



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, August 7, 2013, 6:30 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, August 7, 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.

Mayor DuBois led the pledge of allegiance and Town Clerk Vivian Mendez performed the Roll Call.

**SPECIAL PRESENTATIONS/REPORTS**

**1. Presentation of Plaque to Commissioner Kathleen Rapoza by the Palm Beach County Sheriff's Office**

Lt. Chris Myers presented a plaque to Commissioner Rapoza in recognition and appreciation for her dedicated service as a volunteer Citizen on Patrol (COP) member for the Palm Beach County Sheriff's Office District 10 in Lake Park.

**2. A Presentation by Kristen Solomon, Circuit Director for the Palm Beach County Guardian ad Litem Program**

Kristen Solomon made a presentation regarding the Palm Beach County Guardian ad Litem Program. She provided an information handout to the Commission (see attached Exhibit "A"). She stated that the Guardian ad Litem Program is a state agency that is primarily run by volunteer child advocates. The program is set up to represent the best interest of minor children when they enter the dependency system (they have been abused, abandoned, or neglected). The volunteers that participate in the program, along with trained Child Advocacy Coordinators and Child Best Interest Attorneys advocate as a team to achieve permanency, stability, security and normalcy for the children they are assigned to represent. She stated that in Palm Beach County alone there are over 1600 children involved in the dependency program and there are over 500 volunteers. She stated that because there are not enough volunteers they are only appointed to 1200 children in Palm Beach County, leaving over 400 children without a voice. She stated that she is here to advocate for the program and seeking volunteers. She explained that to be a volunteer one must be over 21 years of age, commit to thirty (30) hours of training, undergo a level 2 background screen, and have an open heart. She stated that volunteers usually commit ten (10) to fifteen (15) hours per month. She stated that what's also important is that the children have normalcy in their life and if one cannot be a volunteer they might be able to support the program with resources such as funds for camp, clothing and musical instruments through the non-profit Speak With For Kids.

Commissioner O'Rourke asked if the Guardian ad Litem work within the Family Court System in Divorce cases.

Ms. Solomon explained that due to lack of resources they do not go into the Family Court System and work only within the dependency system. She stated that once all the children within the dependency system are represented they are permitted to go within other areas such as the Family Court System.

Commissioner O'Rourke asked if they handle juvenile delinquency cases.

Ms. Solomon explained that they handle juvenile delinquency cases if there is also a dependency case.

Mayor DuBois asked if they have a website and suggested that a link to the Guardian ad Litem Program be placed on the Town's website homepage.

Ms. Solomon stated that they do have a website and that a link and logo could be provided to the Town.

The Commission concurred to place the link and logo on the Town's website homepage.

**PUBLIC COMMENT:**

*Juliette Mauvais, 929 Park Avenue*, stated that she owns Gift Shop Uniform at 929 Park Avenue. She stated that she has been there for two (2) years and asked for assistance to advertise her business.

Mayor DuBois stated that he will try to send as many customers as possible to the business.

Commissioner Rapoza stated that she has been in contact with Ms. Mauvais and that she is very passionate about wanting to stay in Lake Park and offered her assistance.

*Sue-Ellen Mosler, 201 Foresteria Drive*, stated that there have been several break-in instance since June 18, 2013 in the 700 block of Park Avenue. She also stated that there is other suspicious activities going on in the area. She stated that the Sheriff's Office is contacted and by the time they arrive the people involved have left the area. She stated that the area is under surveillance and the Sheriff's Office is called when suspicious activity is seen and asked if the Commission had any other suggestions on what can be done and asked for assistance and support. She stated that there are drainage issues in the alleyway and the asphalt is pitching towards the doors of the businesses instead of toward to swale in the alleyway and asked when the Town would address that issue. Ms. Mosler provided a letter regarding the drainage issue (see attached Exhibit "B").

Mayor DuBois stated that he will take up the issue with Town Administration and the Sheriff's Office to address the crime situation. He stated that he would follow-up on the letter regarding the drainage issue in the alleyway to the rear of 700 Park Avenue.

*Diane Bernhard, 301 Lake Shore Drive*, she stated that the two (2) areas of importance to the Town are the Park Avenue Business District and the Zoned Industrial Area. It is vital to economic growth and stability of the Town to attract businesses to these areas and to support the businesses in the area. She believes that the Town has fallen short in supporting existing businesses and in making the Town attractive to new businesses. She spoke about private property owners denying public access to business parking and this has happened to existing businesses and may be a deterrent to future business locating within Lake Park. She discussed proscriptive right to property and explained that it is an easement that gives someone the right to use land owned by someone else for a particular purpose. She provided the example of using a path through someone land to get to your land. She suggested that prospective rights may be a solution to some of the issues in the Town. She provided a handout (see attached Exhibit "C"). She encouraged the Commission to explore any and all avenues through which to help existing businesses and attract new businesses to the Town.

Mayor DuBois stated that at the August 5, 2013 Planning and Zoning Board meeting the Board considered an item regarding property cross-access and joint-access and that the items will be coming before the Commission for consideration.

