



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, August 5, 2015, 6:30 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, August 5, 2015 at 6:30 p.m. Present were Mayor James DuBois, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager John O. D'Agostino, Attorney Thomas Baird, and Town Clerk Vivian Mendez. Vice-Mayor Kimberly Glas-Castro was absent.

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

**SPECIAL PRESENTATIONS/REPORTS**

**None**

**PUBLIC COMMENT:**

**None**

**CONSENT AGENDA:**

- 1. Commission Budget meeting minutes of July 13, 2015.**
- 2. Regular Commission meeting minutes of July 15, 2015.**

**Motion: Commissioner Flaherty moved to approve the consent agenda; Commissioner Rapoza seconded the motion.**

Vote on Motion:

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

Motion passed 4-0.

**PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:**

**None**

**PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:**

- 3. Ordinance No. 09-2015 Updating Chapter 54 of the Code of Ordinances to include the Updated Language to the Florida Building Code 2014.**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-8 OF THE TOWN CODE PERTAINING TO THE TOWN'S LOCAL AMENDMENTS TO CHAPTER ONE OF THE FLORIDA BUILDING CODE; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Public Comment Opened:**

None

**Public Comment Closed:**

**Motion: Commissioner Rapoza moved to approve Ordinance 09-2015; Commissioner Flaherty seconded the motion.**

Vote on Motion:

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

Motion passed 4-0.

Attorney Baird read the Ordinance by title only.

**NEW BUSINESS:**

**4. Request Commission Approval to Negotiate a Contract with CPZ Architects, Inc. for Architectural/Engineering Services in Response to RFP No. 104-2015, Kelsey & Lake Shore Park Restrooms and Tennis Court Lighting.**

Town Manager D'Agostino explained the item (see Exhibit "A"). He explained that a workshop has been scheduled for Wednesday, September 16, 2015 immediately following the Regular Commission meeting to discuss the project. He asked that the Commission appoint one member to be a representative on a committee that has been formed for this project.

**Motion: Commissioner Flaherty moved to appoint Commissioner O'Rourke as a representative on the project committee; Commissioner Rapoza seconded the motion.**

Vote on Motion:

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

Motion passed 4-0.

Commissioner O'Rourke asked how CPZ Architects, Inc. was ranked higher than the other bidders. Public Works Director Dave Hunt explained that the Town followed its purchasing procedure and had a former bid advertised for this project. An evaluation committee was created to evaluate all the submittals for the bid. CPZ Architects, Inc. ranked highest among all the committee members. He explained that CPZ Architects, Inc. seemed to match the needs of the Town and were the most experienced in public restroom design. He stated that based on their presentation the evaluation committee ranked them the highest. Commissioner O'Rourke asked if CPZ Architects, Inc. had any Tennis facility experience. Public Works Director Hunt explained that they did not have Tennis facility experience per say, but they brought in consultants that had experience in sports field lighting. Town Manager D'Agostino explained the ranking points system used. Public Works Director Hunt explained that the Town was challenged about a question in the bid relating to Florida State Statue's Consultants Competitive Negotiation Act. He explained that the last item on the point rating system was not taken into consideration.

**Motion: Commissioner O'Rourke moved to approve to negotiate a contract with CPZ Architects, Inc. for Architectural/Engineering Services in Response to RFP No. 104-2015, Kelsey & Lake Shore Park Restrooms and Tennis Court Lighting; Commissioner Rapoza seconded the motion.**

Vote on Motion:

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

Motion passed 4-0

### 5. Award of Flooring Contract for Town Hall

Town Manager D'Agostino explained that several samples had been made available to show the Commission what had been chosen for the west entrance of Town Hall and the Commission Chamber. Mayor DuBois asked how long the existing carpet has been in the Commission Chamber. Human Resources Director Bambi Turner explained that the carpet was installed during the Town Hall renovations in 2000/2001. The Commission discussed the recommendations chosen by the Beautification Committee.

