



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, September 7, 2016 6:30 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, September 7, 2016 at 6:30 p.m. Present were Mayor James DuBois, Commissioners Erin Flaherty, Anne Lynch and Michael O'Rourke, 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

1. Palm Beach County Commission on Ethics Presentation on the Services Offered to Municipalities and Palm Beach County Residents

Palm Beach County Commission on Ethics Executive Director Mr. Mark Bannon gave a brief presentation of what the Commission on Ethics offers to municipalities. He explained that they offer training; advisory opinions, outreach, and they created a new handbook. He explained that Ad-Valorem taxes fund their services therefore; there was no charge for any of their services.

Mayor DuBois asked if they offer live training sessions. Mr. Bannon responded that they do offer live training and would be happy to conduct it.

2. Presentation of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended 9/30/2015

Mr. Terry Morton, Jr., Partner with Nowlen, Holt & Miner, P.A. gave a brief presentation of the 2015 CAFR. He provided a few highlights from the CAFR. He explained that the Government Finance Officers Association in Chicago reviews and grades the report, reviewed the report, awarded the Town in 2014, and expect to award this report. He reviewed information located on page 19 through 25 of the CAFR. He stated that overall the Town has increased revenues. He compared the Report on Internal Control over Financial Reporting and on Compliance from last year to this year and stated that several of the comments posted last year were removed due to compliance.

Commissioner O'Rourke expressed pride with of the Finance Department for all the work they do. The Commission agreed. Finance Director Blake Rane invited the Commissioners to one-on-one meetings to review the CAFR in detail. He asked that the Commission accept the CAFR by motion and vote.

Motion: Commissioner O'Rourke moved to accept the 2015 Comprehensive Annual Financial Report (CAFR); Commissioner Lynch seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

3. Presentation by Paul Handerhan regarding the Florida Property Assessed Clean Energy (PACE) Program

Mr. Paul Handerhan, Senior Vice President of Public Policy for the Florida Association for Insurance Reform (FAIR) gave a presentation (see Exhibit "A"). Commissioner Lynch asked if there was a certain percentage that FAIR was requesting. Mr. Handerhan explained that to qualify for the program you have to have 10 percent of equity in the property and you cannot finance more than 20 percent of the "just value" of the property.

Commissioner Flaherty asked if commercial and business owners were eligible to qualify for the program. Mr. Handerhan stated "yes" commercial and business owners were eligible to participate in the program.

Commissioner O'Rourke asked if municipalities adopt an Ordinance approving the PACE program, would the municipality have input in the process that would take place. Mr. Handerhan explained that the municipality would adopt an Ordinance and after adoption of the Ordinance they would adopt a Resolution identifying how many PACE providers would operate within the municipality. He stated that several counties throughout the State have done their due diligence in this area. He stated that the county Ordinances could be reviewed. Commissioner O'Rourke asked for clarification regarding the contractors being registered to participate in the PACE program. Mr. Handerhan explained that there were currently four (4) main PACE providers operating in the State. He stated that FAIR advocates to have more than one provider operate within the municipalities. He explained the benefits of having multiple providers within the municipalities. He suggested meeting with the different PACE providers and through the Resolution, they would adopt those PACE providers to participate within the municipality. Town Manager D'Agostino reinforced that contractors cannot participate in the PACE program in Lake Park until the Town adopts the Ordinance and Resolution that allows it to be placed on the tax bill.

Commissioner O'Rourke asked if the Town has a measure of control over the standards. Town Manager D'Agostino explained that he believed the Town would. He stated that one of the standards was that competition meant everything as it relates to price. He explained that his concern was that it was a complicated program for people to understand. He wants fair and equal treatment of the homeowner. He stated that the

Ordinance could include that the Town would have an advisor who could meet with people and advise them on their needs.