**CONSENT AGENDA:**

- 3. Commission Budget Meeting Minutes of July 17, 2013**
- 4. Regular Commission Meeting Minutes of July 17, 2013**
- 5. Resolution No. 16-08-13 To Approve Letter of Agreement for Renewal of Partnership between Children's Home Society and the Town of Lake Park**
- 6. Approval of Quote for Repairs to Fuel Pump System at Lake Park Harbor Marina**

Commissioner Flaherty requested to pull item 6 Approval of Quote for Repairs to Fuel Pump System at Lake Park Harbor Marina.

Vice-Mayor Glas-Castro requested to pull item 3 Commission Budget Meeting Minutes of July 17, 2013.

**Motion: A motion was made by Commission O'Rourke to approve Consent Agenda Items 4 and 5; 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.

- 3. Commission Budget Meeting Minutes of July 17, 2013**

Vice-Mayor Glas Castro requested that on page 8 that the motion be changed from “to set the current year Proposed Operating Millage Rate at 8.9000 mills” to: “to Set the Tentative Maximum Millage Rate at 8.9 Mills” and leave the remainder of the motion.

Mayor DuBois requested that all instances of “MTSU” be changed to “MSTU”.

**Motion: A motion was made by Commission O’Rourke to approve the Commission Budget Meeting Minutes of July 17, 2013; 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.

**6. Approval of Quote for Repairs to Fuel Pump System at Lake Park Harbor Marina**

Commissioner Flaherty stated that he was concerned regarding the \$8,800 and that the other quotes went into more detail. He was concerned that the lowest bidder K&K Electric, Inc. did not describe as such work being done as the other quotes and that once they began work that the quote would increase to cover the additional work the other companies had in their quote. He asked if other than cost why was K&K Electric, Inc. chosen.

Town Manager Sugerman stated that K&K Electric, Inc. is the lowest responsive and responsible bidder for this particular work with a quote of \$8,800.00 and that staff is satisfied that they will do the work in a responsible and responsive way at the price quoted.

Marina Director Jaime Hart, stated that he had the same concern and that K&K Electric, Inc is a large and repeatable company and that he checked their references. He stated that all the references checked out and stated that K&K Electric, Inc is a very good and responsible firm.

Vice-Mayor Glas-Castro asked what line item this repair is being paid.

Marina Director Hart stated that the line item is Equipment Repair.

Vice-Mayor Glas-Castro asked if this line item is a budgeted line item for general equipment repair.

Marina Director Hart stated “yes” and if needed money is available in Reserves to pay for the expenditure.

**Motion: A motion was made by Commission O'Rourke to approve the Quote for Repairs to Fuel Pump System at Lake Park Harbor Marina from K&K Electric, Inc.; 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.

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

**7. Ordinance No. 10-2013 Changing the Board Appointment Process**

Town Manager Sugerman explained the item (see attached Exhibit "D").

Mayor DuBois suggested that he sit down with Town Manager Sugerman and Town Clerk Mendez and review the process before the next applicant is brought forward.

**Motion: A motion was made by Commissioner O'Rourke to adopt Ordinance 10-2013 on First 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.

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

**8. Ordinance No. 09-2013 An Ordinance Initiated by the Town's Community Development Department Proposing Modifications to Section 54-1 of the Town of Lake Park Code of Ordinances to modify the Address Number/Letter Height Requirement for Residential Buildings from Four to Six Inches in Height and the Address Number/Letter Height Requirement for Non-Residential Buildings from Six to Eight Inches in Height; and the Repeal of Section 70-61 (g) of the Town of Lake Park Code of Ordinances because it duplicates the Requirements of Section 54-1.**

Town Manager Sugerman explained the item (see attached Exhibit “E”).

**Motion: A motion was made by Commissioner Flaherty to adopt Ordinance 09-2013 on Second Reading; 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.

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

**NEW BUSINESS:**

**9. Amendment to the Fiscal Year 2012/2013 Budget Allowing the Removal of Debts Owed by the Marina Fund to the General Fund and the Sanitation Fund.**

Town Manager Sugerman explained the item (see attached Exhibit “F”).

Commissioner Flaherty asked if there is a way to remove the debt from the books without striking it forever where the Commission could payback the debt in the future.

Town Manager Sugerman stated “yes” and explained that Town Commission controls the budget of the General Fund, Marina Fund and Sanitation Fund and in future years once the Marina Fund becomes highly profitable the Commission can create a budget line item that transfers money from the Marina Fund to the General Fund and/or the Sanitation Fund.

Commissioner Rapoza asked if the transfer would be for the entire amount of the debt.

Town Manager Sugerman stated that the amount would be whatever the Commission at that time determined is appropriate and the Commission could transfer the funds in increments over time.

Mayor DuBois stated that the Town does a mid-year budget adjustment and if the Marina Fund is doing well and another fund is in need fund could be transferred at that time.

Town Manager Sugerman concurred.

Commissioner O’Rourke asked if the suggestion that the Marina will become profitable in the future is speculative.

Town Manager Sugerman stated “yes”.

Commissioner O'Rourke stated that one of the main reasons for taking this action is because this will bring the Town in a better financial picture for those people that may want to invest into the Town. He asked if it would help the Town's bond rating.

