and recommendations to the Town Commission; and

**WHEREAS; Diane Bernhard** has continuously devoted her time and energy on behalf of this community and its citizens; and,

**WHEREAS,** the Town of Lake Park wishes to publicly recognize and honor her for her contributions as a Marina Task Force Member.

**NOW, THEREFORE,** on behalf of the citizens and Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend **Diane Bernhard** and express our sincere and enduring gratitude for the service that she has rendered to this community.

**IN WITNESS WHEREOF,** I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 19<sup>th</sup> day of June, 2013.

BY: \_\_\_\_\_  
*Mayor James DuBois*

ATTEST:  
\_\_\_\_\_  
*Vivian Mendez, Town Clerk*

**PROCLAMATION  
TOWN OF LAKE PARK, FLORIDA  
IN HONOR OF MARINA TASK FORCE MEMBER  
WAYNE CREBER**

**WHEREAS; *Wayne Creber*** was chosen to serve on the Town of Lake Park Marina Task Force by the Commission from October 2012 until March 2013; and

**WHEREAS; *Wayne Creber*** offered a business owner prospective on what would make the Marina stand out from others in the area as well as provided conceptual drawings for the design of the corner signage on Silver Beach Road and US Highway 1; and

**WHEREAS; *Wayne Creber*** attended all of the meetings of the Marina Task Force and was a significant contributor to the development of the final report and recommendations to the Town Commission; and

**WHEREAS; *Wayne Creber*** has continuously devoted his time and energy on behalf of this community and its citizens; and

**WHEREAS,** the Town of Lake Park wishes to publicly recognize and honor him for his contributions as a Marina Task Force Member.

**NOW, THEREFORE,** on behalf of the citizens and Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend ***Wayne Creber*** and express our sincere and enduring gratitude for the service that he has rendered to this community.

**IN WITNESS WHEREOF,** I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 19<sup>th</sup> day of June, 2013.

BY: \_\_\_\_\_  
*Mayor James DuBois*

ATTEST:  
\_\_\_\_\_  
*Vivian Mendez, Town Clerk*

**PROCLAMATION  
TOWN OF LAKE PARK, FLORIDA  
IN HONOR OF MARINA TASK FORCE MEMBER  
ERIN FLAHERTY**

**WHEREAS; Erin Flaherty** was chosen to serve on the Town of Lake Park Marina Task Force by the Commission from September 2012 until March 2013; and

**WHEREAS; Erin Flaherty** made on-site visits of area marinas and compared their amenities to the Lake Park Marina amenities and found that Lake Park offers many more; and

**WHEREAS; Erin Flaherty** attended all of the meetings of the Marina Task Force and was a significant contributor to the development of the final report and recommendations to the Town Commission; and

**WHEREAS; Erin Flaherty** has continuously devoted his time and energy on behalf of this community and its citizens; and

**WHEREAS**, the Town of Lake Park wishes to publicly recognize and honor him for his contributions as a Marina Task Force Member.

**NOW, THEREFORE**, on behalf of the citizens and Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend **Erin Flaherty** and express our sincere and enduring gratitude for the service that he has rendered to this community.

**IN WITNESS WHEREOF**, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 19<sup>th</sup> day of June, 2013.

BY: \_\_\_\_\_  
*Mayor James DuBois*

ATTEST:  
\_\_\_\_\_  
*Vivian Mendez, Town Clerk*

**PROCLAMATION  
TOWN OF LAKE PARK, FLORIDA  
IN HONOR OF MARINA TASK FORCE MEMBER  
BRENT HEADBERG**

**WHEREAS; Brent Headberg** was chosen to serve on the Town of Lake Park Marina Task Force by the Commission from September 2012 until March 2013; and

**WHEREAS; Brent Headberg** created a conceptual parking plan for the parking lot on Silver Beach Road and US Highway 1 and he created a marketing video of the Marina showing its many amenities; and

**WHEREAS; Brent Headberg** attended all of the meetings of the Marina Task Force and was a significant contributor to the development of the final report and recommendations to the Town Commission; and

**WHEREAS; Brent Headberg** has continuously devoted his time and energy on behalf of this community and its citizens; and

**WHEREAS**, the Town of Lake Park wishes to publicly recognize and honor him for his contributions as a Marina Task Force Member.

**NOW, THEREFORE**, on behalf of the citizens and Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend **Brent Headberg** and express our sincere and enduring gratitude for the service that he has rendered to this community.

**IN WITNESS WHEREOF**, I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 19<sup>th</sup> day of June, 2013.

BY: \_\_\_\_\_  
*Mayor James DuBois*

ATTEST:  
\_\_\_\_\_  
*Vivian Mendez, Town Clerk*

**PROCLAMATION  
TOWN OF LAKE PARK, FLORIDA  
IN HONOR OF MARINA TASK FORCE MEMBER  
JORGE QUINTERO**

**WHEREAS; *Jorge Quintero*** was chosen to serve on the Town of Lake Park Marina Task Force by the Commission from September 2012 until March 2013; and

**WHEREAS; *Jorge Quintero*** helped the Task Force with layout plans for the use of the parking lots, created conceptual drawings of site signage, and created a conceptual on-site directional signage design to be used at the Marina; and

**WHEREAS; *Jorge Quintero*** attended all of the meetings of the Marina Task Force and was a significant contributor to the development of the final report and recommendations to the Town Commission; and

**WHEREAS; *Jorge Quintero*** has continuously devoted his time and energy on behalf of this community and its citizens; and

**WHEREAS,** the Town of Lake Park wishes to publicly recognize and honor him for his contributions as a Marina Task Force Member.

**NOW, THEREFORE,** on behalf of the citizens and Commission of the Town of Lake Park, I, James DuBois, Mayor of the Town of Lake Park, do hereby publicly commend ***Jorge Quintero*** and express our sincere and enduring gratitude for the service that he has rendered to this community.

**IN WITNESS WHEREOF,** I have hereto set my hand and caused the official Seal of the Town of Lake Park, Florida to be affixed this 19<sup>th</sup> day of June, 2013.

BY: \_\_\_\_\_  
*Mayor James DuBois*

ATTEST:  
\_\_\_\_\_  
*Vivian Mendez, Town Clerk*

# **Consent Agenda**

# TAB 4



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 19, 2013

Agenda Item No. *Tab 4*

Agenda Title: Commission Workshop Minutes of May 30, 2013

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

Approved by Town Manager *[Signature]* Date: *6/12/13*

*Vivian Mendez, Town Clerk*  
Name/Title

<b>Originating Department:</b>  <p style="text-align: center;"><b>Town Clerk</b></p>	Costs: \$ 0 Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> <b>Agenda</b> <b>Meeting Minutes</b> <b>Exhibit A, B, C, and D</b>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>VM</i> <b>Please initial one.</b>

Summary Explanation/Background:

Recommended Motion: To approve the Commission Workshop Minutes of May 30, 2013.



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Commission Workshop  
Thursday, May 30, 2013, 6:30 p.m.  
Lake Park Town Hall  
535 Park Avenue

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

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

- A. CALL TO ORDER/ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. DISCUSSION:
  - 1. Vision & Mission
    - Review of Current Mission Statement
  - 2. Review of Town Commission Approved Projects
    - Review of List of Items to be Considered
    - Current Departmental Goals & Objectives
- D. ADJOURNMENT



**Minutes**  
**Town of Lake Park, Florida**  
**Commission Workshop**  
**Thursday, May 30, 2013, 6:30 p.m.**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Commission Workshop on Thursday, May 30, 2013 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager Dale S. Sugerman, and Town Clerk Vivian Mendez.

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

**DISCUSSION:**

**1. Vision & Mission**

- **Review of Current Mission Statement**

Town Manager Sugerman apologized for the noise in the building explaining that a graduation was taking place in the Mirror Ballroom.

Mayor DuBois asked that Public Comment be added to the end of the workshop. The Commission came to consensus to allow for Public Comment at the end of the Workshop.

Town Manager Sugerman read the current Mission Statement (see exhibit "A") and provided different examples of Mission Statements versus Vision Statements. He explained that a Mission Statement is the "how" things get accomplished in an organization (the staff) and the Vision is the "where" an organization (the Commission) wants to go. He explained Abraham Herbert Maslow's "Hierarchy of Needs" see (exhibit "B"). He explained that at last year's Florida League of Cities Annual Conference, Peter Kageyama's spoke of the "Hierarchy of the Lovable City" (see exhibit "B"). Mr. Kageyama refers to getting the people involved emotionally as "Community Engagement".

Town Manager Sugerman stated that getting the community emotionally involved is what this process is about. He asked the Commission key questions to begin crafting the Vision of the Town. He asked 1) Where are we? 2) Where do we want to be? 3) What do we need to address; where we are now and what do we want to be and how? 4) We need to identify champions.

He had the Commission provide words that are important to them to include in the Vision of the Town. The list included the following words: superior customer service; quality leisure services; strategic/targeted level of plan of economic development; shared sense of community; level of trust; enjoying unique assets; create surplus revenues; respected first leader; open and participatory; re-establish as "Jewel of the Palm Beaches" (re-

emerge); creatively advance while preserving our history; family friendly; artistic center; solid foundation; cradle to grave community; creating a successful business environment; uplift and support private property owners; transparent government.

Commissioner O'Rourke and Mayor DuBois expressed their struggle with this process.

From the list above the Commission was asked to narrow down the list of words to only four (4) words per Commissioner that are important to them. They narrowed down the list as follows: strategic; re-emerge; targeted; assets; solid; surplus; foundation; superior; participatory; transparent; preserving; trust; community; quality; service; business; family success.

The first draft of the Vision for the Town was: Engaging Lake Park Residents, Visitors, and Businesses in Our Community Experience.

Commissioner Rapoza asked if there was a timeframe for the Vision.

Town Manager Sugerman explained that there is no timeframe for the Vision. The Vision would remain the Vision until such time as the Commission decided to change the Vision of the Town.

The Commission discussed different ways of engaging the community. The Commission will be poled on their availability to schedule the next workshop.

## **2. Review of Town Commission Approved Projects**

- **Review of List of Items to be Considered**
- **Current Departmental Goals & Objectives**

Town Manager Sugerman explained the Town Commission Approved Projects and the Current Departmental Goals and Objectives (see exhibit "C").

Mayor DuBois provided a list of projects that are important to him (see exhibit "D").

The Commission discussed the items on the priority list and which items on the list they felt were most important moving forward. They discussed the development of the western community versus the US Highway 1 corridor.

Town Manager Sugerman suggested that each Commissioner choose no less than three (3) and no more than six (6) projects they would like staff to work on.

The Commission asked questions regarding the status of a few of the projects on the list. The Commission came to consensus to develop a new list of projects with each Commissioner choosing no less than three (3) and no more than six (6) projects. Town Manager Sugerman explained that he would provide the Commissioners with a form that they could fill out and staff will include as backup on the next Workshop agenda.

- **Board Applicant Parameters**

Mayor DuBois stated that he did not realize that the ballot process currently being used to appoint board members is defined in the Town Code. He suggested a nomination process instead. The Commission came to consensus to have staff draft new language for a nomination process that they can consider at a future meeting.

**Public Comment:**

1) Christiane Francois – 1301 10<sup>th</sup> Street, stated that the Town needs to bring in new businesses. She stated that the Lake Park perception is completely wrong from those that do not live in Town.

Commissioner O'Rourke asked Ms. Francois if she would be willing to serve on a Task Force in the future.

Ms. Francois agreed.

2) Angela English – 527 E. Redwood Drive, explained that she is renting 114 Federal Highway for her A.E.M. for the Heart Ministry, which caters to the community. She explained that children in this community do not participate in sports, they participate in music programs, and she is asking for a partnership with the Town.

Mayor DuBois asked Ms. English to forward her information and he would distribute it to the appropriate people.

Commissioner O'Rourke asked her to contact the Commissioners so that they can engage in any assistance possible.

Ms. English gave all the different names that the Town of Lake Park was once known by: "Kelsey City", "Welcome to Miracle City"; "The New City in the Making"; "Gateway to the Winter Playground".

3) Cynthia Grey – 503 Sable Palm Drive, thanked the Mayor and Commissioner for responding to her email. She commended the Commission on the work they did during the Workshop and stated that she is looking forward to the next Workshop.

4) Jennette Torres – West Palm Beach, explained that she has a business plan and vision to open a trade/vocational type of school in Town.

5) Betty Alexander-Hodges Lake Park, asked if email was the only way that the public is notified about the meetings, because many residents do not have access to a computer.

Mayor DuBois stated that it is advertised in the Palm Beach Post.

Town Manager Sugerman explained that the marquee outside of Town Hall is also a way to notify the public of any meetings.

Ms. Hodges suggested a brainstorming session on how to better notify the public that meetings are taking place.

6) Patricia West - property manager in Town, asked the Commissions for assistance with the permit fees that they are facing with the parking lot situation on the 700 block of Park Avenue.

Mayor DuBois sympathized with the situation and explained that the Commission and staff have been working on this situation since the day it began.

Ms. West asked that the Commission make the process as painless as possible.

Mayor DuBois explained that they will work with the process and assist where they can.

Ms. West thanked the Commission.

The Commission expressed their frustration with the entire situation.

### **ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner O'Rourke, and by unanimous vote, the meeting adjourned at 9:00 p.m.

---

Mayor James DuBois

---

Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2013



Exhibit "A"

Town of Lake Park Town Commission  
Commission Workshop

Agenda Request Form

Meeting Date: May 30, 2013

Agenda Item No.

Agenda Title: Workshop Discussion Items.

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

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager  Date: 5/16/13

Dale S. Sugerman, Ph.D./Town Manager  
Name/Title

<b>Originating Department:</b>  <p style="text-align: center;"><b>Town Manager</b></p>	Costs: \$ 0.00 Funding Source: Acct. # N/A <input type="checkbox"/> Finance _____	<b>Attachments:</b> * Current approved project list. * Current departmental goals and objectives. * Materials on Vision & Mission.
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u></u> <b>Please initial one.</b>

Summary Explanation/Background:

Attached are a variety of materials to be used as background information during the Commission workshop. As of the writing of this Agenda Request Form, there were three items that were placed on the Town Commission list of items to be considered: 1) Board applicant parameters (reviewing applications and selecting members that best suit the board, and; 2) Vision versus Mission Statement (which is the final item in this packet), and 3) Development of a parking pass for use at metered parking spaces.

Recommended Motion:

No motion is necessary as this is only a workshop meeting.

VISION  
&  
MISSION

**TOWN OF LAKE PARK  
MISSION STATEMENT**



***To improve the quality of life for all Town stakeholders through the provision of effective and efficient service delivery while maintaining a small town atmosphere in an urban environment and embracing the sense of place and community that makes the Town of Lake Park special.***

*This mission statement continues to guide all Town employees in their significant role as public servants.*

Commission Accepted Since February 5, 2003

# Mission Statement vs. Vision Statement

**Organizations** summarize their **goals and objectives** in **Mission and Vision statements**. Both these things serve different purposes for the organization but are often confused with each other. While a mission statement describes what the organization wants **now**, the vision statement describes what the organization wants to be in the **future** (where it is going).

## Comparison chart

	<b>Mission Statement</b>	<b>Vision Statement</b>
<b>About:</b>	A Mission statement talks about HOW you will get to where you want to be. Defines the purpose and primary objectives.	A Vision statement outlines where you want to be. Communicates both the purpose and values of your business
<b>Answer:</b>	It answers the question, "What do we do?"	It answers the question, "Why are we here?"
<b>Time:</b>	A mission statement talks about the present leading to its future.	A vision statement talks about your future.
<b>Function:</b>	It lists the broad goals for which the organization is formed. Its prime function is internal, to define the key measure or measures of the organization's success and its prime audience is the leadership team and stakeholders.	It lists where you see yourself some years from now. It inspires you to give your best. It shapes your understanding of why are you working here
<b>Change:</b>	Your mission statement may change, but it should still tie back to your core values and vision.	Your vision should remain intact, even if the market changes dramatically, because it speaks to what you represent, not just what you do.
<b>Developing a statement:</b>	What do we do today? For whom do we do it? What is the benefit?	What do we want to do going forward? When do we want to do it? How do we want to do it?

## Mission Statement

## Vision Statement

### Features of an effective:

Purpose and values of the organization. Which business the organization wants to be in (products or services, market) or who are the organization's primary "clients" (stakeholders)?

Clarity and lack of ambiguity. Paints a vivid and clear picture, not ambiguous. Describing a bright future (hope). Memorable and engaging expression. Realistic aspirations, achievable. Alignment with organizational values and culture

## Examples of Mission Statements

There isn't any difference between managing a company and managing a community or city. When a quality lifestyle is the goal, a locality mission statement provides the foundation.

### Mobile Police Department

#### Description

The Mobile Police Department is an organization that seeks to uphold the peace and order, offering its protection and service to the citizens living in Mobile, Alabama.

#### Mission Statement

The mission of the Mobile Police Department is to protect and serve the citizens of the City of Mobile in an effective and efficient manner through the wise use and management of all resources.

### Mobile Fire Department

#### Description

The Mobile Fire Department is an organization that is based in Mobile, Alabama. It serves the citizens who live there, and is called upon whenever there is a fire or other hazardous conditions.

#### Mission Statement

The Mission of the Mobile Fire-Rescue Department is to identify and respond to community needs in order to deliver an effective and efficient system of services which minimize risk to life, health, and property from fire, trauma, acute illness, and hazardous conditions.

### Anchorage Police & Fire Retirement System

#### Description

The Anchorage Police & Fire Retirement System is based in Anchorage, Arkansas. It is an organization that caters to the people who have retired from the Anchorage Fire and Police Departments; for instance, through taking care of their health insurance plans.

#### Mission Statement

The Retirement Board will administer the Retirement System for the exclusive benefit of the members by prudently managing and investing the Plans' assets.

### Neighborhood Services

#### Description

The Neighborhood Services Department of Phoenix, Arizona was established to cater to the neighborhoods in the area. They have different programs and support services that enable them to protect stable neighborhoods as well as aid underprivileged ones. Their Neighborhood Preservation Ordinance is a division that was created in order to address the problem of blight.

#### Mission Statement

To preserve and improve the physical, social and economic health of Phoenix neighborhoods, support neighborhood self-reliance and enhance the quality of life for the residents through community-based problem solving, neighborhood-oriented services and public/private cooperation.

## Phoenix Police Department

### **Description**

The Phoenix Police Department strives to protect and serve the citizens of Phoenix, Arizona. They are in charge of both crime suppression and neighborhood safety.

### **Mission Statement**

To Ensure the Safety and Security for Each Person in our Community

## Anaheim Police Department

### **Description**

The Anaheim Police Department in California is a department that caters to the citizens in Anaheim to address the problem of crime and disorder. Their police services and departments include helping people against domestic violence, family crimes, gangs, sexual assault, etc.

### **Mission Statement**

We, the members of the Anaheim Police Department, are devoted to our community by providing excellence in police services. We recognize our responsibility to maintain order and protect the residents and visitors to our city. We strive to build community partnerships to improve the quality of life in our residential and business neighborhoods.

## Beverly Hills Fire Department

### **Description**

The Beverly Hills Fire Department in California is a "Class 1" department that offers services in public safety, fire prevention, fire suppression, medical and ambulance transportation, and also conducts public education programs.

### **Mission Statement**

The mission of the Beverly Hills Fire Department is to continue the tradition of excellence by protecting and enhancing the quality of life for our citizens through a strong commitment in providing progressive, highly trained, and properly equipped personnel.

## Public Library

### **Description**

The Public Library in Los Angeles provides the community of people in California access to books, magazines, publications, and other materials.

### **Mission Statement**

The Los Angeles Public Library provides free and easy access to information, ideas, books and technology that enrich, educate and empower every individual in our city's diverse communities.

## Inspector General

### **Description**

The Inspector General at Los Angeles, California helps in the Los Angeles Police Department. They handle complaints in the LAPD, in addition to reviewing LAPD audits, major complaint investigations, and Use of Force Investigations.

## **Mission Statement**

The mission of the Office of the Inspector General (OIG) is to provide strong, independent and effective oversight of the Los Angeles Police Department (LAPD) and to ensure that the LAPD, its officers, and employees act with honesty, integrity, dignity, and respect towards the public, as well as ensuring that both the OIG's as well as the LAPD's responsibilities under the Federal Consent Decree with the U.S. Department of Justice (Consent Decree) are being met. In addition, the OIG conducts community outreach to educate the community about the OIG, the Police Commission (Commission), and the LAPD on a periodic basis, but especially in the wake of high-profile use of force incidents and other newsworthy developments of particular interest to the community. The OIG carries out its mission through three discrete sections: the Complaint Section, the Audit Section, and the Use of Force section. The responsibilities and objectives of each section are described below

## **Senior Services**

### **Description**

Senior Services is a Department of Aging in Los Angeles that caters primarily to senior citizens. Their programs include the Emergency Alert Response System, the Senior Community Service Employment Program, Legal Services, and many more.

### **Mission Statement**

To improve the quality of life, independence, health and dignity of the City's older population by managing community based senior programs that are comprehensive, coordinated and accessible, and to advocate for the needs of older citizens

## **LAPD**

### **Description**

The Los Angeles Police Department is in charge of the maintenance of peace and order in the Los Angeles area. They strive to prevent and resolve issues of crime, while ensuring public safety.

### **Mission Statement**

It is the mission of the Los Angeles Police Department to safeguard the lives and property of the people we serve, to reduce the incidence and fear of crime, and to enhance public safety while working with the diverse communities to improve their quality of life. Our mandate is to do so with honor and integrity, while at all times conducting ourselves with the highest ethical standards to maintain public confidence.

## **Parks and Recreation**

### **Description**

The Oakland Office of Parks and Recreation is a division in charge of the parks. It offers Aquatics Programs, Boating Programs, a Children's Arts Camp, Citywide Dance Programs, Civic Orchestra Programs, Community Gardening, Earn Your Bike Programs, a Feather River Camp, a Fine Arts Summer School, Sports Programs, etc.

### **Mission Statement**

The City of Oakland is committed to the delivery of effective, courteous, and responsive services. Citizens and employees are treated with fairness, dignity, and respect. Civic and employee pride are accomplished through constant pursuit of excellence and a work force that values and reflects the diversity of the Oakland community.

## City Clerk

### **Description**

The Oakland City Clerk performs functions related to government processing in the Alameda County. They have agenda management services, election compliance services, records management services, as well as handle passport applications, domestic partnership registration, etc.

### **Mission Statement**

It is the Mission of the Office of the City Clerk to enable the public to fully participate in the governmental process, by providing accurate information and services in a professional manner, enabling the public to make informed decisions affecting the quality of their lives.

## Neighborhood Services

### **Description**

The Sacramento Neighborhood Services in California caters to the citizens living in Sacramento. They exist in order to preserve neighborhoods, strengthen community partnerships, increase educational opportunities, and improve organizations and economic life for the whole community.

### **Mission Statement**

The Neighborhood Services Department connects Sacramento's diverse communities and City government to facilitate effective public participation and to enhance the quality of life.

## Police Department

### **Description**

The San Diego Police Department is geared towards the protection of San Diego citizens. They offer crime prevention & education programs such as Safety Sam, McGruff the Crime Dog, and others such as a Landlord Training Program, Neighborhood Nuisance Program, Alcoholic Beverage Control Licensee Training, National Night Out, etc.

### **Mission Statement**

Our mission is to maintain peace and order by providing the highest quality police services in response to community needs by: Apprehending Criminals Developing Partnerships Respecting Individuals

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### **City Treasurer**

The San Diego City Treasurer aids the people in the community at San Diego by handling and managing affairs related to taxes. The City Treasurer deals with Business Tax, Rental Tax, Transient Occupancy Tax (TOT), Delinquent Bills or Debts, Treasury Accounting, etc.

### **Mission Statement**

To enrich our community by responsibly managing the public's money and creating an atmosphere of pride through mutual support and outstanding service.

### **Superior Court**

#### **Description**

The San Francisco Superior Court is a court in California that takes care of all adjudication matters. Their court is divided into the following: the Civil Division, Criminal Division, Drug Court, Traffic Division, Unified Family Court, YGC Juvenile Delinquency, etc.

### **Mission Statement**

The purpose of the San Francisco Superior Court is to assure equal access, fair treatment, and the just and efficient resolution of disputes for all people asserting their rights under the law.

### **Dept. of Building Inspectors**

#### **Description**

The San Francisco Department of Building Inspectors is basically in charge of the buildings and other infrastructure in the San Francisco area to make sure that buildings and other properties are safeguarded. They provide inspection services as well as permit services.

### **Mission Statement**

Under the direction and management of the seven-member citizen Building Inspection Commission, to oversee the effective, efficient, fair and safe enforcement of the City and County of San Francisco's Building, Housing, Plumbing, Electrical, and Mechanical Codes, along with the Disability Access Regulations.

## Department of Human Services

### **Description**

The San Francisco Department of Human Services is a division that was established in order to enhance the quality of life of people in the San Francisco area. They offer services that would help their citizens such as Cash Aid, and programs for Children and Families, Employment and Training, Elders and Disabled Adults, Health and Nutrition, Housing and Homeless, and also Foster & Adoption Services.

### **Mission Statement**

The Department of Human Services serves almost 100,000 San Franciscans each year. The people we serve are those who suffer hardship or who have been unable to participate fully in the social and economic life of the community.

## Police Department

### **Description**

The Ventura Police Department in California exists for the purpose of protecting the citizens of Ventura against crime. They have law enforcement programs such as Patrol, K9s, SWAT, Training, Traffic, and they also have School and Youth programs.

### **Mission Statement**

The Ventura Police Department is committed to the protection of life and property by providing the highest quality service through community involvement and problem solving.

## Police Department

### **Description**

The Boulder Police Department in Colorado strives to keep the citizens of Boulder safe from criminal activity. They also have community programs to involve the neighborhood such as the Accessible Parking Team, BCOP, Child Passenger Safety, Citizens' Police Academy, Crime Stoppers, High School Crime Stoppers, Liquor Code Enforcement, Neighborhood Watch, Operation I.D., Prevention and Security, Ride-Along, and Safety First.

### **Mission Statement**

In the accomplishment of our mission we value and promote: Respect for the rights of all people; organizational and personal integrity; excellence in service Community partnerships; creative problem solving; and the diversity of our community.

## Budget Office

### **Description**

The Budget Department is a division under the City of Boulder Finance Department. As such, it handles the budget and its allocation for the city of Boulder.

### **Mission Statement**

The mission of the Budget Office is to provide the City Council and City Manager with the financial information necessary for the allocation of resources to accomplish the goals and objective of the City.

## Fire Department

### **Description**

The Colorado Springs Fire Department handles emergencies in the Colorado Springs area, answering calls for help such as fire hazards, electrical hazards, and the atmospheric release of dangerous chemicals. It also conducts animal rescues as well as Emergency Medical System rescues.

### **Mission Statement**

The mission of the Colorado Springs Fire Department is to mitigate the threat to life, And property from fire, medical and other emergencies through education, prevention, community preparedness, emergency response and recovery programs.

### **Family & Adult Division**

#### **Description**

The Family and Adult Division in Denver, Colorado is a division that provides human services to the community in Denver. They have Adult Services Programs, Burial Assistance, Eviction Assistance, General Assistance for the Homeless, Grandparents & Kinship Program, TANF Family Counseling Program, and Temporary Assistance for Needy Families.

### **Mission Statement**

Through collaborative partnerships with families, community, and agency resources, we provide a continuum of supportive human services based on a individualized comprehensive assessment of family strengths and needs. To provide and coordinate services with courtesy and respect for each other and for the well being and protection of the residents in our community. These services are provided through partnerships that help people move towards independence, maintain pride and dignity and realize their potential.

### **Parks & Recreation Department**

#### **Description**

The Denver Parks and Recreation Department is a division that is geared towards the improvement of the parks in Denver, while at the same time organizing activities for these recreational areas. They have several youth development programs, as well as several park and playground projects.

### **Mission Statement**

As stewards of Denver's legacy, the Department of Parks and Recreation is dedicated to customer satisfaction and enhancing lives by providing innovative programs and safe, beautiful, sustainable places.

### **Denver Urban Renewal Authority**

#### **Description**

The Denver Urban Renewal Authority is an organization that is dedicated to renovation and rehabilitation projects in Denver, Colorado. Established in 1958, they also provide funding to these kinds of projects.

### **Mission Statement**

The Denver Urban Renewal Authority is a full-service redevelopment agency engaged in neighborhood and downtown revitalization, economic development, home ownership and housing rehabilitation throughout the City and County of Denver. DURA functions as a catalyst, partner, advisor and/or participant in a variety of efforts to foster sound growth and development.

### **Fire Department**

#### **Description**

The Hartford Fire Department is an organization that was established in order to protect the citizens of Hartford against fire. They provide medical services as well as classes to Hartford residents in order to educate them in terms of fire prevention and safety.

### **Mission Statement**

The mission of the Hartford Fire Department is to prevent and minimize the loss of life and property through the delivery of the highest quality, effective and efficient emergency fire, rescue and emergency medical service, hazardous materials response, fire prevention and public educations to the residents of Hartford in order to protect properties and lives and minimize fires.

## Licenses & Inspection Division

### **Description**

The Licenses & Inspections Division is part of the Department of Development Services in Hartford. It is in charge of the structures and buildings in Hartford in terms of its safety, providing inspection as well as licensing services.

### **Mission Statement**

Ensure the Health and Safety of the Public and the Soundness and Habitability of the City's Residential, Industrial and Commercial Structures

## Emergency Services

### **Description**

The Hartford CT Emergency Services and Telecommunications exist for the purpose of answering emergency calls in the Hartford area. They are the division that gathers all the needed information after a caller dials 911, determining if the situation calls for police, fire, or medical services, and then dispatching the appropriate people to the area.

### **Mission Statement**

It is our duty to provide the citizens of Hartford with a vital link to the Emergency Services of Police, Fire, Ambulance or any other State or Federal agency. We will collect information that is needed to provide service and assistance in the most efficient and safe manner at times under stressful situations. We strive to improve our ability, provide accountability and grow as necessary to provide this service on an ever-increasing technological scale. It all starts with a phone call.

## City Clerk

### **Description**

The Fort Lauderdale City Clerk Division in Florida is composed of the city clerk, assistant city clerk, commission assistant coordinator, and commission assistants. Among their duties include keeping city records, signing bonds, ordinances, and resolutions issued by the city, as well as answering questions, complaints, inquiries, and requests for city records.

### **Mission Statement**

The position of city clerk is recognized as an executive officer of the City, along with the mayor, commissioners, city manager, director of finance, and city attorney. The city clerk acts on behalf of the City. The city clerk's mission reads, "To provide high quality customer service in a timely manner to the City Commission, general public, City staff, and other governmental agencies

## Mental Health and Welfare

### **Description**

The Mental Health and Welfare in Florida is a Jacksonville Network for Strengthening Families. Its services include Mental Health Services, Public Service Grants, Emergency Assistance Programs, and a Criminal Justice Substance Abuse Program. Aside from this, they also oversee Medicaid inpatient hospital and nursing home matches, and Health Care Responsibility Act payments.

### **Mission Statement**

To provide the necessary support for families to achieve their highest spiritual, financial, relational, educational and social potential by addressing the circumstances that create and perpetuate fragile families including poverty (financial, physical, emotional, or spiritual), ineffective and irresponsible parenting (domestic violence, drug abuse, alcoholism, lack of financial support) and other challenges that corrupt the full development of the family.

## Department of Corrections

### **Description**

The Jacksonville Sheriff Department of Corrections is in charge of the supervision and custody of inmates in the Florida prison.

### **Mission Statement**

To operate facilities for secure, humane, corrective, and productive detention of those awaiting trial as well as those already sentenced.

## Parks and Recreation

### **Description**

To provide state of the art park facilities and offer leisure, educational, cultural and physical activities to the residents and visitors of our community while enhancing their quality of life and inspiring personal growth, self esteem, pride and respect for the urban environment.

### **Mission Statement**

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## Public Works

### **Description**

The Public Works Department of Florida is in charge of the protection, maintenance and development of city infrastructure, such as roadway drainage, sidewalk facilities, streets, sidewalks, etc.

### **Mission Statement**

To provide courteous and quality service, while maintaining the city's infrastructure (streets, sidewalks, stormwater systems, street lighting, parking facilities and traffic control devices).

## Office of Communications

### **Description**

The Atlanta Georgia Office of Communications is an organization that was established to inform people and other organizations with regard to the Atlanta City government's programs and services. In addition, they also furnish articles for the local and national newspapers, prepare talking points and speeches, etc.

### **Mission Statement**

It is the mission of the Office of Communications to effectively deliver information and messages to its stakeholders regarding the programs and services of Atlanta City government in a comprehensive and understandable manner. The dissemination of information to the stakeholders will occur through the utilization of print and broadcast media, a variety of publications, a network of public information officers, City Channel 26, the Fire Channel and, the City of Atlanta Internet and Intranet sites. The mission of the Office of Communications also includes revenue enhancement for the city through the effective management of cable franchise and telecommunications right of way agreements.

## **Fire Department**

### **Description**

The Atlanta Fire Department is an organization that was designed to respond to disastrous situations such as fire hazards, electrical hazards, etc. They also provide Emergency Medical Services and Homeland Security

Responses/Planning. They have a special division, which is the Airport Fire Service, which takes charge of the Hartsfield Atlanta International Airport.

### **Mission Statement**

To prevent or mitigate harm to life, property and the environment.

## **Parks and Recreation**

### **Description**

The Parks and Recreation Department in Macon GA/ Bibb County is a division in charge of the maintenance, upkeep and development of the parks in Macon City. In addition to the parks, they also handle the recreation centers, the Senior Citizens Center, the tennis centers, City Hall, the Booker T. Washington Community Center, etc. They have an urban forestry program that offers tree-related services, as well as a greenhouse.

### **Mission Statement**

To deliver world class Parks and Recreation programs, facilities and service to the citizens of Macon and Bibb County Georgia.

## **Parking Services**

### **Description**

The Savannah GA Parking Services Division is a department that manages transportation and parking services in Savannah. They take charge of the parking meters, collect parking-related fees, in addition to managing taxicab businesses, sight-seeing services, bus services, and many more.

### **Mission Statement**

Parking Services' mission is to provide readily available, cost effective, convenient on-street and off-street parking opportunities for downtown residents, workers, and visitors.

## **Water and Sewer Bureau**

### **Description**

Savannah Water and Sewer Bureau is the department that manages all the water and sewerage infrastructure in Savannah, Georgia. Their services include Water Supply and Treatment, Water Quality Control, and Utility Services. They also have a Conveyance and Distribution Department that distributes water, maintains the sanitary conditions of the sewer as well as lift stations.

### **Mission Statement**

To manage and plan the activities of the Water and Sewer Bureau for area-wide growth and development; operate and maintain existing water and sewer infrastructure while ensuring environmental regulatory compliance.

## **Ocean Safety and Lifeguard Services Division**

### **Description**

The Honolulu Ocean Safety and Lifeguard Services Division is a department that offers lifeguard services to those people living in Honolulu. They take charge of the Northshore, Eastshore, Southshore, and Westshore areas, ensuring the safety of people who swim in these sections.

### **Mission Statement**

The mission of the Ocean Safety and Lifeguard Services Division is to provide exemplary, world-class lifeguard services for residents of and visitors to the City and County of Honolulu.

## Parking Control

### **Description**

The Boise ID Parking Control is an organization that manages on-street parking, such as its parking meters, permit programs, parking violations, etc.

### **Mission Statement**

To encourage parking turnover and space availability in the on-street parking spaces for the downtown and the mixed use, high impact residential areas of Boise City. Pro-actively plan and implement policies that use technology and human resources to provide quality service that is efficient, fair, and equitable.

## Department of Buildings

### **Description**

The Chicago Department of Buildings is a division that handles and manages properties in Illinois. They have a Landlord Training Program that makes it illegal for landowners to conduct illegal activity on their turf. Their other programs include the Exterior Wall Program, Scaffolding Training Classes, Voluntary Compliance Programs, etc.

### **Mission Statement**

The Department of Buildings is dedicated to advancing public safety through vigorous enforcement, community partnership and use of creative technological solutions making Chicago a safe place to live, work, and play.

## Child Services Division

### **Description**

The Chicago Child Services Division is an organization that caters to the welfare of children living in Chicago. They have Youth Activities, Kidstart YouthNets, Kidstart Summer Jobs, Juvenile Support, and many more.

### **Mission Statement**

To improve the quality of life for the citizens of Chicago by ensuring that no one does business in, with, or for the City of Chicago if they are delinquent in their child support payments. We strive to disseminate information to all citizens on how to collect court ordered child support and how to safeguard their children from dangerous products

## Chicago Children's Museum

### **Description**

Established in 1982, the Chicago Children's Museum is located in two hallways of the Chicago Public Library, showcasing various educational exhibits that would appeal to people. They also have trunk shows, public programs and other special events.

### **Mission Statement**

Chicago Children's Museum's mission is to create a community where play and learning connect. The museum's primary audience is children up through the fifth grade including their families, along with the school and community groups that support and influence children's growth and development. The museum also offers a variety of volunteer opportunities and college internships. Fifteen permanent exhibits and programming spaces provide innovative learning experiences for children and their caregivers. The museum serves more than 500,000 visitors annually. CCM also reaches out beyond its walls by making a significant investment of resources in neighborhoods across Chicago, particularly to children who might not otherwise have access to the museum's rich array of resources.

## Mayor's Office of Special Events

### **Description**

The Chicago Mayor's Office of Special Events is a division that is in charge of celebration affairs in the Illinois area. They are the ones who promote free festivals and holiday celebrations, in addition to funding community organizations that hold parades and other events of a similar nature.

### **Mission Statement**

The Mayor's Office of Special Events (MOSE) provides Chicagoans and visitors with twelve months-a-year of family style entertainment, by producing and promoting free festivals and city-wide holiday celebrations. Major downtown festivals such as Taste of Chicago, the Air and Water Show, Venetian Night and six music festivals draw millions of people each year to the lakefront, contributing significantly to tourism and economic development for Chicago. MOSE assists city-wide community development by providing grants and technical assistance to over 80 community-based organizations for neighborhood festivals, facilitation of over a dozen ethnic parades, and bringing the Jumping Jack to every work in Chicago. The Chicago Film Office promotes the city as a nationally sought-after film location and coordinates city services needed for production and post-production. The Office of Protocol facilitates official meetings and gift exchanges between the Mayor and visiting dignitaries from around the world, and the Sports Development Office produces healthful sporting programs for the public and promotes Chicago as a site for amateur, collegiate, and Olympic tournaments.