Mayor DuBois explained that there are some significant administrative fees relative to the total cost of a particular project. Mr. Handerhan explained that the originating cost and fees would be in addition to whatever the State and interest rate was. He stated that there were some originating cost that were built for consumer protection. Mayor DuBois asked if the 100 percent financing would include the administrative fees. Mr. Handerhan stated that it would include the administrative fee. Mayor DuBois asked if the improvements to the property would be assessed on the tax roll. Mr. Handerhan explained that with the passing of Constitutional Amendment 4 improvements of solar or energy would not allow for the increase in property value. He stated that if "Wind Hardening" improvements were done, then it would increase the property value and assessed in the tax roll. Mayor DuBois stated that the improvements would be registered with Palm Beach County. Mr. Handerhan stated that there were offsets to improving the property. He thanked the Commission for their time.

Ms. Kate Wesner, Business Development Manager for Ygrene Energy Fund gave a presentation (see Exhibit "B"). She stated that they were currently working with the City of Boynton Beach, and City of West Palm Beach to become a provider for those Cities. She stated that the Town of Lake Clark Shores recently adopted their PACE Ordinance. She explained that they would provide updated reports to the Commission on which projects were completed as well as work with the contractors to ensure they are following the correct procedures.

Commissioner O'Rourke asked if there was an assessment program to review multiunit structures. Ms. Wesner explained that common areas are not allowed, and shared roofs are more complicated but can be done. She stated that individuals that want windows and door projects could be done.

Commissioner Lynch asked what would be the first steps for a single-family homeowner. Ms. Wesner explained that the first step would be to get a contracts estimate. If the homeowner were unable to fund the project, the contractor could offer the PACE program as a financial option to the homeowner. The homeowner would then fill out the documentation and it was then send to a provider, such as Ygrene Energy Fund. Once the project were completed and paperwork all submitted, then the PACE program would appear on the homeowner's next tax bill.

Commissioner Lynch asked what the 20-year interest rate was. Ms. Wesner stated that it would be 7.11 percent for Ygrene, other providers would be complete with that percentage.

Commissioner Lynch asked if there were contracts working in the areas that were PACE providers. Ms. Wesner explained that contractors are ready to do work and are awaiting Cities to adopt the program. Commissioner Lynch asked how long the process takes. Ms. Wesner explained that if the application were filled out on-line, the process could take up to 24-hours.

Commissioner Flaherty asked if there were contractors that were ready to be signed up in the Town to use the PACE program. Ms. Wesner stated that they would be happy to assist the community. She explained that the program also works in the CRA. Commissioner Flaherty asked what the turn-around time was for a contractor to become a participant of the program. Ms. Wesner stated that it would be up to the contractor.

Mayor DuBois thanked Ms. Wesner for her presentation.

Mr. David Goodman, representing PACE Corporate Advisors gave a presentation (see Exhibit "C"). Mayor DuBois recapped that if someone has equity in their home and have a 5.5 percent mortgage and they go to refinance their mortgage, they pull cash out, what could they refinance at if all things are equal. Mr. Goodman explained that combining the equity and debt of a property they need a construction loan the person would have it included in their tax bill. He stated that the homeowner's loan would stay with the person after selling the property. Using a PACE program financing it transfers to the building and not the property owner, so the new owner takes over the financing of the PACE financing.

Mr. Handerhan explained that the answer was geared towards commercial properties and a project. With a residential property, the homeowner was encouraged to go to their bank for financing. He encouraged homeowner's to seek the best deal possible and compare prices.

Commissioner O'Rourke asked if an assessment were conducted for a condominium unit. Mr. Goodman stated that the project would be assessed by the scope of work divided by the number of units. He stated that the PACE program would then finance each assessment.

Mayor DuBois asked the Commission if they were interested in making the Town a PACE Program Town and direct Administration to construct an Ordinance and Resolution for a future agenda.

Motion: Commissioner O'Rourke moved to direct staff to draft an Ordinance enacting the PACE Program; Commissioner Lynch seconded the motion.

Mayor DuBois explained the Ordinance procedures for bringing the item forward.

Vote on Motion:

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

Motion passed 4-0.