Town Manager Sugerman stated "yes".

Commissioner O'Rourke asked if the debt forgiveness was done incrementally what impact would that have on Town's bond rating if the increment was 30%.

Town Manager Sugerman stated that has not recommended that the Commission do an incremental forgiven of debt. He suggests that the Commission forgive 100% of the debt but an incremental payback once the Marina becomes profitable.

Commissioner O'Rourke stated that there is an interlocal agreement with Palm Beach County that states that the Town is supposed to develop the Marina in a certain way and there are certain requirements that the Town has related to the interlocal agreement and that right now that Town can show the County that the Marina is not doing well and asked if the forgiveness of debt have an impact on that discussion.

Town Manager Sugerman stated that he does not think the forgiveness of debt would have an impact on the interlocal agreement or discussion regarding the interlocal agreement with the County. He stated that the Town and County are currently in negotiations regarding modifications to the interlocal agreement and at no time has there been discussion regarding the burden of the debt the Marina owes the General Fund and he does not think it would have an impact.

Commissioner O'Rourke stated that he is concerned that the County would say that the Marina does not have the debt anymore and that the development should move forward at a time when the Town is not ready financially to move forward.

Town Manger Sugerman thinks that the going forward obligation is still there regardless of whether the Marina is in debt or not and that part of negotiations has been to help the Town find a way to come into full compliance with the interlocal agreement and he does not think the forgiveness of debt has an impact.

**Motion: A motion was made by Commissioner O'Rourke to Approve Resolution 17-08-13; Vice-Mayor Glas-Castro made the second.**

Vice-Mayor Glas-Castro stated that she received an e-mail from Steve Hockman and that he expressed concern that if the debt is forgiven that the residents will be the ones that end up paying for it. She clarify that the residents pay for it anyway; that it may be a different fund but it is all Town money and the Commission can transfer among the funds as the Commission determines appropriate. She asked if the debt includes outstanding debt on the bond for the renovations of the Marina.

Town Manager Sugerman stated "no".

Commissioner O'Rourke asked if a lot of the debt had to do with the lawsuit.

Town Manager Sugerman stated “yes”.

Mayor DuBois stated that it was not only the lawsuit but the inability of the Marina because of the construction deficiencies and an economic downturn to generate revenue. He stated that the Marina Fund is an enterprise fund in order to be able to receive loans and generate revenue. He asked if performance bond for the construction at the Marina maintained within the Marina Fund.

Town Manager Sugerman stated “yes”. He stated an enterprise fund, which is run like a business, do not make profit they have what is called retained earnings and the Commission has a right to used retained earnings for any lawful public purpose.

Vote on Motion:

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

Motion passed 5-0.

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

**Attorney Baird** no report.

**Town Manager Sugerman** he reminded the Commission the Second Budget Workshop will be on Tuesday, August 13, 2013 at 6:30 pm in the Commission Chambers. He stated that there will be a Special Call CRA meeting on Wednesday, August 21, 2013 at 6:30 pm for the CRA budget approval.

**Commissioner Rapoza** stated that Sheryl Steckler, Inspector General, has requested to put on a 20 minute presentation before an upcoming Commission meeting.

Mayor DuBois asked Town Attorney Baird if it would be a conflict given the Town’s ongoing litigation regarding the Inspector General’s Office.

Attorney Baird stated that it would not be a conflict as long as the litigation is not discussed.

The Commission reached consensus to have Sheryl Steckler, Inspector General make a presentation.

Commissioner Rapoza thanked staff for the copy of the Organizational database and thanked the organizations for their involvement. She stated that on August 14, 2013 Crime Watch will be holding a meeting at the Fire Station on Park Avenue at 6:30 pm. She thanked Publix for donation of goods, supporting Town events and \$500 gift card for the Lake Park Elementary School program “Blessings and a Backpack”. She thanked

First United Bank for their programs at Lake Park Elementary School. She thanked Staples for their donation of furniture and \$500 printer to the Library. She thanked Lake Park Kiwanis for sponsoring the Town's summer camp program for \$340. She thanked Earl Stewart Toyota and Toyota Corporation have both contributed \$1,000 to the summer camp program and Recreation Department. She requested that each of the entities she thanked be presented with a proclamation for their support.

The Commission reached consensus to recognize the entities that made donations at an upcoming meeting.

**Commissioner Flaherty** stated that there will be Budget Workshop on Tuesday, August 13, 2013 in the Commission Chambers at 6:30 pm. He stated that a Community Watch meeting will be held on Wednesday, August 14, 2013 at 6:30 at the Fire Station. He encouraged residents to reach out to the Commission and share their comments regarding the budget. He thanked Ms. Mauvais for coming out and introducing her business. He thanked Sue-Ellen Mosler for coming and her hard work in the community. He thanked Diane Bernhard for her comments and research.