## Angola Chamber of Commerce

### **Description**

Angola IN Chamber of Commerce is a business organization that is geared towards promoting businesses in Angola, Indiana. They regulate the commerce industry and tackle certain issues which affect businesses in Angola and Steuben County.

### **Mission Statement**

The Angola Area Chamber of Commerce is a business association striving to promote its members and the business community. There is no greater message in the world of commerce than the one that encourages consumers to spend locally. You can support local chamber members and enrich the local economy by putting your dollars back into the area in which you live, work, or play. The next time you buy, need a service, or wish to give to a non-profit, consider the chamber members listed here. Whether you are a visitor to the area or a local resident, you will see that these are the businesses and professionals that support partnerships for a robust community.

## Police Department

### **Description**

The Auburn Indiana police Department is an organization that strives to protect the citizens of Auburn against crime and other hazards. Their division is organized into bike patrol, dispatch, k-9, motor patrol, parking enforcement, and many more.

### **Mission Statement**

To Protect Life Liberty and Property in a Pro-Active and Professional Manner.

## Police Department

### **Description**

The Battleground Police Department in Indiana is a force dedicated to ensuring the safety of its citizens, both preventing and solving crimes. They offer law enforcement services as well as several community-based services.

### **Mission Statement**

The mission of the Battle Ground Police Department is to maintain the quality of life we enjoy and to ensure

our Town is a safe place to live, work and visit. This will be accomplished through safeguarding individual liberties, building community partnerships, preventing crime and resolving those crimes which do occur. We are committed to this mission and conduct our responsibilities toward a goal of excellence and with dedication to the community we serve. The values of the Battle Ground Police Department evolve around People, Leadership, Service and Performance.

## Calumet Township Trustee's Office

### **Description**

The Calumet Township Trustee in Gary, Indiana is a division that caters to giving financial assistance to those in need. They cater to people in "dire economic emergency", providing social services, job training and employment assistance.

### **Mission Statement**

Calumet Township is committed to providing professional, compassionate service to help residents in time of dire economic emergency. The township will utilize social services, job training and employment assistance to help clients in the transition from societal dependence to economic independence.

## Center Township Trustee's Office (Delaware County)

### **Description**

The Center Township Trustee in Muncie, Indiana is an office that was established in order to cater to the poor and disadvantaged people in the Center Township. Their responsibilities include Fire Protection, Poor Relief, Cemetery Maintenance, Weed Control, Fence Disputes, Livestock Claims, and many more.

### **Mission Statement**

It is our mission to model excellence in local government through accountability to the community. We strive daily to address the poor relief, recreational, and fire safety needs of our community in a compassionate and fiscally responsible manner. We are dedicated to continually improving and increasing our efficiency, while providing extraordinary service to the citizens of Center Township.

## Center Township Trustee's Office (La Pointe County)

### **Description**

The Center Township Trustee's Office in LaPorte, Indiana was established to cater to the poor people's welfare. They provide the following services: Medical Care, Food, Shelter, Transportation, Household Supplies, Essential Utility Service, Burials, etc.

### **Mission Statement**

A conscientious administration, serving the needs of Center Township constituents as responsible caretakers of taxpayer dollars.

## Parks and Recreation

### **Description**

The Bettendorf Iowa Parks and Recreation Department is an office designed to maintain the city's parks and other facilities such as the Life Fitness Center. They also take charge of recreational activities such as Aquatics Golf, Baseball/Softball, Tennis Summer Camp, and other similar activities.

### **Mission Statement**

The Mission of the Park and Recreation Department evolves around the responsibility of planning, providing, and maintaining the city's parks, facilities, and recreation activities.

## Fire Department

### **Description**

The Iowa City Fire Department is an organization that protects the people in Iowa against fire and other dangerous situations. Their services include Emergency Operations, Fire Prevention, and Training.

### **Mission Statement**

We are dedicated to providing the community progressive, high quality emergency and preventive services.

## Iowa City Chamber of Commerce

### **Description**

The Iowa City Chamber of Commerce is a business association that protects and promotes businesses in the Iowa area.

### **Mission Statement**

To support and promote a vibrant economy by providing opportunities, leadership and services to our membership and contributing to the quality of life in our area.

## Cardome Centre

### **Description**

Cardome Centre is a conference center in Georgetown Kentucky. They cater to events such as Weddings, Family Reunions, Company Picnics, Concerts, Business meetings, Seminars, etc. They also house Community Services such as the Scott County Community Education, Children's Montessori of Georgetown, Inc., Community Connection, Fish & Wildlife, Hospice of the Bluegrass, and many more.

### **Mission Statement**

The Mission of Community Building, Inc., is to provide facilities for cultural, recreational, educational, social and community activities for the citizens of Scott County. The mission shall be accomplished primarily by providing facilities appropriate to the event, in conjunction with other organizations/entities whose basic mission is to conduct a broad range of activities.

## City Constable - Baton Rouge LA

### **Description**

The City Constable's Office is a division that is similar to a law enforcement agency. Their jurisdiction lies in Small Claims Court Enforcement, Garnishments, Constable Sales, Seizures, Evictions, Warrants, and Drug Lab. Their services include Elderly Services, Youth Programs, Honor Guard, K-9 Search and Rescue, Bike Team, O.C.O. Operation community Outreach, and the Reserve Deputy Program.

### **Mission Statement**

The mission of the City Constable's Office is to execute all City Court Orders, such as civil mandates, judgements, seizures, evictions, civil and criminal subpoenas. To operate the City Jail and provide security for the City Court facility, judges, staff and citizens. To function as a full-time law enforcement agency with authority in traffic, misdemeanor and felony matters; per State Constitution.

## City Solicitor

### **Description**

The City Solicitor is part of the Legal Department in Bangor Maine. They not only provide legal services but also represent Bangor City in all court proceedings.

## **Mission Statement**

The mission of the Legal Department is to protect the interests of the City of Bangor and its taxpayers by advising City Council and City department and division heads the legality of proposed actions; by prosecuting and defending suits and claims involving the City's interests in and federal courts and before administrative agencies boards; by drafting or reviewing legal documents to which City is a party; and by educating City department heads employees regarding the legal incidents and of their respective positions

## **Parking Division**

### **Description**

The Parking Division in Portland MN is a Parking Management and Enforcement organization. It collects proceeds from parking meters, assists with traffic control, and manages parking garages and lots. Its programs include the School Crossing Guide program and the Residential Parking program.

### **Mission Statement**

We consistently enforce parking regulations, provide on and off street parking opportunities, and assist in public safety for the diverse citizenry of the City of Portland. We operate on the basis of mutual respect, innovation, and open communication with our customers and co-workers. We aim to be responsive to the needs of our customers and co-workers, and we strive to provide excellent service at all times

## **Fire Department**

### **Description**

The Annapolis Maryland Fire Department was created in order to ensure the safety of people in Annapolis with regard to fire and other dangerous hazards. They provide the following services: fire suppression, emergency medical services, technical rescue response, hazardous materials technical response, response to weapons of mass destruction, marine rescue/firefighting, and bomb squad services.

### **Mission Statement**

The Annapolis Fire Department exists to provide a safe environment for the community by minimizing the impact of fire, disaster, hazardous conditions, illness and injury through information, public education, quality service and efficient utilization of resources.

## **Department of Transportation**

### **Description**

The Baltimore Maryland Department of Transportation is in charge of managing the transport vehicles and roadway infrastructure in the city of Baltimore. They do so by operating and maintaining the traffic control system, transportation hubs, conduit system, City lighting, and Road signs. They also renovate broken down bridges, alleys and roads.

### **Mission Statement**

The Department of Transportation provides the City of Baltimore with a comprehensive and modern transportation system that integrates all modes of travel and provides mobility and accessibility in a convenient, safe and cost-effective manner.

## **Cumberland Police Department**

### **Description**

The Cumberland Maryland Police Department that was established to protect the welfare of the citizens of Cumberland. Aside from the regular police functions, the Police Department in Cumberland has divisions such as the K-9, Bike Patrols, Motorcycle Patrols, an Emergency Response Team as well as specialized units, one in which is called the Domestic Violence Resource Team to combat domestic violence.

### **Mission Statement**

The fundamental mission of the Cumberland Police Department is to protect life and property, enforce the law in a fair and impartial manner, preserve the peace, order, and safety of the community we serve, safeguard the constitutional guarantees, and provide other police related services as required by the community in a manner consistent with the values of a free society.

### **Rockville MD Department of the Mayor**

#### **Description**

The Rockville Maryland Department of the Mayor is an office that serves the people in Rockville by catering to the people's welfare. They provide various services with regard to health, safety, and advancement, and at the same time formulate and implement several policies and laws.

#### **Mission Statement**

The Department of the Mayor and Council preserves and enhances the City's identity and quality of life for those who live and work in Rockville by providing direction, leadership and specific initiatives to ensure the effective and efficient development and administration of City services, policies, and laws.

### **Arlington MA Town Manager**

#### **Description**

The Town Manager in Arlington MA is in charge of certain government departments, commissions, boards and offices in the Massachusetts area, having the ability to appoint, transfer, and even remove officers and employees as deemed necessary. In addition, the Town Manager can also prosecute, defend and compromise legal proceedings, except those related to tax assessments and abatements.

#### **Mission Statement**

The Town Manager's Office implements policy and provides management of all operational and supportive departments, excluding Treasurer/Collector, Assessor's, Town Clerk, Board of Selectmen and Comptroller/Data Processing Departments.

### **Boston MA Elderly Commission**

#### **Description**

The Boston Massachusetts Elderly Commission caters to the seniors living in the Massachusetts area. They offer programs and services such as the S.S.I., Medicare, Medicaid, Insurance, Fuel Assistance, Food Stamps, Veterans' Benefits, Oral/Dental Health Screening Program, and the Health and Fitness Programs.

#### **Mission Statement**

The mission of the Commission on Affairs of the Elderly is to enhance the quality of life for Boston's senior citizens through planning, coordinating, and monitoring the delivery of services to the elderly in an efficient and effective manner.

### **Public Library**

#### **Description**

The Cambridge Massachusetts Public Library caters to the general public, providing access to books, documents, publications, etc. They have library programs such as Reading Groups, Literacy Projects, and the Summer Reading Club. They also have other services which include Internet Access, Museum Passes, an Interlibrary Loan, Art Exhibits, Shut-in Services, and many more.

#### **Mission Statement**

So that enlightenment and literacy may flourish in our community, the Cambridge Public Library dedicates itself to collecting and distributing an array of information and ideas that is diverse in material, varied in formats, and rich in viewpoint, reflecting the multicultural character of the community and world it serves.

The Library provides free, equal, and confidential access to its resources and services. Essential to this mission is the active promotion of library services, collections, and programs.

## City Attorney

### **Description**

Appointed by the City Commission, the City Attorney in Battlecreek MI offers legal counsel, not only to the Commission, but also to the City in court proceedings.

### **Mission Statement**

The City Attorney is appointed by the City Commission. This office provides legal counsel to the Commission and represents the City in all court proceedings

## Civilian Police Review Authority

### **Description**

The Minneapolis Civilian Police Review Authority is a form of checks and balances organization that scrutinizes the Minneapolis Police Department. They undertake investigations and delve into complaints brought against police officers in the Minneapolis Police Department.

### **Mission Statement**

The Minneapolis Civilian Police Review Authority Board are citizens of Minneapolis appointed by the Minneapolis City Council and Mayor to fairly, objectively and independently consider complaints of misconduct by members of the Minneapolis Police Department, and to issue determinations based on findings of fact and evidence to promote the adherence to the highest standard of police conduct and to foster mutual respect between the Minneapolis Police Department and all the populations of the city of Minneapolis.

## Parks and Recreation

### **Description**

The Saint Paul Parks and Recreation Department is a division that manages the maintenance and development of the parks, gardens, and recreational facilities in Minneapolis. They also provide leisure services and programs such as "Adopt" A Park, Athletics, Aquatics, Community Education, Construction Projects, Environmental Programs, etc.

### **Mission Statement**

To enhance the lives of its citizens and visitors, Saint Paul Parks and Recreation will, within available resources, provide and facilitate safe, quality leisure services, programs and facilities while preserving and enhancing natural resources and stimulating the economic vitality of the community.

## Police Department

### **Description**

The Hazelwood Missouri Police Department is an organization composed of police officers and staff dedicated to promoting the safety and wellbeing of its citizens. It provides police services and programs such as Drug Abuse Resistance Education, Citizens Volunteer Unit, Gang Resistance Education and Training, Personal Safety Programs, Adult Abuse Prevention, Halloween Safety Program, Firearms/Home Safety, and many more.

### **Mission Statement**

We, the members of the Hazelwood Police Department, are committed to being responsible to our community in the delivery of quality services. Recognizing our responsibility to maintain order, while affording dignity and respect to every individual, our objective is to improve the quality of life through a community partnership which promotes safe, secure neighborhoods.

## Police Department

### **Description**

The Police Department in Independence MO is a division that was created in order to protect the people in Independence, ensuring their safety and welfare against all criminal activity. In addition to the regular police services, they also have Community Programs that involve the whole community in their wellbeing and security.

### **Mission Statement**

The Mission of the Independence Police Department is to protect life, individual liberty and the property of all people within the City of Independence; To develop and maintain a positive relationship with members of the community; and To foster a positive work environment for police employees.

## City Planning & Development

### **Description**

The City Planning & Development is an organization established to assist people in complying with ordinances associated with the development process in Kansas City such as the Building and Rehabilitation Code, Zoning Ordinance, Fences and Walls Ordinance, etc. Their divisions include the following: Business Services, Inspections, Investigations, Permits, Plans Review, and Land Development.

### **Mission Statement**

The overall mission of Development Services is to improve the safety, quality of life, and environment for the present and future generations. We will accomplish this mission by assisting our customers in understanding and complying with the ordinances dealing with the built environment and the development process in Kansas City while following all eight of our established Canons of Ethics.

## City of Springfield MO Mission Statement

### **Description**

The City Council of the city of Springfield MO is a body that serves the city of Springfield, ensuring the people's wellbeing, safety, and advancement. They have different divisions to serve the various needs of people in the area. Their departments are: Airport, City Attorney, City Clerk, Health Department, Parks & Recreation, Planning and Development, Police Department, Public Works, Workforce Development, and many others.

### **Mission Statement**

The people of our community are the only reason we are here. Therefore, We are committed to WORKING WITH THE COMMUNITY to provide ethical and responsible local government so that everyone can enjoy the benefits of living and working in Springfield.

## Billings Public Works

### **Description**

The Billings Public Works is a department that caters and handles all public works in the city of Billings, issuing permits for both construction and waste treatment. Their divisions include Environmental, Solid Waste, Engineering, Commercial & Meter, Street-Traffic, Water Treatment, Wastewater Treatment, etc.

### **Mission Statement**

Dedicated employees providing quality public works services that support a thriving and inviting community while promoting stewardship of the environment.

## **Fire Department**

### **Description**

The Helena MT Fire Department is a division that aids and serves the people in Helena whenever there is a fire and other hazardous incidents.

### **Mission Statement**

We, the members of the Helena Fire Department, proudly continue our tradition as Guardians of the Gulch, by professionally providing a quality, effective, skillful, safe and caring service to protect our community whenever and wherever needed.

## **Missoula MT Mission Statement**

### **Description**

The City Council of Missoula MT is an organization designed to cater to the needs of the people in Missoula. Their departments are divided into the following in order to address the needs of the citizens: Building Inspection, Cemetery, City Attorney, City Clerk, Communications, Finance Treasurer, Health Department, Human Resources, Missoula Redevelopment Agency, Office of Planning & Grants, Parking Commission, Parks & Recreation, Police Public Works, and Traffic Services.

### **Mission Statement**

Our mission is to facilitate the health, safety and well being of the Missoula community.

## **Las Vegas Mission Statement**

### **Slogan / Motto**

Serving you online rather than in line

### **Description**

The Government City of Las Vegas is a legal body that was established in order to serve the needs of the people in Las Vegas. They formulate and enforce laws, as well as offer municipal services to the Las Vegas community.

### **Mission Statement**

To provide residents, visitors, and the business community with the highest quality municipal services in an efficient, courteous manner and to enhance the quality of life through planning and visionary leadership.

## FAMOUS VISION STATEMENTS

### Amazon

**"Our vision is to be earth's most customer centric company; to build a place where people can come to find and discover anything they might want to buy online."**

### McDonald's

**"McDonald's vision is to be the world's best quick service restaurant experience. Being the best means providing outstanding quality, service, cleanliness, and value, so that we make every customer in every restaurant smile."**

### Mattel

**"To be the premier Toy Brands - today and tomorrow".**

### General Motors

**"GM's vision is to be the world leader in transportation products and related services. We will earn our customers' enthusiasm through continuous improvement driven by the integrity, teamwork, and innovation of GM people."**

### Hertz

**"We will be the first choice brand for vehicle and equipment rental / leasing and total mobility solutions."**

### Budweiser

**"Through all of our products, services and relationships, we will add to life's enjoyment. Enrich and entertain a global audience. Deliver superior returns to our shareholders"**

### Avon Products

**"To be the company that best understands and satisfies the product, service and self-fulfillment needs of women - globally."**

### Motorola

**"Our history is rich. Our future is dynamic. We are Motorola and the spirit of invention is what drives us."**

### Caterpillar

**"Be the global leader in customer value."**

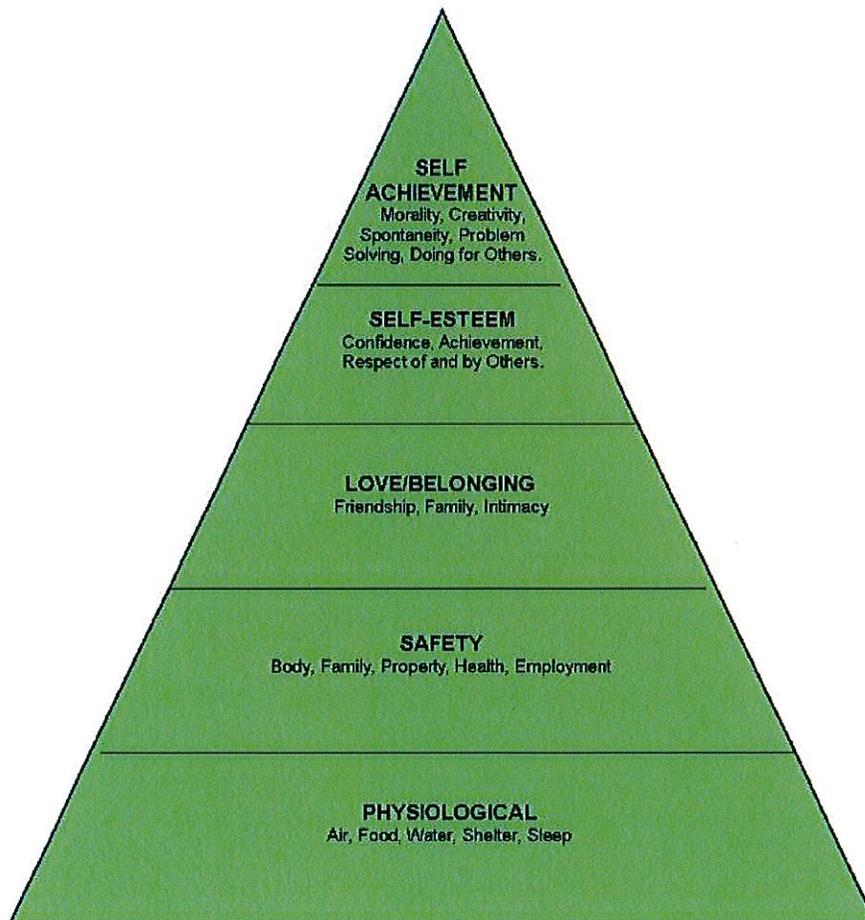
### Ikea

**"Affordable solutions for better living"**

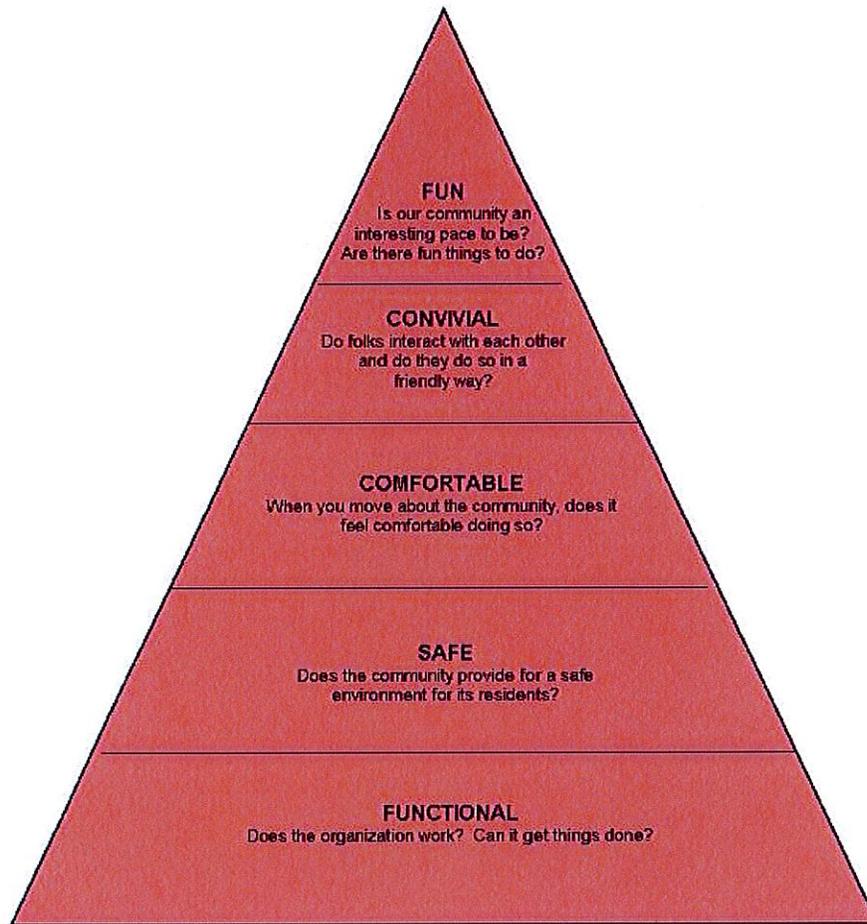
NOTES FROM THE TOWN COMMISSION VISIONING/PROJECT  
WORKSHOP MEETING  
MAY 30, 2013

This is a brief summary of the items discussed related to the topic of creating a new VISION for the Town of Lake Park. These notes can be used as the foundation for future discussions at upcoming workshop meetings.

- Reviewed the Town's current Mission Statement.
- Discussed the difference between Vision and Mission.
  - The Vision is WHERE an organization wants to be.
  - The Mission is HOW an organization is going to get there.
- Maslow's Hierarchy of Needs:



- Kageyama's Hierarchy of the Lovable City:



- Individual Commissioner's statements which could be used in a Vision:

Superior customer service	Quality leisure services
Strategic/targeted level of plan of economic development	Shared sense of community
Level of trust	Enjoying unique assets
Creating surplus revenues	Respected first leader
Open and participatory	Re-established (re-emerge) as the "Jewel of the Palm Beaches"
Creatively advance while preserving our history	Family friendly
Artistic Center	Solid foundation
Cradle to grave community	Creating a successful business environment
Uplift & Support private property owners	Transparent government

- Individual Commissioner's words which could be used in a Vision:

Strategic	Re-emerge	Targeted
Assets	Solid foundation	Surplus
Superior	Participatory (2)	Transparent
Trust	Community	Quality (2)
Service	<del>Unique</del>	Business
Family	Success	

### **THE VISION**

(at least an initial draft)

*Engaging Lake Park Residents, Visitors, and  
Businesses in our Community Experience*

Exhibit "C"

TOWN COMMISSION APPROVED PROJECTS\*

Project	Kicked-off	Underway	Completed
Analysis of Ad Valorum property taxes from commercial properties (Dino: 355-2681)	√	√	√
Annexation of unincorporated land west of Wal Mart.			
Code Compliance improvements.			
Community Center and extension of ball fields.			
Cost-Savings program (team-based).			
Dog Park	√	√	
Emergency Operation Plan re-write.	√	√	
Federal Highway Mixed-Use Overlay District.	√		
Lakeshore Drive drainage improvements.	√		
League of Cities monthly meeting sponsorships.			
Marina Improvements. Walkway repairs. Bulkhead repairs. Parking lot improvements.	√ √ √		
Organizational Development Creation of a Vision, Mission, and Core Values Revised performance evaluation instrument. Survey mechanism for measuring effectiveness of municipal services.			
Park Avenue extension.			
Parking meter program analysis and report.			
Sanitary Sewers in Industrial area.			
Sober House regulations.	√	√	X
Sunset Celebration (weekly).			
Town Hall façade improvements.	√	√	

\* Approved by the Town Commission on January 16, 2013

CURRENT  
DEPARTMENTAL  
GOALS & OBJECTIVES

HOA

February 20, 2013

Information Technology Department

Tasks/Goal and Objectives 2012-2013 or 2013-2014 Future Budget Year.

1. To establish and maintain new Emergency Operation Center (EOC) server at Palm Beach County Fire Station located at 1000 Park Avenue. This EOC will serve as a backup server for Town Hall and Public Works in case Town Hall server will not work during and after disaster. Also daily back up of Microsoft Exchange and Data from Town Hall main server via VPN. This operation required static IP Internet with County Fiber Optic Lambda Rail which only available at this location. Serving as Disaster Recovery site.
2. Servers:
  - a. Server software of all servers to 2008 R2 or 2012 except American Data Group (ADG) for Finance (upgraded to Windows version).
  - b. Upgrade Exchange server 2007 to Exchange server 2010 with license to upgrade to Exchange 2013.
  - c. Create new file server FS to replace old DC1 (server 2003) to newer version.
  - d. Eliminate Printer server (tlp-th-dc2) which running Server 2000 (Microsoft will be no longer support 2000 and will be the same with 2003).
3. Hardware/Software/Desktop:
  - a. In the next few years, try to reestablish 3-5 years <sup>capital replacement</sup> plan. Most of the Town's computers are older than 5 years and cannot run new software such as Windows 7 or 8 Professional. Need to replace old computers to run at least Windows 7 before Microsoft discontinued support on Windows XP in 2014. All Public Works are running Windows 7 Professional with Office 2010.
  - b. Hardware/Software for the following departments:
 

i. Administration:	2
ii. IT:	1
iii. Town Clerk:	2
iv. HR	2
v. CDD	6
vi. Finance	6
vii. Recreation	1
viii. Marina	2
ix. Library	5
4. Library Public Access Computers:
  - a. There are 32 computers can be upgraded to thin client to eliminate hard disks. This can be done with grant or at least budgeted in the next few years.
5. Paperless Agenda:
  - a. Work with Town Clerk/Town Manager Offices to eliminate paper print: using Ipad for Commissions and Senior Staff.

*DS*  
2/26/13

Bambi

6. **What do you believe should be your goals/assessments for the next evaluation period?**

The following (in bold) are my three goals for the upcoming evaluation period:

- **To develop an environment to promote engagement of the workforce**
  - By conducting an employee job satisfaction survey to identify employees' needs in terms of job satisfaction and engagement and develop strategies for improvement
  
- **To improve employee wellness, both off the job and on the job**
  - By encouraging employees to utilize the United Healthcare wellness services and by bringing the Jupiter Medical Center wellness bus onsite to conduct certain baseline wellness examinations
  - By continuing to ensure that the Town is a safe and healthy workplace environment and by continuing to work with the Public Works Director in decreasing the number of workplace injuries and accidents
  
- **To develop an environment to help promote the timely completion of employee evaluations**
  - By working with the Town Manager to modify the employee evaluation system and to help engage employees in the evaluation process in a positive way

  
2/26/13



## GOAL SETTING

**GOAL #1 – Preserve and improve the character of our residential, commercial and industrial neighborhoods.**

*(for example, through...)*

- Ensuring quality development that would complement our various districts (initial stakeholder discussions are crucial)
- Harmonious separations between residential and commercial districts through appropriate code regulations (topographical features; screening; building heights and orientation) – code revisions will also need to address zoning use definitions in the various zoning districts and Mixed-Use Zoning District regulations which would make a development harmonious with the surrounding districts
- Opportunities for land owners to develop, renovate, and so on through the promotion of Town incentives (ad valorem tax exemption; historic tax exemption; expedited permitting) and possible grant funding if opportunities present themselves.

**GOAL #2 – Promote an efficient and progressive transportation network.**

*(for example, through...)*

- Train station if prioritized and contingent on available funding (Capital and Operation & Maintenance)
- Road improvements contingent on available funding (10<sup>th</sup> Street; Park Avenue extension)
- In-town attraction connections (i.e. trolley etc.)
- Effective review of development applications, special event applications, code revisions, and so on, to ensure an efficient traffic flow

**GOAL #3 – Promote a positive community appearance.**

*(for example, through...)*

- Code compliance techniques
- Code revisions

**GOAL #4 - Promote effective customer service.**

*(for example, through...)*

- Fostering and improving employee skills and knowledge to more effectively communicate department-related procedures/information
- Streamlining applications
- Improving information manuals
- Marketing strategy to tackle non-conforming window signage
- Training on GIS for more in-house capabilities to improve customer interactions

*ND  
2/14/13*

JAMIE

## LAKE PARK HARBOR MARINA

### GOALS AND OBJECTIVES – FY 2012/2013

**GOAL 1:** Increase occupancy to a level of no less than approximately 40% on an average basis.

Objective 1: Develop marketing strategies for the marina promotional video including primarily display on the marina web site, display on Channel 18, display on the Town's web site, and also as a hand-out at boat shows and to potential long term customers seeking more information about the marina.

Objective 2: Develop a customer database for periodical mailings and blast e-mails of collateral materials, event information, and promotional give-aways targeting former, current and new customers.

Objective 3: Complete a mass mailing to approximately 3,400 registered boaters from Palm Beach and Martin Counties with an "introductory" offer consisting of a promotional give-away targeting vessels in the size range of 30' to 70'.

Objective 4: Attend the Palm Beach International Boat Show (March 21-24, 2013) to implement an "awareness campaign" for the marina with display information, handouts and a give-away contest designed to target new customer business.

Objective 5: Attend a designated monthly meeting of the N. Palm Beach Chamber to promote the marina, speak about various upcoming events, and hand out collateral materials.

**GOAL 2:** Improve customer satisfaction and transparency by increasing service levels and maintaining facilities to the highest possible standards.

Objective 1: Implement a customer exit survey to obtain feedback on employee service levels, maintenance of facilities, marketing efforts, customer service, demographics, and other pertinent information.

DSS  
3/11/13

Objective 2: Develop a program of periodical inspections of the marina facilities on a weekly basis with a monthly evaluation process to determine future needs and assessments to improve customer safety levels with feedback from customers if required.

Objective 3: Meet with marina staff on a periodical basis to review maintenance problems, results of marketing efforts, status of safety issues, status of work orders, customer surveys, and personnel issues.

Objective 4: Improve the work order tracking process with Public Works to better facilitate control over the turn-around time for completion of requests in a timely fashion.

Objective 5: Contact customers directly by e-mail to obtain feedback regarding the marina operation and the level of service they received and future improvements that need to be made to improve the service operation.

**GOAL 3:** Increase the monthly attendance level at the Sunset Celebration to a measurable limit of no less than 150 people per event.

Objective 1: Develop a sponsorship program to generate financial assistance to increase exposure of the event through additional print related advertising, promotional programs, musical productions, and other forms of publicity.

Objective 2: Complete a mass mailing to a listing of businesses provided from the N. Palm Beach Chamber of Commerce, Marine Industries Association and other potential sources.

Objective 3: Speak to local condominium associations and managers, boating groups, charter boat operators, local restaurants and businesses along the Route 1 corridor, and pass out literature about upcoming events on a periodical basis.

Objective 4: Send out blast e-mails to the data base of customers on a monthly basis and include flyers and special event offers to attract additional business.

Objective 5: Attend local events, Town sponsored events, special events, trade shows, art shows, and similar functions to hand out flyers as a vehicle to enhance awareness of the event.

  
3/11/13

Performance Evaluation  
Vivian Mendez  
June 29, 2012 – December 29, 2012

Goals:

1. Expand the Laserfiche system so all departments can access and conduct research. This would allow other departments the flexibility to do their own research and provide answers in a timely manner. This would relieve the Clerk's office from hours of research time. Hire a temporary person to scan documents into the system.  
I will obtain a price quote to determine if this goal is achievable. This will be completed before the departmental budget meeting.
2. Expand the Municipal Code Corporation version which allows users immediate access to Ordinances called the NOW (New Ordinances on the Web). The cost for this service is \$25.00 per Ordinance. I believe the Town can afford this version of Now on Municode.
3. Upgrade the website service to Granicus or Earth Channel where the video uploads can be done in-house. The Town would also have the capability of live streaming the meetings through the site. I will need to obtain quotes to determine if this is feasible for the Town.

  
4/4/13

KC

DEPARTMENT OF  
PARKS & RECREATION  
April 2013

GOAL: *COMMUNITY OUTREACH*

OBJECTIVE: *ENGAGEMENT*

METHODOLOGY: \* *Highlighted denote first priorities!*

- I. Assess community needs-
  - a.) surveys
  - b.) word of mouth, talk to people
  - c.) generate email lists
  - d.) generate phone lists
  
- II. Canvas community-
  - a.) Churches
  - b.) Assisted Living Centers
  - c.) Businesses
  
- III. Plan "Family Picnics" in the park
  - a.) Themes to draw various ethnic groups
  - b.) Cook Offs
  - c.) Craft Contests
  - d.) Open air movie nights
  - e.) Family "Game Days"
  
- IV. Organize "Back to School Freebies"
  
- V. Communicate-
  - a.) Flyers and brochures
  - b.) Banners and signs
  - c.) Channel 18
  - d.) E-blasts
  - e.) Message boards and marquis
  - f.) Palm Beach Post and local radio stations (larger community events)
  
- VI. Infrastructure-
  - a.) Bert Bostrum Ball Park: remove "old" playground equipment, leaving, but paint swings. Re-do park to make it more "community friendly". Possibilities would include:
    - Creating one or two larger pavilions with large barbeque grills at either end
    - Removing mulch and placing a concrete slab with various types of games (hopscotch, 4 square, marble or jacks circles, volleyball and/or paddle tennis courts)
    - Create bocci courts or horse shoe areas
    - Tetherball

- b.) Bert Bostrum Ball Field:**
  - **Approaching “Heat” Baseball to take over ball park as their “home”, thus maintaining and overseeing paying a minimal rental charge.**
- c.) Bert Bostrum Basketball Courts:**
  - **Creating drop-in programs to eventually create a league and purchase shade cover for use throughout the year.**

# TOWN OF LAKE PARK MEMO



**To:** Dale S. Sugerman, Ph.D., Town Manager  
Finance Staff

**From:** Blake K. Rane, Finance Director

**Date:** April 17, 2013

**Subject:** Goals for 2012-13

BKR

---

Please consider these goals and objectives for the next six months:

- ❖ Maintain a high level of transparency, openness, and disclosure with the Town Commission and the Senior Staff – tasks to include:
  - Prepare a timely monthly Financial Report for the Commission and the Senior Staff
  - Move the Annual Budget and the budgeting process to become a communication tool as well as the financial planning tool
  - Work to educate the Commission and Senior Staff on the CAFR and other financial matters (linked with the last goal)
- ❖ Work towards a effective and efficient team in the Finance Department – tasks to include:
  - Fill all the available staff positions with strong contributors
  - Have at least two team members trained in all tasks and functions and rotating in the accomplishment of such
  - Submit a substantially complete accounting manual to the Commission before the 2012-13 audit
  - Provide appropriate training opportunities for team members
- ❖ Develop a plan to engage the community and the Commission in the financial planning of the Town, i.e. long term planning, budgeting, and specific proposals – tasks to include:
  - Prepare training materials for Commission Meetings, Workshops, Senior Staff, and potentially a Charrette
  - Educate the public and the other stakeholders to the value received for the Town's ad valorem tax
- ❖ Stabilizing the Town's short term and long term financial position – tasks to include:
  - Attempt to educate the Senior Staff of the financial consequences of various proposed projects
  - Prepare a presentation that demonstrates the effect of adjusting the ad valorem tax rate on the residents of the town
  - Support the presentation of the effect of adjusting other revenue sources, such as the Stormwater rate
  - Support the refinancing of the town's long term debt positions



## MEMORANDUM

**TO:** Dale Sugerman, Town Manager  
**FROM:** Karen Mahnk, Library Director   
**DATE:** April 14, 2012  
**RE:** Second follow-up to six-month evaluation

---

Per our last meeting, I have detailed the goals for the library as three primary or simplified goals as we discussed at that time. I've formatted as Goals, Objectives and Activities which I had previously preferred not to use but do believe it is an excellent method right now that should work best for the next budget year. I am in the process of using the same format to formulate additional goals for the library and library staff.

### **Simplified goals for the current 2012-13 fiscal year:**

**GOAL 1:** Seek additional funding by way of grants and community sponsorship.

**OBJECTIVE:** To better meet the informational needs of all of the Town's citizens by way of books, new technology and a more user-friendly building.

**ACTIVITY 1:** Apply for at least two State and Federal grants in the next twelve months that specifically provide for collection development and that will add at least ten percent increase in the materials budget.

**ACTIVITY 2:** Obtain at least two new sponsors for two programs in the next twelve months for both adult and youth.

**ACTIVITY 3:** Apply for at least one technology grant within the next twelve months that will improve patron access, such as an improved patron identification system.

**ACTIVITY 4:** Apply for at least one State or Federal grant that will provide for capital improvements of the library building such as lighting, seating and shelving.