PUBLIC COMMENT:

None

CONSENT AGENDA:

- 4. Regular Commission meeting minutes of August 3, 2016.
- 5. Special Call Commission Budget Meeting minutes of August 10, 2016
- 6. Resolution No. 29-09-16 Authorizing and Directing the Mayor to sign the Second Amendment to the License Agreement between the Town of Lake Park and the Burt Reynolds Institute for Film and Theatre (BRIFT)

Motion: Commissioner O'Rourke moved to approve the consent agenda; Commissioner Lynch seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

PUBLIC HEARING(S) – ORDINANCE ON FIRST READING:

7. Ordinance No. 06-2016 Amending Chapter 78, Article I, Section 78-6 of the Lake Park Town Code, Entitled “REASONABLE ACCOMMODATION PROCEDURES” in its Entirety and Replacing it with new REASONABLE ACCOMMODATION REGULATIONS to Protect Persons with Disabilities due to Substance Abuse and the General Public.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 78, ARTICLE I, SECTION 78-6 OF THE LAKE PARK TOWN CODE, ENTITLED “REASONABLE ACCOMMODATION PROCEDURES” IN ITS ENTIRETY AND REPLACING IT WITH NEW REASONABLE ACCOMMODATION REGULATIONS TO PROTECT PERSONS WITH DISABILITIES DUE TO SUBSTANCE ABUSE AND THE GENERAL PUBLIC; PROVIDING FOR CODIFICATION; AND FOR AN EFFECTIVE DATE.

Town Attorney Thomas Baird explained the item (see Exhibit “D”).

Public Comment Opened:

None

Public Comment Closed:

Motion: Commissioner O'Rourke moved to approve Ordinance 06-2016 on first reading; Commissioner Flaherty seconded the motion.

Commissioner O'Rourke asked if the Ordinance would put the Town at risk for future litigation. Town Attorney Baird explained that it puts the Town in a legally defensible position. He stated that there were provisions in the previous version of the Ordinance

that were susceptible to attack because requirements were included requesting medical records. He stated that after a lawsuit the Town enacted regulations and have modified them over the years and went too far in amending the regulations and now are pulling them back to comply with Florida State Statutes that define certain terms. As a member of the Sober House Task Force, they are working on building on the legislations previous Statutes.

Vote on Motion:

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

Motion passed 4-0.

Attorney Baird read the Ordinance by title only.

8. Ordinance No. 07-2016 Updating the Threshold for Capitalizing Assets from \$750.00 to \$5,000.00

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, SECTION 2-24 PERTAINING TO THE RECORDING AND INVENTORY OF CERTAIN PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Public Comment Opened:

None

Public Comment Closed:

Town Manager D'Agostino explained the item (see Exhibit "E"). Mayor DuBois asked if it would affect the Capital Assets. Finance Director Blake Rane explained that an audit was done of the items purchased over the past few years and very few item were less than \$5,000.00, but more than \$750.00. He stated that the surrounding communities were polled and most were at \$5,000.00. He stated that it would not make a huge difference in the budget.

Motion: Commissioner O'Rourke moved to approve Ordinance 07-2016 on first reading; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

Attorney Baird read the Ordinance by title only.

9. Ordinance No. 08-2016 A Town Initiated Ordinance Proposing the Modification of Town Code Section 18-123(7) Allowing Liquor Vendors of Special Events held on Town Property to Provide their own Liquor Legal Liability Insurance to the Town.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE IV, SECTION 18-123 OF THE TOWN CODE ENTITLED “ADDITIONAL CRITERIA FOR PERMIT APPROVAL”; PROVIDING FOR THE AMENDMENT OF SECTION 18-123(7) RELATED TO THE LIQUOR LEGAL LIABILITY INSURANCE; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Opened:

None

Public Comment Closed:

Town Manager D’Agostino explained the item (see Exhibit “F”).

Motion: Commissioner Flaherty moved to approve Ordinance 08-2016 on first reading; Commissioner O’Rourke seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

Attorney Baird read the Ordinance by title only.

PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:

None

Mayor DuBois asked that the New Business section of the agenda be reorganized to hear item 14 – Resolution 33-09-16 Award of the Agreement for Tennis Center Management and Maintenance Services between the Town of Lake Park, Florida and Itamar B. Macedo (RFP 103-2016) before item 10 Lake Park Channel 18 Broadcasting Equipment Replacement.

Motion: Commissioner O’Rourke moved to reorder the agenda: Commissioner Lynch seconded the motion.

Vote on Motion:

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

Motion passed 4-0

NEW BUSINESS:

14. Resolution No. 33-09-16 Award of the Agreement for Tennis Center Management and Maintenance Services between the Town of Lake Park, Florida and Itamar B. Macedo (RFP No. 103-2016).

Town Manager D'Agostino explained the item (see Exhibit "G"). Commissioner O'Rourke asked if the facility operator would have access to open and lock the restrooms and office. Town Manager D'Agostino stated that the facility operator would receive access to those facilities. He explained that the license fee amount was \$9,600 a year, with a 3 percent increase each year. He stated that the monthly payments were \$800.00. Commissioner O'Rourke stated that there was a discussion regarding the adjustment of fees during the "off-season" and asked if that was included in the contract. Mr. Macedo introduced himself and explained that no adjustment was necessary to the contract.

Motion: Commissioner Flaherty moved to adopt Resolution 33-09-16; Commissioner Lynch seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

10. Lake Park Channel 18 Broadcasting Equipment Replacement.

Town Manager D'Agostino explained the item (see Exhibit "H"). Commissioner Flaherty asked if the purchase would include new cameras in the Commission Chamber. Town Manager D'Agostino stated that cameras were not included in the purchase. Mayor DuBois asked if the equipment warranty insurance was being purchased. Town Manager D'Agostino stated that the equipment would have a maintenance warranty for two (2) years. He stated that we would have a one (1) year warranty. Mayor DuBois suggested that additional years be considered.

Motion: Commissioner O'Rourke moved to approve the purchase of channel 18 broadcasting equipment replacement; Commissioner Lynch seconded the motion.

Vote on Motion:

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

Motion passed 4-0

11. Resolution No. 30-09-16 Fiscal Year 2015/2016 Budget Adjustment.

Town Manager D'Agostino explained the Budget Adjustment would fund the replacement of the channel 18 equipment.

Motion: Commissioner Flaherty moved to approve Resolution 30-09-16; Commissioner O'Rourke seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

12. Resolution No. 31-09-16 Authorizing and Directing the Mayor to Execute an Amendment to the Contract with Hy-Byrd, Inc. for Building Official Services.

Town Manager D'Agostino explained the item (see Exhibit "I").

Motion: Commissioner O'Rourke moved to adopt Resolution 31-09-16; Commissioner Lynch seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

13. Resolution No. 32-09-16 Award of the Passport Payment Application for the Lake Park Marina Boat Ramp

Town Manager D'Agostino explained the item (see Exhibit "J"). Mayor DuBois asked if the .25-cent administrative fee would be an "up charge" to boat ramp launch fee of

\$10.00. Town Manager D’Agostino stated that it would be a total charge of \$10.25 per launch. Mayor DuBois explained that the Marina fee schedule Resolution would need to be revised. Town Manager D’Agostino explained that the launch fee would remain at \$10.00. When a person signed up to have the application on their device, they acknowledge that they would be paying a .25-cent administrative fee. Mayor DuBois asked if the Town was increasing the cost of launching by .25-cents or was the .25-cents being taken out of the total \$10.00 launch fee. Marina Director Ted Schiafone explained that the .25-cent convenience fee would be an addition to the \$10.00 launch fee. He stated that customers would be given options to pay at the Marina office or call the office. Town Manager D’Agostino clarified that it was not a Town fee, it was a convenience fee charged by the vendor. Mayor DuBois asked if a parking fee was being implemented. Marina Director Schiafone stated that no parking fee was being charged. Town Manager D’Agostino explained that additional signage has been placed notifying users that a launch fee would be collected. Mayor DuBois acknowledged seeing the new sign. Marina Director Schiafone explained that the application would provide staff with additional control of who has paid to launch.