**Commissioner O'Rourke** stated that he is interested in developing a Recreation Program that is a viable program and it has been difficult in getting that accomplished. He stated that he has spoken with Recreation Director Kathleen Carroll regarding the Recreation Program. He stated that he has good connections with the Palm Beach Gardens Youth Athlete Association and he had them committed to putting together a soccer program for the Town at no cost. He stated that the concept was that they have a growing program in Palm Beach Gardens with 1,000 children in their soccer program and they are out growing there facility and that the program could be shared by sharing fields. He stated that in the northern Palm Beach County area the Palm Beach Gardens Youth Athlete Association Soccer Program is the top program. He wants to bring the Youth Soccer Program back. He stated that there was supposed to be a free clinic to gauge the community interest and unfortunately they got to the fields, the fields are unusable. The grass is Saint Augustine Grass and it is dangerous when it comes to sports activities. The grass that is appropriate is Bermuda Grass. He stated that the turf that is there would need to be removed and Bermuda Grass would need to be laid down and the estimated cost to do that is \$18,000 and that is a conservative estimate. He is aware of the Town's budget situation and asked if there is a way to find someone in the community that wants to commit to doing that type of program. He thinks this will turn the community into a community that have something to offer.

Commissioner Rapoza offered to work with Commissioner O'Rourke.

Commissioner O'Rourke stated that the only people currently renting the field are Lacrosse players because they can play on the Saint Augustine Grass. He stated that until the grass to changed to Bermuda Grass he does not think the Town can have a sports program.

Mayor DuBois stated that when the American Youth Soccer Organization (AYSO) was using the fields the fields were mostly dirt and that the Commission was constantly receiving comments regarding the grass and ways to maintain the fields.

Commissioner O'Rourke stated that once the facility is in place the Town will be able to generate revenue because outside organizations will want to use the facility. He stated that dirt would be the better surface than the Saint Augustine Grass.

Commissioner Rapoza stated that a good business plan is integral in creating the movement forward and that it should not be that difficult.

Commissioner O'Rourke stated that he is not trying to criticize anyone, the field looks great and it is lush a green but, it is not a playable surface for soccer.

**Vice-Mayor Glas-Castro** stated that the Youth Athlete Association (YAA) puts on the program in Palm Beach Gardens and not the municipality it's self and suggested that a YAA be started in Lake Park.

Commissioner O'Rourke stated that the Palm Beach Gardens Youth Athlete Association is willing to expand into Lake Park. He stated that the trend is to get out running these programs and turning it over to these types of youth organizations.

Vice-Mayor Glas-Castro asked who was on the community organization list so the Commission could reach out to other organizations to add them to the list. She stated that as the Commission has meetings regarding western development and Federal Highway that stakeholders need to be involved and to make the community organizations aware of upcoming meetings. She stated that Ms. Bernhard brought up prescriptive right and has discussed with Town Manager Sugerman the Town role/obligation to asset prescriptive rights when it comes to access in different areas of Town. She stated that based on her experience with prescriptive right the municipality participates in the assertion of these rights. She stated that her position on Park Avenue was that the Town had done the Streetscape project and closed access and forced everyone to share access. She stated that she thought Town Manager Sugerman provided a good prospective in that whichever side the Town took it would be a losing battle because the other side would file a claim and it would result in litigation. She stated that the shared access Ordinance will be coming before the Commission and she thinks it is one avenue to take but, she thinks this is still a challenge for the Town.

Commissioner Rapoza asked for an update on the Tennis Court resurfacing project.

Town Manager Sugerman stated that the Town has received the approved interlocal agreement for the Community Development Block Grant (CDBG) from Palm Beach County on Monday, August 5, 2013 and the Town has until September 18, 2013 to award the construction contract, construction to be completed by December 31, 2013 and Town will request reimbursement by January 31, 2014.

Mayor DuBois asked if the entire project will be complete by December 31, 2013 and if it will be staged construction with some courts open while others are being resurfaced.

Town Manager Sugerman stated that the interlocal agreement does not address the means and methods of construction but, he does believe the language means that all of the work will be completed by December 31, 2013.

Mayor DuBois asked if the Town is planning a staged construction so that the tennis courts are not closed down completely.

Town Manager Sugerman stated "yes".

Commissioner O'Rourke asked if the next step in the process is to go out for bids.

Town Manager Sugerman stated "yes" and that he believes that the plan is for the Commission to award a contract at the September 18, 2013 Commission meeting.

**Mayor DuBois** thanked Tom Twyford for the Annual Kids Fishing Days Event. He stated that it is a great event. He stated that he attended the Senior Management meeting on Friday, August 2, 2013 and stated that the Department Directors are doing a wonderful job and he appreciated the opportunity to attend the meeting and encouraged the rest of the Commissioners to attend a meeting. He stated that Peter Braun advised that the Edie's Corner in the Library has generated \$1200 from donations and thanked all of the donors that contributed. He stated that school grades were posted and that he wants to get with Town Manager Sugerman about what the Town can do because the grade has dropped again this year and he is concerned.

Vice-Mayor Glas-Castro asked if someone has picked up doing the homework club.

Library Director Karen Mahnk stated that several volunteers help with homework. She stated that during the summer they do reading and that as school begins they will be helping with homework. She stated that she also saw the grades in the paper and was concerned because the library does outreach with the schools and was hoping to see and improvement.