**GOAL 2:** Improve visibility and accessibility in the community

**OBJECTIVE 1:** Expand our outreach and educational programs for teens and adults.

**ACTIVITY:** Add one teen and one adult outreach program in the next six months and one adult outreach program in the twelve months.

**OBJECTIVE 2:** Improve our marketing strategies.

**ACTIVITY 1:** Review and make significant changes to the Library website table of contents and tabs.

**ACTIVITY 2:** Create one new method for the library to distribute the monthly calendar of events in the next 12 months.

**GOAL 3:** Investigate strategies for a strong foundation.

**OBJECTIVE:** Ensure that the Library has a strong, continued key role in the community as its resource center.

**ACTIVITY 1:** Revise all current library policies in the next twelve months

**ACTIVITY 2:** Complete a library procedure handbook in the next twelve months.

**ACTIVITY 3:** Provide a report to the Library Board within the next twelve months concerning the feasibility of creating a library foundation.



RECEIVED

**MEMORANDUM**

Date: May 6, 2013  
To: Dale S. Sugerman, Town Manager  
From: David Hunt, Public Works Director *DH*  
Subject: **Six Month Department Head Evaluation; Goals and Objectives**

MAY 7 2013

*Town Of Lake Park  
Office Of Town Manager*

During our first meeting to discuss my performance evaluation, you directed me to come back with more Town-oriented goals rather than the more personal goals that I had initially evaluated myself on. You stated, "We will, however, focus on planning more ... as we begin to undertake the 2013-2014 Annual Budget process."

The budget preparation process is a logical place to start as it has served as an extension of my goals and objectives based upon the funds made available. My all-encompassing goal, as always, is to bring to fruition the goals of the elected officials who represent the tax-payers.

When I attend the Town Commission Meetings I try to interpret the direction the majority of the Commissioners want to take the Town based upon their dialogue and conversations. For the past couple of years the comments have been mostly about cutting expenditures and finding ways to save money. Public Works, under my direction, has helped the Town meet its goal of providing basic services to the residents while cutting property taxes. I have done this by eliminating two positions in the Fiscal Year 2013 (FY '13) General Fund portion of the Public Works budget, saving approximately \$75,000. In addition, Public Works took on additional tasks which eliminated the need for some contract services in the CRA District. However, these savings did not come without negative consequences. For example, Public Works is not as responsive as I would expect for the maintenance and repair of Town buildings, especially the historic Town Hall. Also, without a vehicle/equipment mechanic to assist the Foreman, more repair work is being sent to outside vendors.

In my opinion, the Town is just "getting by" during these difficult financial times by living off the investment it has previously made in its infrastructure. In the three years that I have been employed by the Town, no streets have had an asphalt overlay, no street markings have been applied, no storm sewer pipe has been added or renovated, no heavy equipment has been purchased, and no buildings have been painted. There has not even been a mention of planning for these capital improvements.

As the Public Works Director, I feel that it is my responsibility to bring these uncomfortable facts

forward so that the Town does not squander the progress it has made in furthering the vision of Harry Kelsey. The purpose of a Town staff is to enhance the quality of life of the people who have chosen to invest in this uniquely planned location.

As I direct Public Works, my expectation for the operation is to show respect for people's investment by keeping garbage, trash, and litter off the streets. We keep the common areas green so that people are enticed out of their personal space to mingle with the community in the public spaces. We should keep the streets paved, well-marked, and well-drained so that people who are looking to invest choose Lake Park because they know that the Town is committed to protecting their "shares" in the public space.

My goal for Fiscal Year 2014 (FY '14) is to explain to the public the connection between a vital infrastructure and improved property values. As property values improve, the General Fund becomes stronger and Enterprise Account funds can be directed back to one of their primary purposes which is to invest in capital projects. Rather than using State gasoline taxes, stormwater utility and sanitation incomes to underwrite an anemic General Fund, they can be freed up to capitalize regularly scheduled maintenance and improvement activities.

The path to achieving my goal would be a program of analyzing the needed improvements in the following areas:

- Stormwater drainage and infrastructure
- Roadways and sidewalks
- Building maintenance, replacement, and renovations
- Heavy equipment replacement

An evaluation of the data would produce a rating system that would prioritize improvements and provide the basis for a funding schedule.

Due to the sheer size of the area encompassed in the first two listed tasks, the assistance of paid consultants will be required. This may be a funding consideration for FY '14. The last two tasks can be performed by the Public Works staff.

You will notice that three of the four tasks have funding mechanisms in place that are not reliant on Ad Valorem taxes. The public needs to know that capital improvements using these funding sources will not affect their property tax rate. These examples of non-Ad Valorem charges can also be used to illustrate that Public Safety services may also be assessed outside the General Fund.

Since the Public Safety budget takes 125% of all Ad Valorem Taxes collected, these expenses should stand alone from the other municipal services provided. A Public Safety Municipal Services Taxing Unit (MSTU) would more evenly distribute the cost for services by having "underperforming" properties pay their fair share of expenses. It would also give the Public Safety Managers the opportunity to explain directly to the citizens what level of service they are receiving and how much it costs.

My interest in the Public Safety budget stems from the fact that I am competing for these Ad Valorem funds in order to move ahead with such projects as waterproofing Town Hall, replacing aging and inefficient air conditioning systems, installing energy efficient lighting, maintaining street light systems, replacing deteriorated playground equipment, have matching grant funds available for capital improvement projects, etc., etc. If I can assist you and the Finance Director in creating some "space" in the millage rate by comparing the Town Stormwater Utility's Equivalent Stormwater Unit (ESU) to a Public Safety Municipal Services Taxing Unit, I feel that this would be helping me achieve my goals.

Exhibit "D"

Dear Dale

Apropos of the Visioning portion of tonight's meeting I have included a list of the potential Master Planning issues I have raised at previous meetings. Because the items have long term and short term bearing on Lake Park's future these items are appropriate to raise during the Visioning workshop. I apologize for not sending this sooner. This list was accumulated in about three minutes and may have missed a few items. I am unable to print, so I ask that Vivian please print copies sufficient for distribution to the Commission and administrative staff for tonight's meeting. Thanks. jdb

5/30/13 Workshop Master Planning Items

TCRPC Master Planning : Include an independent review of upcoming projects pertaining to western and industrial areas of Lake Park including:

1. Industrial and western lands assessment appropriate for BDB shovel ready map. & BDB Marketing
2. Traffic study for development & redevelopment potential intensities, will development continue to be limited to single story uses?
3. PBC Five Year Planned Roadway improvements & Non 5 yr planned Improvements
  - A. Silver Beach Rd West
  - B. Silver Beach Rd East
  - C. Congress Ave Ext to A1A
  - D. Old Dixie from Northlake to Park Ave.
  - E. Park Ave Ext.
  - F. 10th St
  - G. Transit Palm Tran Hub at Train Station site 10 th ST
  - H. FECCI All Aboard FL Quiet Zones Funding availability and inventory of improvement locations
  - I. MOU for Tri-Rail Coastal Link Partnership
  - J. RR Station Operational Funding Methods TOD Overlay and Capital for Platform development
  - K. Park Ave. Pedestrian Crossing at FEC
  - L. Silver Beach Pedestrian Crossing at FEC
  - M. TOD Parking at RR Station and Park Ave at 7th and 8th st Lot.
  - N. Nature Center at PAE
  - O. Intentionally Left blank

P. TOD improvement areas proximate to proposed Tri Rail and Palm Tran Hub site Q. Cross Access Ordinance

Q. Waste Water piping to Seacoast Utility Authority

This is a long list of potential and imminent improvements concentrated in a small area of town holding great potential for property value enhancements and greater intensity than currently exists. As such, there would be a valuable opportunity to analyze the list as a Master Plan for which TCRPC has expressed willingness to work for the town if the town requests their help. The TCRPC rate is \$120 per hour and a 'limit not exceed' a specific dollar figure would most likely be acceptable. James DuBois 5-30-13

# TAB 5



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 19, 2013

Agenda Item No. Tab 5

Agenda Title: Regular Commission Meeting Minutes of June 5, 2013

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

Approved by Town Manager [Signature] Date: 6/12/13

Vivian Mendez, Town Clerk
Name/Title

Table with 3 columns: Originating Department (Town Clerk), Costs/Funding Source, Attachments (Agenda Meeting Minutes Exhibit A, B, C, and D), Advertised status, and notification requirements.

Summary Explanation/Background:

Recommended Motion: To approve the Regular Commission Meeting Minutes of June 5, 2013.



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, June 5, 2013, 6:30 p.m.  
Lake Park Town Hall  
535 Park Avenue

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

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

**A. CALL TO ORDER/ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. SPECIAL PRESENTATIONS/REPORTS**

1. 2013 Legislative Update by Senator Jeff Clemens
2. 2013 Lobbying Update by Fausto Gomez

Tab 1  
Tab 2

**D. PUBLIC COMMENT:**

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

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

3. Regular Commission Meeting Minutes of May 15, 2013 Tab 3
4. Waiving of Parking Fees for the July 4<sup>th</sup> Community Celebration in June (June 29, 2013) and Closing Lake Shore Drive from Greenbriar Drive to just North of Foresteria Drive Leaving the South Parking Area Open Tab 4
- F. **BOARD MEMBERSHIP APPOINTMENT:**  
 5. Library Board Appointment Tab 5
- G. **OLD BUSINESS:**  
 None
- H. **PUBLIC HEARINGS - ORDINANCE ON FIRST READING:**  
 6. Ordinance No. 08-2013 Text Amendment to Section 78-71 Tab 6  
 A TEXT AMENDMENT TO SECTION 78-71 TO INCLUDE AN “ANIMAL SERVICE ESTABLISHMENTS” USE AS A SPECIAL EXCEPTION USE, AND “ANIMAL DAY CARE ESTABLISHMENT”, “ANIMAL GROOMING ESTABLISHMENT”, “ANIMAL INDOOR TRAINING CENTER”, AND “PET SHOP” USE AS A PERMITTED USE WITHIN THE C-1 BUSINESS DISTRICT, AS WELL AS CREATING A “SPECIAL EXCEPTION” SUBSECTION TO THE C-1 BUSINESS DISTRICT TO INCLUDE SOME EXISTING C-1 PERMITTED USES AND THE NEW “ANIMAL SERVICE ESTABLISHMENT” USE AS A SPECIAL EXCEPTION USE. MODIFICATION TO SECTION 78-2 TO INCLUDE DEFINITIONS FOR THE VARIOUS USES BEING AMENDED IN THE C-1 BUSINESS DISTRICT.
- I. **PUBLIC HEARINGS – ORDINANCE ON SECOND READING/QUASI-JUDICIAL:**  
 7. Ordinance No. 07-2013 Adoption of the Florida-Friendly Use on Urban Landscapes Ordinance Tab 7  
 AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 32, ENTITLED “UTILITIES”, BY CREATING A NEW ARTICLE IV ENTITLED “FLORIDA-FRIENDLY FERTILIZER USE” AND ESTABLISHING REGULATIONS TO ADDRESS STORMWATER RUNOFF WITH EXCESSIVE NUTRIENT LEVELS IN WATER BODIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR TIMING OF FERTILIZER APPLICATIONS; PROVIDING FOR FERTILIZER FREE ZONES; PROVIDING FOR FERTILIZER CONTENT AND APPLICATION RATES; PROVIDING FOR FERTILIZER APPLICATION PRACTICES; PROVIDING FOR MANAGEMENT OF GRASS CLIPPINGS AND VEGETATIVE MATTER PROVIDING FOR EXEMPTIONS; PROVIDING FOR TRAINING; PROVIDING FOR LICENSING OF COMMERCIAL APPLICATORS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.
- J. **NEW BUSINESS:**  
 None

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

L. **ADJOURNMENT**

**Next Scheduled Regular Commission Meeting will be held on Wednesday, June 19, 2013**



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, June 5, 2013, 6:30 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, June 5, 2013 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke, and Kathleen Rapoza, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Mendez.

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

**SPECIAL PRESENTATIONS/REPORTS**

**1. 2013 Legislative Update by Senator Jeff Clemens**

Mayor DuBois welcomed Senator Clemens to the Town of Lake Park.

Senator Clemens stated that 2008 was the last time he was in Lake Park for a Florida League of Cities meeting, which was held in the Mirror Ballroom. He gave a brief history of his political career. He briefly explained the legislative session and some of the projects that were done. He spoke of the Lake Shore Drainage budget that was veto by Governor Scott. He spoke of the Sober Home Legislative that did not move forward this year, but is hopeful that it will advance in the next Legislative session. He spoke of the Communication Services Tax and preserving the local Business Tax. He explained that a "Texting While Driving" bill passed, but there are some components' that are still under review. He explained the Citizens Insurance Bill that passed. He explained his work on the Ethics Committee. He gave his cell phone number at 561-779-7997 and stated that he is available to the community.

Mayor DuBois thanked him for his report and the work he did for the Town on the Sober House issue.

Senator Clemens stated the Lobbyist really worked hard on this years' Legislative session.

**2. 2013 Lobbying Update by Fausto Gomez**

Mayor DuBois introduced Fausto Gomez from Gomez Barker.

Mr. Gomez thanked Senator Clemens for his efforts during the Legislative Session. He reviewed his report for the Commission. See exhibit "A".

Mayor DuBois thanked Mr. Gomez for his work in Tallahassee.

Commissioner Rapoza and Commissioner Flaherty thanked Mr. Gomez.

Commissioner O'Rourke asked if the Lake Shore Drive drainage project would be perused again next year and would including an environmental aspect to it would make it more desired.

Mr. Gomez stated "yes" it would be perused next year and that the project is very strong. He explained the process for reviewing waterfront projects established by Florida State Statutes.

Commissioner O'Rourke thanked Mr. Gomez.

Vice-Mayor Glas-Castro asked if the Town should speak to Secretary David Wilkins about the Town's concerns, so he has a better understanding.

Mr. Gomez stated that there would be a series of stakeholder meetings.

Senator Clemens stated that they would advise if some of the stakeholder meetings were held in Palm Beach County.

Mayor DuBois asked how the Town could be on the inside to know what the proposed recommendations are and if the Town could be of any influence to that process.

Senator Clemens stated that as the bill moves to the legislative process, they did reach out to the Department of Children and Families (DCF) to make sure they were aware of what they are trying to accomplish.

Mayor DuBois stated that they should collaborate with the organization on an industrial scale.

Senator Clemens stated that he has met several times with Florida Drug Association (FDA), but unfortunately, the bill did not move in the House.

Mayor DuBois explained that the only criteria the Town did not meet on the waterfront project was that the Town had not been denied for this type of project in the past. He felt that the Town had a better chance next year to have the project approved. He stated that some projects on the listed were water utility projects, which the Town's industrial areas does not currently have wastewater utility.

Town Manager Sugerman explained that the Town does not have sign and seal drawings, but do have preliminary engineering specification as a shovel ready project.

Mayor DuBois thanked Senator Clemens and Mr. Gomez and stated that the Town is available as a resource if they need us.

Mr. Gomez mentioned that the Florida League of Cities endorsed the regulations.

## **PUBLIC COMMENT:**

1. *Linda Wummer 110 Lake Drive* stated that she was surprised that the Town was one of the Town's among the Inspector General lawsuit. She asked that the Town drop out of the lawsuit and allow the Inspector General to do the job 72 percent of Palm Beach County voted for them to do.

Mayor DuBois explained that the only objection the Town has is with the funding mechanism established by Palm Beach County, not the role of the Inspector General (IG). He explained that the Town communicates and works with the IG as a resource.

Attorney Baird explained that this was a Countywide program that was a charter amendment and is the only Countywide program in which the County decided that the cities should participate. The municipalities' position is that this is a County program that should be paid by the County.

2. *Cynthia Grey 503 Sable Palm Drive*, explained that she was surprised that she was charged for a large vegetation pick up and asked what was considered large.

Mayor DuBois suggested contacting Public Works a head of time.

Town Manager Sugerman explained that the Town would work with residents as long as they contact Public Works a head of time to accommodate the pickup.

Mayor DuBois suggested keeping the piles no larger than a refrigerator.

3. *Diane Bernhard 301 Lake Shore Drive*, read from a prepared (see exhibit "B").

Mayor DuBois asked Town Manger Sugerman if the calendar of events mentioned is something that staff can work on.

Town Manager Sugerman stated that we do not have an Event Coordinator that would handle the coordination of the Town events and the elected official's schedules.

Mayor DuBois asked the Commission if that was an item that they wished to add to Commissioner Comments.

## **CONSENT AGENDA:**

**3. Regular Commission Meeting Minutes of May 15, 2013**

**4. Waiving of Parking Fees for the July 4<sup>th</sup> Community Celebration in June (June 29, 2013) and Closing Lake Shore Drive from Greenbriar Drive to just North of Foresteria Drive Leaving the South Parking Area Open**

Commissioner O'Rourke requested pulling item number 4 on the Consent Agenda.

Mayor DuBois stated that he had changes to the minutes and would like to have item 3 pulled from the Consent Agenda.

### 3. Regular Commission Meeting Minutes of May 15, 2013

Mayor DuBois stated that he had a few corrections to the May 15, 2013 Regular Commission Meeting minutes as follows: on page 24 the correction is in the Mayor's comments and should read "He explained that although the Marina has been built with different forms of grant funds, it is a Town Marina, and he has not seen many large trailer vessels within the Town and would not want to spend capital to accommodate the smaller percentage of boaters that use the Marina". He stated that on the next page it should read "Mayor DuBois stated "yes", he would like to review the recommendations and see what can be accomplished for minimal expense. He asked if the Town meets the first portion of the ILA for the current parking plan". The final change was on the same page and should read; "Mayor DuBois suggested offering some type of annual pass as recommended by the Marina Task Force. He felt it would be a big seller".

**Motion: A motion was made by Commissioner O'Rourke to approve the Regular Commission Meeting minutes of May 15, 2013 on the Consent Agenda as amended; Vice-Mayor Glas-Castro made the second.**

Vote on Motion:

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

Motion passed 5-0.

### 4. Waiving of Parking Fees for the July 4<sup>th</sup> Community Celebration in June (June 29, 2013) and Closing Lake Shore Drive from Greenbriar Drive to just North of Foresteria Drive Leaving the South Parking Area Open

Commissioner O'Rourke expressed concern that this item was placed on the Consent Agenda instead of a discussion item and the disclosure of what is being proposed to the public. He asked for clarification on the street closure for the event.

Town Manager Sugerman explained that Lake Shore Drive would be barricaded from Greenbriar to Foresteria Drive to allow the junction of Lake Shore Park and Kelsey Park to allow easy flow of pedestrians' foot traffic.

Commissioner O'Rourke asked if the barricaded area would be used for parking.

Town Manger Sugerman stated "no".

Commissioner O'Rourke asked where the overflow parking would be.

Town Manager Sugerman stated that East and West on Park Ave. He explained that although the item was on Consent, any member of the public can see the backup material

on the Town's website. If someone does not have internet access, they can come to the Town Clerk's office and view the entire agenda packet one week before the meeting.

Commissioner Rapoza stated that if someone does not agree with an item they could come to Town Hall and voice their opinion.

Mayor DuBois recapped that Lake Shore Drive would be closed between Greenbriar and Foresteria Drive from 10:00 a.m. until 10:00 p.m. and the event will be from 4:00 p.m. until 8:00 p.m.

Commissioner Rapoza stated that traffic control is very important for this event.

**Motion: A motion was made by Commissioner O'Rourke to approve Waiving of Parking Fees for the July 4<sup>th</sup> Community Celebration in June (June 29, 2013) from 10:00 am until 10:00 pm; Commissioner Rapoza made the second.**

Vote on Motion:

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

Motion passed 5-0.

**Motion: A motion was made by Commissioner O'Rourke to approve Closing Lake Shore Drive from Greenbriar Drive to just North of Foresteria Drive Leaving the South Parking Area Open; Commissioner Rapoza made the second.**

Vote on Motion:

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

Motion passed 5-0.

### **BOARD MEMBERSHIP APPOINTMENT:**

#### **5. Board Membership Appointments for the Library Board**

Town Clerk Mendez announced that Diane Bernhard had been appointed to the Library Board as an alternate member. (See attached ballots as Exhibit "C").

### **OLD BUSINESS:**

None

**PUBLIC HEARINGS - ORDINANCE ON FIRST READING:**

**6. Ordinance No. 08-2013 A Text Amendment to Section 78-71 to include an “Animal Service Establishments” Use as a Special Exception Use, and “Animal Day Care Establishment”, “Animal Grooming Establishment”, “Animal Indoor Training Center”, and “Pet Shop” Use as a Permitted Use within the C-1 Business District, as well as Creating a “Special Exception” Subsection to the C-1 Business District to include some Existing C-1 Permitted Uses and the New “Animal Service Establishment” use as a Special Exception Use. Modification to Section 78-2 to Include Definitions for the Various Uses being Amended in the C-1 Business District.**

Town Manager Sugerman explained the item (see exhibit “D”).

Commissioner Rapoza wanted to know what constituted a domesticated animal.

Community Development Director Nadia DiTommaso explained that in Section 11-1 of the Town Code it already defines what are considered a domesticated animal. Dogs, cats, parrots, rabbits, canaries, gerbils’, hamsters, turtles and other animals that can be legally sold in a pet shop in the state of Florida, and which are kept for the purpose of providing human companionship.

Commissioner Flaherty stated that he attended several of the Planning and Zoning Board meeting and learned a lot about this topic there.

Commissioner O’Rourke expressed concern with the Special Exception and understood that the text amendment ordinance was what was being considered at the meeting. His understanding of the C1 Zoning District was generally for retail, restaurant, or low impact businesses. He is concerned that a boarding facility for domesticated animals will need to put in place a system where animals can be walked and the area maintained cleaned and sanitary. He expressed that he is not sure that the C1 Zoning District is the best place for such a business.

Community Development Director DiTommaso explained that staff also had the same concerns, which is one of the reasons it was being considered as a Special Exception use. She stated that with the Special Exception use it would allow the staff, the Planning and Zoning Board, and the Town Commission the ability to put additional conditions as businesses come forward for Special Exception use approval. In addition, Palm Beach County Animal Care and Control also has an ordinance with their various criteria that an applicant would need to apply to a certain facility. They would take into consideration the availability of outdoor space that a site does have for boarding and kennel uses that would be a requirement including the zoning requirements. If a business cannot receive approval from both Palm Beach County and the Town with a large enough outdoor area, even if the square footage indoors in large enough, they would not receive approval for the amount of animals in the facility.

Commissioner O’Rourke asked where the C1 Zoning District was located.

Community Development Director DiTommaso explained that it runs south on Northlake Blvd and a few pockets on the west side of US Highway 1 and also a few pockets along 10<sup>th</sup> Street.

Vice-Mayor Glas-Castro stated that all the C1 Zoned properties are adjacent to residential properties and expressed concern about compatibility of these types of uses and the noise by dogs while they are in the outside areas. She stated that the noise can be contained while inside the facility, but is concerned with the outside areas being so close to residential properties. She stated that she expressed concerns earlier in the day with staff about the definition of Animal Daycare, which describes it as an indoor facility. She asked staff if they were only going to have an indoor area and not an outdoor area as some other facility offer an outside play area. She expressed concern that once they have an outside area then there needs to be additional consideration for compatibility, noise control, etc. She is not concerned if the establishment would be solely an indoor facility. She drove by the facility and saw that it was set up with an outdoor play area for the animals.

Attorney Baird asked the Vice-Mayor if she would be more comfortable if the language read that the Animal Daycare Establishment was a Special Exception.

Vice-Mayor Glas-Castro stated that only if it was going to have an outdoor area. She felt that we should limit the outdoor runs and that it not becomes an outdoor activity area.

Attorney Baird stated that one of the components of that use could involve an outdoor area. He suggested moving Animal Day Care Establishments to the Special Exception category.

Mayor DuBois stated that Veterinary Clinic should be included, since those types of businesses tend to be on the same scale use.

Community Development Director DiTommaso explained that there is a provision in the Code for clinics.

Attorney Baird stated that if they wanted to expand the areas where Vet Clinics are allowed it can be added to the C1 Zoning District.

Commissioner Flaherty stated that he attended the Planning and Zoning Board meeting and heard what this applicant was doing. He explained that indoor area is large and felt that there may not be a need for the animals to go outdoors for very long.

Attorney Baird reminded the Commission that the item to consider is if this type of business is appropriate in this zoning district. They will have an opportunity to review any application that may come forward at another time. He explained that currently there is no control in the Code because of concerns like the ones Vice-Mayor Glas-Castro raised. He stated that it would be appropriate to move this use into the Special Exception section of the Code. If the Commission thinks that the language could be expanded to the Zoning District Veterinary Clinics should be included. He suggested doing that through a

separate legislative process because it needs to be reviewed by the Planning and Zoning Board.

Commissioner Rapoza asked if there was any language regarding a facility being opened twenty-four (24) hours a day-seven (7) days a week.

Attorney Baird stated that the Ordinance does not require that, but the business does have an on-site manager 24/7.

Commissioner O'Rourke asked if the intent is to include certain types of establishments as permissible exceptions.

Attorney Baird explained what adding such an exception would allow an establishment to do under the Code. He explained that the Special Exception use means that an establishment must meet a heightened lever of criteria in order to get that use.

Commissioner O'Rourke asked if the Animal Daycare was allowable by right.

Attorney Baird stated that it is set up that way right now, but thinks the Mayor's issue with that was Animal Daycare; and if those animals need to be outside then it should be a Special Exception.

Commissioner O'Rourke struggled with the Animal Daycare versus the boarding of animals near residents and it being considered an allowable use by right.

Attorney Baird explained that no, it would be considered a Special Exception use as proposed by staff. He explained that the Commission could remove the boarding component of an Animal Services Establishment.

Town Manager Sugerman recapped the discussion and stated that if the majority of the Commission does not believe that animal boarding activities are appropriate for the C1 Zoning District, then that should be carved out of what is being proposed. If there is another component that the Commission thinks should not be in the C1 Zoning District then carve it out. He stated that staff is proposing language for the entire Town and they are trying to support a local business, but if the Commission thinks that this use should not be allowed in the C1 Zoning District, then the language should be removed.

Town Manager Sugerman referred to a conflict noted on page 3 of the staff report (see exhibit "D") which includes the definitions. He stated that there is a conflict in the language that was caught by the Vice-Mayor in which Pet Stores are indoor facilities, which includes overnight boarding and below that is Boarding Kennels, which includes boarding animals overnight.

Commissioner O'Rourke suggested that they not allow Animal Services Establishments as a Special Exception, but instead carve that out of the C1 Zoning District. He thinks that Animal Daycare and Animal Grooming can be acceptable under Special Exception because they are indoor establishments.

Attorney Baird stated that if the majority of the Commission thinks that way then staff could remove the definition of Animal Service Establishment, which would include Boarding Kennel and the text below that. He stated that Pet Store was already a separate use, which would come out of that section as well. He stated that it would eliminate all of the language under Animal Service Establishment.

Town Manager Sugerman pointed out that the language would also need to be removed from the Special Exception section.

Vice-Mayor Glas-Castro stated that in doing so they should keep the language on noise, nuisances, and outdoor runs.

Town Manager Sugerman stated that the language would be in a separate section of the Code in Section 10-55, which is a footnote in the staff report.

Community Development Director DiTommaso explained that there is some language that is being integrated as the Animal Services Establishment definition, although if the Commission's intent would be to remove the Animal Services Establishment proposal, then keep the additional animal related uses, while still limiting those uses if in fact they would be proposing an outdoor area. She suggested keeping the language regarding the outdoor areas as a Special Exception consideration of the use if it should come before staff.

Attorney Baird stated that if they are going to move the Animal Establishment, which is an indoor use, but the nature of the use for the dogs would be allowed outside, then that language should just be incorporated in the Animal Daycare Establishment text as it was under Boarding Kennel. That would allow the Town to request soundproofing if it deems it necessary and would address the impact of the daycare use of dogs. He explained that an applicant that came before the Planning and Zoning Board prompted this. If it is the Commission's desire to take this use out, then the applicant would not be able to operate under the current use.

Town Manager Sugerman clarified that the business is currently operating under certain uses that are permitted and they are also operating under certain uses that are not permitted. He explained that they continue to do business under the conditions that are permitted, but they could not continue to operate under the uses that are not permitted, even though they have begun to expand their business to include the non-permitted uses, which they have been cited for.

Attorney Baird stated that those that appeared before the Planning and Zoning Board in support of the item were people that were using the facility to board their animals. He stated that it seems that it was a very important component of their business. He explained that the boarding aspect of this text amendment was being proposed because the business needed to legitimize the boarding component of their business.

Town Manager Sugerman pointed out that it would be up to the Town Commission not the determination of the business.

Commissioner O'Rourke expressed concern about wanting to assist businesses, but keeping in mind that zoning areas are established for a purpose.

Mayor DuBois stated that he does not mind continuing Animal Services as a Special Exception, but they take a higher level of review. He explained the review process of going first to Community Development, then the Planning and Zoning Board, before it appears before the Town Commission. He believes that there is enough control in place before it comes forward.

Town Manager Sugerman stated that there is a notice requirement for the Special Exception process of what the Planning and Zoning Board and Town Commission will be considering.

Attorney Baird stated that staff needs direction from the Commission.

**Motion: A motion was made by Commissioner O'Rourke to adopt Ordinance 08-2013 on First Reading and strike out the definition for Animal Services Establishments component from Section 78-2 and the Special Exception Use from Section 78-184.**

Vice-Mayor Glas-Castro asked for clarification on the motion.

Attorney Baird thought the motion was to approve on first reading the Ordinance, but striking Animal Services.

Commissioner O'Rourke stated that he restate his motion.

**Motion: A motion was made by Commissioner O'Rourke to approve Ordinance No. 08-2013 and strike the definition and component of Animal Services Establishment that would include overnight boarding and the Special Exception use of Animal Services Establishments; Commissioner Rapoza made the second.**

Vice-Mayor Glas-Castro asked what the notice requirement radius to the establishment is.

Community Development Director DiTommaso explained that the Special Exception application requires advertisement. The 300-foot notice requirement does not apply to Special Exception applications per Florida State Statute and the Town Code. She explained that Site Plan Applications have that requirement, but Special Exceptions do not.

Town Manager Sugerman stated that it was his error.

Attorney Baird asked if there was a Site Plan Application from the business.

Mayor DuBois stated that Site Plans might not be included in Special Exceptions Applications.

Commissioner O'Rourke asked if they could add a notice provision.

Attorney Baird explained that they would need to change the Town Code.

Commissioner Flaherty asked if this would remove the overnight boarding.

Mayor DuBois recapped that it would remove the overnight boarding, which is a portion of the Animal Services Establishment that allows overnight boarding. He explained that it is only allowed as a Special Exception and believe there is a substantial amount of review beginning with the Community Development Department, then the Planning and Zoning Board, before it comes before the Town Commission.

Vice-Mayor Glas-Castro stated that for these types of uses adjacent to residential there should be direct mail notice. She stated she would not support this without the notice.

Commissioner O'Rourke asked for clarification of the notice requirement since everyone was under the impression that there was notice.

Community Development Director DiTommaso stated that there is a notice requirement for advertisement, there is no certified mail requirement.

Mayor DuBois explained that the advertisement requirement is the same that is used to advertise for public meetings, but there is no direct mail requirement.

Vote on Motion:

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

Motion failed 3-2

Vice-Mayor Glas-Castro stated that she could not construct a motion based on the notice requirement. She recommended sending it back for staff to rewrite the Special Exception notice.

Attorney Baird stated that the proper motion would be to continue the item to your next meeting.

Mayor DuBois asked if that would allow enough time for staff to write the language.

Attorney Baird stated that it would not allow for the Commission to use the rewritten language for the Special Exception notice requirement because it would need to come before the Commission under two (2) separate readings.

Town Manager Sugerman explained that the next agenda deadline has already passed.

Attorney Baird explained that if it is the intent of the Commission to change the Zoning Code to require courtesy notices of 300-feet for all Special Exceptions uses that would require another Ordinance. He suggested postponing the current Ordinance and once the other Ordinance was addressed then staff can bring this item back.

Town Manager Sugerman expressed concern because under Robert's Rule of Order the Ordinance was defeated; therefore, there was no item before the Commission on this topic.

Attorney Baird stated that the motion that was made was to delete items; it was not to adopt this Ordinance. He explained that it was to adopt this Ordinance with amendments; therefore, this Ordinance can come back before the Commission.

Mayor DuBois recapped that a motion can be made to adopt as is or conditioned.

Attorney Baird stated that it can be adopted under first reading and wait before bringing it back for second reading and bring it back after the notice Ordinance was adopted. He explained that it would be a few months because they would need to pass another Ordinance in the mean time.

Mayor DuBois stated that it would be conditional on that Ordinance passes.

Commissioner O'Rourke asked if a motion to continue this subject matter or are they restricted from discussing this Ordinance.

Mayor DuBois stated that they can continue this item to the next agenda period, but it may not be the next meeting. He asked if staff could construct an Ordinance based on this discussion.

Commissioner O'Rourke stated that it seems that the Commission has come to consensus to have notice requirement language added to the Special Exception section of the Code, which would require a different Ordinance before this Ordinance comes back.

Town Manager Sugerman suggested, if the notice is important, then they can adopt the Ordinance on first reading, and then the Town can take a Special Exception Application from the applicant. As part of the Special Exception Application, one of the conditions could be to provide notice to all properties within 300-feet.

Attorney Baird asked if the Town already had a Special Exception Application from the applicant.

Community Development Director DiTommaso stated that they do.

Attorney Baird asked if they had a Site Plan.

Community Development Director DiTommaso stated that they do not have a Site Plan.

Attorney Baird asked that if the Town requires a Site Plan does it require a 300-foot notice.

Community Development Director DiTommaso stated “no”. She explained that Site Plan Development Application requires notice. The Special Exception section 78 only states that it needs to go before the Town Commission.

Attorney Baird asked what the Code specifies for Site Plans.

Community Development Director DiTommaso explained that a Site Plan does require notice.

Attorney Baird asked why we do not ask for a Site Plan, which would then trigger the notice.

**Motion: A motion was made by Commissioner Flaherty to postpone Ordinance 08-2013 on First Reading; Vice-Mayor Glas-Castro made the second.**

Vote on Motion:

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

Motion passed 5-0.

**PUBLIC HEARINGS - ORDINANCE ON SECOND READING/QUASI-JUDICIAL:**

**8. Ordinance 07-2013 Adoption of the Florida-Friendly Use on Urban Landscapes Ordinance**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 32, ENTITLED “UTILITIES”, BY CREATING A NEW ARTICLE IV ENTITLED “FLORIDA-FRIENDLY FERTILIZER USE” AND ESTABLISHING REGULATIONS TO ADDRESS STORMWATER RUNOFF WITH EXCESSIVE NUTRIENT LEVELS IN WATER BODIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR TIMING OF FERTILIZER APPLICATIONS; PROVIDING FOR FERTILIZER FREE ZONES; PROVIDING FOR FERTILIZER CONTENT AND APPLICATION RATES; PROVIDING FOR FERTILIZER APPLICATION PRACTICES; PROVIDING FOR MANAGEMENT OF GRASS CLIPPINGS AND VEGETATIVE MATTER PROVIDING FOR EXEMPTIONS; PROVIDING FOR TRAINING; PROVIDING FOR LICENSING OF COMMERCIAL APPLICATORS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR**

**SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Attorney Baird stated that this item is not Quasi-Judicial.

Town Manager Sugerman explained that there have been no changes to this Ordinance since it appeared on first reading.

**Motion: A motion was made by Commissioner O'Rourke to adopt Ordinance 07-2013 on Second Reading; Commissioner Flaherty made the second.**

Vote on Motion:

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

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

**NEW BUSINESS:**

None

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

**Attorney Baird** explained that he has been working with Professor Instrum on the voting system and he has received a proposal with two (2) components. The first would be \$800 to study the election returns, which the Professor thinks would then determine if the Commission wants to move forward to the second component. The second component would be approximately \$8800. He explained that it would be more costly because for the second component, the Professor would need to be on-site and he lives in North Carolina, so it would cover those costs. He stated that he could write the contract so that if the Commission wants to proceed to the second component they can. He explained that if the Commission is anxious to begin the process it would cost \$800. The contract would be brought to the Commission for approval.

Mayor DuBois asked when the balance would be due.

Attorney Baird stated that the balance would only be due if the Commission choose to go forward after the expense of the first \$800. What the Professor would likely present would be a recommendation based on what the data suggest.

Commissioner O'Rourke commented that after reading the information provided he found interesting that the Department of Justice was going to mandate that the Town go

to single member districts. He suggested going to the second alternative that had been given to the Town, which was Accumulative Voting.

Attorney Baird explained that the Commission, at the time, had chosen the Accumulative Voting system and it was denied by the Department of Justice, but more importantly, the Supervisor of Elections also denied it. The Supervisor of Election denied it because they do not have the equipment to accommodate that type of voting system.

Mayor DuBois explained that they are trying to create continuity on the Commission as well as equality.

**Motion: A motion was made by Vice-Mayor Glas-Castro to draft a contract for the Commissions consideration; Commissioner O'Rourke made the second.**

Vote on Motion:

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

Motion passed 5-0.

**Town Manager Sugerman** announced that in his monthly report he provided a copy of a letter he sent to Palm Beach County representative Rob Robins regarding the entrance to the Palm Beach County Scrub area. Mr. Robins has responded to the letter and indicated that they appreciate the correspondence from the Town, but they would continue to move forward with the entrance off Silver Beach Road. He asked if the Commission wishes to extend an invitation to Mr. Robins to come in and explain their position.

The Commission came to consensus to not invite Mr. Robins to a Commission meeting to explain their position.

He announced that the next Commission Workshop has been scheduled for Wednesday, June 26, 2013 at 6:30 p.m. He stated that the Town would be celebrating July 4 on June 29, 2013 at Lake Shore Park from 4:00 p.m. until 8:00 p.m. with a live band, food and craft vendors, alcoholic beverage sales, water slide, educational material free admission and free parking. He explained that the first meeting in July is scheduled for July 3<sup>rd</sup> and was wondering if the Commission wanted to cancel the meeting before the Independence Day holiday.