**Motion: Commissioner Rapoza moved to award a flooring contract for Town Hall; Commissioner Flaherty seconded the motion.**

Vote on Motion:

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

Commissioner Rapoza	X		
Vice-Mayor Glas-Castro			Absent
Mayor DuBois	X		

Motion passed 4-0.

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

**Town Attorney Baird** provided a quarterly report (see Exhibit “B”).

**Town Manager D’Agostino** explained that staff worked diligently on preparing a balanced budget. He stated that individual meetings had been scheduled with the Commission to discuss the budget in advance of the August 12, 2015 Budget Workshop. He announced that the Back-to-School Explosion was a success on Saturday, August 1, 2015 with over 400 children and families attending the event. He stated that Bridges at Lake Park, the Town, and civic organizations in the Town sponsored the event.

**Commissioner O’Rourke** thanked Lt. Vassalotti, Cindy Castle of Bridges at Lake Park, and staff for their assistance with the Back-to-School event.

**Commissioner Rapoza** had no comments.

**Commissioner Flaherty** asked when the Commission should expect to receive a copy of the proposed budget. Finance Director Blake Rane explained that staff was in the process of producing the Town Manager’s recommended budget in time for the Commissioners individual budget meetings. Commissioner Flaherty apologized for his absence at the last Commission meeting. He explained excitedly that the arrival of his newborn son Dillion Skyler Flaherty on July 12, 2015 caused his absence.

**Vice-Mayor Glas-Castro** was absent.

**Mayor DuBois** thanked Lt. Vassalotti and everyone involved with the Back-to-School Explosion. He reminded everyone that school begins on August 17, 2015. He stated that the Kids Fishing Tournament was a huge success. He stated that St. George Church in Riviera Beach and the Lake Park Kiwanis sponsored a Feed the Homeless event, which was a success. He thanked staff for entertaining his niece who was visiting. He explained that she accompanied him to the Palm Beach County League of Cities meeting.

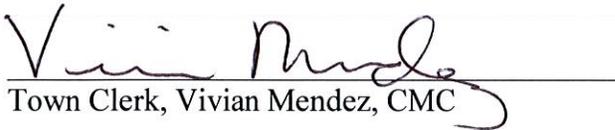
Town Manager D’Agostino asked Library Director Karen Mahnk if there would be an event on Friday, August 7, 2015. Library Director Karen Mahnk explained that the Summer Reading Program was concluding with a mock Commission meeting and several other activities on Friday, August 7, 2015 beginning at 1:30 p.m. in the Commission Chamber.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 7:08 p.m.



Mayor James DuBois



Town Clerk, Vivian Mendez, CMC



Approved on this 19 of August, 2015



Exhibit "A"

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: August 5, 2015

Agenda Item No. Tab 4

**Agenda Title: Request Commission Approval to Negotiate a Contract with CPZ Architects, Inc. for Architectural/Engineering Services in Response to RFP No.104-2015, Kelsey & Lake Shore Park Restrooms and Tennis Court Lighting**

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

CONSENT AGENDA

OLD BUSINESS

Approved by Town Manager *[Signature]* Date: 7-17-15

**David Hunt/ Director of Public Works**  
Name/Title

<b>Originating Department:</b> Public Works	<b>Costs: \$ To be determined</b> Funding Source: Acct. # <input type="checkbox"/> Finance _____	<b>Attachments:</b> Advertisement RFP 104-2015 <b>Response submitted by:</b> CPZ Architects West Architecture + Design Architects Design Collaborative Evaluation Martrix Minutes of Evaluation Committee Meeting
<b>Advertised:</b> Date: <u>May 31, 2015</u> Paper: <u>Palm Beach Post</u> <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.	<b>Yes I have notified everyone</b> <u><i>[Signature]</i></u> or Not applicable in this case ____ <b>Please initial one.</b>