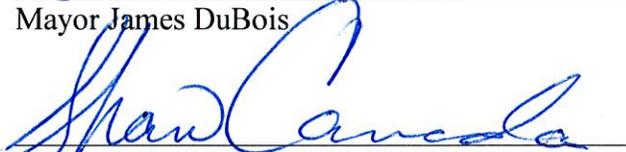
Mayor DuBois asked to be included in upcoming plans regarding the school outreach program. He stated that he will be meeting with Town Manager Sugerman and Town Clerk Mendez regarding the upcoming workshop on Thursday, August 8, 2013 at 10:30 am.

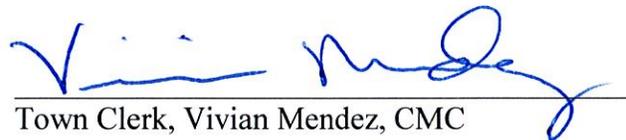
Commissioner Rapoza stated that Kiwanis is having a Fund Raiser with coupons for 10% and 25% off at Macy's on August 24, 2013 for a \$5 donation.

**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 8:03 p.m.

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

  
\_\_\_\_\_  
Deputy Town Clerk, Shari Canada, CMC

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



FLORIDA  
Approved on this 21 of August, 2013

# Guardian Ad Litem Program Exhibit "A" Palm Beach County

***A formidable voice for our community's most vulnerable***

## **Society's Fundamental Obligation**

To ensure the unalienable right of each child to thrive – not just survive – and to live a life of destiny as opposed to fate.

## **Guardian Ad Litem (GAL) Defined**

A Guardian ad Litem (GAL) is a volunteer appointed by the court to protect the rights and advocate for the best interests of a child involved in an abuse, neglect, or abandonment court case. We are the local advocacy agency associated with Court Appointed Special Advocates (CASA), the larger, national advocacy agency.

## **The Role of the Guardian Ad Litem**

- ✂... The volunteer GAL makes independent recommendations to the court by focusing on the needs of each child after conducting interviews with people associated with the child, such as parents, caregivers, and all social and medical providers.
- ✂... GALs advocate for the best interests of the child(ren) they represent.

## **Palm Beach County – 15<sup>th</sup> Judicial District**

- ✂... Number of cases currently under supervision >1,600
- ✂... Percentage of those cases will GALs assigned – approximately 72%
- ✂... Shortfall - 28% or more than 400 cases



## **Guardian ad Litem (GAL) Requirements**

- ✂... Volunteers must be at least 21 years old
- ✂... Complete 30 hours of training
- ✂... Possess a strong desire to help children
- ✂... Demonstrate good judgment and common sense
- ✂... Exhibit good communication skills and have basic computer skills
- ✂... Provide favorable references and consent to a background checks
- ✂... Case commitment through permanency
- ✂... Commit to 10-15 hours per case per month
- ✂... Commit to attending court dates

## **Guardian ad Litem (GAL) Non-advocacy Opportunities**

- ✂... Fundraising the Speak Up For Kids of PBC
- ✂... Recruiting
- ✂... General Office Support
- ✂... Technical Support
- ✂... Special Events
- ✂... PR / Marketing
- ✂... Service on Advisory Council or Committee

## **Contact Us**



205 N. Dixie Hwy, Ste 5.1130  
West Pam Beach, FL 33401  
561-355-6224  
GALRecruitment15@gal.fl.gov  
www.GALPBC.org

***The need for volunteer Guardians Ad Litem is great and the work is rewarding. With each interaction, you have the ability to positively impact the lives of the most vulnerable members of our community.***

Exhibit "B"

FREDRICK T. VECCHIONE  
LAND DEVELOPMENT & CONSTRUCTION  
1200 TOWN CENTER DRIVE  
JUPITER, FL 33458

June 10, 2013

Richard Pittman, CRA Project Manager  
J. David Hunt, Public Works Director  
Town of Lake Park  
Lake Park, FL 33403

Re: Mos'Art Center/700 Block Park Avenue, Back Alley Drainage

Dear Sirs:

I recently met with Richard Pittman and Patricia West at the property mentioned above to discuss the water intrusion into the tenants' rear entrance doors.

My inspection revealed that this intrusion is due to the new exterior asphalt elevation being higher than interior finished surface. Standard construction practice allows for a 4" step down outside of entry doors.

I recommend that the alley asphalt adjacent to the building be removed and reinstalled creating a step down from the entry doors with a proper swale directing water away from the building.

I will be available for any questions you may have regarding my recommendations.

Sincerely,

Frederick T. Vecchione

Cc: James Dubois, Mayor  
Dale Sugerman, Town Manager

Exhibit "C"

**Diane Bernhard**

**August 7, 2013**

## **What is prescriptive rights to property? www.ASK.com**

### **Answer**

Prescriptive right to property is an easement that gives some one the right to use land owned by someone else for a particular purpose. An example is using a path through Party A's land to get to your land, a prescriptive easement is allowed which gives the user the right to get to his land through A's property.