The Commission came to consensus to conduct the meeting on July 3<sup>rd</sup> as scheduled.

**Commissioner O'Rourke** expressed concern regarding the letter from Rob Robins.

Conversation ensued regarding the letter received from Rob Robins and the Commissions position on the entrance off Silver Beach Road.

**Commissioner Rapoza** asked if a rain date has been established for the June 29<sup>th</sup> event.

Town Manager Sugerman stated “no”.

She encouraged everyone to attend the meetings and the events.

**Commissioner Flaherty** thanked everyone that attended the meeting and provided the vegetation schedule. He repeated Senator Clemens phone number. He congratulated Diane Bernhard for her appointment to the Library Board. He wished Barkley’s luck.

**Vice-Mayor Glas-Castro** referred to an email received from Kelly Smallridge regarding the Leadership Assets Map, which includes assets like Marinas, non-profits, etc. She referred to a letter received from Betty Hodges, which offers suggestions to the Town on various topics.

**Mayor DuBois** asked if anyone else had received the email from Seven 50 regarding a list of non-profits in the Town. He congratulated the 5<sup>th</sup> grade class of Lake Park Elementary School. He thanked Kiwanis for the breakfast and First United Bank for their sponsorship trip of the Safety Patrol to Washington DC. He thanked staff for the PA system and chairs used at the Memorial Day ceremony. He stated that the Seeds of Hope newsletter was nicely done. He reminded everyone of D-Day on June 6<sup>th</sup>. He thanked Diane Bernhard for her comments on the events in Town.

Vice-Mayor Glas-Castro asked if there was a means to a community calendar and understood that there is no staff person that handles that function.

Mayor DuBois asked if there was a way to construct such a calendar.

Town Manager Sugerman stated that we have the capability of doing that.

Commissioner O’Rourke stated that he has been working on that type of project and was going to discuss it with Diane Bernhard after the meeting.

Mayor DuBois suggested that he bring that back to the Commission.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Flaherty and seconded by Commissioner Rapoza, and by unanimous vote, the meeting adjourned at 9:35 p.m.

\_\_\_\_\_  
Mayor James DuBois

\_\_\_\_\_  
Town Clerk, Vivian Mendez, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2013

Exhibit "A"

2350 Coral Way, Suite 301  
Miami, Florida 33145  
(305) 860-0780 (Telephone)  
(305) 860-0580 (Facsimile)  
(305) 905-9801 (Mobile)

200 West College Avenue, Suite 204  
Tallahassee, Florida 32301  
(850) 222-9911 (Telephone)  
(850) 807-2539 (Facsimile)

[fgomez@gomezbarker.com](mailto:fgomez@gomezbarker.com)

**Gomez Barker  
Associates, Inc.**

# Memorandum

**To:** Hon. James DuBois, Mayor  
Hon. Kimberly Glas-Castro, Vice Mayor  
Hon. Erin Flaherty, Commissioner  
Hon. Michael O' Rourke, Commissioner  
Hon. Kathleen Rapoza, Commissioner

**From:** Fausto B. Gomez

**CC:** Dale S. Sugerman, Town Manager

**Date:** May 29, 2013

**Re:** End-of-Session Report (2013)

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We are pleased to present this report detailing the accomplishments of the Town of Lake Park during the 2013 legislative session. Aided by the first projected budget surplus in three years, legislators presided over a relatively smooth session as excess revenues did much to pave over significant disagreements. As one observer remarked "More money; less problems."

Florida legislators passed a record \$74.5 billion state budget (an increase of more than \$4 billion from the current fiscal year) along with significant legislation dealing with Elections, Ethics, and Campaign Finance. It was also, nevertheless, a session marked by unresolved policy differences in state and local pensions, an expansion of Medicaid eligibility, economic development incentives, and taxes.

In the midst of this, Lake Park fared very well. Along with Senator Jeff Clemens and Representative Bobby Powell, this firm worked to:

- Secure a Line Item (1640C) of \$200,000 for "Lake Shore Drainage Improvements." Only two cities in Palm Beach County along with the County, received water project support and unfortunately the Governor vetoed the vast majority of these; including Lake Park. The other Palm Beach projects the Governor vetoed were in Riviera Beach and three County Lake Worth Lagoon initiatives. Statewide, the Governor vetoed a total of \$368 million; with \$37.4 million of that amount from local water projects.

At the beginning of the legislative year the Governor's Office published criteria as a guide to legislative funding and for subsequent evaluation purposes. From this criterion the legislature established a formal application and a requirement that the project had to be publicly presented to the Senate and House Appropriations Committees and endorsed by a majority of the legislative delegation. Your staff completed the form(s) and we secured the endorsement of the Palm Beach Legislative Delegation and presented the project in the House and Senator Clemens in the Senate. It was because of this that Florida TaxWatch, the most well-known watchdog organization in Tallahassee, which every year lists funding projects that it says were placed in the budget without public review and debate, spared local water projects from being listed as "turkeys." Notwithstanding the Governor's own criteria, and the process that he helped establish, when the vetoes were issued Governor Scott announced a new "filter" for local projects. He stated, "My filter was this: One is it going to help our families get more jobs? Two, will it help improve our education system in the state? And three, will it help make government more efficient?" This was a different standard than his office had previously announced.

Along with our colleagues who represent other local governments and in consultation with legislators, we are beginning to chart a course for the next fiscal year. The plan is to establish an official water project grants review and recommendation program at the South Florida Water Management District or employ and fund the "Water Projects Grant Program" at the Department of Environmental Protection (DEP). The latter was previously created under 403.885, F. S. and it would be similar to the process currently employed for the Florida Recreational Development Assistance Program (FRDAP).

I think it important to recognize other legislators who helped secure the Lake Park allocation. These included Senators Joe Negron from Palm City and Anitere Flores from Miami and Representatives Seth McKeel from Lakeland and Steve Crisafulli from Merritt Island. They joined with Senator Clemens and Representative Powell in assuring that the Lake Shore Drainage Improvement was legislatively funded.

- Include in the Conforming Bill to the state budget language directing the Department of Children and Families to study the Sober Home problem and look for ways to stop these unlicensed homes from expanding in residential neighborhoods. DCF must report back to the Governor, President of the Senate, and Speaker of the House by December of this year with their finding and recommendations.

State oversight of Sober Homes is a Lake Park initiative and for the two legislative sessions prior to this one the Town spearheaded the issue. Lake Park used to be the sole voice lobbying for relief of the incursion of Sober Homes into residential communities and, in fact, faced opposition from some neighboring cities. That is all in the past and all of Palm Beach is now working in concert.

- Preserve \$375,003 in current funding to Lake Park from the Communications Services Tax (CST). SB4122 and HB303 would have repealed the authority of local governments to levy the CST. These bills failed. Additionally, the House Finance and Tax Subcommittee held a workshop to tax all communications services at the same rate, regardless of the type of service, method of delivery, or location of the user. Although the Finance and Tax proposal was intended to be revenue neutral, there were no details.
- Preserve \$309,659 in current funding to Lake Park from local Business Taxes. The House Finance and Tax Subcommittee held a workshop to establish three uniform tax classifications based on the square footage of the business. Again, although the

Finance and Tax proposal was intended to be revenue neutral, there were no details.

- Assure a minimum of \$6,674 in state funds to support the Lake Park Library. The legislature funded "Aid to Local Libraries" at \$2.1 more than that requested by the Department of State so that should mean an increase in the monies provided to Lake Park.
- Help pass CS/SB52 by Senator Nancy Detert which prohibits the operation of a motor vehicle when texting. .

Equally critical to the above was the ability to pass legislation that reduced Lake Park's operating responsibilities and expenditures and to thwart bad policy that would have preempted home rule authority or imposed additional unfunded mandates. An example of the latter was HB7123 by the House Select Committee on Claims Bills which would have significantly raised sovereign immunity limits. Under current law, the state has waived sovereign immunity in tort actions up to \$200,000 for individual actions and up to \$300,000 for all actions arising out of the same incidence or occurrence. The bill would have increased the waiver of sovereign immunity for political subdivisions only (defined to include cities, counties, and school board), up to \$1 million for individual actions or up to \$1.5 million for all actions arising out of the same incidence or occurrence. This is a five-fold increase on the current waiver of sovereign immunity. Another example was SB1716 by Senator Rene Garcia that would have exempted certain new developments from having to comply with impact fee, transportation concurrency, or proportionate share requirements for three years.

Following is a detailed list of key issues that my partners, associates, and I lobbied and/or monitored on your behalf. We were actively engaged both in helping pass legislation that facilitated local governance as well as assuring that bills that would have negatively impacted Lake Park did not become law.

- Pension Reform

The Florida Retirement System (FRS) was the focus on much legislative debate and its revamping was a priority of the Speaker of the House. Senators voted to defeat a compromise amendment to the measure (HB7011) which would close the traditional pension plan to new employees and move them into a 401(k)-style "defined contribution system." Supporters of the reform indicated that the state's pension plan is not fully funded while those against the change stated that the pension plan is one of the few things that made state employment, with its relatively low pay, attractive to workers. This issue will again be addressed next legislative session.

- Property Insurance

During the legislative session, 63 bills were filed regarding property insurance, 45 of which specifically proposed changes to Citizens, and one of which passed (SB1770). That bill did not make the robust structural changes proposed by the Senate and others. The House of Representatives prevailed, but still Citizens' coverage levels will be reduced from \$1 million to \$700,000 over three years, a clearinghouse will be set up to shop customers in the private market, and coverage is prohibited for new buildings seaward of the coastal construction line. The legislation also sets up an Inspector General for Citizens.

Of particular importance, existing Citizens customers keep the 10% rate cap on annual rate hikes. This was crucial to legislators from Southeast Florida and to Chief Financial Officer Jeff Atwater. He said "I do not believe that the Legislature should rip these caps off and try to accelerate rates. It will damage the economic growth that is now taking place."

- Right to Speak

The Florida Legislature passed legislation that says public agencies must make "reasonable" accommodations for public testimony – subject to time constraints and other normal limits (SB50). The bill is a result of two District Court of Appeal rulings that held that while the Florida Constitution and the "Government in the Sunshine" laws require public governing bodies to meet openly, there is no legal requirement that they let the public speak at meetings.

- Ethics

One of the overriding priorities of the legislature this session was ethics reform. CS/SB2 by Senator Jack Latvia gives the Florida Commission on Ethics (COE) the authority to place liens on real property in order to collect financial disclosure fines. The bill provides a grace period to amend financial disclosure forms and now requires municipal finance directors to file financial disclosure. Finally, the COE is authorized to initiate investigations and candidates or elected officials are prohibited from accepting public employment if known that the position is being offered for the purpose of gaining influence over the official. The Governor approved this measure on May 1<sup>st</sup>.

- Campaign Finance

The Governor has already approved CS/CS/CS/HB569 relating to campaign finance. Of interest to local governments that have an ordinance or charter provision that adopt the Florida Election Code as the controlling law for elections; the contribution limit is increased to \$1,000 per person per election. Also, candidates would have to file an increased number of campaign finance reports.

As always, please do not hesitate to contact me if you have any questions or desire additional information. We appreciate the Mayor joining us in Tallahassee and assisting with the lobbying efforts just like we appreciate the support and guidance provided by the other elected and appointed officials of the Town. Thank you for allowing us to represent the Town of Lake Park.

**Vivian Mendez**

Exhibit "B"

**From:** Diane Bernhard [dianebernhard@comcast.net]  
**Sent:** Friday, May 31, 2013 11:39 PM  
**To:** Vivian Mendez  
**Subject:** Comment for Commission Meeting -- June 5, 2013

Vivian, thank you so much for undertaking this. I appreciate your help and know you'll do a good job.

Diane

June 5, 2013

Non-agenda comment:

Diane Bernhard, 301 Lake Shore Drive, Lake Park, Florida.

I attended the Bethlehem Baptist's Youth Booster Workshop on Saturday, May 25<sup>th</sup>, and found it disappointing that only one official of the Town of Lake Park attended. Obviously, there were conflicts with Memorial Day Week-End celebrations.

To prevent that kind of over-look error again, I would like to offer a suggestion:

Have one person -- a Town Employee or Town Volunteer -- receive and collect information about upcoming events in -- or of interest to -- the Town of Lake Park. That person -- the Event Coordinator -- makes monthly calendars of events -- perhaps using the Town Clerk's Calendar Template. The Mayor, Commissioners, and other participating people, can state their particular interests and let the Event Coordinator know -- in advance -- when they will be available to attend events each month. The schedule can be broken up into blocks of time on week-days and week-evenings, week-end days and week- end evenings. All participants will be able to choose times convenient for themselves and get to attend events that they have an interest in. This calendar can be used to insure that no one individual is overwhelmed with events and another under-utilized. It can also allow for a back-up, should a Participant have a change of plans...

Thank you.

Diane Bernhard



Exhibit "C"

# BALLOT

*Commissioner Pappa*

---

## MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER LIBRARY BOARD WITH TWO ALTERNATES.

CURRENTLY THE BOARD HAS FIVE (5) REGULAR MEMBERS AND NO ALTERNATE MEMBERS APPOINTED.

THERE ARE OPENINGS FOR TWO (2) ALTERNATE MEMBERS.

Shall DIANE BERNHARD be appointed to the Library Board as an:

Alternate Member

Yes

No

# BALLOT

Flaherty

---

## MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER LIBRARY BOARD WITH TWO ALTERNATES.

CURRENTLY THE BOARD HAS FIVE (5) REGULAR MEMBERS AND NO ALTERNATE MEMBERS APPOINTED.

THERE ARE OPENINGS FOR TWO (2) ALTERNATE MEMBERS.

Shall DIANE BERNHARD be appointed to the Library Board as an:

Yes

No

Alternate Member

\_\_\_\_\_

\_\_\_\_\_

# BALLOT

*R. Cole*  

---

**MAYOR/COMMISSIONER**

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER LIBRARY BOARD WITH TWO ALTERNATES.

CURRENTLY THE BOARD HAS FIVE (5) REGULAR MEMBERS AND NO ALTERNATE MEMBERS APPOINTED.

THERE ARE OPENINGS FOR TWO (2) ALTERNATE MEMBERS.

Shall DIANE BERNHARD be appointed to the Library Board as an:

	Yes	No
Alternate Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# BALLOT

*O'Rourke*

**MAYOR/COMMISSIONER**

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER LIBRARY BOARD WITH TWO ALTERNATES.

CURRENTLY THE BOARD HAS FIVE (5) REGULAR MEMBERS AND NO ALTERNATE MEMBERS APPOINTED.

THERE ARE OPENINGS FOR TWO (2) ALTERNATE MEMBERS.

Shall **DIANE BERNHARD** be appointed to the Library Board as an:

Alternate Member

Yes

No

# BALLOT

---

## MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER LIBRARY BOARD WITH TWO ALTERNATES.

CURRENTLY THE BOARD HAS FIVE (5) REGULAR MEMBERS AND NO ALTERNATE MEMBERS APPOINTED.

THERE ARE OPENINGS FOR TWO (2) ALTERNATE MEMBERS.

Shall DIANE BERNHARD be appointed to the Library Board as an:

Alternate Member

Yes

No



\_\_\_\_\_

\_\_\_\_\_



Exhibit "D"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 5, 2013

Agenda Item No. Table

Agenda Title: TEXT AMENDMENT TO SECTION 78-71 TO INCLUDE AN "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE, AND "ANIMAL DAY CARE ESTABLISHMENT", "ANIMAL GROOMING ESTABLISHMENT", "ANIMAL INDOOR TRAINING CENTER", AND "PET SHOP" USE AS A PERMITTED USE WITHIN THE C-1 BUSINESS DISTRICT, AS WELL AS CREATING A "SPECIAL EXCEPTION" SUBSECTION TO THE C-1 BUSINESS DISTRICT TO INCLUDE SOME EXISTING C-1 PERMITTED USES AND THE NEW "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE. MODIFICATION TO SECTION 78-2 TO INCLUDE DEFINITIONS FOR THE VARIOUS USES BEING AMENDED IN THE C-1 BUSINESS DISTRICT.

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

Approved by Town Manager [Signature] Date: 5/25/13

Nadia Di Tommaso / Community Development Director [Signature]
Name/Title

Table with 3 columns: Originating Department, Costs, Attachments, Advertised, and notification details.

Summary Explanation/Background: PLEASE SEE STAFF REPORT.

Recommended Motion: APPROVAL.



Meeting Date: June 5, 2013

To: TOWN COMMISSION

Re: TEXT AMENDMENT TO SECTION 78-71 TO INCLUDE AN "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE, AND "ANIMAL DAY CARE ESTABLISHMENT", "ANIMAL GROOMING ESTABLISHMENT", "ANIMAL INDOOR TRAINING CENTER", AND "PET SHOP" USE AS A PERMITTED USE WITHIN THE C-1 BUSINESS DISTRICT, AS WELL AS CREATING A "SPECIAL EXCEPTION" SUBSECTION TO THE C-1 BUSINESS DISTRICT TO INCLUDE SOME EXISTING C-1 PERMITTED USES AND THE NEW "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE. MODIFICATION TO SECTION 78-2 TO INCLUDE DEFINITIONS FOR THE VARIOUS USES BEING AMENDED IN THE C-1 BUSINESS DISTRICT.

Applicant: Barkley's Canine Club Staff Recommendation: APPROVAL

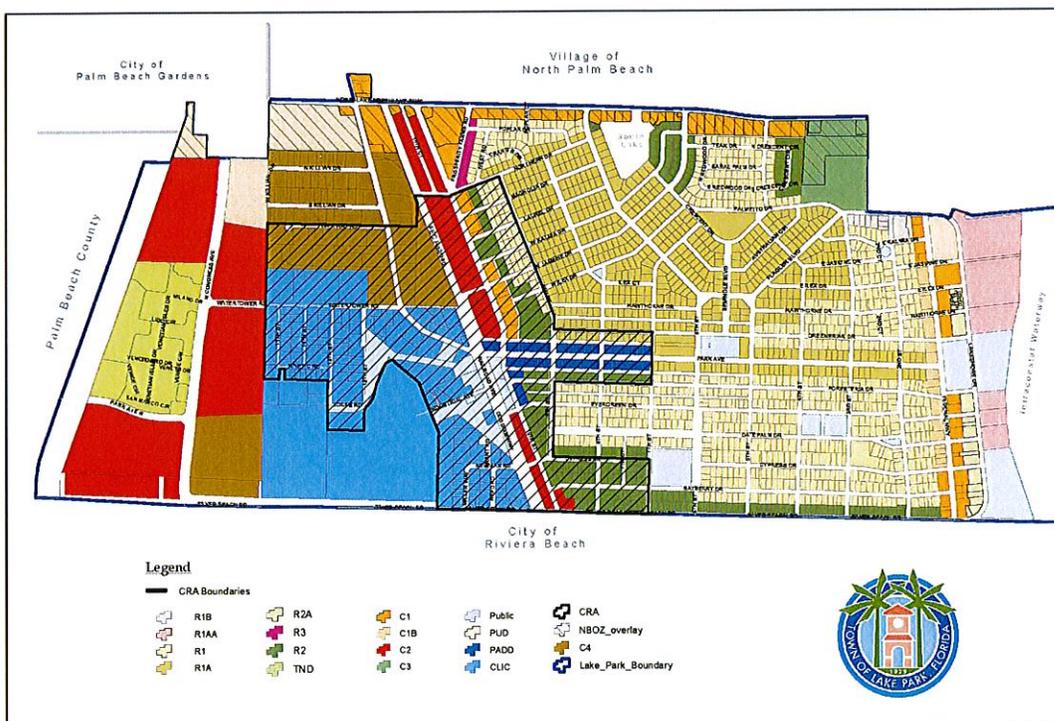
[Planning & Zoning Board Recommendation, May 6, 2013: Approval 4-0](#)

**SUMMARY**

This Staff Report addresses a request for a Text Amendment to the Town of Lake Park Code of Ordinances filed by Barkley's Canine Club ("Applicant"). The Applicant proposes to include "Animal Service Establishment" as a special exception use in the C-1 Business District. Staff is also proposing the inclusion of additional animal-related uses, namely, "Animal Grooming Establishment", "Animal Training", and "Pet Shop" as permitted uses in the C-1 Business District. Currently, the C-1 Business District does not include special exception uses, therefore this application is also proposing the creation of a Special Exception use section. In doing so, and in accepting the Planning and Zoning Board's recommendations, staff is proposing the re-distribution of some currently permitted uses into the proposed Special Exception use category and is proposing that the respective 'use' definitions be added to Section 78-2 of the Town of Lake Park Code of Ordinances.

The C-1 Business District is intended to permit low intensity commercial uses, such as offices, personal services, and retail, along the south side of Northlake Boulevard from Old Dixie Highway to US-1, along the east side of 10th Street, and along portions of the east and west side of US-1, as illustrated in **Figure 1** below.

**Figure 1: Zoning Map; C-1 District in Orange**



Lake Park Zoning Map



## HISTORY

In early 2012, the Applicant received approval from the Town's Community Development Department for an animal "instructional studio" and an animal "beauty shop" at 524 Northlake Boulevard. Both the "instructional studio" use and the "beauty shop" use are currently permitted uses in the C-1 Business District. Following this initial application, the Applicant met with a Town Planner to discuss a request to use the facility as a use including "day care" and boarding for animals. The Applicant was informed that the C-1 Business District does not permit "day care" nor the boarding of animals as a permitted use. In the latter part of 2012, Town staff determined that the Applicant was boarding animals at its facility. The Applicant was cited by the Town's Code Enforcement Division for operating a use not permitted in the C-1 Business District. As a result, the Applicant sought a text amendment to incorporate the day care and boarding uses as permitted uses in the C-1 Business District. The Applicant submitted an application to the Town.

## APPLICATION

In researching the Town's Code of Ordinances, staff determined that the Town Code is deficient with regard to uses that are specific to animal related establishments. Consequently, staff is proposing to create an "Animal Service Establishment" use per the Applicant's request for an animal boarding facility, which would be subject to certain conditions. The amendments propose to classify a portion of the Applicant's business as an "Animal Service Establishment" which would incorporate the animal boarding component. This use, as proposed, would require special exception application approval due to the potential impacts of including this use in a predominantly low-intensity commercial district that abuts residentially zoned parcels. The special exception application will be presented under separate cover at a future Town Commission meeting. All animal-related establishment uses are regulated by Palm Beach County (PBC) Animal Care and Control under very strict regulations relative to the business owner's operation and are routinely inspected by PBC (see **Exhibit "A"** for the Table of Contents for PBC Animal Care and Control which lists the regulating criteria).

In addition to proposing the "Animal Service Establishment" use in the C-1 Business District as a special exception use, additional animal-related uses are also being proposed as permitted uses due to their low-intensity commercial nature and minimal impacts. Respective definitions for these uses are also being proposed in Section 78-2. Those uses being proposed as permitted by right, are defined as daytime uses that are entitled to generate slightly higher noise levels as indicated on the Town's Noise Ordinance chart as can be seen in **"Exhibit "B"**. Staff also recommends that the following uses be re-listed as special exception uses in the C-1 Business District due to their potential heightened impacts to noise, traffic, odors and design complexities. Some of these uses are being proposed using new use titles in an attempt to remain consistent with the Northlake Boulevard Overlay Zone (NBOZ) use titles for those properties located on the south side of Northlake Boulevard and within the C-1 Business District. The intent of each use remains the same. They include:

- Gasoline and other motor-fuel stations, to be re-listed as "Automotive Service Station"
- Mortuaries, to be re-listed as "Funeral Home"
- Motels, to be re-listed as "Motel/Hotel"
- Hospitals, sanitariums and medical clinics
- Substance abuse treatment facilities
- Sales, service and rental of motor vehicles, to be re-listed as "Vehicle Sales and Rental"

Pursuant to the Town Code, an applicant who applies for Special Exception Use approval will need to meet the criteria listed in **Sec. 78-184** of the Code. The Town Commission may also include conditions of approval pertaining to special exception uses such as:

1. Limit the manner in which the use is conducted, including restricting the time an activity may take place and/or restraints to minimize such effects as noise, vibration, air pollution, glare and/or odor.
2. Establish a special setback, open space requirement, and/or lot area or dimension.
3. Limit the height, size, and/or location of a building or other structure.
4. Designate the size, number, location and/or nature of access points (vehicle and pedestrian).
5. Designate the size, location, screening, drainage, type of surfacing material and/or other improvement of a parking and/or loading area.
6. Limit or otherwise designate the number, size, location, height and/or lighting of signs.

7. Require the use of, and designate the size, height, location and/or materials for, berming, screening, landscaping and/or other facilities to protect and/or buffer adjacent or nearby property, including designating standards for installation and/or maintenance of the facilities.
8. Require the protection and/or relocation of additional trees, vegetation, water resources, wildlife habitat and/or other appropriate natural resources.
9. Require specific architectural details and/or design that produces a physical development which is compatible in appearance with the uses permitted by right in the zoning district.
10. Specify other conditions of approval to permit development of the special exception use in conformity with the intent and purpose of this Code and the town's comprehensive plan.

**Staff recommends the following Text Amendments to Sections 78-2 and 78-71 of the Town of Lake Park Code of Ordinances:**

**Sec. 78-2 Definitions:**

**Animal Day Care Establishment.** An indoor facility operated between the hours of 7am-10pm, for the purpose of providing care and protection of domesticated animals, no overnight boarding.

**Animal Grooming Establishment.** An indoor facility operated between the hours of 7am-10pm which accepts domesticated animals for bathing, clipping, dipping, pedicuring or other related grooming services (not to include breeding, veterinary, dentistry or overnight boarding).

**Animal Service Establishment.** An establishment which may include any of the following uses as specified in the individual zoning district.

(1) *Pet Stores*<sup>a</sup>. An indoor facility operated for the sale of domesticated animals, which includes overnight boarding;

(2) *Boarding Kennel*<sup>a</sup>. An indoor facility, where domesticated animals are boarded during the daytime or kept overnight.

Definition Attached as Exhibit "C"

Section 10-155 Attached as Exhibit "B"

<sup>a</sup> Noise nuisances which exceed permitted decibel levels as prescribed in the Town Code in Section 10-155 shall be mitigated by requiring extra insulation or any other improvements which is certified by a licensed noise professional and submitted to the Town's Community Development Department under a building permit application. Boarding shall be limited to domesticated animals. The Town Commission may require sound proofing or additional setbacks and landscaping to minimize noise and visual impacts on adjacent properties. Outdoor runs shall be paved or turfed, fenced, and connected to a Town-approved wastewater treatment facility and shall not be located any closer than 40 feet from adjacent residentially-zoned properties.

**Animal Indoor Training Center.** A facility operated between the hours of 7am-10pm for the teaching and training of domesticated animals.

**Automotive Service Station.** An establishment engaged in the retail sale of gasoline or other motor fuels, which may include accessory activities such as the sale of automotive accessories or

supplies, the lubrication of motor vehicles, the minor adjustment or minor repair of motor vehicles, and a convenience store selling retail goods.

**Funeral Home.** An establishment engaged in preparing deceased human beings for burial, and managing and arranging funerals.

**Hospital, Sanitarium or Medical Center.** A facility for humans or animals, which provides primary, secondary, or tertiary medical care, emergency medical services, including preventive medicine, diagnostic medicine, treatment and rehabilitative service, medical training programs, medical research, and may include association with medical schools or medical institutions.

**Motel/Hotel.** A commercial establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short term rents to tenants. The establishment may be constructed in a building or a group of buildings and may include one or more accessory uses such as dining rooms/restaurant or convenience/retail stores.

**Pet Shop.** An indoor facility operated between the hours of 7am-10pm for the purpose of selling animal accessories.

**Substance Abuse Treatment Facility.** A facility having one or more service components and operated by service providers licensed by the State of Florida as defined in Chapter 397, Fla. Statute.

**Vehicle Sales and Rentals.** An establishment engaged in the sale or rental from the premises of new or used motor vehicles or equipment, watercraft, recreational vehicles or mobile homes, with or without incidental service, maintenance or repair. Typical uses include new and used automobile sales, automobile rental, boat sales, boat rental, mobile home. The sale or rental of industrial or agricultural vehicles is prohibited.

#### **Sec. 78-71. C-1 Business District.**

Within the C-1 Business District, the following regulations shall apply:

(1) Uses permitted. Within the C-1 business districts, no building, structure or land shall be used and no building shall be erected, structurally altered or enlarged, unless otherwise permitted by these regulations, except for the following uses:

- a. Animal Day Care Establishment**
- b. Animal Grooming Establishment**
- c. Animal Indoor Training Center**
- a-d.** Appliance stores, including radio and television services.
- b-e.** Bakeries the products of which are sold at retail but not produced on the premises.
- e-f.** Banks.
- d-g.** Barbershops, beauty shops, chiropodists, masseurs.
- e-h.** Fertilizer, stored and sold at retail only.
- f.—Gasoline and other motor-fuel stations.**
- g-i.** Laundry pickup stations.
- h.—Mortuaries.**
- i.—Motels.**

- ~~j. Vehicle sales and rentals, including and accessory sales of parts and components and accessory repair shops on property on which a permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:
 
  - 1. The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;
  - 2. No vehicles, boats or wave runners are tested or repaired outside of a building designed for such purposes; and
  - 3. The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave-runners, which are part of the specific business.~~
- ~~k.~~ j. Offices, business and professional.
- l. k. Outdoor miniature golf courses, all objects limited to eight feet in height and such building or premises is located not less than 500 feet from the premises of an existing nursery school, elementary school or high school.
- l. Pet Shop
- m. Restaurants.
- n. Shops, including shops for making articles without use of machinery, to be sold, at retail on the premises.
- o. Indoor Theatres.
- ~~p. No living quarters shall be permitted in any business or commercial structure or upon a lot or parcel upon which a business or commercial structure is situated.~~
- ~~q. Hospitals, sanitariums and medical clinics.~~
- ~~r. Motels without shop fronts or stores facing the street.~~
- ~~s. Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility or within 1,500 feet of a residential zoning district.~~
- ~~t.~~ p. Instructional studios; including but not limited to, studios for the instruction of the martial arts, dance, voice, drama, speech, gymnastics, yoga, exercise, painting, photography, music, and other similar instructional studio uses which are deemed appropriate by the Town's community development director.
- ~~u.~~ q. Transient residential use

(2)

Special exception uses permitted pursuant to section 78-184:

- a. Animal Service Establishment
- b. Automotive Service Station
- c. Funeral home
- d. Hospital, Sanitarium or Medical Clinic
- e. Motel/Hotel
- f. Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility or within 1,500 feet of a residential zoning district.
- g. Vehicle Sales and Rentals, including accessory sales of parts and components and accessory repair shops on property on which a permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:
 
  - 1. The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;
  - 2. No vehicles, boats or wave runners are tested or repaired outside of a building designed for such purposes; and
  - 3. The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave-runners, which are part of the specific business.

**Recommended Motion: Staff recommends that the Town Commission make a motion to APPROVE this Ordinance on first reading.**

**WHEREAS**, the Town's Planning and Zoning Board has reviewed the proposed amendments to the Town Code of Ordinances and has provided its recommendations to the Town Commission; and

**WHEREAS**, the Town Commission has determined that the recommended amendments would further the public's health, safety and general welfare.

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

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

**Section 2.** Chapter 78, Article I, Section 78-2 is hereby amended to add the following definitions, as follows:

***Sec. 78-2 Definitions:***

**Animal Day Care Establishment.** An indoor facility operated between the hours of 7am-10pm, for the purpose of providing care and protection of domesticated animals, no overnight boarding.

**Animal Grooming Establishment.** An indoor facility operated between the hours of 7am-10pm which accepts domesticated animals for bathing, clipping, dipping, pedicuring or other related grooming services (not to include breeding, veterinary, dentistry or overnight boarding).

**Animal Service Establishment.** An establishment which may include any of the following uses as specified in the individual zoning district.

**(1) Pet Stores<sup>a</sup>.** An indoor facility operated for the sale of domesticated animals, which includes overnight boarding;

(2) Boarding Kennel<sup>a</sup>. An indoor facility, where domesticated animals are boarded during the daytime or kept overnight.

<sup>a</sup> Noise nuisances which exceed permitted decibel levels as prescribed in the Town Code in Section 10-155 shall be mitigated by requiring extra insulation or any other improvements which is certified by a licensed noise professional and submitted to the Town's Community Development Department under a building permit application. Boarding shall be limited to domesticated animals. The Town Commission may require sound proofing or additional setbacks and landscaping to minimize noise and visual impacts on adjacent properties. Outdoor runs shall be paved or turfed, fenced, and connected to a Town-approved wastewater treatment facility and shall not be located any closer than 40 feet from adjacent residentially-zoned properties.

**Animal Indoor Training Center.** A facility operated between the hours of 7am-10pm for the teaching and training of domesticated animals.

**Automotive Service Station.** An establishment engaged in the retail sale of gasoline or other motor fuels, which may include accessory activities such as the sale of automotive accessories or supplies, the lubrication of motor vehicles, the minor adjustment or minor repair of motor vehicles, and a convenience store selling retail goods .

**Funeral Home.** An establishment engaged in preparing deceased human beings for burial, and managing and arranging funerals.

**Hospital, Sanitarium or Medical Center.** A facility for humans or animals, which provides primary, secondary, or tertiary medical care, emergency medical services, including preventive medicine, diagnostic medicine, treatment and rehabilitative service, medical training programs, medical research, and may include association with medical schools or medical institutions.

**Motel/Hotel.** A commercial establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short term rents to tenants. The establishment may be constructed in a bulding or a group of buildings and may include one or more accessory uses such as dining rooms/restaurant or convenience/retail stores.

**Pet Shop.** An indoor facility operated between the hours of 7am-10pm for the purpose of selling animal accessories.

**Substance Abuse Treatment Facility.** A facility having one or more service components and operated by service providers licensed by the State of Florida as defined in Chapter 397, Fla. Statute.

**Vehicle Sales and Rentals.** An establishment engaged in the sale or rental from the premises of new or used motor vehicles or equipment, watercraft, recreational vehicles or mobile homes, with or without incidental service, maintenance or repair. Typical uses include new and used automobile sales, automobile rental, boat sales, boat rental, mobile home. The sale or rental of industrial or agricultural vehicles is prohibited.

**Section 3.** Chapter 78, Article I, Section 78-71 of the Code is amended to add certain uses by right and special exception uses within the C-1 Business District, as follows:

***Sec. 78-71. C-1 Business District.***

Within the C-1 Business District, the following regulations shall apply:

(1) Uses permitted. Within the C-1 business districts, no building, structure or land shall be used and no building shall be erected, structurally altered or enlarged, unless otherwise permitted by these regulations, except for the following uses:

- a.** **Animal Day Care Establishment**
- b.** **Animal Grooming Establishment**
- c.** **Animal Indoor Training Center**
- a. d.** Appliance stores, including radio and television services.

- ~~b.~~ e. Bakeries the products of which are sold at retail but not produced on the premises.
- ~~e.~~ f. Banks.
- ~~d.~~ g. Barbershops, beauty shops, chiropodists, masseurs.
- ~~e.~~ h. Fertilizer, stored and sold at retail only.
- ~~f.~~ Gasoline and other motor fuel stations.
- ~~g.~~ i. Laundry pickup stations.
- ~~h.~~ Mortuaries.
- ~~i.~~ Motels.
- ~~j.~~ Vehicle sales and rentals, including and accessory sales of parts and components and accessory repair shops on property on which a permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:
  - ~~1.~~ The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;
  - ~~2.~~ No vehicles, boats or wave runners are tested or repaired outside of a building designed for such purposes; and
  - ~~3.~~ The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave runners, which are part of the specific business.
- ~~k.~~ j. Offices, business and professional.
- ~~l.~~ k. Outdoor miniature golf courses, all objects limited to eight feet in height and such building or premises is located not less than 500 feet from the premises of an existing nursery school, elementary school or high school.
- l. Pet Shop
- m. Restaurants.
- n. Shops, including shops for making articles without use of machinery, to be sold, at retail on the premises.
- o. Indoor Theatres.
- ~~p.~~ No living quarters shall be permitted in any business or commercial structure or upon a lot or parcel upon which a business or commercial structure is situated.
- ~~q.~~ Hospitals, sanitariums and medical clinics.
- ~~r.~~ Motels without shop fronts or stores facing the street.
- ~~s.~~ Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility or within 1,500 feet

~~of a residential zoning district.~~

~~t.p.~~ Instructional studios; including but not limited to, studios for the instruction of the martial arts, dance, voice, drama, speech, gymnastics, yoga, exercise, painting, photography, music, and other similar instructional studio uses which are deemed appropriate by the Town's community development director.

~~u. q.~~ Transient residential use

(2)

Special exception uses permitted pursuant to section 78-184:

- a. Animal Service Establishment
- b. Automotive Service Station
- c. Funeral home
- d. Hospital, Sanitarium or Medical Clinic
- e. Motel/Hotel
- f. Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility or within 1,500 feet of a residential zoning district.
- g. Vehicle Sales and Rentals, including accessory sales of parts and components and accessory repair shops on property on which a permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:
  - 1. The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;
  - 2. No vehicles, boats or wave runners are tested or repaired outside of a building designed for such purposes; and
  - 3. The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave-runners, which are part of the specific business.

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

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

**Section 5.** **Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word “ordinance” may be changed to “section,” “article,” or any other appropriate word.

**Section 6.** **Effective Date.** This Ordinance shall take effect immediately upon adoption.

# Palm Beach County Animal Care and Control Ordinance 98-22

## Animals Chapter 4\*

**\*Editor's note:** Ord. No. 98-22, §§ 1--31, adopted June 16, 1998, amended the Code by repealing former Ch. 4, §§ 4-1--4-21, 4-31--4-35, 4-51--4-56, 4-66, and 4-67, and adding a new Ch. 4, §§ 4-1--4-31. Former Ch. 4 pertained to similar subject matter and derived from Ord. No. 79-16, adopted December 4, 1979; Ord. No. 82-9, adopted March 23, 1982; Ord. No. 89-2, adopted March 3, 1989; Ord. No. 92-7, adopted April 21, 1992; and Ord. No. 93-24, adopted September 21, 1993.