**Summary Explanation/Background:**

The Town is the recipient of Community Development Block Grant in the amount of \$403,591.00 for the design and construction of two restrooms and replacement of tennis

court lighting at the Kelsey and Lake Shore Parks. As part of the agreement the Town is to procure a consultant to prepare the design drawings and specifications. The Town prepared the Request for Proposal and on May 31, 2015 advertised RFP 104-2015. Nineteen professional firms requested the RFP packet thru the Town Clerks' office. The deadline for receipt of the responses to the RFP was June 30. Three proposals were received and copies of each firm's proposal were distributed to members of an evaluation committee selected by the Town Manager. The Evaluation Committee consisted of David Hunt, Director of Public Works; Brandon Selle, Seacoast Utility Authority Capital Projects Administrator; Hoa Hoang, Information Technology Officer; Kathleen Carroll, Recreation Manager; Richard Pittman, Project Manager. The Evaluation Committee met on July 16 and ranked the three firms proposals based on the attached metrics.

The three firms and their rankings are as follows:

CPZ Architects, Inc.	14 points
West Architectural + Design	9 points
Architect Design Collaborative	7 points

The selection process is to follow the Consultants Competitive Negotiation Act (CCNA). CCNA requires that professional consulting services selection be based on qualifications. CPZ Architects, Inc. is the highest ranked firm and therefore negotiation of a contract should proceed with CPZ Architects, Inc.. In the event negotiation of a contract with CPZ Architects is not successful, the negotiation would proceed with West Architecture + Design.

CPZ Architects, Inc. has been in business since 2002. Their primary office is located in Plantation, Fl. and they have a satellite office in Jensen Beach.

**Recommended Motion:** To approve authorization for the Town Manager to negotiate a contract with CPZ Architects, Inc. for Architectural/Engineering services associated with RFP 104-2015



**ADDENDUM NO. 1**

June 22, 2015

**REQUEST FOR PROPOSAL RFP No. 104-2015**

**ARCHITECTURAL / ENGINEERING SERVICES KELSEY AND LAKE  
SHORE PARK RESTROOMS & TENNIS COURT LIGHTING  
IMPROVEMENTS**

Each recipient of the Addendum No.1 to the RFP No. 104-2015 who responds to the RFP, acknowledges all of the provisions set forth in the RFP document "*REQUEST FOR PROPOSAL-ARCHITECTURAL/ENGINEERING SERVICES KELSEY AND LAKE SHORE PARK RESTROOMS & TENNIS COURT LIGHTING IMPROVEMENTS*" agrees to be bound by the terms thereof. This addendum shall add information and clarification and become part of the RFP document.

**QUESTIONS RECEIVED (As of 11:00 A.M. June 19) & RESPONSE**

**Question:** Would a pre-engineered Easi-Set precast concrete restroom, that is fully-fitted and built to the specification as outlined in the Town of Lake Park RFP drawing, be considered?

**Response:** This project is Federally Funded. The RFP is requesting Architectural and Engineering Services for the design of two restroom buildings, design an interior renovation and design tennis court lighting improvements. The plans associated with the RFP have limited specifications. The architectural features of the new restroom buildings are intended to match adjacent park buildings. The buildings are in a location which requires buildings to have the highest wind load capabilities. If the architect that is associated with a pre-engineered building responds to the RFP, the submittal will be reviewed the same as other firms responding.

**Question:** Please clarify Section 5-COMPENSATION?

**Response:** Submission Criteria, Page 19, Section 5 COMPENSATION, **DISREGARD** Section 5. On page 9, Evaluation Criteria Score Sheet, **DELETE** criteria #6 "Estimated design fee as described in Section 5." The five (5) points on the Evaluation Criteria Score Sheet will be redirected to Criteria #4. Criteria #4 "Overall project workload..." will be weighted as 10.