- See more at: [http://realestate.findlaw.com/land-use-laws/prescriptive-easements.html?DCMP=GOO-REAL\\_LandUse-EasementsPrescriptive&HBX\\_PK=prescriptive+easement+law#sthash.OTV99Yvk.dpuf](http://realestate.findlaw.com/land-use-laws/prescriptive-easements.html?DCMP=GOO-REAL_LandUse-EasementsPrescriptive&HBX_PK=prescriptive+easement+law#sthash.OTV99Yvk.dpuf)

### **What Is a Prescriptive Easement? - wiseGEEK**

[www.wisegeek.com/what-is-a-prescriptive-easement.htm](http://www.wisegeek.com/what-is-a-prescriptive-easement.htm)

Apr 9, 2013 - A *prescriptive easement* is permission to use another person's property that's acquired by continuously using the property without...



Exhibit "D"  
8/7/2013

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 7, 2013

Agenda Item No. Tab 7

Agenda Title: Ordinance 10-2013 Changing the Board Appointment Process

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

Approved by Town Manager  Date: 7/19/13

*Vivian Mendez - Town Clerk*

Name/Title

<b>Originating Department:</b>  Town Clerk	Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b>  Ordinance 10-2013
<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>VM</u> <b>Please initial one.</b>

**Summary Explanation/Background:** During the May 30, 2013 Commission Workshop the Commission directed staff to create an Ordinance changing the Board Appointment Process. At the June 26, 2013 Commission Workshop the Commission reviewed the first draft of the Board Appointment Process Ordinance and suggested changes, which have been incorporated in the attached Ordinance.

**Recommended Motion:** I move to adopt Ordinance 10-2013 on first reading.



Town of Lake Park Town Commission  
Agenda Request Form

Exhibit "E"  
 8/7/2013

Meeting Date: August 7, 2013

Agenda Item No. Tab 8

**Agenda Title:** AN ORDINANCE INITIATED BY THE TOWN'S COMMUNITY DEVELOPMENT DEPARTMENT PROPOSING MODIFICATIONS TO SECTIONS 54-1 OF THE TOWN OF LAKE PARK CODE OF ORDINANCES TO MODIFY THE ADDRESS NUMBER/LETTER HEIGHT REQUIREMENT FOR RESIDENTIAL BUILDINGS FROM FOUR TO SIX INCHES IN HEIGHT AND THE ADDRESS NUMBER/LETTER HEIGHT REQUIREMENT FOR NON-RESIDENTIAL BUILDINGS FROM SIX TO EIGHT INCHES IN HEIGHT; AND THE REPEAL OF SECTION 70-61(G) OF THE TOWN OF LAKE PARK CODE OF ORDINANCES BECAUSE IT DUPLICATES THE REQUIREMENTS OF SECTION 54-1.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- PUBLIC HEARING ORDINANCE ON 2<sup>nd</sup> READING
- NEW BUSINESS
- OTHER: \_\_\_\_\_

Approved by Town Manager  Date: 7/18/13

Nadia Di Tommaso / Community Development Director   
 Name/Title

<b>Originating Department:</b>  Community Development	<b>Costs: Legal Ad</b> Funding Source: Town Clerk Acct. #106-48100 <input type="checkbox"/> Finance _____	<b>Attachments:</b>  →ORDINANCE 09-2013 →Legal Ad
<b>Advertised:</b> Date: July 2 <sup>nd</sup> , 2013 Paper: Palm Beach Post <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <i>ND (Legal Ad)</i> or Not applicable in this case _____  <b>Please initial one.</b>

**Summary Explanation/Background:**

Staff discovered an inconsistency in the Town of Lake Park Code of Ordinances as it relates to residential and non-residential address number/letter height requirements. The inconsistency exists vis-à-vis the Palm Beach County Fire Prevention Code (PBCFPC) which sets the address number height requirements for all buildings in Palm Beach County to ensure adequate visibility in the event of an emergency. Currently, the PBCFPC requires all residential buildings to be identified with letters/numbers containing a minimum height of **six** inches and requires all non-residential buildings to be identified with letter/numbers containing a minimum height of **eight** inches. The Town Code currently reflects an older version of the PBCFPC which required residential address numbers/letters to be four inches in height and non-residential address number/letters to be six inches in height. While the PBCFPC currently supersedes the Town Code, it is important to modify Section 54-1 through Ordinance 09-2013 which is attached, in order to meet PBCFPC standards. In doing so, a repeal of Section 70-61(g) is also being proposed as this code section duplicates the requirements of Section 54-1.

Ordinance on 1<sup>st</sup> Reading: **Approved 5-0** at the July 17<sup>th</sup> Town Commission meeting.