Commissioner Flaherty asked if the Town had a merchant account with a company. Marina Director Schiafone stated that the Town uses Paywhere. He stated that there were other payment option companies available. Mayor DuBois stated that if the public does not want to pay the additional .25-cents they have the option to go to the Marina office and pay to launch their vessel. He asked if this places the Marina closer to having a yearly fee. Town Manager D’Agostino stated that it could be arranged. Marina Director Schiafone stated that at this point they want to implement it at the current fee and allow staff to come back before the Commission with an entirely new fee schedule for the Marina based on competition and the market. Mayor DuBois suggested that both ideas be implemented at the same time. Marina Director Schiafone stated that the application might offer features for an annual pass as well as other functions discussed.

Motion: Commissioner O’Rourke moved to Resolution 32-09-16; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

Mayor DuBois asked that a proper name be provided for the Passport Payment Application contract because it just shows an illegible name on the contract.

15. Resolution No. 34-09-16 Approval by the Town Commission of a Request to Issue Bonds for the Purpose of Refinancing Marina Debt.

Finance Director Rane explained for the first time in four (4)-years the Town was eligible to lower the interest rate on the Marina bonds (see Exhibit “K”). They are currently financed with the Florida Municipal Bond Council and nine (9) other municipalities would be refinancing at the same time for competitive bonds. He stated that the Town/Marina would save about \$400,000 over the course of the bonds.

Motion: Commissioner Lynch moved to Resolution 34-09-16; Commissioner Flaherty seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

16. Amendment Twelve (12) Palm Beach County Sheriff’s Office Proposed Fiscal Year 2017 Budget Amendment.

Town Manager D’Agostino explained the item (see Exhibit “L”). He stated that during the next fiscal year Administration would seek to have an additional Sergeant assigned to Lake Park.

Motion: Commissioner Flaherty moved to approve the operating budget for the Palm Beach County Sheriff’s Office to provide safety services to the Town of Lake Park in the amount of \$2,805,360; Commissioner Lynch seconded the motion.

Vote on Motion:

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

Motion passed 4-0.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird announced that Assistant Town Attorney Kelly Gardner would attend the First Public Hearing on the Budget meeting scheduled for tomorrow Tuesday, September 8, 2016.

Town Manager D’Agostino announced that the one-cent sales tax website (www.onecountyonepenny.org) was running. He explained that the Town’s list of Capital Improvement projects were not included because the list was too long and the total was over the \$5,000,000 threshold over 10-years. He stated that the Town would have to write

the descriptions broad enough so that the Town could accomplish the projects for the amount allocated. He stated that if the Town chooses not to change the descriptions then the Town's list would not be included on their website. Mayor DuBois suggested placing the list on the Town's website. Town Manager D'Agostino asked for direction regarding changing the descriptions of the projects to be broad to allow the Town to take care of any emergency issues that may arise; or did the Commission want the descriptions to remain and list only those projects that equal \$5,000,000. Mayor DuBois suggested that the Town have the option to fund as many of the projects as they choose over the next few years rather than limiting the Town to a few projects. He stated that he would prefer that the Town not limit itself. He announced that several other municipalities were not listed on the onecountyonecent website.

Town Manager D'Agostino announced Red Ribbon Week from October 23-31st and the PFC Bruce W. Carter Young Marine are looking for the Town's support by issuing a proclamation and actively participating in the national recognize illicit drug awareness event. They have asked that the Town assist in promoting the event by issuing a proclamation. He asked if the Commission would be interested in participating in such a proclamation. Mayor DuBois asked if this came to the Town from PBSO. Town Manager D'Agostino explained that it came to the Town by the PFC Bruce W. Carter Young Marine organization. Mayor DuBois asked to research if it was a reputable organization. Town Manager D'Agostino stated that he would investigate and report back at the next Commission meeting.