**State law references:** Home rule powers of chartered counties, Fla. Const., art. VIII, § 1(g).

[Sec. 4-1. Short title.](#)

[Sec. 4-2. Definitions.](#)

[Sec. 4-3. Females in heat.](#)

[Sec. 4-4. Dog and cat control.](#)

[Sec. 4-5. Animals creating nuisances.](#)

[Sec. 4-6. Scientific experimentation/animals as prizes.](#)

[Sec. 4-7. Injured animals, action required.](#)

[Sec. 4-8. Keeping/adopting stray animals and maintaining feral cats.](#)

[Sec. 4-9. Animal waste.](#)

[Sec. 4-10. Rabies vaccinations.](#)

[Sec. 4-11. Dog and cat rabies/license tags.](#)

[Sec. 4-12. Redemption and adoption.](#)

[Sec. 4-13. Adoption fees and sterilization requirements for dogs and cats.](#)

[Sec. 4-14. Records.](#)

[Sec. 4-15. Humane education.](#)

[Sec. 4-16. Animal bites and quarantining.](#)

[Sec. 4-17. Placement and impoundment of honeybee hives.](#)

[Sec. 4-18. Guard dogs.](#)

[Sec. 4-19. Evictions, jail terms, community service adjudications, and other involuntary occurrences; effect on animals.](#)

[Sec. 4-20. Disposal of bodies of dead animals.](#)

[Sec. 4-21. Livestock.](#)

[Sec. 4-22. Number of animals; acreage restrictions/excess animal habitats.](#)

[Sec. 4-23. Kennel, excess animal habitat, commercial breeder, pet dealer, pet shop, grooming parlor, and commercial stable permits.](#)

[Sec. 4-24. Animal care; manner of keeping.](#)

[Sec. 4-25. Dogs and cats offered for sale; health requirements.](#)

[Sec. 4-26. Animal agencies.](#)

[Sec. 4-27. Aggressive dogs, dangerous dogs and vicious dogs.](#)

[Sec. 4-28. Sterilization program for dogs and cats.](#)

Sec. 4-29. Hobby breeder permits.

Sec. 4-30. Animal care and control special master hearings.

Sec. 4-31. Interference with enforcement.

Sec. 4-32. Violations, civil infractions, civil penalties.

Sec. 4-33. First offenders course.

**Exhibit B: Town of Lake Park Noise Ordinance**

**Sec. 10-155. - Maximum permissible sound levels by receiving land use.**

No person shall operate or cause to be operated any source of sound in such manner as to create a sound level which exceeds the limits set forth for the receiving land use district in Table 1, for more than 50 percent of any period of observation which shall not be less than ten minutes, when measured at the boundary of the receiving land use and as a result of a source of sound being located on some other property.

TABLE 1

*Sound Levels by Receiving Land Use*

Receiving Land Use	Time	Sound Level Limit dBA
Conservation	6:00 a.m.–7:00 p.m.	55
	7:00 p.m.–6:00 a.m.	50
Residential	7:00 a.m.–10:00 p.m.	55
	10:00 p.m.–7:00 a.m.	50
Commercial/Residential and Downtown	7:00 a.m.–10:00 p.m.	55
	10:00 p.m.–7:00 a.m.	50
Commercial	At all times	60
Commercial/Light Industrial	At all times	65
Public Buildings/Grounds and Other Public Facilities	7:00 a.m.–10:00 p.m.	60
Recreation and Open Space	10:00 p.m.–7:00 a.m.	55

(Code 1978 § 15-5 Ord. No. 13-1990 § 1 12-3-1990 Ord. No. 07-2012 § 2 5-2-2012)

Exhibit C: Section 11-1 – Definition for “Domesticated Animal”

**Sec. 11-1. - Definitions.**

(...)

***Domesticated household pet and domesticated animal*** includes dogs, cats, parrots, parakeets, canaries, rabbits, guinea pigs, gerbils, hamsters, fish, turtles and other animals that can be legally sold in a licensed pet shop in the State of Florida, and which are kept as pets for the purpose of providing human companionship. Domesticated household pets and/or domesticated animals do not include animals which are considered "exotic" or "wild animals", and/or which require a permit from the State of Florida before such animals may be purchased, sold, or possessed. The following animals are not considered household pets or domesticated animals pursuant to this chapter: livestock, wild animals as defined by the State of Florida Fish and Wildlife Conservation Commission, and hoofed animals of any kind, excluding purebred miniature potbellied pigs, also known as *Sus scrofa bittatus*. The *Sus scrofa bittatus* are considered household pets, and may be kept in compliance with the applicable provisions of this chapter.

(...)

# TAB 6



**Town of Lake Park Town Commission  
Commission**

**Agenda Request Form**

**Meeting Date:** June 19, 2013

**Agenda Item No.** *Tab 6*

**Agenda Title: Authorizing the use of General Fund Contingency Funds for Attendance at the 2013 Annual Conference of the Florida League of Cities**

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

**Approved by Town Manager** *DSS* **Date:** *6/4/13*

*Dale S. Sugeran*, Ph.D./Town Manager  
Name/Title

<b>Originating Department:</b>  <p align="center"><b>Town Manager</b></p>	Costs: \$ T.B.D. Funding Source: Acct. # 001-51-589-900-99901 <input type="checkbox"/> Finance _____	<b>Attachments:</b>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <i>DSS</i> <b>Please initial one.</b>

**Summary Explanation/Background:**

The 87<sup>th</sup> Annual Conference of the Florida League of Cities will be held in Orlando from August 15<sup>th</sup> through August 17<sup>th</sup>. This conference is arguably the most important conference that the Town elected officials and key staff can attend during the year. The prior Town Commission did not support attendance at this conference and therefore there are no funds budgeted for attendance. This agenda item, if approved, will authorize the use of the General Fund Contingency line item to cover the expense associated with attendance at the 2013 annual conference. As of May 31<sup>st</sup> the Contingency line item of the General Fund had \$29,235.00 remaining in it.

**Recommended Motion:** I move to authorize the use of the General Fund Contingency line item to cover the expense of elected officials and staff associated with attendance at the 2013 annual conference.

# TAB 7



**Town of Lake Park Town Commission  
Commission Workshop**

**Agenda Request Form**

**Meeting Date:** June 19, 2013

**Agenda Item No.** *Tab 7*

**Agenda Title: Setting a Special Call Workshop Meeting for June 26, 2013**

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

**Approved by Town Manager** *D&S* **Date:** *6/6/13*

*Dale S. Sugerman*, Ph.D./Town Manager  
Name/Title

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

**Summary Explanation/Background:**

This agenda item is to establish the next Commission Workshop date for continuation of the Visioning and project list discussion

**Recommended Motion:** I move to establish a Special Call workshop meeting at 6:30 pm on Wednesday, June 26<sup>th</sup>.

# TAB 8



**Town of Lake Park Town Commission  
Commission**

**Agenda Request Form**

**Meeting Date:** June 19, 2013

**Agenda Item No.** *Tab 8*

**Agenda Title: Setting a Special Call Budget Workshop Meeting for July 17, 2013**

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

**Approved by Town Manager** *[Signature]* **Date:** *6/14/13*

*Dale S. Sugerman*, Ph.D./Town Manager  
Name/Title

<b>Originating Department:</b>  <b>Town Manager</b>	Costs: \$ <b>0.00</b> Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <i>[Signature]</i> <b>Please initial one.</b>

**Summary Explanation/Background:**

We would like to hold the first budget workshop meeting for the FY 2013-2014 annual operating budget at 6:30 pm on Wednesday, July 17<sup>th</sup>. This budget workshop meeting would be conducted for approximately one hour prior to the start of the regular Town Commission meeting. The Commission will be receiving their draft budget documents approximately one week prior to the workshop meeting.

**Recommended Motion:** I move to establish a Special Call budget workshop meeting for the FY 2013-2014 annual operating budget at 6:30 pm on Wednesday, July 17<sup>th</sup>.

# **OLD BUSINESS**

# TAB 9



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 19, 2013

Agenda Item No. *Tab 9*

Agenda Title: Review of the Town Manager Annual Performance Evaluation for the Evaluation Period of June 29, 2012 to June 29, 2013

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

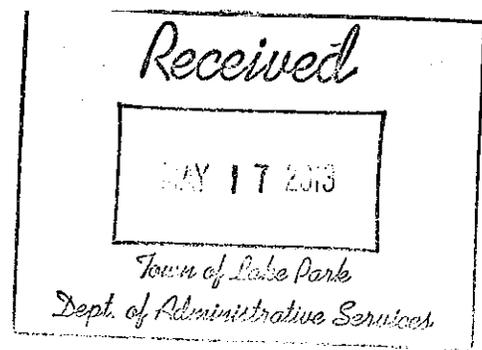
Approved by Town Manager *DSS* Date: *6/4/13*

*Ramhi McKibbin-Suma*  
Name/Title *HUMAN RESOURCES DIRECTOR*

<b>Originating Department:</b>  Human Resources	<b>Costs: \$ -0-</b> Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments: Copies of Four Completed Evaluation Forms</b>
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR <b>Not applicable in this case: BMT</b>  Please initial one.

Summary Explanation/Background:

Pursuant to Section 7 of the June 29, 2012 Employment Agreement between the Town of Lake Park and Town Manager Dale Sugerman, the Commission is required to conduct an annual review to evaluate the performance of the Town Manager. Attached are copies of all of the completed evaluation forms for the period of June 29, 2012 to June 29, 2013 which have been received from the Commission as of the deadline of June 3, 2013.



**Town of Lake Park**  
**PERFORMANCE EVALUATION FORM**  
**TOWN MANAGER**

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

**TOWN MANAGER**

*Rale Superman*

**Evaluator's Name**

**EVALUATION PERIOD**

6/29/2012 to 6/29/2013

**EVALUATION SCALE**

- |   |                      |   |
|---|----------------------|---|
| 5 | Outstanding          | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective       | Regularly meets and frequently exceeds standards of work performance.           |
| 3 | Effective            | Regularly meets standards of work performance.                                  |
| 2 | Marginally Effective | Often fails to meet standards of work performance.                              |
| 1 | Ineffective          | Clearly and consistently fails to meet standards of work performance.           |

## 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 5 Maintains open and informative communications with the Town Commission
- 5 Knowledgeable of current developments affecting the local government management field.
- 5 Effectively implements and enforces Town policies and procedures
- 5 Demonstrates a capacity for innovation and creativity
- 5 Anticipates problems and develops effective approaches for solving them.
- 5 Maintains a work atmosphere conducive to productivity and efficiency
- 5 Takes responsibility for staff actions.
- 5 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 5 Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 5 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 5 Effectively recruits professional staff

### COMMENTS:

*Take a position of open door policy with staff and positions himself ready for questions. Clarification and solutions to any issue that influences citizens and corporation.*

## 2. FISCAL MANAGEMENT

- 5 Possesses knowledge of governmental accounting/budget procedures
- 5 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 5 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 5 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 5 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 5 Expenditures are made within budget limitations according to established policy

COMMENTS:

Budget Constraints are Always Considered

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**3. PERSONAL SKILLS/COMMUNICATIONS**

- 5 Willing to commit time necessary to complete required tasks
- 5 Demonstrates high concern for ethical behavior
- 5 Skillful in verbal communication
- 5 Skillful in written communication
- 5 Informs the Commission of current issues and administrative developments
- 5 Encourages a positive attitude regarding the Town
- 5 Receptive to constructive criticism and advice
- 5 Manages stress effectively

COMMENTS:

seems to be straight forward toward his expectations of himself and staff. Conveys his position as Town Mgr. with regard to his goals as a team leader and member

**4. RELATIONS WITH THE TOWN COMMISSION**

- 5 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 5 Carries out the directives of the Commission as a whole, rather than those of any one member
- 5 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 5 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 5 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

Stated his position regarding no surprises  
of staff and himself to staff. Great respect  
at all times. He is a leader with authority

5. COMMUNITY RELATIONS

- Effectively addresses and accommodates citizen complaints
- Shows a sensitivity to and appreciation of diversity of the Town's population
- Responsive to issues of both commercial and residential populations
- Takes a "hands-on" approach when necessary
- Maintains an effective working relationship with other local governments
- Takes a diplomatic approach to problem solving
- Projects a positive image on behalf of the Town of Lake Park
- Provides management support to Town Boards
- Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

Always available by phone, email or  
appointment. Surrounds himself with  
staff in a congenial positive attitude  
Bottom line - "I like him as a person and  
respect him as Lake Park's leader"

ADDITIONAL SUMMARY COMMENTS:

He has worked to earn the respect of staff  
and I greatly anticipate three years or  
more of working in a cohesive, positive  
environment toward our goals for Lake Park

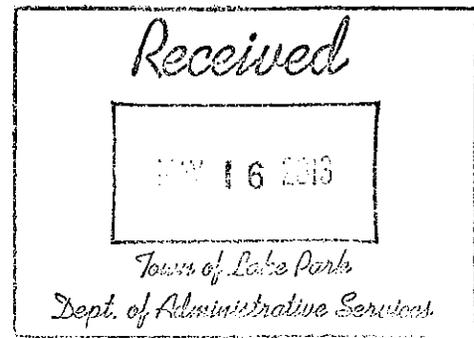
OVERALL RATING:

- 5 - Outstanding
- 4 - Very Effective
- 3 - Effective

- 2 - Marginally Effective
- 1 - Ineffective

Kathleen M. Lapina  
EVALUATOR'S SIGNATURE

5-17-13  
DATE



**Town of Lake Park**  
**PERFORMANCE EVALUATION FORM**  
**TOWN MANAGER**

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

**TOWN MANAGER**

Michael O'Rourke

**Evaluator's Name**

**EVALUATION PERIOD**

6/29/2012 to 6/29/2013

**EVALUATION SCALE**

- |   |                      |   |
|---|----------------------|---|
| 5 | Outstanding          | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective       | Regularly meets and frequently exceeds standards of work performance.           |
| 3 | Effective            | Regularly meets standards of work performance.                                  |
| 2 | Marginally Effective | Often fails to meet standards of work performance.                              |
| 1 | Ineffective          | Clearly and consistently fails to meet standards of work performance.           |

## 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 4 Maintains open and informative communications with the Town Commission
- 4 Knowledgeable of current developments affecting the local government management field.
- 4 Effectively implements and enforces Town policies and procedures
- 4 Demonstrates a capacity for innovation and creativity
- 4 Anticipates problems and develops effective approaches for solving them.
- 4 Maintains a work atmosphere conducive to productivity and efficiency
- 4 Takes responsibility for staff actions.
- 3 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 4 Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 5 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 3 Effectively recruits professional staff

### COMMENTS:

I consider 4 a top grade. The two three's are b/c of this: There is a limited staff with the town right now and other than the Rec Dept. I have had no reason to meet w/ staff. and the recruitment question is not fair b/c I haven't seen any hiring in the limited time I been here.

## 2. FISCAL MANAGEMENT

- 5 Possesses knowledge of governmental accounting/budget procedures
- 5 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 4 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 4 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 3 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 4 Expenditures are made within budget limitations according to established policy

COMMENTS:

Again, I haven't been around long enough to evaluate  
Negotiation skills.

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**3. PERSONAL SKILLS/COMMUNICATIONS**

- 4 Willing to commit time necessary to complete required tasks
- 5 Demonstrates high concern for ethical behavior
- 4 Skillful in verbal communication
- 4 Skillful in written communication
- 4 Informs the Commission of current issues and administrative developments
- 4 Encourages a positive attitude regarding the Town
- 4 Receptive to constructive criticism and advice
- 4 Manages stress effectively

COMMENTS:

I am not always the easiest person to deal  
with as I tend to go on a little too much.  
So, I think the patience Mr. Sugarman has shown to  
me has been very good.

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**4. RELATIONS WITH THE TOWN COMMISSION**

- 4 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 5 Carries out the directives of the Commission as a whole, rather than those of any one member
- 4 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 4 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 3 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

3 explained: I am troubled by a specific issue regarding access to parking on Park Ave. I think we should do more to resolve this situation and I am surprised that the person has not been asked to a council meeting.

5. COMMUNITY RELATIONS

- 4 Effectively addresses and accommodates citizen complaints
- 4 Shows a sensitivity to and appreciation of diversity of the Town's population
- 4 Responsive to issues of both commercial and residential populations
- 4 Takes a "hands-on" approach when necessary
- 4 Maintains an effective working relationship with other local governments
- 4 Takes a diplomatic approach to problem solving
- 5 Projects a positive image on behalf of the Town of Lake Park
- 4 Provides management support to Town Boards
- 3 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

I believe that there is a communication issue in our Town that may not have anything to do with our manager. I do believe that we must do more to reach out to our residents and business owners.

ADDITIONAL SUMMARY COMMENTS:

I am so pleased that the Town of Lake Park is fortunate enough to have Dale Sugerman as our Manager. I believe that we are on the verge of greatness and Dale will be a key component in achieving that result.

OVERALL RATING:

- 5- Outstanding
- 4- Very Effective
- 3- Effective
- 2- Marginally Effective
- 1- Ineffective

EVALUATOR'S SIGNATURE

5-16-13

DATE

June 15<sup>th</sup>  
no later



# Town of Lake Park

## PERFORMANCE EVALUATION FORM TOWN MANAGER

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

*E. Flaherty*

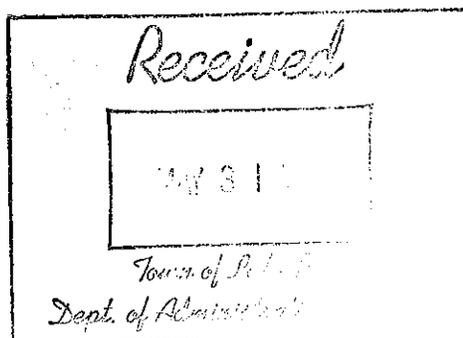
Evaluator's Name

EVALUATION PERIOD

6/29/2012 to 6/29/2013

### EVALUATION SCALE

- |   |                      |   |
|---|----------------------|---|
| 5 | Outstanding          | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective       | Regularly meets and frequently exceeds standards of work performance.           |
| 3 | Effective            | Regularly meets standards of work performance.                                  |
| 2 | Marginally Effective | Often fails to meet standards of work performance.                              |
| 1 | Ineffective          | Clearly and consistently fails to meet standards of work performance.           |



**1. MANAGEMENT STYLE/PROFESSIONAL SKILLS**

- 4 Maintains open and informative communications with the Town Commission
- 4 Knowledgeable of current developments affecting the local government management field.
- 5 Effectively implements and enforces Town policies and procedures
- 4 Demonstrates a capacity for innovation and creativity
- 3 Anticipates problems and develops effective approaches for solving them.
- 5 Maintains a work atmosphere conducive to productivity and efficiency
- 4 Takes responsibility for staff actions.
- 5 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 4 Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 4 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 4 Effectively recruits professional staff

COMMENTS:

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**2. FISCAL MANAGEMENT**

- 3 Possesses knowledge of governmental accounting/budget procedures
- 4 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 4 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 4 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 3 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 4 Expenditures are made within budget limitations according to established policy

COMMENTS:

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**3. PERSONAL SKILLS/COMMUNICATIONS**

- 5 Willing to commit time necessary to complete required tasks
- 5 Demonstrates high concern for ethical behavior
- 5 Skillful in verbal communication
- 4 Skillful in written communication
- 5 Informs the Commission of current issues and administrative developments
- 4 Encourages a positive attitude regarding the Town
- 5 Receptive to constructive criticism and advice
- 4 Manages stress effectively

COMMENTS:

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**4. RELATIONS WITH THE TOWN COMMISSION**

- 5 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 5 Carries out the directives of the Commission as a whole, rather than those of any one member
- 5 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 5 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 5 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

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**5. COMMUNITY RELATIONS**

- 5 Effectively addresses and accommodates citizen complaints
- 4 Shows a sensitivity to and appreciation of diversity of the Town's population
- 4 Responsive to issues of both commercial and residential populations
- 3 Takes a "hands-on" approach when necessary
- 4 Maintains an effective working relationship with other local governments
- 3 Takes a diplomatic approach to problem solving
- 4 Projects a positive image on behalf of the Town of Lake Park
- 4 Provides management support to Town Boards
- 2 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

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ADDITIONAL SUMMARY COMMENTS:

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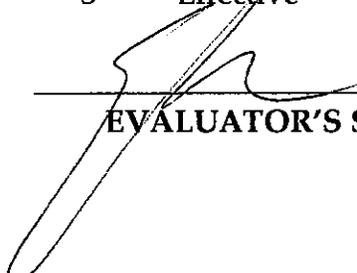
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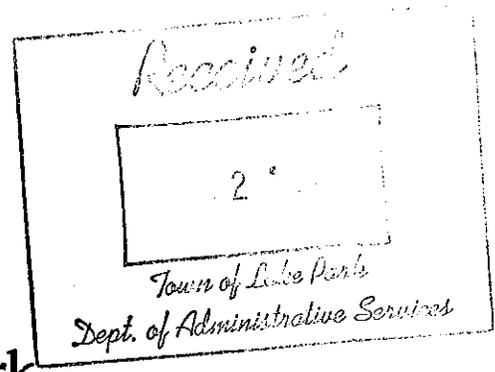
OVERALL RATING:

- 5 - Outstanding
- 4 - Very Effective
- 3 - Effective

- 2 - Marginally Effective
- 1 - Ineffective

  
\_\_\_\_\_  
EVALUATOR'S SIGNATURE

5/28/2013  
\_\_\_\_\_  
DATE



**Town of Lake Park**  
**PERFORMANCE EVALUATION FORM**  
**TOWN MANAGER**

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

**TOWN MANAGER**

Kim ColasCosto

Evaluator's Name

**EVALUATION PERIOD**

6/29/2012 to 6/29/2013

**EVALUATION SCALE**

- |   |                      |   |
|---|----------------------|---|
| 5 | Outstanding          | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective       | Regularly meets and frequently exceeds standards of work performance.           |
| 3 | Effective            | Regularly meets standards of work performance.                                  |
| 2 | Marginally Effective | Often fails to meet standards of work performance.                              |
| 1 | Ineffective          | Clearly and consistently fails to meet standards of work performance.           |

## 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 3 Maintains open and informative communications with the Town Commission
- 4 Knowledgeable of current developments affecting the local government management field.
- 3 Effectively implements and enforces Town policies and procedures
- Demonstrates a capacity for innovation and creativity
- 3 Anticipates problems and develops effective approaches for solving them.
- Maintains a work atmosphere conducive to productivity and efficiency
- Takes responsibility for staff actions.
- Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- Properly controls the Town's operational and functional activities and motivates others to maximum performance
- Effectively recruits professional staff

### COMMENTS:

\* I have not observed effective performance in many of these areas; but since I have only been sitting as Comr since March, it may be due to lack of opportunity to observe as lack of performance - therefore, I am not ranking these tasks

## 2. FISCAL MANAGEMENT

- 4 Possesses knowledge of governmental accounting/budget procedures
- 4 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 4 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 4 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 3 Expenditures are made within budget limitations according to established policy

COMMENTS:

\* See comment above

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### 3. PERSONAL SKILLS/COMMUNICATIONS

- 3 Willing to commit time necessary to complete required tasks
- 3 Demonstrates high concern for ethical behavior
- 3 Skillful in verbal communication
- 3 Skillful in written communication
- 3 Informs the Commission of current issues and administrative developments
- 1 Encourages a positive attitude regarding the Town
- 1 Receptive to constructive criticism and advice
- 1 Manages stress effectively

COMMENTS:

\* See comment above

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### 4. RELATIONS WITH THE TOWN COMMISSION

- 4 Works with the Commission to establish annual goals and objectives and provides regular reports. Provides regular reports to the Commission on the status of Commission directives.
- 3 Carries out the directives of the Commission as a whole, rather than those of any one member
- 3 Assists the Commission in establishing policy, while acknowledging the ultimate authority of the Commission to set policy
- 1 Supports the action of the Commission after a decision has been reached, both inside and outside Town Hall
- 3 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

\* See comment above

5. COMMUNITY RELATIONS

- Effectively addresses and accommodates citizen complaints
- Shows a sensitivity to and appreciation of diversity of the Town's population
- Responsive to issues of both commercial and residential populations
- Takes a "hands-on" approach when necessary
- Maintains an effective working relationship with other local governments
- Takes a diplomatic approach to problem solving
- Projects a positive image on behalf of the Town of Lake Park
- 3 Provides management support to Town Boards
- 3 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

\* See comment above

ADDITIONAL SUMMARY COMMENTS:

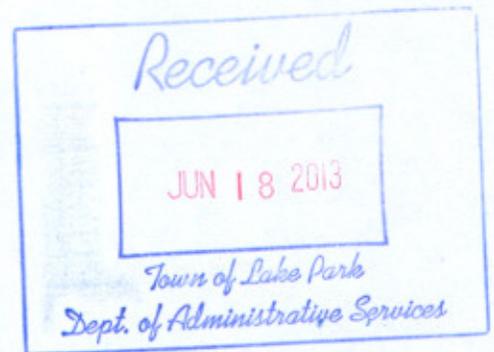
OVERALL RATING:

- 5 - Outstanding
- 4 - Very Effective
- 3 - Effective

- 2 - Marginally Effective
- 1 - Ineffective

EVALUATOR'S SIGNATURE

DATE



**Town of Lake Park**  
**PERFORMANCE EVALUATION FORM**  
**TOWN MANAGER**

Each member of the Town Commission should complete this form, rating the Town Manager's performance in each of the areas noted below. The Manager's tasks are divided into five (5) categories and provide for the rating of each item in the category using the evaluation scale shown. Spaces are also provided for additional comments.

TOWN MANAGER

James DuBois

EVALUATION PERIOD

Evaluator's Name  
6/29/2012 to 6/29/2013

EVALUATION SCALE

- |   |                      |   |
|---|----------------------|---|
| 5 | Outstanding          | Consistently achieves and exceeds all standards/objectives of work performance. |
| 4 | Very Effective       | Regularly meets and frequently exceeds standards of work performance.           |
| 3 | Effective            | Regularly meets standards of work performance.                                  |
| 2 | Marginally Effective | Often fails to meet standards of work performance.                              |
| 1 | Ineffective          | Clearly and consistently fails to meet standards of work performance.           |

## 1. MANAGEMENT STYLE/PROFESSIONAL SKILLS

- 3\* Maintains open and informative communications with the Town Commission
- 4 Knowledgeable of current developments affecting the local government management field.
- 4 Effectively implements and enforces Town policies and procedures
- 4 Demonstrates a capacity for innovation and creativity
- 4 Anticipates problems and develops effective approaches for solving them.
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- 4 Takes responsibility for staff actions.
- 4 Encourages department heads to make decisions within their own areas without the Town Manager's approval, yet maintains general control of operations
- 4 Motivates Town staff to work as a team and seek ways to be innovative and oriented toward effective problem solving
- 4 Properly controls the Town's operational and functional activities and motivates others to maximum performance
- 4 Effectively recruits professional staff

### COMMENTS:

- To some extent yes - However - My call log shows very few unsolicited concerning calls and many calls initiated on my part - a one way party of dialogue.

## 2. FISCAL MANAGEMENT

- 4 Possesses knowledge of governmental accounting/budget procedures
- 4 Prepares a balanced budget to provide services at a level directed by the Town Commission
- 4 Strives to make the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- 4 Possesses awareness of the importance of financial planning and accounting controls through long-range fiscal forecasting
- 4 Utilizes effective negotiation with labor unions and in legal actions to minimize costs to the Town
- 4 Expenditures are made within budget limitations according to established policy

COMMENTS:

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3. PERSONAL SKILLS/COMMUNICATIONS

- 4 Willing to commit time necessary to complete required tasks
- 4 Demonstrates high concern for ethical behavior
- 4 Skillful in verbal communication
- 4 Skillful in written communication
- 5 Informs the Commission of current issues and administrative developments
- 4 Encourages a positive attitude regarding the Town
- 4 Receptive to constructive criticism and advice
- 4 Manages stress effectively

COMMENTS:

\* Somewhat over-reliant on written reports,  
a simple proactive phone call is always  
appreciated from time to time.

4. RELATIONS WITH THE TOWN COMMISSION

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- 4 Offers workable revisions to the Commission for changes in policy when an existing policy or ordinance is impractical.

COMMENTS:

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5. COMMUNITY RELATIONS

- 4 Effectively addresses and accommodates citizen complaints
- 4 Shows a sensitivity to and appreciation of diversity of the Town's population
- 4 Responsive to issues of both commercial and residential populations
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- 4 Effectively informs residents of Town news through Town produced media. i.e. Newsletter.

COMMENTS:

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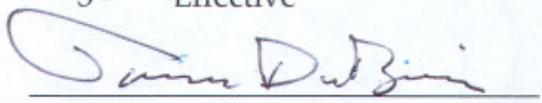
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ADDITIONAL SUMMARY COMMENTS:

The scale of 5 is excessive - 4  
is the highest rating I am capable  
of offering - Therefore the overall rating  
of "very effective" is an "A".

OVERALL RATING:

- |                          |                         |
|--------------------------|-------------------------|
| 5- Outstanding           | 2- Marginally Effective |
| <u>4- Very Effective</u> | 1- Ineffective          |
| 3- Effective             |                         |

  
EVALUATOR'S SIGNATURE

6-18-13  
DATE

**Ordinance  
on  
First  
Reading**

# TAB 10



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 19, 2013

Agenda Item No. *Tab 10*

**Agenda Title:** TEXT AMENDMENT TO SECTION 78-71 TO INCLUDE AN "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE, AND "ANIMAL DAY CARE ESTABLISHMENT", "ANIMAL GROOMING ESTABLISHMENT", "ANIMAL INDOOR TRAINING CENTER", AND "PET SHOP" USE AS A PERMITTED USE WITHIN THE C-1 BUSINESS DISTRICT, AS WELL AS CREATING A "SPECIAL EXCEPTION" SUBSECTION TO THE C-1 BUSINESS DISTRICT TO INCLUDE SOME EXISTING C-1 PERMITTED USES AND THE NEW "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE. MODIFICATION TO SECTION 78-2 TO INCLUDE DEFINITIONS FOR THE VARIOUS USES BEING AMENDED IN THE C-1 BUSINESS DISTRICT.

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

Approved by Town Manager *[Signature]* Date: *6/12/13*

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

<b>Originating Department:</b>  Community Development	Costs: \$ 1,250 plus required advertisement(s) Funding Source: Applicant ("Barkley's") Acct. # 4649 <input type="checkbox"/> Finance _____	<b>Attachments:</b> <ul style="list-style-type: none"> <li>→ Staff MEMO</li> <li>→ Staff Report</li> <li>→ Ordinance 08-2013</li> <li>→ Exhibit "A" Table of Contents PBC Animal Care and Control Ordinance</li> <li>→ Exhibit "B" Section 10-155 – Noise Level Chart</li> <li>→ Exhibit "C" Section 11-1 – Definition for Domesticated Animal</li> </ul>
<b>Advertised:</b> Date: <i>N/A on first reading</i> Paper: _____ <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u><i>ND</i></u> or Not applicable in this case _____ <b>Please initial one.</b>

**Summary Explanation/Background:**

At the June 5<sup>th</sup> Town Commission meeting, staff introduced a proposed Text Amendment to Section 78-2 (Definitions) and Section 78-71 (C-1 Business District) of the Code of Ordinances

dealing with animals (and a few other housekeeping items). The basic intent of the amendment to the Code was to consider allowing Animal Service Establishments (which if authorized in the C-1 District would include outdoor areas for dogs as well as overnight boarding of animals). After considerable discussion, and one attempt to amend and then adopt the Ordinance, the item was postponed.

It seems that the item was postponed for a number of reasons:

- 1) It is unclear if a majority of the Town Commission will support Animal Service Establishments (and other similarly situated businesses) in the C-1 District.
- 2) If the Commission will give consideration to supporting Animal Service Establishments (and other similarly situated businesses) in the C-1 District, it is not clear if it should be done by right or by special exception.
- 3) Since the current Code does not have a certified mail notice provision to adjacent property owners for special exception applications, there was apparent opposition on moving forward with this Text Amendment since, if adopted, and as currently constructed, any special exception applicant would not be mandated to give formal notice of the special exception request to adjacent property owners.

Since the June 5<sup>th</sup> Commission meeting, staff has developed a scenario for the Town Commission to consider for going forward on this item:

- a) The criteria for Special Exception applications are governed under Section 78-184 of the Town Code. Staff will be submitting to the Planning & Zoning Board a recommendation for a Text Amendment to require certified mail notice to all property owners within 300 feet of any property which is part of a special exception application. Once this Text Amendment gets through the Planning and Zoning process, it will come to the Town Commission for consideration and approval.
- b) The Town Commission should reconsider the proposed Text Amendment for modifications to Section 78-2 (Definitions) and Section 78-71 (C-1 Business District) to determine if it wants to allow Animal Service Establishments (and other similarly situated businesses) in the C-1 Business District. This is a determination which should rest solely in the hands of the Town Commission. You may, or may not, want to allow such a use (or uses). If the Text Amendment is adopted as presented (or possibly modified), it will go to a second reading at the July 3<sup>rd</sup> Commission meeting.
- c) In the meantime, the Town currently has two (2) special exception applications which are pending in the Community Development Department. It is clear that the Code does not currently provide for certified mail notice to properties which are within 300 feet of the subject property of the application. However, in order to help these two applications to be as transparent as possible to the adjacent property owners, the Community Development Department either has, or will, send out certified mail notices as a courtesy to those adjacent property owners until the separate text amendment for a special exception notice requirement works its way through the legislative process.

**Recommended Motion: I move to approve the Ordinance on first reading.**



Town of Lake Park  
Community Development Department

**Nadia Di Tommaso**  
*Community Development Director*

June 7, 2013

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**MEMO**

Re: Ordinance No. 08-2013 - Text Amendment to Section 78-2 and 78-71

To: **TOWN COMMISSION**

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Pursuant to the Commission meeting of June 5, 2013, I would like to take this opportunity to inform the Commission that staff is moving forward with a text amendment to include a certified mail notice requirement in Section 78-184 of the Town Code for special exception applications. This will be presented at a future Commission meeting as it will need to be presented to the Planning and Zoning Board first.

This being said, staff has decided to send out certified mail notices to all property owners within 300 feet for all special exception applications that are currently in the pipeline as a Town courtesy. While these applications will be presented as a completely separate agenda item when they are ready to move through to the Commission for consideration, this will hopefully provide some comfort in knowing that additional notification, via a certified mail notice, will have also been provided at least 10 days in advance of the public hearing on first reading.

Being that the final action of the Commission was to “postpone” Ordinance No. 08-2013, staff is bringing forward the same proposal without any changes. While there was much discussion in regards to “outdoor areas” and possible nuisance factors, I would like to highlight that many of the uses being proposed as special exception uses in the C-1 Business District, not only those which are animal-related, are for the most part regulated by Palm Beach County agencies and in some cases, State agencies. In addition, the Town’s special exception procedure would also provide an additional opportunity for staff, the Planning and Zoning Board, and the Commission, to apply some necessary conditions as they relate to the business being proposed. Additionally, a certified mail notice to all property owners within 300 feet will also become a requirement.

This text amendment application would apply to ALL applicants interested in opening any one of the uses being proposed as a special exception use. While I would like to keep a current animal-related Town business completely segregated from this Text Amendment application given this understanding, I feel it is important to elaborate slightly on the business that is currently in operation in Town for the mere purpose of providing an example. While the existing business use of an “instructional studio” was already a permitted use in the Code upon its application approximately 16 months ago as a daytime use, an “accessory” outdoor area which was also permitted by Code at the time via a fence permit, was issued to the property. While factors such as parking, noise, and

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sanitation were considered at the time, staff relied on the understanding that Palm Beach County Animal Care and Control, as well as the Town's noise and odor control Code provisions, could be enforced, keeping in mind that noise and odor controls are possible nuisances for several business types, not only those which are animal-related. At the time, staff was comfortable with this interpretation from a public health, safety and welfare standpoint, and the use, inclusive of its outdoor accessory component, carried on without any documented complaints or concerns. It was only when the Town discovered that a boarding component was incorporated that staff realized the initial intent of treating the use under the "general" instructional use category with the allowance of a fenced outdoor area enclosure, could no longer fit the general intent of the Code and that specific animal-related uses needed to be incorporated into the Code, inclusive of a boarding component, which was not permitted at the time and is still not permitted. This example is important not because it is representative of all future special exception uses that may come through for approval, but because it exemplifies that there are several controlling mechanisms that can be utilized to limit the negative impacts and promote compatibility.

In summation, staff's position is that "outdoor area" impacts can be regulated and controlled, given the proximity to the residential district. In addition, an outdoor area does not necessarily need to be at the rear of the property and this can be reviewed on a case-by-case basis along with the review of additional accessory use areas such as parking and adequate circulation that are required on all properties.