**Question:** Must the firms be located in Palm Beach, Broward or Martin County areas to be considered for award?

**Response:** No.

**Question:** Can a firm from Miami-Dade County submit their qualifications for consideration.

**Response:** Yes.

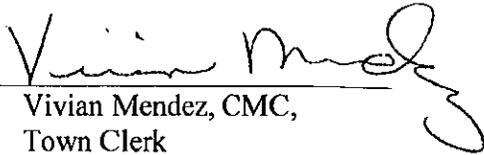
**EXHIBIT "A" SCOPE OF WORK:**

A pre-demolition pre-renovation inspection of two buildings in Kelsey Park to be demolished and one building in Lake Shore Park to be renovated has been performed. A report prepared by Morse Associates, Inc. has been prepared and no asbestos containing materials were identified within the three buildings. The report did not test for the presence of lead based paint.

On page 20 second paragraph—**DISREGARD** reference to asbestos flooring

.....  
Proposers must acknowledge receipt of this Addendum Number 1 in the space provided below. This Addendum forms an integral part of the RFP document and therefore must be executed and submitted with the proposal.

Issued By: Town of Lake Park  
Office of the Town Clerk  
June 22, 2015

By:   
Vivian Mendez, CMC,  
Town Clerk

Proposer: \_\_\_\_\_

Signed By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

End of Addendum #1

## Memo

**To:** Mayor & Commissioners  
**From:** Thomas J. Baird, Town Attorney  
**Date:** August 4, 2015  
**Subject:** Litigation Status Report  
**Cc:** John D'Agostino, Town Manager

### TOWN OF LAKE PARK V. PALM BEACH COUNTY / IG FUNDING LAWSUIT

The Town and 13 other municipalities are Plaintiffs in a lawsuit against Palm Beach County challenging the County's authority to assess a fee against the municipalities for the Inspector General's services. The municipalities allege that the fee the County has assessed is illegal and that the County is solely responsible for funding the Office of the Inspector General. Judge Brunson entered a final judgement in favor of the County. The City of West Palm Beach retained appellate attorney Jane Kreuzler-Walsh to file an appeal on behalf of the municipalities. A Notice of Appeal with the 4<sup>th</sup> DCA was filed on May 5, 2015

### CITIZENS AWARENESS FOUNDATION, INC. v. TOWN OF LAKE PARK

Citizens Awareness Foundation filed a Complaint for Declaratory and Injunctive Relief on July 24, 2014 and an Amended Complaint on August 12, 2014. The suit claims that the Town's Employee Complaint Review Committee violated the State's Sunshine Law when it failed to post public notices when it met to review Ms. Canada's appeal of the Town Manager's termination of her employment. An Answer to the Plaintiffs Amended Complaint was filed by the Town on August 22, 2014 and this matter is pending in the Circuit Court. Both parties have served and responded to Interrogatories and Requests to Produce. There has been no activity in this file since approximately October of 2014.

#### **A. FORECLOSURES INITIATED BY LENDERS**

### BANK OF NEW YORK MELLON V. ROSELYN MICKELYN SAUNDERS, ET AL.

The Town was named a Defendant in a refilling of a foreclosure action against the Roselyn Saunders as a result of Code Enforcement Liens the Town has against the subject property located at 211 E. Ilex Drive. An Answer to the Plaintiff's Complaint was filed with the Court on March 25, 2015 to secure the Town's Lien rights. This matter has been set for trial on September 10, 2015.

**DEUTSCHE BANK V. THE UNKNOWN HEIRS, DEVISEES, GRANTEES, ASSIGNEES, LIENORS, CREDITORS, TRUSTEES AGAINST CLAIRE E. ROSS, ET AL.**

The Town was named a Defendant in a refiling of a foreclosure action against the Estate of Claire E. Ross as a result of a Code Enforcement Lien the Town has against the subject property located at 539 E. Redwood Drive. An Answer to the Plaintiff's Complaint was filed with the Court on April 16, 2014 to secure the Town's Lien rights. A Final Judgment of Foreclosure in the amount of \$439,282 was entered on April 22, 2015 and a sale date has been set for Aug. 20, 2015.

