



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Special Call Commission Meeting  
Wednesday, September 10, 2008, 6:30 P.M.  
Lake Park Town Hall  
535 Park Avenue

<b>Desca DuBois</b>	—	<b>Mayor</b>
<b>Edward Daly</b>	—	<b>Vice-Mayor</b>
<b>G. Chuck Balius</b>	—	<b>Commissioner</b>
<b>Jeff Carey</b>	—	<b>Commissioner</b>
<b>Patricia Osterman</b>	—	<b>Commissioner</b>
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<b>Maria V. Davis</b>	—	<b>Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
<b>Vivian Mendez Lemley</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**
- B. **INVOCATION**
- C. **PLEDGE OF ALLEGIANCE**
- D. **ROLL CALL**
- E. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**

F. **PUBLIC HEARING:**  
**RESOLUTION:**

**Resolution No. 56-09-08 Stormwater Assessment Roll**  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, PROVIDING FOR THE CERTIFICATION AND ADOPTION OF A STORMWATER ASSESSMENT ROLL IN ACCORDANCE WITH CHAPTER 32 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

G. **ADJOURNMENT:**

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

Meeting Date: September 10, 2008

Agenda Item No.

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

SUBJECT: Stormwater assessment roll.

RECOMMENDED MOTION/ACTION: Adopt resolution

Approved by Town Manager *W. Davis* Date: *8/26/08*  
*Anne M. Costello* *8/21/08*  
 Name/Title Finance Director Date of Actual Submittal

<b>Originating Department:</b> Finance	Costs: \$  <b>Funding Source:</b> Acct. #	<b>Attachments:</b> Resolution
<b>Department Review:</b> <input checked="" type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: <b>August 17, 2008</b> Paper: <b>Palm Beach Post &amp; TRIM Notices</b> <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** Pursuant to Section 197.3632(4)(a) Florida Statutes, (2007) the Town must adopt the non-ad valorem assessment roll for the Stormwater Management System at a public hearing held between January 1 and September 15 if the assessment is levied for the first time. This is the last step in implementing the Stormwater Utility.

**RESOLUTION NO. 56-09-08**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, PROVIDING FOR THE CERTIFICATION AND ADOPTION OF A STORMWATER ASSESSMENT ROLL IN ACCORDANCE WITH CHAPTER 32 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Article VIII, Section 1, Florida Constitution (1968), and Chapter 166, Florida Statutes, the Town Commission of the Town of Lake Park, Florida (Town) has all powers of local self-government to perform municipal functions and to render municipal services in a manner not inconsistent with general or special law, and such power may be exercised by the enactment of municipal ordinances;

**WHEREAS**, the Town Commission of the Town did, on July 16, 2008, adopt Ordinance No. 09-2008, which provides for the creation and establishment of a Stormwater Management System to be paid for by assessments pursuant to the uniform method of collection; and

**WHEREAS**, Ordinance No. 09-2008 establishes that the rate for stormwater management assessments for each parcel within the benefited area shall be established each year by the adoption of a resolution of the Town Commission; and

**WHEREAS**, the Town Commission of the Town has adopted Resolution No. 39-07-08 setting the rate for an equivalent stormwater unit (ESU) to be charged for stormwater management for Fiscal Year 2008-2009; and

**WHEREAS**, the Town Commission of the Town has found that owners, tenants and occupants of property within the geographical boundaries of the Town will derive a special benefit from the effective management of stormwater and other surface water and from the operation, maintenance and expansion of the stormwater management system; and

**WHEREAS**, a public hearing on this resolution certifying a stormwater assessment roll was duly noticed and held;

**WHEREAS**, the owner of each parcel within the benefited area for which a stormwater assessment is levied shall thereafter be responsible for payment therefore.

**NOW THEREFORE**, be it resolved by the Town Commission of the Town of Lake Park, Florida:

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

**Section 2.** Adoption of Assessment Roll. The Town Commission hereby adopts and certifies the Stormwater Management Assessment Roll, a copy of which is on file in the office of the Town Clerk..

**Section 3.** Effective date. This resolution shall become effective immediately upon adoption.