Town Manager D'Agostino stated that the next Sunset Celebration would be held on Friday, September 30, 2016 at the Lake Park Marina to listen to a band that plays Jimmy Buffet music.

Commissioner Lynch announced that the Lake Park Library was hosting a Comic-Con event on September 22, 2016. She announced the Southern Rock Festival would take place on October 1 and 2, 2016 in Lake Shore Park. Town Manager D'Agostino explained that the item would appear on the next Regular Commission meeting agenda of September 21, 2016. Mayor DuBois announced that the event would shut down at 7:00 p.m. each evening.

Commissioner O'Rourke explained that there was an issue at Lake Shore Park where loud music was being played and he had received many phone calls regarding the music level. He contacted PBSO and was a bit irritate when speaking to them about the situation. He stated that he walked over to Lake Shore Park met a Deputy by the name of Brendon McDurry who handled the situation in a calm, professional manner and defused the situation. Deputy McDurry made the individuals apologize to him for the disturbance.

Commissioner Flaherty asked if it were appropriate to bring up a nomination for a Board membership that was recently posted to the Dropbox. Mayor DuBois explained that he had nominated the person and the agenda item would appear on the next Regular Commission meeting agenda.

Commissioner Flaherty stated that the Florida League of Cities Annual Conference was great this year. He attended a Code of Ethics class, so he has completed his obligation for the year.

Vice-Mayor Glas-Castro was absent.

Mayor DuBois announced that he completed his Code of Ethics training today morning. He had a request of the Commissioners regarding including a facilities rental usage charge for annual Christmas tree sales at Kelsey Park. He stated that it would consist of approximately 80'X100' or one-fifth of an acre of Kelsey Park to be located at the northwest corner of Kelsey Park. He stated that this type of facility usage would include the use of electric, water, portable restrooms, hand wash stations, and solid waste disposal. He stated that currently the Town does not have a facility usage charge listed for Christmas tree sales in the public park. He stated that someone was interested in this type of sale and there may be others. He explained that the Special permit for Christmas trees in public lands would use a daily charge in the hundreds of dollars for 30-days' worth of selling Christmas trees typically from Thanksgiving until New Year's day. He stated that it would cover the set-up timeframe, and takedown timeframe, fixing of sod, and repair any irrigation that could have broken during the timeframe. He stated that the zoning of the irrigation might need to be amended. He stated that in order to accommodate a Christmas tree sales event to last 30-days, a facility usage fee would need to be created. He explained that he spoke to the Town Manager about this topic and did not receive much push back. He asked the Commission to find consensus to have this topic brought back before them for discussion of a facility usage to the list of facility uses and charges and all other requirements. Commissioner Flaherty agreed. Commissioner Lynch agreed. Commissioner O'Rourke disagreed. He explained that it was not an appropriate use of the park. Mayor DuBois described the location in Kelsey Park where the event would take place. The consensus was to place the item on a future agenda.

Mayor DuBois announced that he would be giving a speech on September 21st at the Northern Palm Beach County Chamber of Commerce. He invited the Commission to attend and asked for any feedback that the Commissioners would like him to include in the speech. The speech would consist of major events that have taken place or will take place in the future of the Town. He stated that it cost \$25.00 per person.

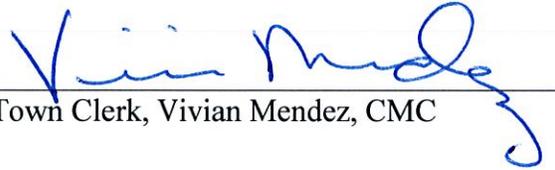
He announced that he would also be conducting a speech at Bright Futures on Friday, September 9, 2016 regarding the 15th anniversary of 9-11.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Flaherty and seconded by Commissioner Lynch, and by unanimous vote, the meeting adjourned at 9:11 p.m.