Meeting Date: June 19, 2013

To: TOWN COMMISSION

**Re: TEXT AMENDMENT TO SECTION 78-71 TO INCLUDE AN "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE, AND "ANIMAL DAY CARE ESTABLISHMENT", "ANIMAL GROOMING ESTABLISHMENT", "ANIMAL INDOOR TRAINING CENTER", AND "PET SHOP" USE AS A PERMITTED USE WITHIN THE C-1 BUSINESS DISTRICT, AS WELL AS CREATING A "SPECIAL EXCEPTION" SUBSECTION TO THE C-1 BUSINESS DISTRICT TO INCLUDE SOME EXISTING C-1 PERMITTED USES AND THE NEW "ANIMAL SERVICE ESTABLISHMENT" USE AS A SPECIAL EXCEPTION USE. MODIFICATION TO SECTION 78-2 TO INCLUDE DEFINITIONS FOR THE VARIOUS USES BEING AMENDED IN THE C-1 BUSINESS DISTRICT.**

**Applicant: Barkley's Canine Club      Staff Recommendation: ADOPTION**

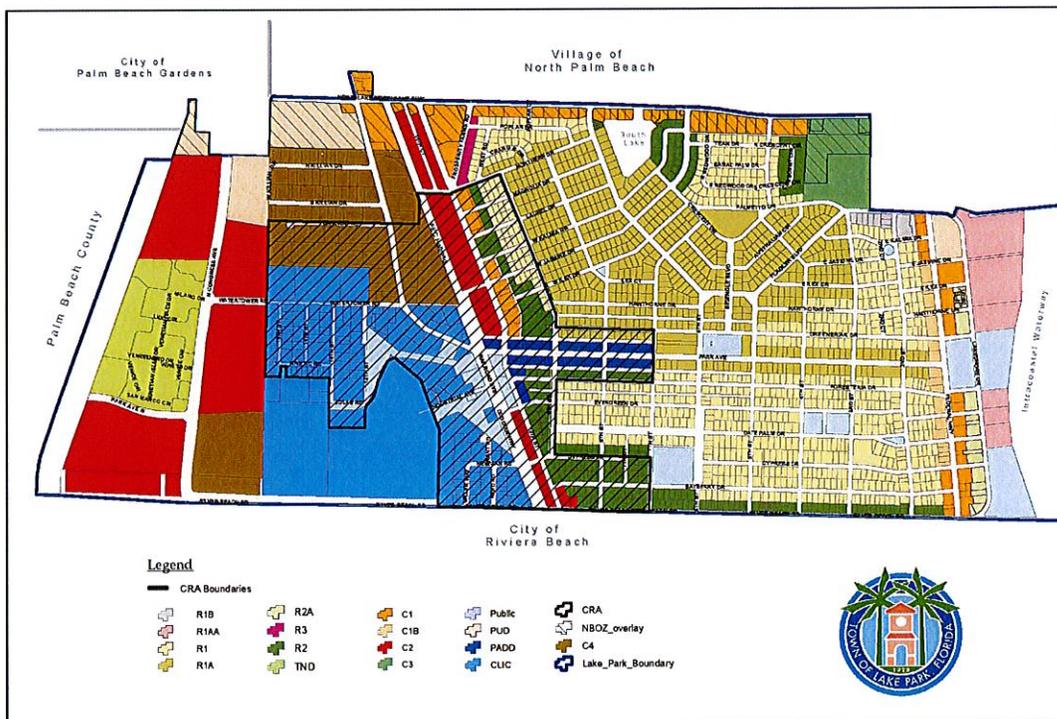
[Planning and Zoning Board Recommendation, May 6, 2013: Approval 4-0](#)  
[Town Commission Recommendation on 1<sup>st</sup> reading \(June 5, 2013\): Postponed](#)

**SUMMARY**

This Staff Report addresses a request for a Text Amendment to the Town of Lake Park Code of Ordinances filed by Barkley's Canine Club ("Applicant"). The Applicant proposes to include "Animal Service Establishment" as a special exception use in the C-1 Business District. Staff is also proposing the inclusion of additional animal-related uses, namely, "Animal Grooming Establishment", "Animal Training", and "Pet Shop" as permitted uses in the C-1 Business District. Currently, the C-1 Business District does not include special exception uses, therefore this application is also proposing the creation of a Special Exception use section. In doing so, and in accepting the Planning and Zoning Board's recommendations, staff is proposing the re-distribution of some currently permitted uses into the proposed Special Exception use category and is proposing that the respective 'use' definitions be added to Section 78-2 of the Town of Lake Park Code of Ordinances.

The C-1 Business District is intended to permit low intensity commercial uses, such as offices, personal services, and retail, along the south side of Northlake Boulevard from Old Dixie Highway to US-1, along the east side of 10th Street, and along portions of the east and west side of US-1, as illustrated in **Figure 1** below.

**Figure 1: Zoning Map; C-1 District in Orange**



## HISTORY

In early 2012, the Applicant received approval from the Town's Community Development Department for an animal "instructional studio" and an animal "beauty shop" at 524 Northlake Boulevard. Both the "instructional studio" use and the "beauty shop" use are currently permitted uses in the C-1 Business District. Following this initial application, the Applicant met with a Town Planner to discuss a request to use the facility as a use including "day care" and boarding for animals. The Applicant was informed that the C-1 Business District does not permit "day care" nor the boarding of animals as a permitted use. In the latter part of 2012, Town staff determined that the Applicant was boarding animals at its facility. The Applicant was cited by the Town's Code Enforcement Division for operating a use not permitted in the C-1 Business District. As a result, the Applicant sought a text amendment to incorporate the day care and boarding uses as permitted uses in the C-1 Business District. The Applicant submitted an application to the Town.

## APPLICATION

In researching the Town's Code of Ordinances, staff determined that the Town Code is deficient with regard to uses that are specific to animal related establishments. Consequently, staff is proposing to create an "Animal Service Establishment" use per the Applicant's request for an animal boarding facility, which would be subject to certain conditions. The amendments propose to classify a portion of the Applicant's business as an "Animal Service Establishment" which would incorporate the animal boarding component. This use, as proposed, would require special exception application approval due to the potential impacts of including this use in a predominantly low-intensity commercial district that abuts residentially zoned parcels. The special exception application will be presented under separate cover at a future Town Commission meeting. All animal-related establishment uses are regulated by Palm Beach County (PBC) Animal Care and Control under very strict regulations relative to the business owner's operation and are routinely inspected by PBC (see **Exhibit "A"** for the Table of Contents for PBC Animal Care and Control which lists the regulating criteria).

In addition to proposing the "Animal Service Establishment" use in the C-1 Business District as a special exception use, additional animal-related uses are also being proposed as permitted uses due to their low-intensity commercial nature and minimal impacts. Respective definitions for these uses are also being proposed in Section 78-2. Those uses being proposed as permitted by right, are defined as daytime uses that are entitled to generate slightly higher noise levels as indicated on the Town's Noise Ordinance chart as can be seen in "**Exhibit "B"**". Staff also recommends that the following uses be re-listed as special exception uses in the C-1 Business District due to their potential heightened impacts to noise, traffic, odors and design complexities. Some of these uses are being proposed using new use titles in an attempt to remain consistent with the Northlake Boulevard Overlay Zone (NBOZ) use titles for those properties located on the south side of Northlake Boulevard and within the C-1 Business District. The intent of each use remains the same. They include:

- Gasoline and other motor-fuel stations, to be re-listed as "Automotive Service Station"
- Mortuaries, to be re-listed as "Funeral Home"
- Motels, to be re-listed as "Motel/Hotel"
- Hospitals, sanitariums and medical clinics
- Substance abuse treatment facilities
- Sales, service and rental of motor vehicles, to be re-listed as "Vehicle Sales and Rental"

Pursuant to the Town Code, an applicant who applies for Special Exception Use approval will need to meet the criteria listed in **Sec. 78-184** of the Code. The Town Commission may also include conditions of approval pertaining to special exception uses such as:

1. Limit the manner in which the use is conducted, including restricting the time an activity may take place and/or restraints to minimize such effects as noise, vibration, air pollution, glare and/or odor.
2. Establish a special setback, open space requirement, and/or lot area or dimension.
3. Limit the height, size, and/or location of a building or other structure.
4. Designate the size, number, location and/or nature of access points (vehicle and pedestrian).
5. Designate the size, location, screening, drainage, type of surfacing material and/or other improvement of a parking and/or loading area.
6. Limit or otherwise designate the number, size, location, height and/or lighting of signs.
7. Require the use of, and designate the size, height, location and/or materials for, berming, screening, landscaping and/or other facilities to protect and/or buffer adjacent or nearby property, including designating standards for installation and/or maintenance of the facilities.

8. Require the protection and/or relocation of additional trees, vegetation, water resources, wildlife habitat and/or other appropriate natural resources.
9. Require specific architectural details and/or design that produces a physical development which is compatible in appearance with the uses permitted by right in the zoning district.
10. Specify other conditions of approval to permit development of the special exception use in conformity with the intent and purpose of this Code and the town's comprehensive plan.

**Staff recommends the following Text Amendments to Sections 78-2 and 78-71 of the Town of Lake Park Code of Ordinances:**

**Sec. 78-2 Definitions:**

**Animal Day Care Establishment.** An indoor facility operated between the hours of 7am-10pm, for the purpose of providing care and protection of domesticated animals, no overnight boarding.

**Animal Grooming Establishment.** An indoor facility operated between the hours of 7am-10pm which accepts domesticated animals for bathing, clipping, dipping, pedicuring or other related grooming services (not to include breeding, veterinary, dentistry or overnight boarding).

**Animal Service Establishment.** An establishment which may include any of the following uses as specified in the individual zoning district.

(1) *Pet Stores*<sup>a</sup>. An indoor facility operated for the sale of domesticated animals, which includes overnight boarding;

(2) *Boarding Kennel*<sup>a</sup>. An indoor facility, where domesticated animals are boarded during the daytime or kept overnight.

Definition Attached as Exhibit "C"

Section 10-155 Attached as Exhibit "B"

<sup>a</sup> Noise nuisances which exceed permitted decibel levels as prescribed in the Town Code in Section 10-155 shall be mitigated by requiring extra insulation or any other improvements which is certified by a licensed noise professional and submitted to the Town's Community Development Department under a building permit application. Boarding shall be limited to domesticated animals. The Town Commission may require sound proofing or additional setbacks and landscaping to minimize noise and visual impacts on adjacent properties. Outdoor runs shall be paved or turfed, fenced, and connected to a Town-approved wastewater treatment facility and shall not be located any closer than 40 feet from adjacent residentially-zoned properties.

**Animal Indoor Training Center.** A facility operated between the hours of 7am-10pm for the teaching and training of domesticated animals.

**Automotive Service Station.** An establishment engaged in the retail sale of gasoline or other motor fuels, which may include accessory activities such as the sale of automotive accessories or supplies, the lubrication of motor vehicles, the minor adjustment or minor repair of motor vehicles, and a convenience store selling retail goods .

**Funeral Home.** An establishment engaged in preparing deceased human beings for burial, and managing and arranging funerals.

**Hospital, Sanitarium or Medical Center.** A facility for humans or animals, which provides primary, secondary, or tertiary medical care, emergency medical services, including preventive medicine, diagnostic medicine, treatment and rehabilitative service, medical training programs, medical research, and may include association with medical schools or medical institutions.

**Motel/Hotel.** A commercial establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short term rents to tenants. The establishment may be constructed in a building or a group of buildings and may include one or more accessory uses such as dining rooms/restaurant or convenience/retail stores.

**Pet Shop.** An indoor facility operated between the hours of 7am-10pm for the purpose of selling animal accessories.

**Substance Abuse Treatment Facility.** A facility having one or more service components and operated by service providers licensed by the State of Florida as defined in Chapter 397, Fla. Statute.

**Vehicle Sales and Rentals.** An establishment engaged in the sale or rental from the premises of new or used motor vehicles or equipment, watercraft, recreational vehicles or mobile homes, with or without incidental service, maintenance or repair. Typical uses include new and used automobile sales, automobile rental, boat sales, boat rental, mobile home. The sale or rental of industrial or agricultural vehicles is prohibited.

#### **Sec. 78-71. C-1 Business District.**

Within the C-1 Business District, the following regulations shall apply:

(1) Uses permitted. Within the C-1 business districts, no building, structure or land shall be used and no building shall be erected, structurally altered or enlarged, unless otherwise permitted by these regulations, except for the following uses:

**a. Animal Day Care Establishment**

**b. Animal Grooming Establishment**

**c. Animal Indoor Training Center**

~~a-d.~~ Appliance stores, including radio and television services.

b-~~e.~~ Bakeries the products of which are sold at retail but not produced on the premises.

~~e-f.~~ Banks.

~~d-g.~~ Barbershops, beauty shops, chiropodists, masseurs.

~~e-h.~~ Fertilizer, stored and sold at retail only.

~~f.~~ Gasoline and other motor fuel stations.

~~g-i.~~ Laundry pickup stations.

~~h.~~ Mortuaries.

~~i.~~ Motels.

~~j. Vehicle sales and rentals, including and accessory sales of parts and components and accessory repair shops on property on which a permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:~~

- ~~1. The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;~~
- ~~2. No vehicles, boats or wave runners are tested or repaired outside of a building designed for such purposes; and~~
- ~~3. The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave-runners, which are part of the specific business.~~

~~k. j.~~ Offices, business and professional.

~~l. k.~~ Outdoor miniature golf courses, all objects limited to eight feet in height and such building or premises is located not less than 500 feet from the premises of an existing nursery school, elementary school or high school.

~~l.~~ Pet Shop

m. Restaurants.

n. Shops, including shops for making articles without use of machinery, to be sold, at retail on the premises.

~~o.~~ Indoor Theatres.

~~p. No living quarters shall be permitted in any business or commercial structure or upon a lot or parcel upon which a business or commercial structure is situated.~~

~~q. Hospitals, sanitariums and medical clinics.~~

~~r. Motels without shop fronts or stores facing the street.~~

~~s. Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility or within 1,500 feet of a residential zoning district.~~

~~t. p.~~ Instructional studios; including but not limited to, studios for the instruction of the martial arts, dance, voice, drama, speech, gymnastics, yoga, exercise, painting, photography, music, and other similar instructional studio uses which are deemed appropriate by the Town's community development director.

~~u. q.~~ Transient residential use

(2)

Special exception uses permitted pursuant to section 78-184:

a. Animal Service Establishment

b. Automotive Service Station

c. Funeral home

d. Hospital, Sanitarium or Medical Clinic

e. Motel/Hotel

f. Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility or within 1,500 feet of a residential zoning district.

g. Vehicle Sales and Rentals, including accessory sales of parts and components and accessory repair shops on property on which a permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:

1. The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;
2. No vehicles, boats or wave runners are tested or repaired outside of a building designed for such purposes; and
3. The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave-runners, which are part of the specific business.

**Recommended Motion: Staff recommends that the Town Commission make a motion to APPROVE this Ordinance on first reading.**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "DEFINITIONS" TO CREATE VARIOUS USE DEFINITIONS; AMENDING CHAPTER 78, ARTICLE III, SECTION 78-71 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "C-1 BUSINESS DISTRICT" TO ADD THE PERMITTED USES OF ANIMAL SERVICE ESTABLISHMENT, ANIMAL DAY CARE ESTABLISHMENT, ANIMAL INDOOR TRAINING CENTER, ANIMAL GROOMING ESTABLISHMENT, AND PET SHOP; AND TO CREATE A SPECIAL EXCEPTION USE CATEGORY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, the Town Commission has adopted general provisions pertaining to land development and zoning, which have been codified in Chapter 78 of the Code of Ordinances of the Town of Lake Park; and

**WHEREAS**, the Town's Community Development Department has recommended amendments to Sections 78-2 and 78-71 of Chapter 78 of the Code of Ordinances, known as the Zoning Code; and

**WHEREAS**, the amendments to the Zoning Code add definitions for permitted and special exception uses to the C-1 Business District; and

**WHEREAS**, the Town's Planning and Zoning Board has reviewed the proposed amendments to the Town Code of Ordinances and has provided its recommendations to the Town Commission; and

**WHEREAS**, the Town Commission has determined that the recommended amendments would further the public's health, safety and general welfare.

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

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

**Section 2.** Chapter 78, Article I, Section 78-2 is hereby amended to add the following definitions, as follows:

**Sec. 78-2 Definitions:**

**Animal Day Care Establishment.** An indoor facility operated between the hours of 7am-10pm, for the purpose of providing care and protection of domesticated animals, no overnight boarding.

**Animal Grooming Establishment.** An indoor facility operated between the hours of 7am-10pm which accepts domesticated animals for bathing, clipping, dipping, pedicuring or other related grooming services (not to include breeding, veterinary, dentistry or overnight boarding).

**Animal Service Establishment.** An establishment which may include any of the following uses as specified in the individual zoning district.

(1) *Pet Stores*<sup>a</sup>. An indoor facility operated for the sale of domesticated animals, which includes overnight boarding;

(2) *Boarding Kennel*<sup>a</sup>. An indoor facility, where domesticated animals are boarded during the daytime or kept overnight.

<sup>a</sup> Noise nuisances which exceed permitted decibel levels as prescribed in the Town Code in Section 10-155 shall be mitigated

by requiring extra insulation or any other improvements which is certified by a licensed noise professional and submitted to the Town's Community Development Department under a building permit application. Boarding shall be limited to domesticated animals. The Town Commission may require sound proofing or additional setbacks and landscaping to minimize noise and visual impacts on adjacent properties. Outdoor runs shall be paved or turfed, fenced, and connected to a Town-approved wastewater treatment facility and shall not be located any closer than 40 feet from adjacent residentially-zoned properties.

**Animal Indoor Training Center.** A facility operated between the hours of 7am-10pm for the teaching and training of domesticated animals.

**Automotive Service Station.** An establishment engaged in the retail sale of gasoline or other motor fuels, which may include accessory activities such as the sale of automotive accessories or supplies, the lubrication of motor vehicles, the minor adjustment or minor repair of motor vehicles, and a convenience store selling retail goods .

**Funeral Home.** An establishment engaged in preparing deceased human beings for burial, and managing and arranging funerals.

**Hospital, Sanitarium or Medical Center.** A facility for humans or animals, which provides primary, secondary, or tertiary medical care, emergency medical services, including preventive medicine, diagnostic medicine, treatment and rehabilitative service, medical training programs, medical research, and may include association with medical schools or medical institutions.

**Motel/Hotel.** A commercial establishment used, maintained or advertised as a place where sleeping accommodations are supplied for short term rents to tenants. The establishment may be constructed in a bulding or a group of buildings and may include one or more accessory uses such as dining rooms/restaurant or convenience/retail stores.

**Pet Shop.** An indoor facility operated between the hours of 7am-10pm for the purpose of selling animal accessories.

**Substance Abuse Treatment Facility.** A facility having one or more service components and operated by service providers licensed by the State of Florida as defined in Chapter 397, Fla. Statute.

**Vehicle Sales and Rentals.** An establishment engaged in the sale or rental from the premises of new or used motor vehicles or equipment, watercraft, recreational vehicles or mobile homes, with or without incidental service, maintenance or repair. Typical uses include new and used automobile sales, automobile rental, boat sales, boat rental, mobile home. The sale or rental of industrial or agricultural vehicles is prohibited.

**Section 3.** Chapter 78, Article I, Section 78-71 of the Code is amended to add certain uses by right and special exception uses within the C-1 Business District, as follows:

**Sec. 78-71. C-1 Business District.**

Within the C-1 Business District, the following regulations shall apply:

(1) Uses permitted. Within the C-1 business districts, no building, structure or land shall be used and no building shall be erected, structurally altered or enlarged, unless otherwise permitted by these regulations, except for the following uses:

- a. Animal Day Care Establishment**
- b. Animal Grooming Establishment**
- c. Animal Indoor Training Center**
- ~~a-d.~~ Appliance stores, including radio and television services.
- ~~b. e.~~ Bakeries the products of which are sold at retail but not produced on the premises.
- ~~e. f.~~ Banks.
- ~~d. g.~~ Barbershops, beauty shops, chiropodists, masseurs.
- ~~e. h.~~ Fertilizer, stored and sold at retail only.
- ~~f. Gasoline and other motor-fuel stations.~~
- ~~g. i.~~ Laundry pickup stations.
- ~~h. Mortuaries.~~
- ~~i. Motels.~~
- ~~j. Vehicle sales and rentals, including and accessory sales of parts and components and accessory repair shops on property on which a permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:~~
  - ~~1. The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;~~
  - ~~2. No vehicles, boats or wave runners are tested or repaired outside of~~

~~a building designed for such purposes; and~~

~~3. The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave-runners, which are part of the specific business.~~

~~k.~~ j. Offices, business and professional.

~~l.~~ k. Outdoor miniature golf courses, all objects limited to eight feet in height and such building or premises is located not less than 500 feet from the premises of an existing nursery school, elementary school or high school.

l. Pet Shop

m. Restaurants.

n. Shops, including shops for making articles without use of machinery, to be sold, at retail on the premises.

o. Indoor Theatres.

~~p. No living quarters shall be permitted in any business or commercial structure or upon a lot or parcel upon which a business or commercial structure is situated.~~

~~q. Hospitals, sanitariums and medical clinics.~~

~~r. Motels without shop fronts or stores facing the street.~~

~~s. Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility or within 1,500 feet of a residential zoning district.~~

~~t.~~ p. Instructional studios; including but not limited to, studios for the instruction of the martial arts, dance, voice, drama, speech, gymnastics, yoga, exercise, painting, photography, music, and other similar instructional studio uses which are deemed appropriate by the Town's community development director.

~~u.~~ q. Transient residential use

(2)

Special exception uses permitted pursuant to section 78-184:

a. Animal Service Establishment

b. Automotive Service Station

c. Funeral home

d. Hospital, Sanitarium or Medical Clinic

e. Motel/Hotel

f. Substance abuse treatment facilities, provided that any such facility shall not be located within a radius of 1,000 feet of another existing facility or within 1,500 feet of a residential zoning district.

g. Vehicle Sales and Rentals, including accessory sales of parts and components and accessory repair shops on property on which a

permanent building is erected and which building is used solely in connection with the use and where no part of the open storage area is within 25 feet of any street line provided that:

1. The use is not within 500 feet of the same use, i.e., sales to sales, rentals to rentals, etc.;
2. No vehicles, boats or wave runners are tested or repaired outside of a building designed for such purposes; and
3. The parking requirements for the use are met over and above any areas provided for vehicles, boats or wave-runners, which are part of the specific business.

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

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

**Section 5. Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**Section 6. Effective Date.** This Ordinance shall take effect immediately upon adoption.

# Palm Beach County Animal Care and Control Ordinance 98-22

## Animals Chapter 4\*

**\*Editor's note:** Ord. No. 98-22, §§ 1--31, adopted June 16, 1998, amended the Code by repealing former Ch. 4, §§ 4-1--4-21, 4-31--4-35, 4-51--4-56, 4-66, and 4-67, and adding a new Ch. 4, §§ 4-1--4-31. Former Ch. 4 pertained to similar subject matter and derived from Ord. No. 79-16, adopted December 4, 1979; Ord. No. 82-9, adopted March 23, 1982; Ord. No. 89-2, adopted March 3, 1989; Ord. No. 92-7, adopted April 21, 1992; and Ord. No. 93-24, adopted September 21, 1993.

**State law references:** Home rule powers of chartered counties, Fla. Const., art. VIII, § 1(g).

Sec. 4-1. Short title.

Sec. 4-2. Definitions.

Sec. 4-3. Females in heat.

Sec. 4-4. Dog and cat control.

Sec. 4-5. Animals creating nuisances.

Sec. 4-6. Scientific experimentation/animals as prizes.

Sec. 4-7. Injured animals, action required.

Sec. 4-8. Keeping/adopting stray animals and maintaining feral cats.

Sec. 4-9. Animal waste.

Sec. 4-10. Rabies vaccinations.

Sec. 4-11. Dog and cat rabies/license tags.

Sec. 4-12. Redemption and adoption.

Sec. 4-13. Adoption fees and sterilization requirements for dogs and cats.

Sec. 4-14. Records.

Sec. 4-15. Humane education.

Sec. 4-16. Animal bites and quarantining.

Sec. 4-17. Placement and impoundment of honeybee hives.

Sec. 4-18. Guard dogs.

Sec. 4-19. Evictions, jail terms, community service adjudications, and other involuntary occurrences; effect on animals.

Sec. 4-20. Disposal of bodies of dead animals.

Sec. 4-21. Livestock.

Sec. 4-22. Number of animals; acreage restrictions/excess animal habitats.

Sec. 4-23. Kennel, excess animal habitat, commercial breeder, pet dealer, pet shop, grooming parlor, and commercial stable permits.

Sec. 4-24. Animal care; manner of keeping.

Sec. 4-25. Dogs and cats offered for sale; health requirements.

Sec. 4-26. Animal agencies.

Sec. 4-27. Aggressive dogs, dangerous dogs and vicious dogs.

Sec. 4-28. Sterilization program for dogs and cats.

Sec. 4-29. Hobby breeder permits.

Sec. 4-30. Animal care and control special master hearings.

Sec. 4-31. Interference with enforcement.

Sec. 4-32. Violations, civil infractions, civil penalties.

Sec. 4-33. First offenders course.

Exhibit B: Town of Lake Park Noise Ordinance

**Sec. 10-155. - Maximum permissible sound levels by receiving land use.**

No person shall operate or cause to be operated any source of sound in such manner as to create a sound level which exceeds the limits set forth for the receiving land use district in Table 1, for more than 50 percent of any period of observation which shall not be less than ten minutes, when measured at the boundary of the receiving land use and as a result of a source of sound being located on some other property.

TABLE 1

*Sound Levels by Receiving Land Use*

Receiving Land Use	Time	Sound Level Limit dBA
Conservation	6:00 a.m. – 7:00 p.m.	55
	7:00 p.m. – 6:00 a.m.	50
Residential	7:00 a.m. – 10:00 p.m.	55
	10:00 p.m. – 7:00 a.m.	50
Commercial/Residential and Downtown	7:00 a.m. – 10:00 p.m.	55
	10:00 p.m. – 7:00 a.m.	50
Commercial	At all times	60
Commercial/Light Industrial	At all times	65
Public Buildings/Grounds and Other Public Facilities	7:00 a.m. – 10:00 p.m.	60
Recreation and Open Space	10:00 p.m. – 7:00 a.m.	55

Code 12-13 § 15-5 Ord. No. 13-1290 § 1 12-1-1290 Ord. No. 17-20 2 § 2 5-2-2012

Exhibit C: Section 11-1 – Definition for "Domesticated Animal"

**Sec. 11-1. - Definitions.**

(...)

***Domesticated household pet and domesticated animal*** includes dogs, cats, parrots, parakeets, canaries, rabbits, guinea pigs, gerbils, hamsters, fish, turtles and other animals that can be legally sold in a licensed pet shop in the State of Florida, and which are kept as pets for the purpose of providing human companionship. Domesticated household pets and/or domesticated animals do not include animals which are considered "exotic" or "wild animals", and/or which require a permit from the State of Florida before such animals may be purchased, sold, or possessed. The following animals are not considered household pets or domesticated animals pursuant to this chapter: livestock, wild animals as defined by the State of Florida Fish and Wildlife Conservation Commission, and hoofed animals of any kind, excluding purebred miniature potbellied pigs, also known as *Sus scrofa bittatus*. The *Sus scrofa bittatus* are considered household pets, and may be kept in compliance with the applicable provisions of this chapter.

(...)

# **NEW BUSINESS**

# TAB 11



**Town of Lake Park Town Commission  
Commission**

**Agenda Request Form**

**Meeting Date:** June 19, 2013

**Agenda Item No.** *Tab 11*

**Agenda Title: Designating the Town's Voting Delegate for the 2013 Annual Conference of the Florida League of Cities**

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

**Approved by Town Manager** *DSS* **Date:** *6/4/13*

*Dale S. Sugerman*, Ph.D./Town Manager  
Name/Title

<b>Originating Department:</b>  <p align="center"><b>Town Manager</b></p>	Costs: \$ <b>0.00</b> Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b>  Designation of Voting Delegate Form
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>DSS</i> <b>Please initial one.</b>

**Summary Explanation/Background:**

The 87<sup>th</sup> Annual Conference of the Florida League of Cities will be held in Orlando from August 15<sup>th</sup> through August 17<sup>th</sup>. The Town will need to designate a Voting Delegate to represent the Town at the annual business meeting. The voting delegate will typically be an elected official who is attending the conference, but can be an appointed official as well.

**Recommended Motion:** I move to designate \_\_\_\_\_ as the Voting Delegate for the Town of Lake Park to the 87<sup>th</sup> Annual Conference of the Florida League of Cities which will be held in Orlando, Florida from August 15<sup>th</sup> through August 17<sup>th</sup>.

**87th Annual Conference  
Florida League of Cities, Inc.  
August 15-17, 2013  
Orlando, Florida**

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. Municipalities do not need to adopt a resolution to designate a voting delegate.

Please fill out this form and return it to the League office so that your voting delegate may be properly identified. Voting delegate forms must be received by the League no later than August 12, 2013.

**Designation of Voting Delegate**

Name of Voting Delegate: \_\_\_\_\_

Title: \_\_\_\_\_

Municipality of: \_\_\_\_\_

**AUTHORIZED BY:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

Return this form to:  
Gail Dennard  
Florida League of Cities, Inc.  
Post Office Box 1757  
Tallahassee, FL 32302-1757  
Or Fax to Gail Dennard at (850) 222-3806

# TAB 12



**Town of Lake Park Town Commission  
Commission Workshop**

**Agenda Request Form**

Meeting Date: June 19, 2013

Agenda Item No. *Tab 12*

**Agenda Title: Authorizing the Mayor and the Town Clerk to Execute an Agreement Between Palm Beach County and the Town of Lake Park for the use of \$37,294.00 in 2012-2013 CDBG funds for Tennis Court Improvements**

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

- CONSENT AGENDA
- OLD BUSINESS

Approved by Town Manager *DSS* Date: *6/13/13*

Dale S. Sugerman, Ph.D./Town Manager  
Name/Title

<b>Originating Department:</b>  <p align="center"><b>Town Manager</b></p>	Costs: \$ <b>0.00</b> Funding Source: Acct. # N/A <input type="checkbox"/> Finance _____	<b>Attachments:</b> Agreement between Palm Beach County and the Town of Lake Park for the use of 2012-2013 CDBG funds.
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <i>DSS</i> <b>Please initial one.</b>

**Summary Explanation/Background:**

Palm Beach County is making available to the Town of Lake Park \$37,294.00 in 2012-2013 Community Development Block Grant funds to make improvements to the tennis courts in Kelsey Park and Lake Shore Park. In order to receive these grant funds, the Town must execute an agreement between the County and the Town. This resolution authorizes the Mayor and the Town Clerk to sign the agreement for grant funds.

**Recommended Motion:** I move to authorize the Mayor and the Town Clerk to execute the agreement between Palm Beach County and the Town of Lake Park for the use of \$37,294.00 of 2012-2013 CDBG funds to complete tennis court improvements.

**RESOLUTION NO. 12-06-13**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING ALL FUNDS ALLOCATED BY THE PALM BEACH COUNTY DEPARTMENT OF ECONOMIC SUSTAINABILITY TO THE TOWN OF LAKE PARK FOR THE FISCAL YEAR 2012-13 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS BE USED TOWARD REFURBISHING THE TENNIS COURTS AT LAKE SHORE PARK AND KELSEY PARK AND PROVIDING FOR 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 has determined that it is in the best interest of the community to undertake the Tennis Court Improvement Project (“Project”) for the resurfacing of the Lake Shore Park and Kelsey Park public tennis courts, which are currently in a state of disrepair; and

**WHEREAS**, the Town is an eligible entitlement community for the Community Development Block Grant pursuant to a signed Interlocal Agreement with Palm Beach County; and

**WHEREAS**, the Project falls within two of the three categories of eligible activities as defined by HUD, in as much as the Project:

- (1) will benefit low and moderate income persons; and
- (2) will be a public facility improvement; and

**WHEREAS**, the Project lies entirely within a public area that is used by and available to the entire community and the general public for recreational purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Commission of the  
Town of Lake Park, Florida:

**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 Mayor to  
sign a grant agreement with Palm Beach County in the amount of \$37,294 for the Fiscal  
Year 2012-2013 Community Development Block Grant to undertake the Project.

**SECTION 3.** All funds derived from this grant will be used toward completion  
of the Tennis Courts Improvement Project.

**SECTION 4.** This Resolution shall take effect immediately upon its adoption.



PALM BEACH COUNTY  
DEPARTMENT OF ECONOMIC SUSTAINABILITY

**DOCUMENT TRANSMITTAL**

TO: Dale Sugarman, Town Manager SUBRECIPIENT: Town of Lake Park

PROJECT NAME: Tennis Courts Project DATE SENT: 5/15/13

DOCUMENT SENT: [ X ] Agreement [ ] Amendment No. \_\_\_\_\_ RETURN BY: 7/1/13

RE: SUBRECIPIENT AGREEMENT

PLEASE COMPLETE THE FOLLOWING WHEN RETURNING THE DOCUMENTS:

1. **BLUE INK:** SIGN ALL THREE DOCUMENTS IN **BLUE INK**

2. **SEAL:** INCLUDE COMPANY SEAL ON ALL **THREE** DOCUMENTS

IF YOUR ORGANIZATION DOES **NOT** HAVE A SEAL, 1) ATTACH A LETTER ON YOUR LETTERHEAD STATING SO, **AND** 2) PRINT THE WORD "**SEAL**" WITHIN A CIRCLE AT THE LOCATION INDICATED FOR THE AGENCY SEAL.

3. **NOT DATED:** DO **NOT** PUT A DATE ON THE DOCUMENTS

WE WILL INSERT DATE ON DOCUMENTS AFTER **FULL** EXECUTION.

4. **CERTIFICATE OF INSURANCE:** IMMEDIATELY FORWARD AN **UP-TO-DATE CERTIFICATE OF INSURANCE**.

INSURANCE COVERAGE MUST MEET THE INSURANCE AMOUNT REQUIREMENTS IN THE AGREEMENT. THE CERTIFICATE MUST SHOW THE **ADDITIONAL INSURED** AS "PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, ITS OFFICERS, EMPLOYEES AND AGENTS, C/O DEPARTMENT OF ECONOMIC SUSTAINABILITY".

5. **SIGNATORY AUTHORITY:** PROVIDE A LETTER ON YOUR LETTERHEAD

(A) CERTIFYING WHICH INDIVIDUALS ARE AUTHORIZED TO SIGN ON BEHALF OF YOUR ORGANIZATION. YOUR LETTER MUST BE SIGNED BY AN OFFICER OF THE CORPORATION, **AND**

(B) THE SOURCE OF THIS AUTHORITY (E.G., BOARD RESOLUTION, MINUTES, BY LAW, ETC.) **MUST** BE INCLUDED.

PLEASE RETURN ALL DOCUMENTS TO:

**BETSY BARR**  
Director of Contract Development & Quality Control  
Department of Economic Sustainability  
100 Australian Avenue, Suite 500  
West Palm Beach, FL 33406

**AGREEMENT BETWEEN PALM BEACH COUNTY**

**AND**

**TOWN OF LAKE PARK**

**THIS AGREEMENT**, entered into on \_\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida, for the use and benefit of its Community Development Block Grant Program, and the Town of Lake Park, a Municipality duly organized and existing by virtue of the laws of the State of Florida, having its principal office at 535 Park Avenue, Lake Park, FL 33403.

**WHEREAS**, Palm Beach County has entered into an agreement with the United States Department of Housing and Urban Development for a grant for the execution and implementation of a Community Development Block Grant Program in certain areas of Palm Beach County, pursuant to Title I of the Housing and Community Development Act of 1974 (as amended); and

**WHEREAS**, Palm Beach County, in accord with the annual Action Plan, and the Town of Lake Park, desire to provide the activities specified this Agreement; and

**WHEREAS**, Palm Beach County desires to engage the Town of Lake Park to implement such undertakings of the Community Development Block Grant Program.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants herein contained, it is agreed as follows:

**1. DEFINITIONS**

- (A) "County" means Palm Beach County.
- (B) "CDBG" means the Community Development Block Grant Program of Palm Beach County.
- (C) "DES" means Palm Beach County Department of Economic Sustainability
- (D) "Municipality" means the Town of Lake Park.
- (E) "DES Approval" means the written approval of the DES Director or his designee.
- (F) "U.S. HUD" means the Secretary of Housing and Urban Development or a person authorized to act on its behalf.
- (G) "Low- and Moderate- Income Persons" means the definition set by U.S. HUD.

**2. PURPOSE**

The purpose of this Agreement is to state the covenants and conditions under which the Municipality will implement the Scope of Services set forth in this Agreement.

**3. CDBG ELIGIBLE ACTIVITIES AND NATIONAL OBJECTIVE**

The Municipality shall implement the herein described improvements to the tennis courts located at 601 Federal Highway and 600 Lake Shore Drive, which activities have been determined to be **Public Facilities and Improvements**, under 24 Code of Federal Regulations (CFR) 570.201(c). Both Parties acknowledge that the eligible activities carried out under this Agreement, as described in the scope of work in Exhibit A, will benefit **Low- and Moderate- Income Persons on an Area-Wide Basis** and meet the National Objective as defined in 24 CFR 570.208(a)(1)(i).

4. **SCOPE OF SERVICES**

The Municipality shall, in a satisfactory and proper manner as determined by DES, perform the tasks necessary to conduct the program outlined in Exhibit A as attached hereto and made a part hereof.

5. **MAXIMUM COMPENSATION**

The Municipality agrees to accept as full payment for services rendered pursuant to this Agreement the actual amount of budgeted, eligible, and DES Director or designee-approved expenditures and encumbrances made by the Municipality under this Agreement, which shall not be unreasonably withheld. These services shall be performed in a manner satisfactory to DES. In no event shall the total compensation or reimbursement to be paid hereunder exceed the maximum and total authorized sum of \$37,294 for the period of July 16, 2013, through and including January 31, 2014. Any funds not obligated by the expiration date of this Agreement shall automatically remain with the County and no longer be eligible for reimbursement to the Municipality.

6. **TIME OF PERFORMANCE**

The effective date of this Agreement and all rights and duties designated hereunder are contingent upon the timely release of funds for this project by U. S. HUD under Grant Nos. B-12-UC-12-0004. The effective date shall be the date of execution of this Agreement, and the services of the Municipality shall be undertaken and completed in light of the purposes of this Agreement. In any event, all services required hereunder shall be completed by the Municipality prior to January 31, 2014.