**Recommended Motion:** I move to ADOPT Ordinance 09-2013 on first reading.

Exhibit "F"  
8/7/2013



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 7, 2013

Agenda Item No. Tab 9

Agenda Title: AMENDMENT OF THE FISCAL YEAR 2012/2013 BUDGET  
ALLOWING THE REMOVAL OF DEBTS OWED BY THE MARINA  
FUND TO THE GENERAL FUND AND THE SANITATION FUND

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

Approved by Town Manager [Signature] Date: 7/24/2013

Blake K. Rane, Finance Director  
Name/Title

<b>Originating Department:</b>  <p style="text-align: center;"><b>FINANCE</b></p>	Costs: See Attachment A Funding Source: Acct. # <input checked="" type="checkbox"/> Finance ___BKR_____	<b>Attachments:</b> Resolution __-08-13, Budget Adjustment detail (Attachment A), and Letter from Nowlen, Holt & Miner, P.A.
<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 _BKR_ <b>Please initial one.</b>

Summary Explanation/Background:

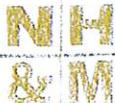
For the Fiscal Year Ended September 30, 2012 the Marina Fund borrowed from the General Fund \$2,480,000 and from the Sanitation Fund \$400,000. This borrowing results from the unbudgeted use of cash from these funds by the Marina Fund. This has primarily been the result of the Marina Fund operating at a deficit and incurring the legal and engineering expenses in pursuing the lawsuit against the Marina Contractors in connection with the most recent Marina Construction.

This liability has contributed to the fact that no banks were willing to participate in the Town's recent effort to refinance selected long-term debts; contributed to the negative and somewhat complex nature of the Town's Financial Statements; and, has resulted in negative comments in the management letter.

Such action has been recommended by the Town's independent auditors (a copy of their 7/3/2013 letter in this regard is attached) and will not preclude the Marina Fund repaying the borrowed cash once the Marina Fund returns to profitability.

**Recommended Motion:**

I move that the Town Commission approve resolution \_\_-08-2013.



## NOWLEN, HOLT & MINER, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

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NORTHBRIDGE CENTRE  
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WEST PALM BEACH, FLORIDA 33402-0347  
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EVERETT B. NOWLEN (1929-1984), CPA  
EDWARD T. HOLT, CPA  
WILLIAM B. MINER, CPA  
ROBERT W. HENDRIX, JR., CPA  
JANET R. BARICEVICH, CPA  
TERRY L. MORTON, JR., CPA  
N. RONALD BENNETT, CPA  
ALEXIA G. VARGA, CFE, CPA  
EDWARD T. HOLT, JR., CPA  
BRIAN J. BRESCIA, CFP®, CPA

KATHLEEN A. MINER, CPA  
J. MICHAEL STEVENS, CPA  
KARA D. PETERSON, CFE, CPA  
MARK J. BYMASTER, CPA  
PUI K. LAI, CPA  
RYAN M. SHORE, CPA

July 3, 2013

BELLE GLADE OFFICE  
333 S.E. 2nd STREET  
POST OFFICE BOX 338  
BELLE GLADE, FLORIDA 33430-0338  
TELEPHONE (561) 996-5612  
FAX (561) 996-6248

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

Dear Mr. Rane:

This letter is in response to your request that we comment on the advisability and process of the Town's General Fund and Sanitation Fund forgiving the debt owed by the Marina Fund. At September 30, 2012, the Marina fund owed \$2,480,000 to the General Fund and \$400,000 to the Sanitation Fund. Also at September 30, 2012 the Marina Fund had deficit unrestricted net assets of \$2,924,454.

There are no reasons under generally accepted accounting principles or auditing standards that would prohibit the Town from forgiving the debt. Ultimately the final decision to forgive the debt would require the approval of the Town Commission and consultation with the Town's attorney. If approved the General Fund and the Sanitation Fund would record transfers out and the Marina Fund would record a transfer in for the debt forgiveness.

The attached schedules I and II, show what affect the forgiveness would have had on the individual and total funds if it had been done as of September 30, 2012. As shown on this schedule the positive affect on the Marina Fund overshadows the negative effects on the General and Sanitation Funds. The forgiveness of the debt would not have any effect on the unassigned fund balance of the General Fund and the unrestricted net assets of the Sanitation Fund is still positive.

The assets of both the General Fund and Sanitation Fund would decrease by the amount of debt forgiven, but since it is unlikely that the Marina Fund would have sufficient income or cash flows to repay this debt in the near future one could make an argument that the adjusted numbers are a more accurate reflection of the true financial condition of the Town. The adjusted numbers also lead to financial statements that are less complex and are more easily understandable by the average reader. The net assets of the Marina Fund would go from a negative \$2,924,454 to a negative \$44,454, which might help in securing grant funding in the future. In future years, if the Marina Fund operations generate a surplus, the Town could repay the funds through an interfund transfer.

As you are aware, in the 2010 and the 2011 audits the deficit unrestricted net assets in the Marina fund met the criteria of a Condition of a Financial Emergency according to section 218.503(1)(e), Florida Statutes. If this debt had been forgiven in fiscal year 2010 or 2011, the Town would not have met a Condition of a Financial Emergency according to section 218.503(1)(e), Florida Statutes and there would not have been a comment in the management letter concerning this. For fiscal year 2012, the State Legislature changed the definition of Financial Emergency, such that deficit net assets are no longer considered a condition. However, the large deficit in unrestricted net assets is the most significant factor in determining that the Marina Fund is in a deteriorating financial condition as reported in our Management Letter for 2012.

Please let us know if you would like to discuss this in more detail or need additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terry J. Nowlen".

Nowlen, Holt & Miner, P.A.