Mayor James DuBois



Town Clerk, Vivian Mendez, CMC



FLORIDA
Approved on this 21 of September, 2016



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, September 7, 2016
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
Erin T. Flaherty	—	Commissioner
Anne Lynch	—	Commissioner
Michael O'Rourke	—	Commissioner
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John O. D'Agostino	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez, CMC	—	Town Clerk

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

- A. CALL TO ORDER/ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. SPECIAL PRESENTATIONS/REPORTS
 - 1. Palm Beach County Commission on Ethics Presentation on the Services Offered to Municipalities and Palm Beach County Residents Tab 1
 - 2. Presentation of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended 9/30/2015 Tab 2
 - 3. Presentation by Paul Handerhan regarding the Florida Property Assessed Clean Energy (PACE) Program 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. Regular Commission Meeting minutes of August 3, 2016 Tab 4

5. Special Call Commission Budget Meeting minutes of August 10, 2016 Tab 5

6. Resolution No. 29-09-16 Authorizing and Directing the Mayor to sign the
Second Amendment to the License Agreement between the Town of Lake Park
and the Burt Reynolds Institute for Film and Theatre (BRIFT) Tab 6

F. PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

7. Ordinance No. 06-2016 Amending Chapter 78, Article I, Section 78-6 of the Lake Park Town Code, Entitled "REASONABLE ACCOMMODATION PROCEDURES" in its Entirety and Replacing it with New Reasonable Accommodation Regulations to Protect Persons with Disabilities due to Substance Abuse and the General Public. Tab 7

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 78, ARTICLE I, SECTION 78-6 OF THE LAKE PARK TOWN CODE, ENTITLED "REASONABLE ACCOMMODATION PROCEDURES" IN ITS ENTIRETY AND REPLACING IT WITH NEW REASONABLE ACCOMMODATION REGULATIONS TO PROTECT PERSONS WITH DISABILITIES DUE TO SUBSTANCE ABUSE AND THE GENERAL PUBLIC; PROVIDING FOR CODIFICATION; AND FOR AN EFFECTIVE DATE.

8. Ordinance No. 07-2016 Updating the Threshold for Capitalizing Assets from \$750.00 to \$5,000.00 Tab 8

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, SECTION 2-24 PERTAINING TO THE RECORDING AND INVENTORY OF CERTAIN PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

9. Ordinance No. 08-2016 A Town Initiated Ordinance Proposing the Modification of Town Code Section 18-123(7) Allowing Liquor Vendors of Special Events held on Town Property to Provide their own Liquor Legal Liability Insurance to the Town.

Tab 9

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE IV, SECTION 18-123 OF THE TOWN CODE ENTITLED "ADDITIONAL CRITERIA FOR PERMIT APPROVAL"; PROVIDING FOR THE AMENDMENT OF SECTION 18-123(7) RELATED TO THE LIQUOR LEGAL LIABILITY INSURANCE; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

G. PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

None

H. NEW BUSINESS:

10. Lake Park Channel 18 Broadcasting Equipment Replacement **Tab 10**

11. Resolution No. 30-09-16 Fiscal Year 2015/2016 Budget Adjustment **Tab 11**

12. Resolution No. 31-09-16 Authorizing and Directing the Mayor to Execute an Amendment to the Contract with Hy-Byrd, Inc. for Building Official Services **Tab 12**

13. Resolution No. 32-09-16 Award of the Passport Payment Application for the Lake Park Marina Boat Ramp **Tab 13**

14. Resolution No. 33-09-16 Award of the Agreement for Tennis Center Management and Maintenance Services between the Town of Lake Park, Florida and Itamar B. Macedo (RFP No. 103-2016) **Tab 14**

15. Resolution No. 34-09-16 Approval by the Town Commission of a Request to Issue Bonds for the Purpose of Refinancing Marina Debt **Tab 15**

16. Amendment Twelve (12) Palm Beach County Sheriff's Proposed Fiscal Year 2017 Budget Amendment **Tab 16**

I. TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

J. ADJOURNMENT:

Next Scheduled Regular Commission Meeting will be held on Wednesday, September 21, 2016