7. **METHOD OF PAYMENT**

The County agrees to make payments and to reimburse the Municipality for all budgeted costs permitted by Federal, State, and County guidelines. The Municipality shall not request reimbursement for payments made by the Municipality before the effective date of this Agreement, nor shall it request reimbursement for payments made after the expiration date of this Agreement, and in no event shall the County provide advance funding to the Municipality or any subcontractors hereunder. The Municipality shall request payments or reimbursements from the County by submitting to DES proper documentation of expenditures consisting of originals of invoices, receipts, or other evidence of indebtedness, and when original documents cannot be presented, the Municipality may furnish copies if deemed acceptable by DES. Each request for payment or reimbursement submitted by the Municipality shall be accompanied by a letter from the Municipality, provided on the Municipality's letterhead, referencing the name of the project funded herein, the date of this Agreement and/or its document number, and containing a statement requesting the payment or reimbursement and its amount, as well as the name and signature of the person making the request. Payment shall be made by the Palm Beach County Finance Department upon presentation of the aforesaid proper documentation of expenditures as approved by DES. The Municipality may at any time after the expiration of this agreement request from the County reimbursement for payments made by the Municipality during the term of this Agreement by submitting to DES the aforesaid proper documentation of expenditures, and the Palm Beach County Finance Department shall make payment as stated above, provided that DES has determined that the funds allocated to the Municipality through this agreement are still available for payment, and provided that DES approves such payment.

8. **CONDITIONS ON WHICH PAYMENT IS CONTINGENT**

(A) **IMPLEMENTATION OF PROJECT ACCORDING TO REQUIRED PROCEDURES**

The Municipality shall implement this Agreement in accordance with applicable Federal, State, County, and local laws, ordinances and codes. The Federal, State, and County laws, ordinances and codes are minimal regulations supplemented by more restrictive guidelines set forth by DES. No payments for projects funded by more than one funding source will be made until a cost allocation plan has been approved by the DES Director or designee. Should a project receive additional funding after the

commencement of this Agreement, the Municipality shall notify DES in writing within thirty (30) days of receiving notification from the funding source and submit a cost allocation plan for approval by the DES Director or designee within forty-five (45) days of said official notification.

(B) FINANCIAL ACCOUNTABILITY

The County may have a financial systems analysis and/or an audit of the Municipality or of any of its subcontractors, by an independent auditing firm employed by the County or by the County Internal Audit Department at any time the County deems necessary to determine if the project is being managed in accordance with Federal, State, and County requirements.

(C) SUBCONTRACTS

Any work or services subcontracted hereunder shall be specifically by written contract, written agreement, or purchase order. All subcontracts shall be submitted by the Municipality to DES and approved by DES prior to execution of any subcontract hereunder. All subcontracts shall be subject to Federal, State and County laws and regulations. This includes ensuring that all consultant contracts and fee schedules meet the minimum standards as established by Palm Beach County and HUD. Contracts for architecture, engineering, survey, and planning shall be fixed fee contracts. All additional services shall have prior written approval with support documentation detailing categories of persons performing work plus hourly rates including benefits, number of drawings required, and all items that justify the "Fixed Fee Contract." Reimbursables will be at cost. None of the work or services covered by this Agreement, including, but not limited to, consultant work or services, shall be subcontracted or reimbursed without prior written approval of the DES Director or his designee.

(D) PURCHASING

All purchasing for services and goods, including capital equipment, shall be made by purchase order or by a written contract and in conformity with the procedures prescribed by the Palm Beach County Purchasing Code, as well as Federal Management Circulars A-87, A-102, A-128, and 24 CFR Part 85 (also known as the Common Rule), which are incorporated herein by reference.

(E) REPORTS, AUDITS, AND EVALUATIONS

Payment will be contingent on the timely receipt of complete and accurate reports required by this Agreement, and on the resolution of monitoring or audit findings identified pursuant to this Agreement.

(F) ADDITIONAL DES, COUNTY, AND U.S. HUD REQUIREMENTS

DES shall have the right under this Agreement to suspend or terminate payments if after fifteen (15) days written notice the Municipality has not complied with any additional conditions that may be imposed, at any time, by DES, the County, or U.S. HUD.

(G) PRIOR WRITTEN APPROVALS - SUMMARY

The following activities among others require the prior written approval of the DES Director or designee to be eligible for reimbursement or payment:

- (1) All subcontracts and agreements pursuant to this Agreement;
- (2) All capital equipment expenditures of \$1,000 or more;
- (3) All out-of-county travel; (travel shall be reimbursed in accordance with Florida Statutes, Chapter 112.061);
- (4) All change orders;
- (5) All requests to utilize uncommitted funds after the expiration of this Agreement for programs described in Exhibit A; and
- (6) All rates of pay and pay increases paid out of CDBG funds, whether for merit or cost of living.

(H) **PROGRAM - GENERATED INCOME**

All income earned by the Municipality from activities financed, in whole or in part, by funds provided hereunder must be reported and returned annually to DES. Such income shall only be used to undertake the activities authorized by this Agreement. DES must verify and approve the eligibility and reasonableness of all expenses which the Municipality requests to be deducted. Accounting and disbursement of such income shall comply with OMB Circular A-110 and other applicable regulations incorporated herein by reference.

The Municipality may request that said program income be used to fund other eligible uses, subject to DES approval, and provided that the Municipality is in compliance with its obligations as contained within this Agreement (including the attached Exhibits herein). The Municipality shall only use such program income to fund "basic eligible activities" as defined by Federal Community Development Block Grant Regulations (24 CFR Part 570). The Municipality hereby agrees that the provisions of this Agreement shall also apply to these "basic eligible activities" as funded with the Municipality's program income.

**The requirements of this section shall survive the expiration of this Agreement.**

9. **OPPORTUNITIES FOR RESIDENTS AND CIVIL RIGHTS COMPLIANCE**

The Municipality agrees that no person shall on the ground of race, color, ancestry, disability, national origin, religion, age, familial status, marital status, sex, gender, sexual orientation, or gender identity or expression, be excluded from the benefits of, or be subjected to discrimination under any activity carried out by the performance of this Agreement. Upon receipt of evidence of such discrimination, the County shall have the right to terminate this Agreement. To the greatest extent feasible, lower-income residents of the project areas shall be given opportunities for training and employment; and to the greatest feasible extent eligible business concerns located in or owned in substantial part by persons residing in the project areas shall be awarded contracts in connection with the project. The Municipality shall comply with the Section 3 Clause of the Housing and Community Development Act of 1968.

10. **OPPORTUNITIES FOR SMALL AND MINORITY/WOMEN-OWNED BUSINESS ENTERPRISES**

In the procurement of supplies, equipment, construction, or services to implement this Agreement, the Municipality shall make a positive effort to utilize small business and minority/women-owned business enterprises of supplies and services, and provide these sources the maximum feasible opportunity to compete for contracts to be performed pursuant to this Agreement. To the maximum extent feasible these small business and minority/women-owned business enterprises shall be located in or owned by residents of the CDBG areas designated by Palm Beach County in the CDBG Annual Consolidated Plan approved by U.S. HUD.

11. **PROGRAM BENEFICIARIES**

At least fifty-one percent (51%) of the beneficiaries of a project funded through this Agreement must be Low- and Moderate- Income Persons. If the project is located in an entitlement city, as defined by U.S. HUD, or serves beneficiaries countywide, at least fifty-one percent (51%) of the beneficiaries directly assisted through the use of funds under this Agreement must reside in unincorporated Palm Beach County or in municipalities participating in the County's Urban County Qualification Program. The project funded under this Agreement shall assist beneficiaries as defined above for the time period designated in this Agreement. Upon request from DES, the Municipality shall provide written verification of compliance.

12. **EVALUATION AND MONITORING**

The Municipality agrees that DES will carry out periodic monitoring and evaluation activities as determined necessary by DES and that payment, reimbursement, or the continuation of this Agreement is dependent upon satisfactory evaluation conclusions based on the terms of this Agreement. The Municipality agrees to furnish upon

request to DES, or the County's designees copies of transcriptions of such records and information as is determined necessary by DES. The Municipality shall submit status reports required under this Agreement on forms approved by DES to enable DES to evaluate progress. The Municipality shall provide information as requested by DES to enable DES to complete reports required by the County or HUD. The Municipality shall allow DES, or HUD to monitor the Municipality on site. Such visits may be scheduled or unscheduled as determined by DES or HUD.

**13. AUDITS AND INSPECTIONS**

At any time during normal business hours and as often as DES, the County, U.S. HUD, or the Comptroller General of the United States may deem necessary, there shall be made available by the Municipality to DES, U.S. HUD, or the Comptroller General for examination all its records with respect to all matters covered by this Agreement. If during the year, the Municipality expends over \$500,000 of Federal awards, the Municipality shall comply with the provisions of OMB Circular A-133. The Municipality shall submit a single audit, including any management letter, made in accordance with the general program requirements of OMB Circulars A-110, A-122, A-133, and other applicable regulations within the earlier of, 30 days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period in which DES-administered funds are expended. Said audit shall be made by a Certified Public Accountant of the Municipality's choosing, subject to the County's approval. In the event the Municipality anticipates a delay in producing such audit, the Municipality shall request an extension in advance of the deadline. The cost of said audit shall be borne by the Municipality. In the event the Municipality is exempt from having an audit conducted under A-133, the Municipality shall submit audited financial statements and/or the County reserves the right to conduct a "limited scope audit" of the Municipality as defined by A-133. The County will be responsible for providing technical assistance to the Municipality, as deemed necessary by the County.

**14. UNIFORM ADMINISTRATIVE REQUIREMENTS**

The Municipality agrees to comply with the applicable uniform administrative requirements as described in Federal Community Development Block Grant Regulations 24 CFR 570.502.

**15. CDBG FUNDING AT EXPIRATION**

Upon expiration or termination of this Agreement, any funds not obligated by the Municipality shall remain with the County and no longer be available for reimbursement to the Municipality. Municipality shall transfer to the County any accounts receivable that are attributable to the use of CDBG funds. Any real property under the Municipality's control upon expiration of this Agreement which was acquired or improved in whole or part with CDBG in the excess of \$25,000 must either be used to meet one of the national objectives in Federal Community Development Block Grant Regulations 24 CFR 570.508 for a period of five years after expiration of this Agreement (unless a longer period is specified elsewhere in this Agreement), or, the Municipality shall pay the County an amount equal to the current market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or improvement to, the property.

**16. DATA BECOMES COUNTY PROPERTY**

All reports, plans, surveys, information, documents, maps, and other data procedures developed, prepared, assembled, or completed by the Municipality for the purpose of this Agreement shall be made available to the County by the Municipality at any time upon request by the County, DES, or the Palm Beach County Inspector General's office, as indicated herein. Upon completion of all work contemplated under this Agreement copies of all documents and records relating to this Agreement shall be surrendered to DES if requested. In any event, the Municipality shall keep all documents and records for five (5) years after expiration of this Agreement.

**17. INDEMNIFICATION**

Each party to this Agreement shall be liable for its own actions and negligence and, to the extent permitted by law, the County shall indemnify, defend, and hold harmless the Municipality against any actions, claims, or damages arising out of the County's negligence in connection with this Agreement, and the Municipality shall indemnify, defend, and hold harmless the County against any actions, claims, or damages arising out of the Municipality's negligence in connection with this Agreement. The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the limits set forth in Florida Statute, section 768.28, nor shall the same be construed to constitute agreement by either party to indemnify the other party for such other party's negligent, willful or intentional acts or omissions. The Municipality shall hold the County harmless and shall indemnify the County for funds which the County is obligated to refund the Federal Government arising out of the conduct of activities and administration of the Municipality. The provisions of this indemnification clause shall survive the termination of this Agreement.

**18. INSURANCE BY MUNICIPALITY:**

Without waiving the right to sovereign immunity as provided by S. 768.28 F.S., the Municipality acknowledges to be self-insured for General Liability and Automobile Liability under Florida sovereign immunity statutes with coverage limits of \$200,000 Per Person and \$300,000 Per Occurrence; or such monetary waiver limits that may change and be set forth by the legislature.

In the event the Municipality maintains third-party Commercial General Liability and Business Auto Liability in lieu of exclusive reliance of self-insurance under s.768.28 F.S., the Municipality shall agree to maintain said insurance policies at limits not less than \$500,000 combined single limit for bodily injury or property damage

The Municipality agrees to maintain or to be self-insured for Workers' Compensation & Employer's Liability insurance in accordance with Florida Statute 440.

When requested, the Municipality shall agree to provide an affidavit or Certificate of Insurance evidencing insurance, self-insurance and/or sovereign immunity status, which County agrees to recognize as acceptable for the above mentioned coverage.

Compliance with the foregoing requirements shall not relieve the Municipality of its liability and obligations under this Agreement.

**19. MAINTENANCE OF EFFORT**

The intent and purpose of this Agreement is to increase the availability of the Municipality's services. This Agreement is not to substitute for or replace existing or planned projects or activities of the Municipality. The Municipality agrees to maintain a level of activities and expenditures, planned or existing, for projects similar to those being assisted under this Agreement which is not less than that level existing prior to this Agreement.

**20. CONFLICT OF INTEREST**

The Municipality covenants that no person who presently exercises any functions or responsibilities in connection with the Project, has any personal financial interest, direct or indirect, in the target areas or any parcels therein, which would conflict in any manner or degree with the performance of this Agreement and that no person having any conflict of interest shall be employed by or subcontracted by the Municipality. Any possible conflict of interest on the part of the Municipality or its employees shall be disclosed in writing to DES provided, however, that this paragraph shall be interpreted in such a manner so as not to unreasonably impede the statutory requirement that maximum opportunity be provided for employment of and participation of low and moderate-income residents of the project area.

**21. CITIZEN PARTICIPATION**

The Municipality shall cooperate with DES in the implementation of the Citizen Participation Plan by establishing a citizen participation process to keep residents informed of the activities the Municipality is undertaking in carrying out the provisions of this Agreement. Representatives of the Municipality shall attend meetings and assist DES in the implementation of the Citizen Participation Plan, as requested by DES.

**22. RECOGNITION**

All facilities purchased or constructed pursuant to this Agreement shall be clearly identified as to funding source. The Municipality will include a reference to the financial support herein provided by DES in all publications and publicity. In addition, the Municipality will make a good faith effort to recognize DES's support for all activities made possible with funds made available under this Agreement.

**23. AGREEMENT DOCUMENTS**

The following documents are herein incorporated by reference and made a part hereof, and constitute and be referred to as the Agreement; and all of said documents taken as a whole constitute the Agreement between the parties hereto and are as fully a part of the Agreement as if they were set forth verbatim and at length herein:

- (A) This Agreement, including its Exhibits, which the County may revise from time to time, as required, and to be provided for use by the Agency;
- (B) Office of Management and Budget Circulars A-87, A-102, A-133, and 24CFR Part 85;
- (C) Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Title II of the Americans with Disabilities Act of 1990;
- (D) Executive Orders 11246, 11478, 11625, 12432, the Davis Bacon Act, and Section 3 of the Housing and Community Development Act of 1968, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended;
- (E) Executive Orders 11063, 12259, 12892, Fair Housing Act of 1988, and Section 109 of the Housing and Community Development Act of 1974, as amended;
- (F) Florida Statutes, Chapter 112;
- (G) Palm Beach County Purchasing Code;
- (H) Federal CDBG Regulations (24 CFR Part 570), and Federal Consolidated Plan Regulations (24 CFR Part 91), as amended;
- (I) The Municipality's personnel policies and job descriptions; and
- (J) The Municipality's Certificate of Insurance.

The Municipality shall keep an original of this Agreement, including its Exhibits, and all Amendments thereto, on file at its principal office.

**24. TERMINATION**

In event of termination for any of the following reasons, all finished or unfinished documents, data studies, surveys, drawings, maps, models, photographs, reports prepared, and capital equipment secured by the Municipality with funds under this Agreement shall be returned to DES or the County.

In the event of termination, the Municipality shall not be relieved of liability to the County for damages sustained by the County by virtue of any breach of the Agreement by the Municipality, and the County may withhold any payment to the Municipality for set-off purposes until such time as the exact amount of damages due to the County from the Municipality is determined.

**(A) TERMINATION FOR CAUSE**

If through any cause either party shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if either party shall violate any of the covenants, agreements, or stipulations of this Agreement, either party shall thereupon have the right to terminate this Agreement in whole or part by giving a fifteen (15) working day written notice of such termination to the other party and specifying therein the effective date of termination.

(B) **TERMINATION FOR CONVENIENCE**

At any time during the term of this Agreement, either party may, at its option and for any reason, terminate this Agreement upon ten (10) working days written notice to the other party. Upon termination, the County shall pay the Municipality for services rendered pursuant to this Agreement through and including the date of termination.

(C) **TERMINATION DUE TO CESSATION**

In the event the grant to the County under Title I of the Housing and Community Development Act of 1974 (as amended) is suspended or terminated, this Agreement shall be suspended or terminated effective on the date the U.S. HUD specifies.

25. **SEVERABILITY OF PROVISIONS**

If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to conform to the terms and requirements of applicable law.

26. **AMENDMENTS**

The County may, at its discretion, amend this Agreement to conform with changes required by Federal, State, County, or U.S. HUD guidelines, directives, and objectives. Such amendments shall be incorporated by written amendment as a part of this Agreement and shall be subject to approval of the Palm Beach County Board of County Commissioners. Except as otherwise provided herein, no amendment to this Agreement shall be binding on either party unless in writing, approved by the Board of County Commissioners and the governing body of the Municipality, and signed by both parties.

27. **NOTICES**

All notices required to be given under this Agreement shall be sufficient when delivered to DES at its office at 100 Australian Avenue, Suite 500, West Palm Beach, Florida 33406, and to the Municipality when delivered to its address on Page 1 of this Agreement.

28. **INDEPENDENT AGENT AND EMPLOYEES**

The Municipality agrees that, in all matters relating to this Agreement, it will be acting as an independent agent and that its employees are not Palm Beach County employees and are not subject to the County provisions of the law applicable to County employees relative to employment, hours of work, rates of compensation, leave, unemployment compensation and employee benefits.

29. **NO FORFEITURE**

The rights of the County under this Agreement shall be cumulative and failure on the part of the County to exercise promptly any rights given hereunder shall not operate to forfeit or waive any of the said rights.

30. **PUBLIC ENTITY CRIMES**

As provided in F.S. 287.133 by entering into this Agreement or performing any work in furtherance hereof, the Municipality certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the thirty six (36) months immediately preceding the date hereof. This notice is required by F.S. 287.133 (3)(a).

31. **PALM BEACH COUNTY OFFICE OF THE INSPECTOR GENERAL**

Palm Beach County has established the Office of Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes, but is not limited to, the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of the Agency, its officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud. Failure to

cooperate with the Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 to 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

**32. EXCLUSION OF THIRD PARTY BENEFICIARIES**

No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employees of the County and/or the Municipality.

**33. COUNTERPARTS OF THE AGREEMENT**

This Agreement, consisting of nineteen (19) enumerated pages which include the Exhibits referenced herein, shall be executed in three (3) counterparts, each of which shall be deemed to be an original, and such counterparts will constitute one and the same instrument. A copy of this Agreement shall be filed with the Clerk of the Circuit Court in and for Palm Beach County.

**34. ENTIRE UNDERSTANDING**

This Agreement and its provisions merge any prior agreements, if any, between the parties hereto and constitutes the entire understanding. The parties hereby acknowledge that there have been and are no representations, warranties, covenants, or undertakings other than those expressly set forth herein.

WITNESS our Hands and Seals on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(MUNICIPALITY SEAL BELOW)

**TOWN OF LAKE PARK**

By: \_\_\_\_\_  
James DuBois, Mayor

By: \_\_\_\_\_  
Vivian Mendez, Town Clerk

By: \_\_\_\_\_  
Attorney for Municipality  
(Signature Optional)

(COUNTY SEAL BELOW)

**PALM BEACH COUNTY, FLORIDA, a  
Political Subdivision of the State of Florida**

**BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Steven L. Abrams, Mayor  
Board of County Commissioners

ATTEST: Sharon R. Bock,  
Clerk & Comptroller

By: \_\_\_\_\_  
Deputy Clerk

Document No.: \_\_\_\_\_

Approved as to Form and  
Legal Sufficiency

Approved as to Terms and Conditions  
Department of Economic Sustainability

By: \_\_\_\_\_  
Tammy K. Fields,  
Chief Assistant County Attorney

By: \_\_\_\_\_  
Sherry Howard,  
Deputy Director

**EXHIBIT A**  
**WORK PROGRAM NARRATIVE**

**1. THE MUNICIPALITY AGREES TO:**

- A. PROFESSIONAL SERVICES:** The Municipality, using its own resources, shall retain an engineering consultant (a Florida Professional Engineer) to provide design services to create plans and specifications for the reconstruction of 6 tennis courts, two (2) of which are located at 601 Federal Highway and four (4) located at 600 Lake Shore Drive in the Town of Lake Park. Additionally, the Municipality and the consultant shall also prepare, obtain and review bids, prepare contract documents, inspect work in progress, recommend payment to contractors, and provide other professional services customarily provided by similar professionals for this type of project. The consultant shall also coordinate the design and construction work with the asbestos abatement contractor, should such abatement become necessary.

Alternatively, the Municipality shall have the option of performing any portion of the consultant's services described above by its own staff provided such staff possesses the necessary competency to do so. All costs associated with the above services shall be paid for by the Municipality.

- B. PROJECT SCOPE:** The scope of this project, subject to funding availability, shall include but not be limited to, the following tennis court improvements at 601 Federal Highway and 600 Lake Shore Drive:

Reconstruction of the existing tennis courts including the removal and replacement of deteriorated asphalt and drainage components, leveling and resurfacing of playing areas, and the installation of new net posts and nets.

(1) Should the Municipality use brand names in the bid package/drawings/specifications for this project, then these documents shall:

- (a) Clearly note that the specified brand name is used for descriptive purposes only,
- (b) State that "equal" equipment or materials will be accepted, and
- (c) Identify the minimum requirements to establish equality.

The Municipality agrees that the use of more than one brand name shall not be regarded as having met the above requirements.

(2) The Municipality shall submit its bid package/drawings/specifications, and an itemized opinion of probable construction cost, prepared by its consultant, to DES and obtain a letter of approval prior to bidding the construction work. Furthermore, the Municipality shall obtain DES approval prior to issuing any addenda to its bid documents for this project.

(3) The Municipality shall prioritize the work in the project, and shall bid such work in a manner that would allow the receipt of itemized costs from bidders which would then allow the award of items that can be funded by the budget provided that the extent of work awarded will result in a functioning tennis facility in the opinion of DES.

(4) The Municipality shall assure that neither the prime contractor nor any subcontractor shall be allowed to perform one hundred percent (100%) of their work on this project on nights, weekends, or County recognized holidays, and shall assure that the prime contractor and all subcontractors shall, at a minimum, perform work on this project for the duration of one regular working day. The Municipality may request DES for a waiver to the above requirement should the nature of the project so necessitate, and in such instance, DES may, at its discretion, grant the Municipality such waiver.

(5) The Municipality shall not award the construction contract for the project until sufficient funding is available to complete the established scope of work. All construction work shall be included in one contract. The Municipality shall obtain DES approval prior to awarding the construction contract to be funded through this Agreement. After awarding such contract, the Municipality shall obtain DES approval prior to executing any change orders to such contract.

(6) Should the construction contract amount for this project exceed the amount to be funded by the County for construction costs through this Agreement, then the Municipality shall fund all amounts in excess of the amount to be funded by the County. The Municipality may request the County to participate with a portion of the County's funding for construction costs first prior to participating with its funds. Under such a scenario, the Municipality would disburse an amount up to 75% of the County's funding amount made available for the project through this Agreement for construction costs and request reimbursement from the County for such amount, then disburse its portion of funding for the project (without being reimbursed by the County for such amount), and finally, the Municipality would disburse an amount equivalent to the County's remaining funding amount made available for the project through this Agreement for construction costs and request reimbursement from the County for such amount.

The Municipality shall first disburse 100% of their funds toward the contract amount, and shall provide DES with satisfactory documentation in this regard. DES will then fund the contract amount contained herein and as presently available in this project's budget in the form of a reimbursement to the City.

(7) The Municipality shall not request reimbursement from DES for materials or equipment received and stored on the project site or elsewhere. The Municipality shall only request reimbursement for materials and equipment that have been installed.

(8) The Municipality shall inform DES of any environmental findings or conditions discovered during activity implementation. Applicable mitigation measures must be incorporated in order to proceed with the project. Such mitigation measures may affect the total project cost.

**The Municipality further agrees that DES, in consultation with any parties it deems necessary, shall be the final arbiter on the Municipality's compliance with the above.**

- C. **ASBESTOS REQUIREMENTS:** The Municipality shall comply with all applicable requirements contained in Exhibit C, attached hereto, for construction work in connection with the project funded through this Agreement.
- D. **DAVIS-BACON ACT:** The Municipality shall request the County to obtain a Davis-Bacon wage decision for the project prior to advertising the construction work. The Municipality shall incorporate a copy of the Davis-Bacon wage decision and disclose the requirements of the Davis-Bacon Act in its construction bid solicitation and contract.
- E. **BONDING REQUIREMENTS:** The Municipality shall comply with the requirements of 24 CFR Part 85 in regard to bid guarantees, performance bonds, and payment bonds. For contracts exceeding \$100,000, the Municipality shall require a bid guarantee from each bidder equivalent to five percent (5%) of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified. In addition, for contracts exceeding \$100,000, the Municipality shall also require a performance bond on the part of the contractor for 100 percent (100%) of the contract price and a payment bond on the part of the contractor for 100 percent (100%) of the contract price.

A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract. All bonds shall be executed by a corporate surety company of recognized standing, authorized to do business in the State of Florida. The Municipality may follow its own requirements relating to bid guarantees, performance bonds, and payment bonds for contracts of \$100,000, or less.

- F. **CONSTRUCTION PAYMENT RETAINAGE:** Throughout the term of this contract, the Municipality shall withhold retainage upon each progress draw at the maximum percentage allowed by Florida law. The Municipality shall abide by Florida law regarding the payment of retainage funds and project closeout procedures. The Municipality shall ensure that its contractor and subcontractors have complied with the requirements of the Davis-Bacon Act, and that satisfactory project closeout documentation has been submitted and approved by DES.
- G. **FORMER PROJECTS:** The Municipality shall maintain all previously completed CDBG funded projects. Failure to do so will result in forfeiture of future CDBG funds and will delay funding for ongoing activities.
- H. **PERFORMANCE REQUIREMENTS:** The time frame for completion of the outlined activities shall be January 31, 2014. The Municipality shall meet these performance requirements by the timely performance, documentation, and completion of the following tasks:

Advertise, Accept Bids, & Award Contract by: September 15, 2013  
Start Construction by: October 15, 2013  
Complete Construction by: December 31, 2013  
Submit Final Reimbursement Request by: January 31, 2014

- I. **REPORTS:** The Municipality shall submit to DES a detailed Monthly Performance Report in the form provided as Exhibit B to this Agreement. Each Report must account for the total activity for which the Municipality is funded under this Agreement, and a Municipality representative must certify that all of the Municipality's Monthly Performance Requirements contained herein have been met during the reporting period. These Monthly Performance Reports shall be used by DES to assess the Municipality's progress in implementing the project.

This Agreement may be amended to decrease and/or recapture funds from the Municipality depending upon the timely completion of the monthly performance requirement deadlines and/or the rate of expenditure of funds, as determined by DES.

**The Municipality may be subject to decrease and/or recapture of project funds by the County if the above Monthly Performance Requirements are not met. Failure by the Municipality to comply with these requirements may negatively impact ability to receive future grant awards.**

- J. **USE OF THE PROJECT FACILITY/PROPERTY:** The Municipality agrees in regard to the use of the facility/property whose acquisition or improvements are being funded in part or in whole by CDBG funds as provided by this Agreement, that for a period of five (5) years after the expiration date of this Agreement (as may be amended from time to time):
  - (1) The Municipality may not change the use or planned use, or discontinue use, of the facility/property (including the beneficiaries of such use) from that for which the acquisition or improvements are made, unless the Municipality provides affected citizens with reasonable notice of, and opportunity to comment on, any such proposed change and either:

- a. The new use of the facility/property qualifies as meeting one of the national objectives defined in the regulations governing the CDBG program, and is not a building for the general conduct of government;  
or
  - b. The requirements of paragraph (2) of this section are met.
- (2) If the Municipality determines, after consultation with affected citizens, that it is appropriate to change the use of the facility/property to a use which does not qualify under paragraph (1) (a) of this section or discontinue the use of the facility/property, it may retain or dispose of the facility for such use if the County is reimbursed in the amount of the current fair market value of the facility/property less any portion thereof attributable to expenditures of non-CDBG funds for acquisition of, or improvements to the facility/property. The final determination of the amount of any such reimbursement to the County under this paragraph shall be made by the County.
  - (3) Following the reimbursement of CDBG funds by the Municipality to the County pursuant to paragraph (2) above, the facility/property will then no longer be subject to any CDBG requirements.

**The provisions of this clause shall survive the expiration of this Agreement.**

- K. SECTION 3 REQUIREMENTS:** The Municipality agrees to comply with all Section 3 requirements applicable to contracts funded through this Agreement. Information on Section 3 is available at DES upon request. The Municipality shall include the following, referred to as the Section 3 Clause, in every solicitation and every contract for every Section 3 covered project:

**Section 3 Clause**

- (1) The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 170 1u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3 shall, to the greatest extent feasible, be directed to low-and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- (2) The parties to this contract agree to comply with HUD's requirements in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Part 135 regulations.
- (3) The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers representative of the contractor's commitment under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- (4) The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.

- (5) The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR Part 135.
- (6) Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

**L. ENVIRONMENTAL CONDITIONS:** The County shall perform an Environmental Review (ER) of the project to determine existing conditions and identify all potential environmental impacts, whether beneficial or adverse, and any required conditions or mitigation measures that must be considered in the design and implementation of the project. The Municipality will receive notification from DES following completion of the ER. If applicable, the letter will include a description of the required conditions and/or mitigation measures. Environmental review costs incurred by the County may be charged to the project identified above. In addition, the Municipality shall immediately inform DES of any environmental findings or conditions discovered during activity implementation, and agree that applicable mitigation measures, subject to DES approval, shall be incorporated in order to proceed with the project. The Municipality agrees that such mitigation measures may affect the total project cost, as determined by DES.

**2. THE COUNTY AGREES TO:**

- A.** Provide funding for the above specified improvements as described above in "Project Scope", during the term of this Agreement, in the amount of \$37,294. However, the County shall not provide any funding for the construction work until the Municipality provides documentation showing that sufficient funds are committed and available to complete the project.
- B.** Provide project administration and inspection to the Municipality to ensure compliance with U.S. HUD and the Department of Labor, and applicable State, Federal and County laws and regulations.
- C.** Monitor the Municipality at any time during the term of this Agreement. Visits may be announced or unannounced, as determined by DES, and will serve to ensure compliance with U.S. Department of HUD regulations that planned activities are conducted in a timely manner, and to verify the accuracy of reporting to DES on program activities.
- D.** Perform Davis-Bacon Act Labor Standards monitoring and enforcement.
- E.** Allowable costs that may be paid by the County under this Agreement in addition to those stated in 2.A above:
  - (1) Costs of asbestos surveys, asbestos abatement, and abatement monitoring.
  - (2) Costs of any other services customarily associated with projects of the nature of the project contemplated by this Agreement.

The County shall review requests by the Municipality for expenditures on the above items prior to undertaking the services associated with them, and approve any such expenditure it deems appropriate for this project.

**EXHIBIT B**

**PALM BEACH COUNTY ECONOMIC SUSTAINABILITY**

**MONTHLY PERFORMANCE REPORT**

<b>Report For:</b>	Month: _____ Year: _____
<b>Sub-recipient Name:</b>	Town of Lake Park
<b>Project Name:</b>	Reconstruction of Tennis Courts @ Federal Highway and Lake Shore Drive
<b>Report Prepared By:</b>	_____
	Name Signature Date

**BUDGETING AND EXPENDITURES**

**Amounts Expended this Reporting Period:** CDBG Funds:\$ \_\_\_\_\_ Other Funds:\$ \_\_\_\_\_

**Amounts Expended to Date:**

////////////////////	BUDGETED	EXPENDED	PERCENTAGE
CDBG Funds:	\$ 37,294.00	\$	%
Other Funds: _____	\$	\$	%
Other Funds: _____	\$	\$	%
TOTAL:	\$	\$	%

Describe any changes in budgeted amounts during this reporting period and the source of funds:

\_\_\_\_\_

\_\_\_\_\_

Describe your efforts to obtain any additional funds for the project during this reporting period (if your project is underfunded): \_\_\_\_\_

\_\_\_\_\_

**PROJECT ACTIVITIES**

Describe your accomplishments during the reporting period: \_\_\_\_\_

\_\_\_\_\_

Describe any problems encountered during this reporting period: \_\_\_\_\_

\_\_\_\_\_

Other comments: \_\_\_\_\_

\_\_\_\_\_

I, \_\_\_\_\_, do hereby certify that the Town of Lake Park has met all of its Monthly Performance Requirements (Exhibit A, Paragraph H) referenced in the Agreement during this reporting period.

**Name & Title of Certifying Representative**

Send Monthly Performance Report to: Bud Cheney, Manager of CREIS  
Department of Economic Sustainability  
100 Australian Avenue, Suite 500  
West Palm Beach, FL 33406

**EXHIBIT C****ASBESTOS REQUIREMENTS**  
**SPECIAL CONDITIONS FOR DEMOLITION AND RENOVATION OF BUILDINGS**

The provisions of this part apply to all demolition and renovation work contemplated in this Agreement and described in Exhibit A of this Agreement.

**I. DEFINITIONS**

ACM:	Asbestos Containing Materials
AHERA:	Asbestos Hazard Emergency Response Act
EPA:	Environmental Protection Agency
FLAC:	Florida Licensed Asbestos Consultant
DES:	Palm Beach County Department of Housing and Community Development
NESHAP:	National Emission Standards for Hazardous Air Pollutants
NRCA:	National Roofing Contractors Association
NVLAP:	National Voluntary Laboratory Accreditation Program
OSHA:	Occupational Safety & Health Administration
PBCAC:	Palm Beach County Asbestos Coordinator (in Risk Management)
PLM:	Polarized Light Microscopy
RACM:	Regulated Asbestos Containing Materials
TEM:	Transmission Electron Microscopy

**II. ASBESTOS SURVEYS**

All properties scheduled for renovation or demolition are required to have a comprehensive asbestos survey conducted by a Florida Licensed Asbestos Consultant (FLAC). The survey shall be conducted in accordance with AHERA guidelines. Analysis must be performed by a NVLAP accredited laboratory.

For Renovation Projects (projects which will be reoccupied):

- Point counting should be conducted on all RACM indicating 1% - 10% asbestos by PLM analysis. If the asbestos content by PLM is less than 10%, the building owner/operator can elect to:
  1. Assume the material is greater than 1% and treat it as RACM, or
  2. Require verification by point counting
- Samples of resilient vinyl floor tile indicating asbestos not detected must be confirmed by transmission electron microscopy (TEM)
- Joint compound shall be analyzed as a separate layer
- Roofing material shall be sampled only if a renovation requires the roof to be disturbed. In lieu of sampling the roof, it will be presumed to contain asbestos

For Demolition Projects:

- Point counting should be conducted on all RACM indicating 1% - 10% asbestos by PLM analysis. If the asbestos content by PLM is less than 10%, the building owner/operator can elect to:
  1. Assume the material is greater than 1% and treat it as RACM, or
  2. Require verification by point counting
- Composite sample analysis is permitted for drywall systems (combining the drywall and joint compound constituents)
- All Category I and II non-friable materials, as defined in EPA/NESHAP, shall be sampled to determine asbestos content

If the Agency (or Municipality, as applicable) has a recent asbestos survey report prepared by a Florida Licensed Asbestos Consultant, a copy may be provided to DES for review by the PBCAC to determine if the survey is adequate to proceed with renovation/demolition work. If no survey is available, a survey may be initiated by the Agency (or Municipality, as applicable) or requested by DES. If the survey is through DES, a copy of the completed survey will be forwarded to the Agency (or Municipality, as applicable).

### III. ASBESTOS ABATEMENT

#### A. RENOVATION

- (a) Prior to a renovation, all asbestos containing materials that will be disturbed during the renovation, must be removed by a Florida Licensed Asbestos Contractor under the direction of a FLAC. Exceptions may be granted by DES prior to the removal. The Agency (or Municipality, as applicable) must obtain approval for all exceptions from DES. DES will request the PBCAC to review and approve all exceptions.
- (b) Asbestos abatement work may be contracted by the Agency (or Municipality, as applicable) or by DES upon request.
- (c) If the Agency (or Municipality, as applicable) contracts the asbestos abatement, the following documents are required to be provided to the DES.
  - 1. An Asbestos Abatement Specification (Work Plan)
  - 2. Post Job submittals, reviewed and signed by the FLAC
- (d) If the Agency (or Municipality, as applicable) requests DES to contract the asbestos abatement, DES will initiate the request through the PBCAC who will contract the asbestos abatement. DES will provide a copy of all contractor and consultant documents to the Agency (or Municipality, as applicable).
- (e) Materials containing <1% asbestos are not regulated by EPA/NESHAPS. However, OSHA compliance is mandatory. OSHA requirements include training, wet methods, prompt cleanup in leak tight containers, etc. The renovation contractor must comply with US Dept of Labor, OSHA Standard Interpretation, "Compliance requirements for renovation work involving material containing <1% asbestos", dated 11/24/2003. The renovation contractor must submit a work plan to DES prior to removal of the materials.

#### B. DEMOLITION

All RACM must be removed by a Florida Licensed Asbestos Contractor under the direction of an FLAC prior to demolition. Examples of RACM include: popcorn ceiling finish, drywall systems, felt or paper-backed linoleum, resilient floor tile which is not intact, asbestos cement panels/pipes/shingles ("transite").

NESHAP Category I non-friable materials, such as intact resilient floor tile & mastic and intact roofing materials, may be demolished with the structure, using adequate controls. The demolition contractor shall be made aware of the asbestos-containing materials and shall exercise adequate control techniques (wet methods, etc.). Any exceptions to these guidelines shall be requested through and approved by DES prior to the removal. Demolition work should be monitored by a FLAC to ensure proper control measures and waste disposal. This is the responsibility of the Agency (or Municipality, as applicable).

- (a) Asbestos Abatement work may be contracted by the Agency (or Municipality, as applicable) or by DES upon request.
- (b) If the Agency (or Municipality, as applicable) contracts the asbestos abatement, the following documents must be provided to the DES and reviewed by the PBCAC.
  - 1. An Asbestos Abatement Specification (Work Plan).
  - 2. Post Job submittals, reviewed and signed by the FLAC.