**GDBT 1 TRUST 2011-1 v. HOPE MARTIN, ET AL.**

The Town was named a Defendant in a refiling of a foreclosure action against the Hope Martin as a result of a Code Enforcement Lien the Town has against the subject property located at 724 Northern Drive. An Answer to the Plaintiff's Complaint is was filed with the Court on May 4, 2015 to secure the Town's Lien rights. The case remains pending.

**NATIONSTAR MORTGAGE LLC V. HUBERT RICHARDSON, ET AL.**

The Town was named as a Defendant in a foreclosure action brought against Hubert Richardson to foreclose on a property located at 12975 169<sup>th</sup> Court in Jupiter, FL. The Town was named as a defendant as a result of a Code Enforcement Lien the Town had against property the Defendant owns at 403 Silver Beach Road. An Answer to the Plaintiff's Complaint was filed on April 8, 2014 to secure the Town's lien rights. The case remains pending.

**PHH MORTGAGE CORPORATION V. DONALD D. JACOBVITZ, ET AL.**

The Town was named as a Defendant in a foreclosure action brought against Donald D. Jacobovitz as a result of a Code Enforcement Lien the Town has against the subject property located at 253 E. Kalmia Drive. An Answer to the Plaintiff's Complaint was filed on July 24, 2012 to secure the Town's lien rights. A Final Judgment of Foreclosure for \$286,649.97 was entered on Feb. 17, 2015 and the property was sold to Federal Nation Mortgage Association for \$132,600 on July 1, 2015.

**U.S. BANK NATIONAL ASSOCIATION V. WENDY HOCKMAN ET. AL**

The Town was named as a Defendant in a foreclosure action brought against Wendy Hockman as a result of a Code Enforcement Lien the Town has against the subject property located at 638 Flagler Blvd. An Answer to the Plaintiff's Complaint was filed on June 5, 2015 to secure the Town's lien rights. This case remains pending.

**U.S. BANK, N.A. V. WILLIAM ORTLIP, ET AL.**

The Town was named as a Defendant in a foreclosure action brought against William Ortlip as a result of a Code Enforcement Lien the Town has against the subject

August 4, 2015  
Page 3

property located at 521 Teak Drive. An Answer to the Plaintiff's Complaint was filed on March 18, 2015 to secure the Town's lien rights. A Final Judgment of Foreclosure for \$285,363.88 was entered on June 17<sup>th</sup>. The property was sold to T & J Property Association, LLC for \$103,300 on July 23, 2015. I am expecting a certificate of title to be issued soon. Once I receive a copy of that certificate the Community Development Department will file the Order finding a violation from a hearing before the Magistrate on June 4, 2015. This will then be a lien against the new property owner.

**U.S. BANK, N.A. V. ENIQUE BELFORT, ET AL.**

The Town was named as a Defendant in a foreclosure action brought against Enique Belfort as a result of Code Enforcement Liens the Town has against the subject property located at 544 Evergreen Drive. An Answer to the Plaintiff's Complaint was filed on July 6, 2015 to secure the Town's lien rights.



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, August 5, 2015, 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>John O. D'Agostino</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

None

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.

1. Commission Budget Meeting Minutes of July 13, 2015 Tab 1
  2. Regular Commission Meeting Minutes of July 15, 2015 Tab 2
- F. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:  
None
- G. PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:  
3. Ordinance No. 09-2015 Updating Chapter 54 of the Code of Ordinances to Include the Updated Language to the Florida Building Code 2014. Tab 3
- AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-8 OF THE TOWN CODE PERTAINING TO THE TOWN'S LOCAL AMENDMENTS TO CHAPTER ONE OF THE FLORIDA BUILDING CODE; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONDIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**
- H. NEW BUSINESS:  
4. Request Commission Approval to Negotiate a Contract with CPZ Architects, Inc. for Architectural/Engineering Services in Response to RFP No.104-2015, Kelsey & Lake Shore Park Restrooms and Tennis Court Lighting Tab 4
5. Award of Flooring Contract for Town Hall Tab 5
- I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:
- J. ADJOURNMENT

Next Scheduled Regular Commission Meeting will be held on Wednesday, August 19, 2015