Schedule I  
 Affect of Debt Forgiveness  
 on Individual Funds

	September 30, 2012		
	Actual Balances	Debt Forgiveness	Adjusted Balance
<b>General Fund</b>			
<b>Assets</b>	<b>\$ 3,781,743</b>	<b>(2,480,000)</b>	<b>\$ 1,301,743</b>
<b>Liabilities</b>	<b>\$ 661,011</b>		<b>\$ 661,011</b>
<b>Fund balances</b>			
Nonspendable	3,045,989	(2,480,000)	565,989
Restricted	54,100		54,100
Assigned	-		-
Unassigned	20,643		20,643
<b>Total fund balances</b>	<b>\$ 3,120,732</b>		<b>\$ 640,732</b>
<b>Sanitation Fund</b>			
<b>Assets</b>	<b>\$ 983,183</b>	<b>(400,000)</b>	<b>\$ 583,183</b>
<b>Liabilities</b>	<b>\$ 401,424</b>		<b>\$ 401,424</b>
<b>Net assets</b>			
Investment in capital assets, net of debt	43,406		43,406
Unrestricted	538,353	(400,000)	138,353
<b>Total net assets</b>	<b>\$ 581,759</b>		<b>\$ 181,759</b>
<b>Marina Fund</b>			
<b>Assets</b>	<b>\$ 9,853,627</b>		<b>\$ 9,853,627</b>
<b>Liabilities</b>	<b>\$ 7,893,616</b>	<b>(2,880,000)</b>	<b>\$ 5,013,616</b>
<b>Net assets</b>			
Investment in capital assets, net of debt	4,884,465		4,884,465
Unrestricted	(2,924,454)	2,880,000	(44,454)
<b>Total net assets</b>	<b>\$ 1,960,011</b>		<b>\$ 4,840,011</b>

Schedule II  
 Affect of Debt Forgiveness  
 on Total Funds

	September 30, 2012		
	Actual Balances	Debt Forgiveness	Adjusted Balance
<b><u>Total Governmental Funds</u></b>			
Assets	\$ 4,648,155	(2,480,000)	\$ 2,168,155
Liabilities	\$ 1,531,715		\$ 1,531,715
Fund balances			
Nonspendable	3,045,989	(2,480,000)	565,989
Restricted	267,633		267,633
Assigned	18,458		18,458
Unassigned	(215,640)		(215,640)
Total fund balances	\$ 3,116,440		\$ 636,440
<b><u>Total Enterprise Funds</u></b>			
Assets	\$ 11,872,459	(400,000)	\$ 11,472,459
Liabilities	\$ 8,718,808	(2,880,000)	\$ 5,838,808
Net assets			
Investment in capital assets, net of debt	5,205,987		5,205,987
Restricted	99,592		99,592
Unrestricted	(2,151,928)	2,480,000	328,072
Total net assets	\$ 3,153,651		\$ 5,633,651



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, August 7, 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 of Plaque to Commissioner Kathleen Rapoza by the Palm Beach County Sheriff's Office Tab 1

2. A Presentation by Kristen Solomon, Circuit Director for the Palm Beach County Guardian ad Litem Program 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. Commission Budget Meeting Minutes of July 17, 2013 Tab 3
- 4. Regular Commission Meeting Minutes of July 17, 2013 Tab 4
- 5. Resolution No. 16-08-13 To Approve Letter of Agreement for Renewal of Partnership between Children's Home Society and the Town of Lake Park Tab 5
- 6. Approval of Quote for Repairs to Fuel Pump System at Lake Park Harbor Marina Tab 6

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

- 7. Ordinance No. 10-2013 Changing the Board Appointment Process Tab 7

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, DIVISION 1, SECTION 2-112 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, PERTAINING TO THE APPOINTMENT OF MEMBERS TO TOWN BOARDS AND COMMITTEES; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

**G. PUBLIC HEARINGS – ORDINANCE ON SECOND READING:**

- 8. Ordinance No. 09-2013 An Ordinance Initiated by the Town's Community Development Department Proposing Modifications to Section 54-1 of the Town of Lake Park Code of Ordinances to modify the Address Number/Letter Height Requirement for Residential Buildings from Four to Six Inches in Height and the Address Number/Letter Height Requirement for Non-Residential Buildings from Six to Eight Inches in Height; and the Repeal of Section 70-61 (g) of the Town of Lake Park Code of Ordinances because it duplicates the Requirements of Section 54-1. Tab 8

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-1 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "BUILDINGS AND BUILDING REGULATIONS" TO INCREASE THE HEIGHT OF THE STREET NUMBERS FOR RESIDENTIAL BUILDINGS FROM FOUR INCHES TO SIX INCHES, AND NON-RESIDENTIAL BUILDINGS FROM SIX INCHES TO EIGHT INCHES; PROVIDING FOR THE REPEAL OF CHAPTER 70, ARTICLE III, SECTION 70-61(G), ENTITLED "SIGNS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**H. NEW BUSINESS:**

- 9. Amendment to the Fiscal Year 2012/2013 Budget Allowing the Removal of Debts Owed by the Marina Fund to the General Fund and the Sanitation Fund. Tab 9

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

**J. ADJOURNMENT**

**Next Scheduled Regular Commission Meeting will be held on Wednesday, August 21, 2013**