- (c) If the Agency (or Municipality, as applicable) requests DES to contract the asbestos abatement, DES will initiate the request through the PBCAC who will contract the asbestos abatement. DES will provide a copy of all contractor and consultant documents to the Agency (or Municipality, as applicable).
- (d) Recycling, salvage or compacting of any asbestos containing materials or the substrate is strictly prohibited.
- (e) In all cases, compliance with OSHA "Requirements for demolition operations involving material containing <1% asbestos" is mandatory.
- (f) If suspect materials are discovered that were not previously sampled and identified in the survey, stop all work that will disturb these materials and immediately notify DES.

**IV. NESHAP NOTIFICATION**

**A. RENOVATION**

A NESHAP form must be prepared by the Agency (or Municipality, as applicable) or its Contractor and submitted to the Palm Beach County Health Department at least ten (10) working days prior to an asbestos activity that involves removal of regulated asbestos containing material, including linoleum, greater than 160 square feet or 260 linear feet or 35 cubic feet. For floor tile removal greater than 160 square feet, the Agency (or Municipality, as applicable) or its Contractor shall provide a courtesy NESHAP notification to the Palm Beach County Health Department at least three (3) working days prior to removal.

The Agency (or Municipality, as applicable) shall provide a copy of the asbestos survey to the renovation contractor to keep onsite during the work activity.

**B. DEMOLITION**

A NESHAP form must be prepared by the Agency (or Municipality, as applicable) or its Contractor and submitted to the Palm Beach County Health Department at least ten (10) working days prior to the demolition for projects demolished by the Agency (or Municipality, as applicable).

**C. NESHAP FORM**

The NESHAP form is available online through the Florida Department of Environmental Regulations. The notification shall be sent to the address shown below. A copy shall be included in the Agency (or Municipality, as applicable) post job documentation submitted to DES. All fees shall be paid by the Agency (or Municipality, as applicable).

Palm Beach County Department of Health  
Asbestos Coordinator  
800 Clematis Street  
Post Office Box 29  
West Palm Beach, Florida 33402

**V. APPLICABLE ASBESTOS REGULATIONS/GUIDELINES**

The Agency (or Municipality, as applicable), through its demolition or renovation contractor, shall comply with the following asbestos regulations/guidelines. This list is *not* all inclusive:

- (a) Environmental Protection Agency (EPA) NESHAP, 40 CFR Parts 61 Subpart M National Emission Standard for Asbestos, revised July 1991
- (b) Occupational Safety & Health Administration (OSHA) Construction Industry Standard, 29 CFR 1926.1101
- (c) EPA: A Guide to Normal Demolition Practices under the Asbestos NESHAP, September 1992
- (d) Demolition practices under the Asbestos NESHAP, EPA Region IV
- (e) Asbestos NESHAP Adequately Wet Guidance
- (f) Florida State Licensing and Asbestos Laws
  1. Title XVIII, Chapter 255, Public property and publicly owned buildings.
  2. Department of Business and Professional Regulations, Chapter 469 Florida Statute, Licensure of Asbestos Consultants and Contractors
- (g) Resilient Floor Covering Institute (RFCI), Updated Recommended Work Practices and Asbestos Regulatory Requirements, current version.
- (h) Florida Roofing Sheet Metal and Air Conditioning Contractors Association, NRCA, June 1995, or current version.
- (i) US Dept of Labor, OSHA Standard Interpretation
  1. Application of the asbestos standard to demolition of buildings with ACM in Place, dated 8/26/2002.
  2. Requirements for demolition operations involving material containing <1% asbestos, dated 8/13/1999.
  3. Compliance requirements for renovation work involving material containing <1% asbestos, dated 11/24/2003.

# TAB 13



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: June 19, 2013

Agenda Item No.

**Agenda Title: REQUEST BY H&L PLANNING AND DEVELOPMENT CONSULTANTS ON BEHALF OF WATERFRONT SERVICES INC. TO ESTABLISH A BUILDING SUPPLIES OFFICE AND RETAIL SPACE WITH A STORAGE WAREHOUSE IN THE C-2 BUSINESS DISTRICT.**

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

Approved by Town Manager  Date: 6/12/13

Nadia Di Tommaso / Community Development Director  
Name/Title

<p><b>Originating Department:</b>  Community Development</p>	<p>Costs: \$ 750 plus required advertisement(s) Funding Source: Applicant ("H&amp;L") Acct. # 4647 <b>** A Town courtesy notice to all properties within 300 feet was also provided: \$140.43**</b> Acct# 500-41200 [ ] Finance _____</p>	<p><b>Attachments:</b></p> <ul style="list-style-type: none"> <li>➔ Staff Report and Exhibit "A" (Zoning Map and Images of Existing Conditions)</li> <li>➔ Resolution __-06-13</li> <li>➔ Copy of Applicant's Application</li> <li>➔ Plan (site details and landscaping) – available as a separate file in the drop box</li> </ul>
<p><b>Advertised:</b> Date: May 20, 2013 Paper: Palm Beach Post [ ] Not Required</p>	<p>All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.</p>	<p>Yes I have notified everyone __ <b>ND</b> – see notation in costs field OR Not applicable in this case ____  <b>Please initial one.</b></p>

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

**Recommended Motion: I MOVE TO APPROVE THE PROPOSED SPECIAL EXCEPTION APPLICATION FOR A BUILDING SUPPLIES, OFFICE, RETAIL AND STORAGE WAREHOUSE USE AT 900 10<sup>TH</sup> STREET SUBJECT TO THE CONDITIONS OF APPROVAL OUTLINED IN THE ATTACHED STAFF REPORT.**



**TOWN LAKE OF PARK  
TOWN COMMISSION**  
Meeting Date: June 19, 2013

**REQUEST BY H&L PLANNING AND DEVELOPMENT CONSULTANTS ON  
BEHALF OF WATERFRONT SERVICES INC. TO ESTABLISH A BUILDING  
SUPPLIES OFFICE AND RETAIL SPACE WITH A STORAGE WAREHOUSE  
IN THE C-2 BUSINESS DISTRICT**

**APPLICANT'S REQUEST:** H&L Planning and Development Consultants as the agent of Waterfront Services, Inc. ("Applicant") has applied for the approval of a Special Exception Use to authorize a "storage warehouse, office, building supplies, and retail" business at 900 10<sup>th</sup> Street ("Property" or "Site") in the C-2 Business District. The approval of this Special Exception Use will permit the Applicant to occupy 70 percent of the interior as "storage warehouse" and the remainder of the space as an office and a retail showroom.

**BACKGROUND:**

Applicant(s): H&L Planning and Development Consultants as Agent for Waterfront Services, Inc. (a pool supply company), under the authorization of the existing property owner listed below.

Owner(s): PO LLC

Address/Location: 900 10<sup>th</sup> St.

Net Acreage: 0.70 acres

Legal Description: CITY SQUARE SLY 115.77 FT OF NLY 277 FT OF ELY 174 FT & SLY 102.86 FT OF NLY 231.86 FT OF WLY 81.20 FT

Existing Zoning: C-2 Business District

Future Land Use: COMMERCIAL

**Adjacent Zoning**

North: Commercial-2  
South: Commercial-2  
East: Commercial-1  
West: Commercial-4 & Campus Light Industrial/ Commercial

**Adjacent Existing Land Use**

North: Commercial  
South: Commercial  
East: Commercial  
West: Commercial / Light Industrial

*(ZONING MAP & IMAGES OF EXISTING CONDITIONS INCLUDED AS **EXHIBIT A**)*

## **I. SUMMARY OF REQUEST**

The Applicant is a pool and general contracting company currently located in the City of Palm Beach Gardens. The Applicant is seeking to relocate to the Town of Lake Park for the purpose of expanding their existing business. The Applicant is proposing to purchase and occupy a building located at 900 10<sup>th</sup> Street. This Site offers the Applicant adequate land to accommodate its business, including room for their required storage of supplies and equipment, adequate parking, and office space. The Applicant proposes to use 70 percent of the interior building floor area space for storage, and 30 percent of the interior building floor area for an office and retail space. The Site has a future land use designation of "commercial", and is zoned C-2. The use of "storage warehouse, building supplies, and retail" is permitted within the C-2 Business District as a Special Exception Use.

As part of the application, the Applicant was also required to submit a Site and Landscape Plan given its proposed accessory outdoor storage area. This plan referenced as Sheet 1 in the agenda packet, indicates the building's location, landscaping and other features of the Site. Staff reviewed the application based on the special exception criteria listed herein.

## **II. ANALYSIS OF SPECIAL EXCEPTION CRITERIA**

Staff reviewed the application submitted and analyzed whether the Applicant has met the six criteria of the Code, which include the following:

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

**Objective 1, Policy 1.5 of the Town's Future Land Use Element (FLUE) within the Town's Comprehensive Plan states the following:**

*The Town shall encourage development and redevelopment activities which will substantially increase the tax base while minimizing negative impacts on natural and historic resources, existing neighborhoods and development, and adopted Levels of Service standards.*

Staff finds that the approval of the proposed special exception use would further Objective 1 and Policy 1.5 by promoting the occupancy of a building which has been vacant for years. The Site will be improved for occupancy and serve to increase in value, without requiring any increase in the adopted Levels of Services to the area. Staff has recommended conditions of approval which if implemented will minimize any negative impacts which might be created by the approval of the special exception use on the Site.

**Objective 5 of the Town's FLUE states:**

*As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a*

*manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.*

**Policy 5.2 of the Town's FLUE states:**

*The Town shall foster the redevelopment of declining neighborhoods, underutilized parcels, and areas that demonstrate substandard and/or slum and blight conditions.*

The Applicant's special exception use furthers Objective 5 and Policy 5.2 of the Town's Comprehensive Plan by promoting the revitalization of an underutilized parcel that will remain compatible with the existing surroundings. The Applicant's proposed special exception use is compatible with the other commercial/light industrial uses which have developed in this zoning district and nearby districts.

**2. The proposed special exception use is consistent with the Town's land development and zoning regulations and all other portions of this Code.**

The Applicant's Site and Landscaping Plan proposes improvements to the parcel to accommodate the proposed building supplies/office and storage warehouse use. The Site Plan provides for increased landscaping to the proposed outdoor storage area, modification to the dumpster enclosure, and clear demarcation of the storage areas with adequate screening. The Site meets requirements for adequate parking whereby there are 14 existing spaces onsite and 14 spaces are required. Cross access is required as a condition of approval for this application.

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

The proposed special exception use is compatible with the character of the surrounding properties, which are also zoned C-2. The C-2 Business District permits retail and service establishments by right, and light industrial uses by special exception.

The Palm Beach County's Traffic Division has determined that the proposed special exception use is not expected to generate negative traffic impact; however, the Site has limited access and in order to access the Site's parking area, drivers must go through the neighboring properties. As a result, staff is requiring that the Applicant enter into a Cross Access Easement Agreement with the neighboring properties to the north and south of the Site prior to the issuance of any development permit. Occupancy shall be prohibited without this documentation.

The Applicant proposes to operate during daytime hours similar to the other businesses in the area, and while an outdoor storage area is being proposed, it is

being proposed to the rear of the property that abuts the Florida East Coast Railroad tracks. No exterior structural modifications to the building are being proposed.

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

There is no additional combined "storage warehouse, building supplies, and retail" use in the immediate vicinity.

- 5. The proposed special exception use does not have a detrimental impact on surrounding properties based on:**

- a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;**

The Applicant intends to have eight (8) employees at maximum shift. The Plan indicates there will be sufficient parking for employees working at the Site and for those who may visit the Site.

- b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use; and**

The Applicant is proposing to use the building as an office and warehouse space. The Applicant will not be using or storing any hazardous materials on the Site. The Applicant's daily operations are not expected to generate any noise, odors, or visual impacts which would constitute a nuisance within the context of this zoning district. The Applicant proposes to use the open space in the rear as an accessory screened outdoor storage area. The rear storage area will be fully screened with landscaping to prevent any visual disturbances. A complete list of vehicles/machinery stored on site is also included in the application packet.

- c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.**

The nature of the Applicant's daily operations does not foster heavy traffic flow. The Applicant expects the building to be primarily occupied by employees and not clients, as their operations entail off-site service; therefore, traffic flow in the vicinity of the Site is not expected to be an issue. Given that the building has been vacant for more than 5 years, a courtesy traffic review by Palm Beach County's Traffic Division was conducted and determined that the proposed special exception use is not expected to generate negative traffic impacts.

**6. That the proposed special exception use:**

- a. Does not significantly reduce light and air to adjacent properties.**

The Applicant's proposed special exception use will not cause change to the air or light quality. Existing lighting as originally approved is available onsite.

- b. Does not adversely affect property values in adjacent areas.**

The Applicant's improvement of the Site would not adversely impact the property values of adjacent properties. If anything, the Site would create a positive effect on the property values of adjacent properties by revitalizing an underutilized parcel.

- c. Would not be a deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations.**

The Applicant's special exception use will not be a deterrent to any improvements or the redevelopment of surrounding properties. The development of the Site will serve to promote and encourage redevelopment.

- d. Does not negatively impact adjacent natural systems or public facilities, including parks and open spaces.**

The proposed special exception use will not adversely affect any natural systems or public infrastructure. The Applicant will use the existing infrastructure to support their use.

- e. Provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.**

N/A.

**III. STAFF RECOMMENDATION**

**Staff recommends that the Town Commission make a motion to APPROVE the proposed special exception application for a "storage warehouse, building supplies, and retail" use, subject to the following conditions:**

- 1. The Owner shall develop the Property consistent with the following Plan submitted by H&L Planning and Development Consultants:**

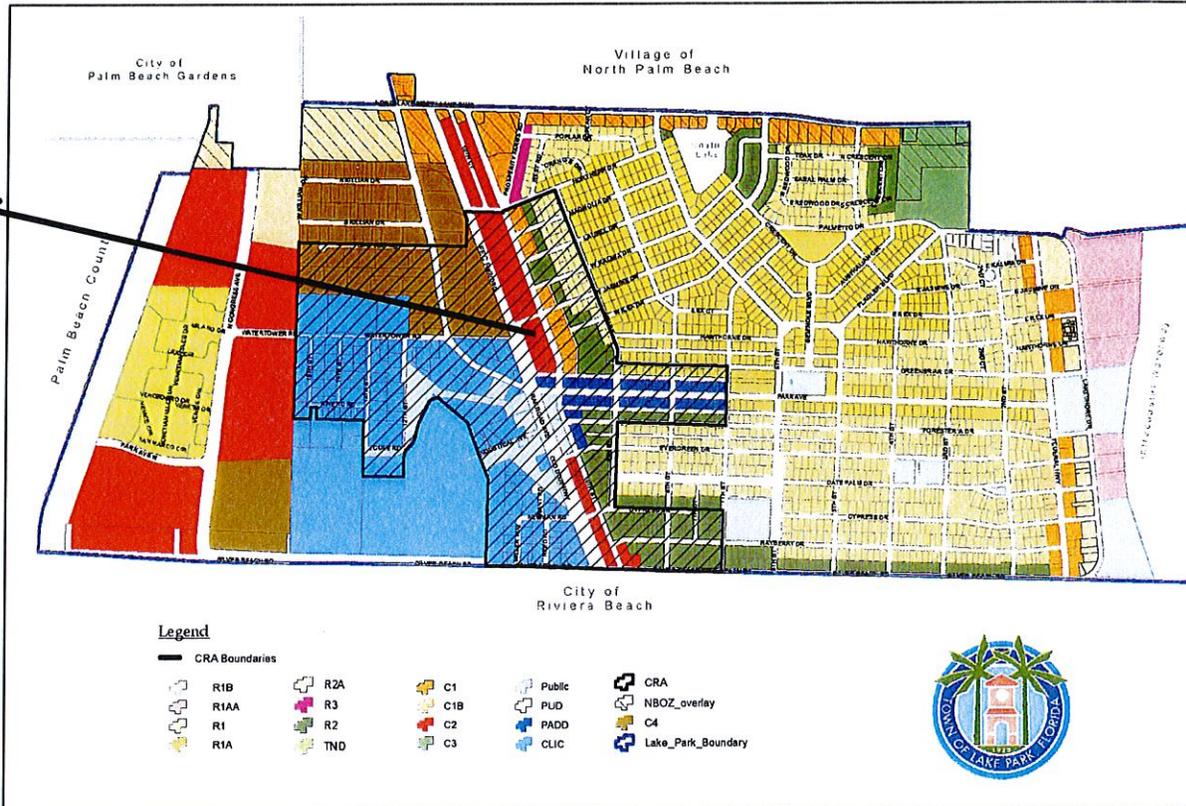
- a. Site and Landscape Plan referenced as Sheet 1, and prepared by Tony Grimaldi Landscape Architecture, signed**

**and sealed 05/21/2013 and received and dated by the Department of Community Development on 05/24/2013.**

**2. The Owner shall submit a Cross Access Easement Agreement, executed by the Owner and the legal owners of the properties, north and south, prior to the issuance of any development permits. The Cross Access Easement Agreement shall be subject to the review and approval of the Town Attorney.**

**Exhibit A: Zoning Map with Images of Existing Conditions**

Applicant's Site:  
900 10<sup>th</sup> St



**Lake Park Zoning Map**



Map is not to scale. All distances are approximate. The City of Lake Park, Florida, is not responsible for any errors or omissions in this map. The City of Lake Park, Florida, is not responsible for any damages or losses resulting from the use of this map. The City of Lake Park, Florida, is not responsible for any legal actions or claims resulting from the use of this map.

Aerial View:



Front View:



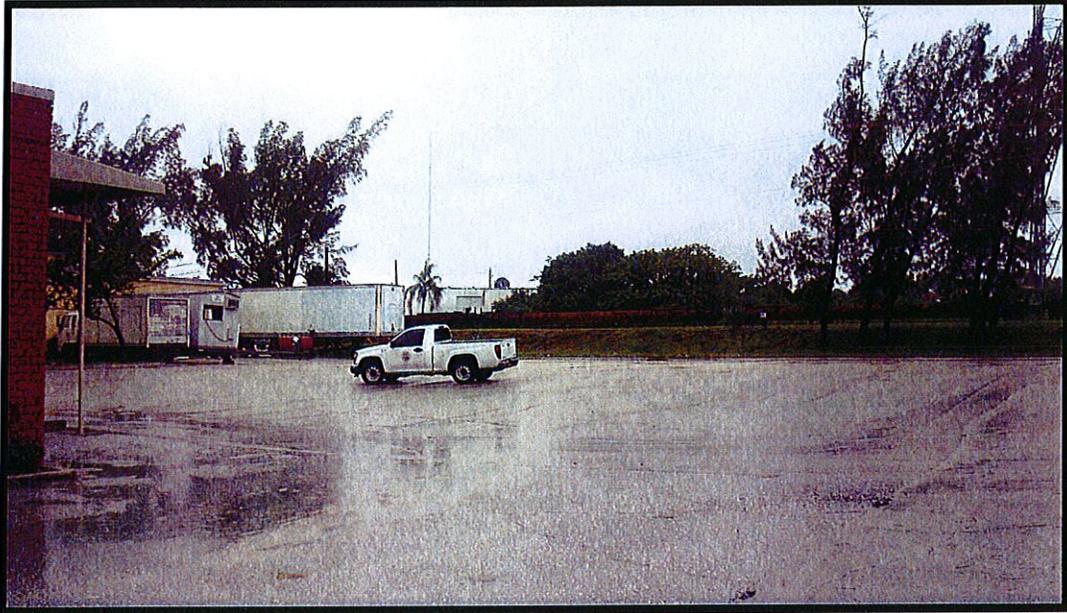
North Side View:



South Side View:



Side View Facing Rear:



Rear View:



**RESOLUTION NO. 13-06-13**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SPECIAL EXCEPTION USE FOR BUILDING SUPPLIES OFFICE AND RETAIL SPACE WITH A STORAGE WAREHOUSE TO BE LOCATED AT 900 10<sup>th</sup> STREET IN THE C-2 ZONING DISTRICT; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE USE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, H&L Planning and Development, (“Applicant” and “Agent”) for Waterfront Properties, Inc. who will be the owner of a building supplies, office, retail and storage warehouse business to be located at 900 10<sup>th</sup> Street (“Subject Property”) in the Town of Lake Park, Florida; and

**WHEREAS**, the property is currently owned by PO LLC (“Property Owner”); and

**WHEREAS**, the subject property is within the C-2 zoning district, and

**WHEREAS**, the Applicant has submitted an application for approval of a special exception use to allow a building supplies, office, retail and storage warehouse establishment (“Application”) to be operated at 900 10<sup>th</sup> Street; and

**WHEREAS**, the Town of Lake Park’s Planning and Zoning Board has reviewed the Application and has made its recommendation to the Town Commission; and

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

**WHEREAS**, at this hearing, the Town Commission considered the evidence presented by the Town Staff, the Applicant, and other interested parties and members of the public, regarding the Application’s consistency with the Town’s Comprehensive Plan, the special exception criteria as set forth in Section 78-184, and other provisions of the Town’s Land Development Regulations which are applicable, and

**WHEREAS**, at the hearing the Town Commission determined that certain conditions are necessary in order for the Application to meet the special exception criteria of Section 78-184 and the Town’s Land Development Regulations; and

**WHEREAS**, the Applicant, the Property Owner, and their successors and assigns shall be subject to the conditions contained in Section 2.

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

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

**Section 2.** The Town Commission hereby approves the request for a special exception use of a building supplies, office, retail, and storage warehouse establishment on the subject property subject to the following condition:

- (1) The Owner shall develop the Property consistent with the following Plan submitted by H&L Planning and Development Consultants:**
  - a) Site and Landscape Plan referenced as Sheet 1, and prepared by Tony Grimaldi Landscape Architecture, signed and sealed 05/21/2013 and received and dated by the Department of Community Development on 05/24/2013.**
- (2) The Owner shall submit a Cross Access Easement Agreement, executed by the Owner and the legal owners of the properties, north and south, prior to the issuance of any development permits. The Cross Access Easement Agreement shall be subject to the review and approval of the Town Attorney.**

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



Community  
 Development  
 MAR 12 2013

**THE TOWN OF LAKE PARK**  
 Community Development Department

**APPLICATION FOR SPECIAL EXCEPTION REVIEW**

Name of Applicant/Agent: James G. Hackett, H&L Planning and Development

Address: 612 N. Orange Ave., Suite 14A, Jupiter, FL 33458

Telephone: 561.222.9284 Fax: 561.383.3167

E-mail address: james@hlplanning.net

           Owner             Agent (Attach Agent Authorization Form)

Owner's Name (if not applicant): 561.222.9284

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail address: \_\_\_\_\_

Property Location: 901 10th Street

Legal Description: See attached legal description

Property Control Number: 36-43-42-20-06-001-0020

Future Land Use: Commercial Zoning: C-2

Acres: 0.70 Acres Square Footage of Use: 3,961 sf.

Proposed Use: Retail, showroom, and accessory warehouse for local pool company

**Adjacent Property**

Direction	Zoning	Business Name	Use
North	C-2	C-2	Retail
East	C-1	N/A - Vacant	Vacant
South	C-2	Mixed Use Retail Stores	Retail
West	N/A	N/A	Railroad Tracks

**APPLICATION REQUIREMENTS:**

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

Please see attached statement of use

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

Please see attached statement of use

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

Please see attached statement of use

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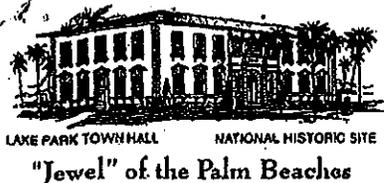
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4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development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

Please see attached statement of use

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# The Town of Lake Park

## Community Development Department

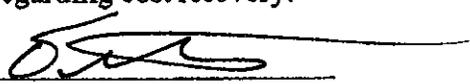
**PLEASE DO NOT DETACH FROM APPLICATION.**

**SIGNATURE REQUIRED BELOW.**

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

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

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

I, <u>Orlando J. Spado</u> , have read and understand the regulations above regarding cost recovery.	
	<u>3/6/13</u>
Signature of Property Owner	Date
<i>Contract purchaser/applicant</i>	

Community  
MAR 12 2013  
Development

February 25, 2013

Town of Lake Park, Community Development Department  
535 Park Avenue  
Lake Park, FL 33403

Attention: Nadia DiTommaso

With this letter, I authorize you to recognize James G Hackett with H&L Planning and Development as my Agent, and acting in my behalf may sign for special exception application at 900 10<sup>th</sup> Street, Lake Park, Florida.

By my signature, I recognize and approve the submittal of a special exception application for this property.

*Mary D Lafuente*  
Signature

Mary D. Lafuente  
Name

Managing Member of  
Title PO, LLC

2 / 26 / 2013  
Date

STATE OF FLORIDA  
COUNTY OF PALEM BEACH

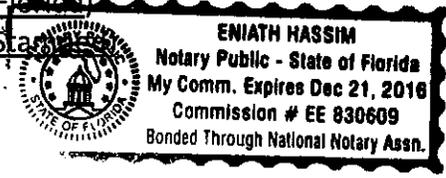
The foregoing instrument was acknowledged before me this 26 day of FEB, 2013, by (name of person acknowledging).

MARY D LAFUENTE

*Eniath Hassim*  
(Signature of Notary Public-State of Florida)

(NOTARY SEAL)

(Name of Notary Typed, Printed, or Stamped)



Personally Known \_\_\_\_\_ OR Produced Identification

Type of Identification Produced  
FLORIDA DRIVERS LICENSE



**Waterfront Services Inc.  
Special Exception Review Application  
900 10<sup>th</sup> Street  
Town of Lake Park  
March 6, 2013  
Revised May 3, 2013**

**Introduction**

Waterfront Services Inc. ("the Applicant") is seeking a Special Exception Review approval to occupy the existing building located at 900 10<sup>th</sup> Street in the Town of Lake Park. The applicant is an existing and established general contractor company which is relocating from Palm Beach Gardens to Lake Park. Waterfront Services, a state licensed contractor, specializes in concrete restoration, waterproofing, caulking and coatings for both residential and commercial properties.

Located in the C-2 Zoning District, the existing site is approximately 0.61 acres in size with an existing 3,961 square foot building. The applicant is seeking approval to allow the existing commercial building to be renovated to allow for a proposed office with warehousing and showroom. The applicant is proposing to modify the existing internal building to have a 1,184 square foot storage area and a 2,777 square foot office/showroom. This keeps the storage area at approximately 70% of the overall square footage of the existing building.

**Storage Area Breakdown**

Below is a list of vehicles to be stored in the outdoor storage area:

1998 Ford F-650 5 Yard Dump Truck  
Kaufmann 26' Foot Trailer with Kubota KX-80 Excavator on it  
Anderson 24' Trailer with Bobcat Skid Steer on it  
2000 F-550 Flat Bed Pickup Truck  
2001 F-250 utility body work truck  
2007 Dodge 2500 Utility body work truck  
2001 GMC Work Van  
2003 Ford E-250 Work Van  
24' White enclosed trailer – Left on job most of the year not in yard but occasionally in yard  
12' Black enclosed job trailer – same as above not always in yard  
14' Black enclosed job trailer – same as above not always in yard  
16' white enclosed job trailer – same as above not always in yard  
2012 Kubota kx-35 mini excavator

Trucks leave yard at 7:30-8:00 in morning and don't come back until 4:00-4:30 or later. Specific equipment for each job gets delivered to the site and does not come back to this facility. Additionally, the total number of employees are 8, however 4 of them come and go during the day.

## Application Requirements

1. The Special Exception request is consistent with the goals, objectives and policies of the Town's Comprehensive Plan. The subject site has an underlying Commercial Land Use designation with a C-2 Zoning District. Office with warehouse/showroom is consistent with the uses allowed in this land use designation as well as the used within the surrounding area. Waterfront Services provides clients the opportunity to view product samples, such as water features, pool tiles, etc. such as a typical commercial use would provide.
2. The proposed special exception is consistent with the land development and zoning regulations and all other portions of the Town's Code of Ordinance. At this time, the applicant is requesting to allow a portion of the rear of the site to be fenced in for security of vehicles, material etc. The site meets or exceeds landscape requirements in the front of the existing building. The applicant is proposing additional landscaping, where applicable in the rear to screen the proposed fence. All other code requirements have been met, including but not limited to, required parking spaces.
3. Waterfront Services is a compatible use and is consistent with the surrounding uses and area. As mentioned above, the business will provide clients the opportunity to preview product material within a proposed showroom. The outdoor storage is consistent with the existing FP&L facility down the street and with the adjacent delivery area. This type of use is consistent with other uses within the C-1 and C-2 Zoning Districts which surrounding the subject site.
4. The proposed use does not create a concentration or proliferation of the same or similar type of uses. At this time, there are no other similar uses within the immediate area. Additionally, this type of business will provide the residents of Lake Park a service which is in high demand. Both residential and commercial development and/or redevelopment are increasing and this use will be beneficial to the Town.
5. The proposed special exception will not be a detrimental impact on the surrounding area. There is no significant increase in traffic due to the proposed use. The business has approximately ten (10) employees which are not all there at the same time. All external storage is proposed to be screened and meet all Town code requirements to the greatest extent possible. All significant deliveries happen at individual job sites and will not happen at this facility. Therefore, existing conditions on site will actually be improved from its current state.
6. The existing site has been vacant for an extended period of time. The front of the building has been kept up to Town requirements, however the rear is in need of additional landscaping and improvements. With the approval of this request, the applicant is proposing to provide additional landscaping and will clean up the rear of the building. Additionally, the applicant will be modifying the external building façade at a later date. These modifications will be submitted to the Town for approval once designed. All of which will increase the value of the existing property as well as surrounding properties. There are no negative impacts to parks and open space as part of the approval.

## **Conclusion**

The Applicant is requesting site plan approval from the Town of Lake Park to allow Waterfront Services to occupy the existing building and provide a service to the local community. On behalf of the Applicant, H&L Planning and Development Consultants request approval of the Special Exception Review request. We look forward to working with Staff to bring this application before Town Council for final approval as quickly as possible. We are available to answer any questions Staff might have and/or provide necessary information to supplement the information provided in the submittal. Please do not hesitate to contact James Hackett of H&L Consultants should you require additional information.

## STORAGE AREA VEHICLE IMAGES

**Kubota kx-35 mini excavator**



**24' White Enclosed Trailer (16' trailer similar, but smaller) – *Occasionally in the storage yard only***



**16' Black Enclosed Trailer (14' & 12' trailer similar, but smaller) - *Occasionally in the storage yard only***



**Kaufmann 26' Trailer**



**Kubota KX-80 Excavator**



**2000 F-550 Flat Bed Pickup Truck**



**2001 F-250 utility body work truck**



**2007 Dodge 2500 Utility body work truck**

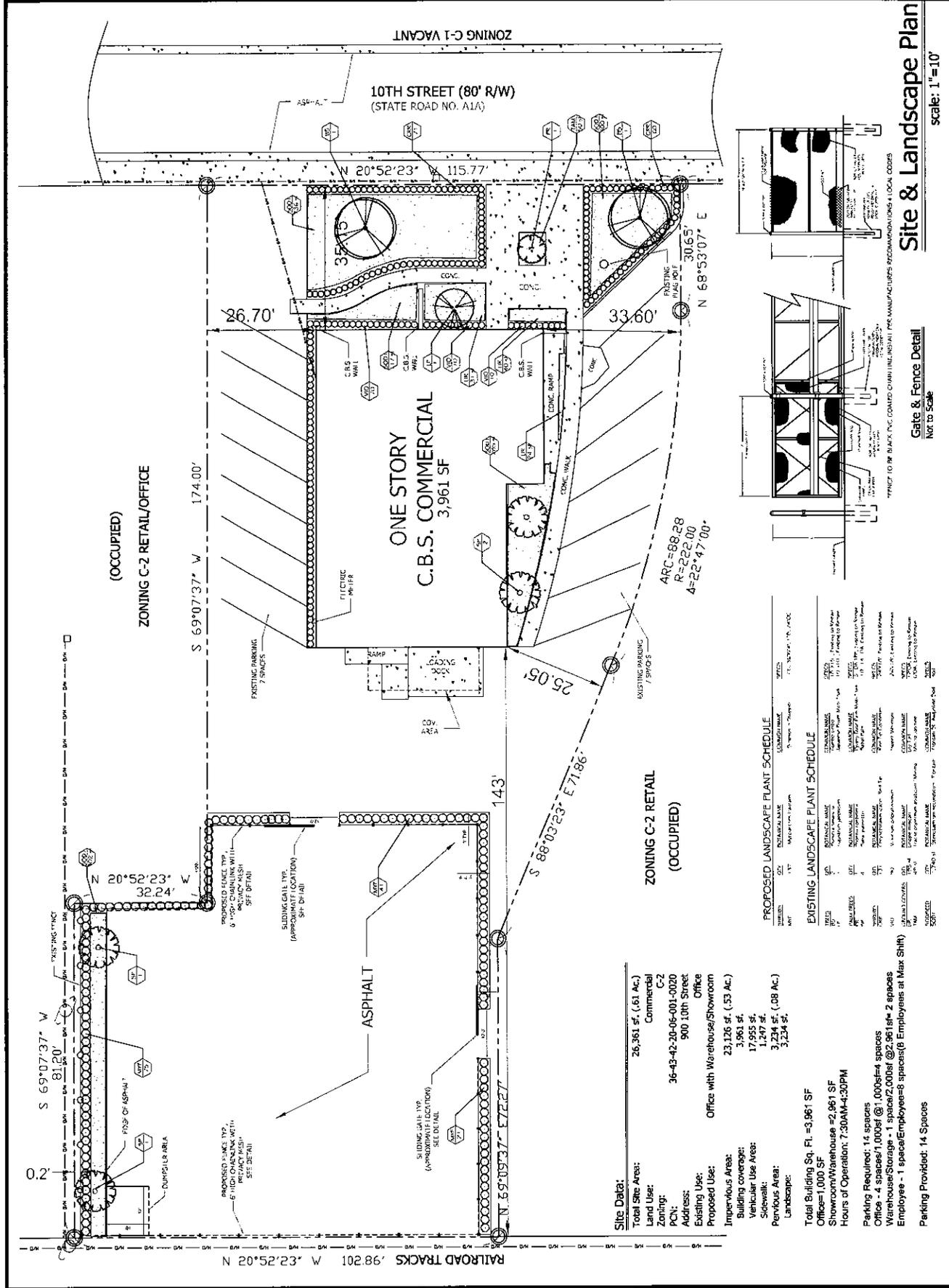


**2001 GMC Work Van**



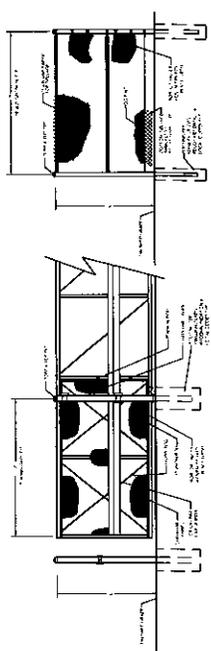
**2003 Ford E-250 Work Van**





**Site & Landscape Plan**  
 scale: 1"=10'

**Gate & Fence Detail**  
 NOT TO SCALE



**PROPOSED LANDSCAPE PLANT SCHEDULE**

QUANTITY	SYMBOL	PLANT NAME	PLANT TYPE	PLANT SIZE	PLANT SPECIES
1	1	SPACER PALM	PALM	12' H	SPACER PALM
1	2	SPACER PALM	PALM	12' H	SPACER PALM
1	3	SPACER PALM	PALM	12' H	SPACER PALM
1	4	SPACER PALM	PALM	12' H	SPACER PALM
1	5	SPACER PALM	PALM	12' H	SPACER PALM
1	6	SPACER PALM	PALM	12' H	SPACER PALM
1	7	SPACER PALM	PALM	12' H	SPACER PALM
1	8	SPACER PALM	PALM	12' H	SPACER PALM
1	9	SPACER PALM	PALM	12' H	SPACER PALM
1	10	SPACER PALM	PALM	12' H	SPACER PALM

**EXISTING LANDSCAPE PLANT SCHEDULE**

QUANTITY	SYMBOL	PLANT NAME	PLANT TYPE	PLANT SIZE	PLANT SPECIES
1	1	SPACER PALM	PALM	12' H	SPACER PALM
1	2	SPACER PALM	PALM	12' H	SPACER PALM
1	3	SPACER PALM	PALM	12' H	SPACER PALM
1	4	SPACER PALM	PALM	12' H	SPACER PALM
1	5	SPACER PALM	PALM	12' H	SPACER PALM
1	6	SPACER PALM	PALM	12' H	SPACER PALM
1	7	SPACER PALM	PALM	12' H	SPACER PALM
1	8	SPACER PALM	PALM	12' H	SPACER PALM
1	9	SPACER PALM	PALM	12' H	SPACER PALM
1	10	SPACER PALM	PALM	12' H	SPACER PALM

**Site Data:**  
 Total Site Area: 26,361 sq. ft. (.61 Ac.)  
 Land Use: Commercial C-2  
 Zoning: 36-43-42-20-06-001-0020  
 PCN: 900 10th Street  
 Address: 900 10th Street  
 Existing Use: Office  
 Proposed Use: Office with Warehouse/Showroom

**Impervious Area:**  
 Building coverage: 23,126 sq. ft. (.53 Ac.)  
 3,961 sq. ft.  
 17,955 sq. ft.  
 1,247 sq. ft.  
 Pavement Area: 3,224 sq. ft. (.08 Ac.)  
 Landscape: 3,224 sq. ft.

Total Building Sq. Ft. = 3,961 SF  
 Office = 1,000 SF  
 Warehouse/Warehouse = 2,961 SF  
 Hours of Operation: 7:30AM-4:30PM

**Parking Required:** 14 spaces  
 Office - 4 spaces / 1,000 SF @ 2.50 SF/Space  
 Warehouse/Storage - 1 space / 2,961 SF @ 2.96 SF/Space  
 Employee - 1 space / Employee = 6 spaces @ 6 employees at Max Shift  
 Parking Provided: 14 Spaces